The Senate met at 12:30 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:

Almighty God, have compassion on us with Your unfailing love. As our lawmakers prepare to formally certify the votes cast by the electoral college, be present with them. Guide our legislators with Your wisdom and truth as they seek to meet the requirements of the U.S. Constitution. Inspire them to seize this opportunity to demonstrate to the Nation and world how the democratic process can be done properly and in an orderly manner. Help them to remember that history is properly and in an orderly manner. And so are You. We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME
The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the leadership time is reserved.

MORNING BUSINESS
The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

REPORT OF THE SECRETARY OF THE SENATE
The PRESIDING OFFICER laid before the Senate the following letter from the Secretary of the Senate, which was ordered to lie on the table:

DEAR MR. PRESIDENT: On Tuesday, January 5, 2021, the President of the United States sent by messenger the attached sealed envelope addressed to the President of the Senate dated January 5, 2021, said to contain a message regarding additional steps addressing the threat posed by applications and other software developed or controlled by Chinese companies. The Senate not being in session on the day which the President delivered this message, I accepted the message at 5:00 p.m., and I now present to you the President’s message, with the accompanying papers, for disposition by the Senate.

Respectfully,

JULIE A. ADAMS,
Secretary of the Senate.

The PRESIDING OFFICER. The Senator from Iowa.

MEASURE READ THE FIRST TIME—S. 13
Mr. GRASSLEY. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 13) to establish an advisory committee to make recommendations on improvements to the security, integrity, and administration of Federal elections.

Respectfully,

JULIE A. ADAMS,
Secretary of the Senate.

The PRESIDING OFFICER. The Senate will now proceed as a body to receive its second reading on the next legislative day.

JOINT SESSION OF THE TWO HOUSES—COUNTING OF ELECTORAL BALLOTS
The PRESIDING OFFICER. Under the provisions of S. Con. Res. 1, the Senate will now proceed to the Hall of the House of Representatives for the purpose of counting the electoral ballots.

Thereupon, the Senate, at 12:51 p.m., proceeded by the Secretary of the Senate, Julie E. Adams, and the Deputy Sergeant at Arms, Jennifer Hemingway, proceeded to the Hall of the House of Representatives for the purpose of counting electoral ballots.

The VICE PRESIDENT. Pursuant to S. Con. Res. 1 and section 17, title III, U.S. Code, when the two Houses withdraw from the joint session to count the electoral vote for separate consideration of an objection, a Senator may speak to the objection for 5 minutes and not more than once. Debate shall not exceed 2 hours, after which the Chair will put the question: Shall the objection be sustained?
The clerk will report the objection made in the joint session.

The senior assistant legislative clerk read as follows:

Objection from Representative GOSAR from Arizona and Senator CRUZ and others, "We, a Member of the House of Representatives and a United States Senator, object to the counting of the electoral votes of the State of Arizona on the ground that they were not, under all of the known circumstances, regularly given."

RECOGNITION OF THE MAJORITY LEADER

The VICE PRESIDENT. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader and the Democratic leader be allowed to speak and that following their remarks, the majority leader and the Democratic leader each control up to 1 hour of debate time and be authorized to hold up to 5 minutes of that time to any Senator seeking recognition. Further, I ask unanimous consent that the Senators be permitted to insert statements into the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The VICE PRESIDENT. The majority leader.

CHALLENGE TO THE ELECTORAL COLLEGE

Mr. MCCONNELL. Mr. President, we are debating a step that has never been taken in American history: whether Congress should overturn the voters and overturn a Presidential election. I have served 36 years in the Senate. This will be the most important vote I have ever cast.

President Trump claims the election was stolen. The assertions range from specific local allegations, to constitutional arguments, to sweeping conspiracy theories. I supported the President’s right to use the legal system. Dozens of lawsuits received hearings in courtrooms all across our country, but over and over, courts rejected these claims, including all-star judges whom the President himself nominated.

Every election, we know, features some illegality and irregularity, and, of course, that is unacceptable.

I support strong State-led voting reforms. Last year’s bizarre pandemic procedures must not become the new norm. But, my colleagues, nothing before us proves illegality anywhere near the massive scale—the massive scale that would have tipped the entire election, nor can public doubt alone justify a radical break when the doubt itself was founded without any evidence.

The Constitution gives us here in Congress a limited role. We cannot simply declare ourselves a national board of elections on steroids. The voters, the courts, and the States have all spoken. They have all spoken. If we overrule them, it would damage our Republic forever.

This election actually was not unusually close. In 2016, 2000, and 2004 were all closer than this one. The electoral college margin is almost identical to what it was in 2016. If this election were overturned by mere allegations from the losing side, our democracy would enter a death spiral. We would never see the whole Nation accept an election again. Every 4 years would be a scramble for power at any cost. The electoral college, which most of us on this side have been defending for years, would cease to exist, leaving many of our States with no real say at all in choosing a President.

The effects would go even beyond the elections themselves. Self-government, my colleagues, requires a shared commitment to the truth and a shared respect for the rules of our system. We cannot keep drifting apart into two separate tribes with a separate set of facts and separate realities with nothing in common except our hostility toward each other and mistrust for the American institutions that we all still share.

Every time—every time in the last 30 years that Democrats have lost a Presidential race, they have tried a challenge just like this—after 2000, after 2004, and after 2004, a Senator joined and forced the same debate. And, believe it or not, Democrats like Harry Reid, Dick DURBIN, and Hillary Clinton praised—praised and applauded the stunt. Republicans condemned those baseless efforts back then, and we just spent 4 years condemning Democrats’ shameful attacks on the validity of President Trump’s own election. So there can be no double standard. The media that is outraged today sentiment 4 years aiding and abetting the Democrats’ attacks on our institutions after they lost.

But we must not imitate and escalate what we repudiate. Our duty is to govern for the public good. The United States Senate has a higher calling than an endless spiral of partisan vengeance.

Congress will either overrule the voters, the States, and the courts for the first time ever or honor the people’s decision. We will either guarantee Demo- crats’ wins in 2020 and 2024 or become a permanent new routine for both sides or declare that our Nation deserves a lot better than this. We will either hasten down a poisonous path where only the winners of elections actually accept the results or show we can still muster the patriotic courage that our forebears showed not only in victory but in defeat.

The Framers built the Senate to stop short-term passions from boiling over and melting the foundations of our Republic. So I believe protecting our constitutional order requires respecting the limits of our own power. It would be unfair and wrong to disenfranchise American voters and overrule the courts and the States on this extraordinary thin basis, and I will not pretend such a vote would be a harmless protest gesture while relying on others to do the right thing. I will vote to respect the people’s decision and defend our system of government as we know it.

RECOGNITION OF THE MINORITY LEADER

The VICE PRESIDENT. The Democratic leader is recognized.

CHALLENGE TO THE ELECTORAL COLLEGE

Mr. SCHUMER. Mr. Vice President, as prescribed by the Constitution and the laws of the Nation, the purpose of this joint session is for tellers, appointed on a bipartisan basis by the two Houses, to read to the Congress the results of an election that has already happened. We are here to receive an announcement of a vote that has already been certified by every State in the Union and confirmed by the courts many times—many times. We are here to watch the current Vice President open envelopes and receive the news of a verdict that has already been rendered. It is a solemn and August occasion, no doubt, but it is a formality. The Congress does not determine the outcome of elections: the people do. The Congress is not endowed with the power to administer elections; our States are given that power.

By the end of the proceedings today, there will be confirmed once again something that is well known and well settled: The American people elected Joe Biden and KAMALA HARRIS to be the next President and Vice President of the United States. Yet a number of our colleagues have organized an effort to undermine and object to that free and fair election. They are in the minority. They will lose; they know that. They have no evidence of widespread voter fraud upon which to base their objections. That is because there is none. There is none, not brought before any of the courts successfully.

They know that President Trump and his allies have suffered a defeat in court after court across the country, losing no fewer than 62 legal challenges—and I might add the Republican-appointed judges—some appointed by President Trump—rendered those decisions.

They know—you all know—that Joe Biden and Kamala Harris are going to be sworn in as President and Vice President of the United States on January 20, but they are going to object to the counting of the vote anyway, and in the process, they will embarrass themselves, they will embarrass their party, and worst of all, they will embarrass their country.

This insurrection was fortunately discouraged by the leadership of the majority party, but it was not quelled.
It is a very sad comment on our times that merely accepting the results of an election is considered an act of political courage. Sadder and more dangerous still is the fact that an element of our political Party believes the health of our democracy hinges on the electoral victory of a candidate the existing results of which anyone—much less an elected official—would be willing to tarnish our democracy in order to burnish their personal political fortunes.

Over the course of the afternoon and however late into the evening this band of Republican objectors wants to take us, Senators of good will from both sides of the aisle will explain why these challenges must be dismissed. The Senators from States whose electoral votes are being challenged will explain how the allegations of fraud are baseless. And a substantial bipartisan majority must vote to put down these objections and defend the sanctity of our elections and indeed—and indeed—our great and grand democracy because that is what we are talking about today: the health of power democracy, this wonderful, beautiful, grand democracy where the peaceful passing of the torch is extolled by schoolchildren in the second grade but not by some here.

As we speak, half of our voters are being conditioned by the outgoing President to believe that when his party loses an election, the results must not be legitimate.

What message will we send today to our people, to the world that has so looked up to us for centuries? What message will we send to fledging democracies who study our Constitution, mirror our laws and traditions in the hopes that they, too, can build a country ruled by the consent of the governed?

What message will we send to those countries where democratic values are under assault and look to us to see if those values are still worth fighting for?

What message will we send to every dark corner of the world where human rights are betrayed, elections are stolen, human dignity denied?

What will we show those people? Will we show the world that there is a better way to ensure liberty and opportunity of humankind?

Sadly, a small band of Republican objectors may darken the view of our democracy today, but a larger group of Senators and House Members from both sides of the aisle can send a message, too; that democracy beats deep in the hearts of our citizens and our elected representatives; that we are a country of laws and of not men; that our traditions are not so easily discarded, even by our President; that facts matter; that truth matters; that while democracy allows free speech and free expression, even if that expression is antidemocratic, there will always, always be—praise God—a far broader and stronger coalition ready to push back and defend everything we hold dear.

We can send that message today by voting in large and overwhelming numbers to defeat these objections. My colleagues and I went before the American people just 3 days ago that we would defend and support the Constitution of the United States against all enemies, foreign and domestic; that we would bear true faith and allegiance to the same. We swore an oath in a dark corner of the world where human dignity denied?

The precise words of that oath were shortly written after the Civil War, when the idea of true faith and allegiance to this country and its Constitution took on enormous meaning. Let those words ring in the ears of every Senator today, that we do our duty to support and defend the Constitution of the United States, so help us God.

The VICE PRESIDENT. The majority leader.

Mr. McCONNEL. Mr. President, I yield up to 5 minutes to the Senator from Texas, Senator CRUZ.

The VICE PRESIDENT. The Senator from Texas.

Mr. CRUZ. Mr. President, we gather together at a moment of great division, at a moment of great passion. We have seen and, no doubt, will continue to see a great deal of moralizing from both sides of the aisle, but I would urge to both sides perhaps a bit less certitude and a bit more recognition that we are gathered at a time when democracy is in crisis.

Recent polling shows that 39 percent of Americans believe the election that just occurred was rigged. You may not agree that it was rigged, but it is, nonetheless, a reality for nearly half the country.

I would note it is not just Republicans who believe that. Thirty-one percent of Independents agree with that statement. Seventeen percent of Democrats believe the election was rigged. Even if you do not share that conviction, it is the responsibility, I believe, of this office to acknowledge that is a profound threat to this country and the legitimacy of any administration that will come in the future.

I want to take a moment to speak to my Democratic colleagues. I understand. Your guy is winning right now. If Democrats vote as a bloc, Joe Biden will almost certainly be certified as the next President of the United States.

I want to speak to the Republicans who are considering voting against these objections. We understand your concern but I urge you to pause and think: What does it say to the nearly half the country that believes this election was rigged if we vote not even to consider the claims of illegality and fraud in this election?

And I believe there is a better way. The leaders just spoke about setting aside the election. Let me be clear. I am not arguing for setting aside the results of the electoral college election. We are faced with two choices, both of which are lousy. One choice is vote against the objection, and tens of millions of Americans will see a vote against the objection as a statement that voter fraud doesn’t matter, isn’t real, and doesn’t matter. The other choice is, if you are a Republican, to set aside the elections and find a great many of us don’t believe that.

On the other hand, most, if not all, of us believe we should not set aside the results of an election just because our candidate may not have prevailed. So I endeavored to look for door No. 3, a third option, and for that I looked to history, to the precedent of the 1876 election, the Hayes-Tilden election, where this Congress appointed an electoral commission to examine claims of voter irregularities.

Five House Members, five Senators, five Supreme Court Justices examined the evidence and rendered a judgment. What I would urge of this body is that we do the same; that we appoint an electoral commission to conduct a 10-day emergency audit, consider the evidence, and resolve the claims.

For those in the Democratic aisle who say there is no evidence, they have been rejected, then you should rest in comfort. If that is the case, an electoral commission would reject those claims.

But for those who respect the voters, simply telling the voters, “Go jump in a lake; the fact that you have deep concerns is of no moment to us,” that jeopardizes, I believe, the legitimacy of this and subsequent elections.

The Constitution gives to Congress the responsibility this day to count the votes. The Framers knew what they were doing when they gave responsibilities to Congress. We have a responsibility, and I would urge that we follow the precedent of 1877. The Electoral Count Act explicitly allows objections such as this one for votes that were not regularly given.

Let me be clear. This objection is for the State of Arizona, but it is broader than that. It is an objection for all six of the contested States to have a credible, objective, impartial body hear the evidence and make a conclusive determination. That would benefit both sides. That would improve the legitimacy of this election.

So let me urge my colleagues: All of us take our responsibility seriously. I would urge my colleagues: Don’t take, perhaps, the easy path, but, instead, act together. Astonish the viewers and act in a bipartisan sense to say we will have a credible and fair tribunal, consider the claims, consider the facts, consider the evidence, and make a conclusive determination of what extent this election complied with the Constitution and with Federal law.
Mr. SCHUMER. Senator KLOBUCHAR. The VICE PRESIDENT. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I first would like to say I appreciate the words of our leader, Senator SCHUMER, as well as Senator MCCONNELL’s call for a higher calling.

January 6 is not typically a day of historical significance for our country. For centuries, this day is simply the day we debate each State’s certified electoral votes, and it has come and gone without much fanfare. In fact, this is only the third time in 120 years that the Senate has gathered to debate an objection, and as Senator CRUZ well knows, both times these objections were resoundingly defeated. The last time the vote was 74 to 1.

Why? Because Senators have long believed that they should not mess around with the outcomes of elections. They have understood the words of our great former colleague John McCain from the State of Arizona, who once said that nothing in life is more liberating than to fight for a cause larger than yourself.

In this case, my colleagues, our cause, despite our political differences, is to preserve our American democracy, to preserve our Republic because, as someone once said long ago, it is a republic if you can keep it.

Now, I appreciate all my Democratic and Republican colleagues who have joined our ranks of coup fighters, who have stood up for our democracy, who stand against this assault on the Republic, and who believe in an ideal greater than ourselves, larger than our political parties. That ideal is America.

And Senator CRUZ, he knows this: On January 20, Joe Biden and KAMALA HARRIS will be sworn in as President and Vice President of the United States. He knows that President-Elect Biden won more votes than any President in history and more than 7 million more votes than President Trump. Despite the bigoted conspiracy theories Senator CRUZ tells, he knows that high-ranking officials in President Trump’s own Homeland Security Department have concluded that the 2020 election was “the most secure in American history.”

If he wants to improve the numbers in his own party that he just mentioned of people believing in our elections, maybe he should start consulting with them or maybe he should start consulting with former Attorney General Barr, who said that he has found no evidence of widespread fraud in the 2020 election.

We don’t have to go back to 1877, my colleagues. Senator CRUZ knows that 90 judges, including conservative judges, including judges confirmed in this Chamber, nominated by President Trump, have thrown out these lawsuits, calling them baseless, inadmissible, and contrary to both the plain meaning of the constitutional text and common sense.

And he knows that all 10 living Defense Secretaries, including both of Trump’s Defense Secretaries—Dick Cheney, Donald Rumsfeld, William Cohen—he knows that all of these leaders have come together to say that these scurrilous attacks on our democracy must stop and we must allow for a peaceful transition of power.

Senator SINEMA will fill you in on the specific facts as to why this election was sound and true in Arizona, but by way of summary: President Trump received 1,061,666 votes in the State; President-elect Biden received 1,072,143 votes, meaning that he won the State by 10,475 votes.

On November 30, after Arizona’s Republican Governor, the secretary of state, the attorney general, and the conservative chief justice of the Arizona Supreme Court certified the results of the election, the Governor actually said: We do elections well here in Arizona. The system is strong.

Eight postelection lawsuits brought in Arizona to challenge the results were dismissed by judges. Nine Members of the House from Arizona were elected in the same election, including four Republicans. Colleagues, I did not see Senator CRUZ at the swearing-in at the House of Representatives last Sunday asking for an audit. He did not stop their swearing-in because there was no fraud, and he did not ask for an audit because there was no election contest.

I will end with this. My friend Roy BLUNT, my fellow Rules Committee leader, many years ago found a statue, a bust of a man at the top of a bookcase. He did research. He went to the historians. All he could find out was that no one knew who this guy was except that he was a cleric. Hence, the statue is called “The Unknown Cleric.”

Now, at the time, our leaders thought this man important enough that they would build a statue for him, but today no one knows who he was. Senator BLUNT’s message to schoolkids and Senators alike that visit his office, when he shows them the statue: What we do here is more important than who we are.

Senators, what matters is not our futures, not our own short-term desires.

What matters is our democracy’s destiny because we know people will not know who we are 100 years from now or 200 years from now, but what they will know is this; They will know what the Constitution allows us to have. They have chosen it.

Thank you, Mr. President.

Mr. TOOMEY. I yield to the Senator from Pennsylvania.

Mr. TOOMEY. I intend later to address the specifics of Pennsylvania if and when an objection is raised in regard to Pennsylvania.

For now, I want to address my remarks to what I think is the fundamental question being posed by the objectors, and that is, does Congress have the constitutional authority to decide which States’ electoral college votes shall be counted. I believe it is clear that Congress has the authority to do so under the Twenty-Fifth Amendment, and that if a President-elect is chosen and we then see that the State of Pennsylvania has also chosen to elect a candidate other than that chosen by the President-elect, then Congress has the duty and the power to act.

Mr. President, if we adopt this new precedent that we sit in judgment of States’ processes, that is illegal in some States; it is encouraged in others; it would establish the permissible criteria and rules for the States’ elections.

Second, legislators from the swing States where the someone has already spoken. They have made their decision. They have chosen not to send us alternative electors.

Third, a commission—right? It is completely impractical, and we all know it, with 14 days to go before a constitutionally mandated inauguration.

Look at it this way: If the electors are right and it is Congress’s job to sit in judgment on the worthiness of the States’ electoral processes, what is the criteria for acceptable electoral processes? What investigations have been conducted of these processes? What body has deemed that certain States’ processes are unacceptable? What opportunities were these States given to challenge the findings? Why are the objectors objecting only to swing States that President Trump lost? What about the ones he won? I don’t know—North Carolina? What about them? They have ballot harvesting, I am told. If this is all supposed to be Congress’s job, you would think we would have answers to these questions and procedures in place because we would have already known every detail. But we don’t because it is not our job.

If we adopt this new precedent that we sit in judgment of States’ processes, then we are federalizing the election law. We would necessarily have to establish the permissible criteria and rules for the States’ elections.

The ballot harvesting example—it is illegal in some States; it is encouraged...
activities. Does it become mandatory or forbidden depending on who is in control of Congress? And, as the leader pointed out, it would be the end of the electoral college. The electoral college is the mechanism by which the people select their President. But if Congress gets to decide which States get to vote in the electoral college, then clearly Congress is electing the President, not the people. Whichever party controls both Houses of Congress would control the Presidency.

The public would never tolerate Congress picking the President instead of themselves, so they would abolish the electoral college, as many of our colleagues would like to do, and the end of the electoral college, of course, means the Nation will be governed by a handful of big blue States and regions that can drum up very large numbers.

Mr. President, the Constitution does not assign to Congress the responsibility to judge the worthiness of State election processes nor its adherence to its rules. That is the responsibility of the States and the courts.

Let me conclude with this, I voted for Mr. Trump. I publicly endorsed President Trump. I campaigned for President Trump. I did not want Joe Biden to win this election. There is something more important to me than having my preferred candidate sworn in as the next President, and that is to have the American people's chosen candidate sworn in as the next President.

A fundamental defining feature of a democratic republic is the right of the people, by their own leaders or it is now our duty. It is our responsibility to ensure that right is respected in this election and preserved for future elections. I urge you to vote against this objection.

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. Mr. President, the Senator from the great State of Arizona, Senator SINEMA.

The VICE PRESIDENT. The Senator from Arizona.

Ms. SINEMA. Thank you, Mr. President.

I rise today to share the facts about Arizona's recent election and to urge my colleagues to step away from divisive political rhetoric and step towards renewing Americans' faith in our democracy.

The 2020 Arizona election was a success, one party's victory or the other is irrelevant but as a demonstration of the will of the voters. A record 80 percent of registered voters participated, thanks to local Arizona election officials who ensured our system worked and our laws were upheld. Arizona has offered early voting for more than 100 years, and our vote-by-mail system includes strict safeguards. All ballots include tracking mechanisms and tamper-resistant envelopes. Election staff are trained to authentic signatures. And Arizona imposes severe criminal punishments for ballot tampering.

The Arizona election produced bipartisan results in which members of both parties won races, and these results have been confirmed by stakeholders across the political spectrum.

The Republican chairman of the Maricopa County Board of Supervisors said: "No matter how you voted, this election was administered with integrity, transparency, and... in accordance with Arizona State laws."

The Republican speaker of the Arizona State House rejected calls for the legislature to overturn the election, saying: "As a conservative Republican, I don't like the results of the presidential election... but I cannot and will not entertain a suggestion that we violate current law to change the outcome."

Eight challenges contesting the Arizona election were brought to Federal and State courts. All eight were withdrawn or dismissed, including a unanimous ruling by the Arizona Supreme Court. The chief justice wrote: "The challenge fails to present any evidence of "misconduct," [or] "illegal votes"... let alone establish any degree of fraud or a sufficient error rate that would undermine the election's outcome."

During a recent committee hearing, I asked a simple question of the former Director of Cybersecurity and Infrastructure Security: Did he find any evidence disputing the integrity or fairness of Arizona's election? His answer was simple: "Arizona and our 15 counties should be congratulated for running a secure election. Perhaps the most heartening demonstration of Arizona's election success is Jocelyn from Phoenix. Jocelyn is 18 years old and was a first-time voter in 2020. So was Rachel from Tucson and thousand more Arizonans who for the first time exercised their constitutional right to decide their own leaders."

Today's challenge to Arizona's election is Joceilyn from Phoenix. Joceilyn is 18 years old and was a first-time voter in 2020. So was Rachel from Tucson and thousand more Arizonans who for the first time exercised their constitutional right to decide their own leaders. Today's challenge to Arizona's election fails any factual analysis. Mr. McCarthy seeks to rob Joceilyn and Rachel and more than 3 million Arizonans of a fair, free election. Those of us who are trusted with elected office are first and foremost public servants. We serve our constituents. We do not seek to substitute our personal ambitions for the will of the American people.

The American people have spoken... Senator Obama and I have... argued our differences, and he has prevailed. Whatever our differences, we are fellow Americans. He spoke to the nearly 60 million Americans who voted for him, saying: "It is natural tonight to feel some disappointment, but tomorrow we must move beyond it and work together to get our country moving again."

Senator McCain was right.

Today we have serious, significant work to do beating this pandemic and reviving our economy. I urge my colleagues to follow the example of Senator John McCain and so many others, reject this meritless challenge, and uphold the will of Arizona's voters. Thank you.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. Mr. President, I yield up to 5 minutes to the Senator from Oklahoma, Senator LANKFORD.

Mr. LANKFORD. Mr. President, in America, we settle our differences in elections. What happens if you don't settle the election correctly? Election courts are concerned that so many courts denied or dismissed cases within hours after they were given thousands of pages of evidence?

The reason we have a Congress to settle our Nation's divisions and the rules of the Senate make sure that every opinion in the Nation is heard is so issues like this can be addressed.

The constitutional crisis in our country right now is that millions of Americans are being told to sit down and shut up. Their opinions matter.

During the electoral challenge on January 6, 2005, Senator Ted Kennedy stood on this floor and said this. He said:

"I commend the many thousands of citizens in the States and others who insist that treating today's electoral vote count in Congress as a meaningless ritual would be an insult to our democracy unless we settle our own proposed obviously-flawed voting process that took place in so many States. We are hopeful that this major issue that goes to the heart of our democracy is now firmly implanted on the agenda for effective action by... Congress."

I agree. The U.S. Constitution does not allow me to assign different electors to a State, nor should it. The U.S. Constitution does not give the option to the Vice President of the United States to just unilaterally decide which States are in and out, and it should not. Each State decides its electors through its people.

A small group of Senators, including myself, have demanded that we not ignore the questions that millions of people are asking in our Nation, so we have proposed a constitutional solution. Pause the count. Get more facts to the States before January the 20th. Mr. Vice President, I propose a 15-member commission to settle our Nation's divisions and the rule of the Senate make sure that every opinion in the Nation is heard is so issues like this can be addressed.

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The American people have spoken... Senator Obama and I have... argued our differences, and he has prevailed. Whatever our differences, we are fellow Americans. He spoke to the nearly 60 million Americans who voted for him, saying: "It is natural tonight to feel some disappointment, but tomorrow we must move beyond it and work together to get our country moving again."

Senator McCain was right.
last opportunity to address any challenges. Then the States, as the Constitution directs, would make the final decision on their electors.

I have some colleagues who have said that a 10-day commission is not enough time, so they have counterproposed just ignoring the lingering questions.

We need to do something.

(Mr. GRASSLEY assumed the Chair.)

Mr. LANKFORD. My challenge today is not about the good people of Arizona.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDENT pro tempore. The Senate will stand in recess subject to the call of the Chair.

Thereupon, the Senate, at 2:13 p.m., recessed subject to the call of the Chair and reassembled at 8:06 p.m. when called to order by the Vice President of the United States.

The VICE PRESIDENT. The Vice President, as President of the Senate, would like to give a brief statement with his colleagues of the Senate.

Today was a dark day in the history of the United States Capitol, but thanks to the swift efforts of U.S. Capitol Police, Federal, State, and local law enforcement, the violence was quelled, the Capitol is secured, and the people's work continues.

We condemn the violence that took place here in the strongest possible terms. We grieve the loss of life that took place in these hallowed Halls, as well as the injuries suffered by those who defended our Capitol today. And we will always be grateful to the men and women who stayed at their posts to defend this historic place.

To those who wreaked havoc in our Capitol today, you did not win. Violence never wins. Freedom wins. And this is still the People's House.

As we reconvene in this Chamber, the world will again witness the resilience and strength of our democracy, for even the most unprecedented violence and vandalism at this Capitol, the elected representatives of the people of the United States have assembled again on the very same day to support and defend the Constitution of the United States.

May God bless the lost, the injured, and the heroes forged on this day. May God bless all who serve here and those who protect this place. And may God bless the United States of America.

Let's get back to work.

(Applause, Senators rising.)

The VICE PRESIDENT. The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. McCONNELl. Mr. President, I ask unanimous consent that the majority leader and the Democratic leader be allowed to address the Senate, and that the time not count against the 2 hours of debate in relation to the objection raised on the Senate of Arizona.

The VICE PRESIDENT. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELl. I want to say to the American people, the United States Senate will not be intimidated.

We will uphold the will of this Chamber by thugs, mobs, or threats. We will not bow to lawlessness or intimidation.

We are back at our posts. We will discharge our duty under the Constitution and for our Nation, and we are going to do it tonight.

This afternoon, Congress began the process of honoring the will of the American people and counting the electoral college votes. We have fulfilled this solemn duty every 4 years for more than two centuries. Whether our Nation has been at war or at peace, under all manner of threats, even during an ongoing armed rebellion and the Civil War, the clockwork of our democracy has carried on.

The United States and the United States Senate and at times we have faced down much greater threats than the unhinged crowd we saw today. We have never been deterred before, and we will not be deterred today.

They tried to disrupt our democracy. They failed. They failed.

This failed attempt to obstruct the Congress, this failed insurrection, only underscores how crucial the task before us is for our Republic.

Our Nation was founded precisely so that the free choice of the American people is what shapes our self-government and determines the destiny of our Nation—not fear, not force, but the peaceful expression of the popular will.

We assembled this afternoon to count our citizens' votes and to formalize their choice of the next President. Now we are going to finish exactly what we started. We will complete this process the right way, by the book. We will follow our precedents, our laws, and our Constitution to the letter, and we will certify the winner of the 2020 Presidential election.

Criminal behavior will never dominate the United States Congress. This institution is resilient. Our democratic Republic has carried on.

But make no mistake—make no mistake, my friends—today's events did not happen spontaneously. This President who promoted the conspiracy theories that motivated these thugs, the President who exhorted them to come to our Nation's Capital egged them on. He hardly ever discourages violence and more often encourages it. This President bears a great deal of the blame.

This mob was, in good part, President Trump's doing, incited by his lies and his lies. This violence, in good part, is his responsibility—his everlasting shame. Today's events certainly—certainly—would not have happened without him.

Now January 6 will go down as one of the darkest days in recent American history. A final warning to our Nation about the consequences of a demagogic President, the people who enable him, the captive media that parrot his lies, and the people who follow him as he attempts to push America to the brink of ruin.

As we reconvene tonight, let us remember, in the end, all this mob has really accomplished is to delay our evacuation was ordered, leaving rioters to stalk these hallowed Halls. Lawmakers and our staffs, average citizens who love their country and serve it every day, feared for their lives. I understand that one woman was shot and tragically lost her life. We mourn her and feel for her friends and family.

These images were projected to the world. Foreign Embassies cabled their home capitals to report on the harrowing scenes at the very heart of our democracy. This will be a stain on our country not chased away—the final, terrible, indelible legacy of the 45th President of the United States and undoubtedly our worst.

I want to be very clear. Those who performed these reprehensible acts cannot be called protesters. No, these were rioters and insurrectionists, goons and thugs, domestic terrorists. They do not represent America. These were a few thousand violent extremists who tried to take over the Capitol Building and attack our democracy. They must and should be prosecuted to the full extent of the law, hopefully, by this administration; if not, certainly by the next. They should be provided no leniency.

I want to thank the many in the Capitol Hill Police and Secret Service and local police who kept us safe today and worked to clear the Capitol and return it to its rightful owners and its rightful purpose. I want to thank the leaders, Democratic and Republican, House and Senate. It was Speaker PELOSI, Leader McCONNELl, Leader McCARTHY, and myself who came together and decided that these thugs would not succeed and that we would finish the work that our Constitution requires us to complete in the very legislative Chambers of the House and Senate that were desecrated but we know always belong to the people and do again tonight.

But make no mistake—make no mistake, my friends—today's events did not happen spontaneously. The President who promoted the conspiracy theories that motivated these thugs, the President who exhorted them to come to our Nation's Capital egged them on. He hardly ever discourages violence and more often encourages it. This President bears a great deal of the blame.

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As we reconvene tonight, let us remember, in the end, all this mob has really accomplished is to delay our...
work by a few hours. We will resume our responsibilities now, and we will finish our task tonight. The House and Senate Chambers will be restored good as new and ready for legislating in short order.

The counting of the electoral votes is our sacred duty. Democracy’s roots in this Nation are deep; they are strong; and they will not be undone, ever, by a group of thugs. Democracy will triumph, as it has for centuries.

So to the Americans who were shocked and appalled by the images on their televisions today and who are worried about the future of this country, let me speak to you directly. The divisions in our country clearly run deep, but we are a resilient, forward-looking, and optimistic people. And we will begin the hard work of repairing this Nation tonight because here in America we do hard things. In America, we always overcome our challenges.

I yield the floor.

The VICE PRESIDENT, the Democratic leader.

Mr. McCONNELL. Mr. Vice President, I yield 2 minutes to the Senator from Nevada, Senator LANKFORD.

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. LANKFORD. Mr. Vice President, you said things more eloquently than how we say it in Oklahoma. In Oklahoma, we say something like: Why in God’s name would someone think attacking law enforcement and occupying the United States Capitol is the best way to show that you are right? Why would you do that?

Rioters and thugs don’t run the Capitol. We are the United States of America. We disagree on a lot of things, and we have a lot of spirited debate in this room, but we talk it out, and we honor each other, even in our disagreements. That person, that person, and that person is not my enemy. That is my fellow American. And while we disagree on things, and disagree strongly at times, we do not encourage what happened today—ever.

Now, I want to join my fellow Senators in saying thank you to the Capitol Hill Police, the law enforcement, the National Guard, the Secret Service who stood in harm’s way. While we were here debating, they were pushing back. And I was literally interrupted mid-sentence here because we were all unaware of what was happening right outside this room because of their faithfulness and because of what they have done. I want to thank them.

Ronald Reagan once said: Peace is not the absence of conflict. It is the ability to handle conflict by peaceful means.

The peaceful people in my State of Oklahoma want their questions answered, but they didn’t want this, what happened today. They want to do the right thing, and they also want to do it the right way. They want to honor the constitutional process, but they also want to have debate about election security because they want to make sure it is right, which is why it is an important issue that still needs to be resolved.

Transparency in government just doesn’t seem like a bad idea. Obviuously, the Commission that we have asked for is not going to happen at this point, and I understand that. And we are headed tonight toward the certification of Joe Biden to be the President of the United States, and we will work together in the Senate to set a peaceful example in the days ahead.

I yield the floor.

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. The Senator from Nevada, Senator CORTEZ MASTO.

The VICE PRESIDENT. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. Vice President, I know that this room is full of leaders who love this country, and many believe that for America to succeed, our politics must find common ground. That has never been clearer than today, when armed rioters stormed the U.S. Capitol, emboldened by President Trump’s false and inflammatory rhetoric about the 2020 elections.

I believe that we, in this Chamber, have a special duty as leaders to work together to lower the temperature of our politics, and I hope that my colleagues, who have led the way toward the legitimization of this election in Arizona and all of these other States, now see the dire and dangerous consequences of sowing doubt and uncertainty.

I also know that, as U.S. Senators, we all take solemnly the oath we swear to support and defend the Constitution of the United States against all enemies, foreign and domestic. At this moment in history, I can think of nothing more patriotic than renewing our faith in the Charters of Freedom that our Founding Fathers crafted for our Republic, starting with the fundamental American principle in our Declaration of Independence that governments derive their just powers from the consent of the governed.

The people have spoken in this election, and our only job here today is to do what they ask. It is not to argue election security. That is not the place for what we are doing today.

Our Constitution specifically reserves to the people the right to meet in their respective States and vote for the President and Vice President. As a result, individual States oversee and implement the election process, not the Federal Government.

To guard against fraud or irregularities in the voting process, the States are required to have robust election security measures. Likewise, State legislatures have the opportunity to examine evidence of voter fraud before they certify their electoral college votes. And our courts—from district courts to the United States Supreme Court—adjudicate legal challenges and election disputes. All of those things happened after the 2020 election.

Statehouses and courts across the country took allegations of voter fraud seriously and followed the constitutional process to hear challenges to this year’s election. No State found evidence of any widespread voter fraud and neither did any court ask to review the State’s findings.

In Arizona, the Republican Governor Doug Ducey; the Secretary of State, Katie Hobbs; the Republican attorney general, Mark Brnovich; and the State supreme court chief justice, Robert Brutinel, all certified the results of the election on November 30.

And we know—we have heard—Arizona has been voting by mail for almost 30 years, and Governor Ducey has expressed confidence in the State’s process numerous times. In November, he said:

We do elections well here in Arizona. The system is strong, and that is why I have bragged on it so much.

And they are right. Arizona has one of the most transparent election processes in the country with built-in accountability, starting with the internal auditing.

We have heard unfounded allegations that voting machines in Arizona and elsewhere somehow changed vote tallies or somehow improperly rejected ballots while claiming to accept them. These allegations all ignore the fact that Arizona counties conducted ballot audits by hand to double-check the machine counts, and these audits found no widespread fraud or irregularities.

Maricopa County, the county where more than 60 percent of the State’s population resides, conducted a post-election hand count audit in the week after the election, which showed perfect, 100 percent, accuracy in the machine tabulations. So why would we need, my colleagues, to call for a 10-day emergency audit to be conducted by a legislative commission when it has already been done by the State of Arizona? What happened to State’s rights?

The audit involved checking ballots for the Presidential election but also both federal and State legislative elections. The audit report shows every precinct’s machine and hand count totals for each of the races audited, and for every single race in every precinct, the difference between the hand count and the machine count was zero. Maricopa’s audit report stated: No discrepancies were found by the hand count audit boards.

Seeking to find any reason to contest these results, some of the State Republicans then tried to claim that Maricopa’s audit was in violation of State law in conducting this audit by selecting voting center locations to audit instead of voting precincts. This was
wrong. And this, too, went to a court. In rejecting this claim, the State court in Arizona found that the county followed the properly issued guidance on hand audit procedures from the Arizona Secretary of State. And the court found that County officials, therefore, could not lawfully have performed the hand count audit the way the plaintiffs wanted it done. If they had done so, they would have exposed themselves to criminal punishment.

The VICE PRESIDENT. The Senator’s 5 minutes has expired.

Ms. CORTEZ MASTO. Thank you, Mr. Vice President. I would close by just saying, please, my colleagues, do not disenfranchise the voters of Arizona and certify their votes tonight.

Thank you.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. Mr. Vice President, I yield up to 5 minutes to the Senator from Utah, Senator LEE.

The VICE PRESIDENT. The Senator from Utah.

Mr. LEE. Mr. Vice President, from the time I prepared my remarks for today, it seems like a lifetime ago. A lot has changed in the last few hours. So I am going to deliver some of the same remarks, but it has a little bit of a different feel than it would have just a few hours ago.

My thoughts and prayers go out to the family members of those who have been injured or killed today. My heartfelt gratitude goes out to the Capitol Police who valiantly defended our building and our lives.

While it is true that legitimate concerns have been raised with regard to how some of the key battleground States conducted their Presidential elections, this is not the end of the story. We each have to remember that we swore an oath to uphold, protect, and defend this document, written nearly two and a half centuries ago by wise men raised up by God for that purpose. And it is due, therefore, to defend the building that we currently defend.

You see, because in our system of government, Presidents are not directly elected. They are chosen by Presidential electors, and the Constitution makes very clear, under article II, section 1, that the States shall appoint Presidential electors according to procedures that their legislatures develop. Then comes the 12th Amendment. It explains what we are doing here today in the Capitol. It explains that the President of the Senate—the Vice President of the United States—shall open the ballots, “and the votes shall then be counted.” It is those words that confine, define, and constrain every scrap of authority that we have in this process.

Our job is to open and then count. Open then count—that is it. That is all there is.

There are, of course, rare instances—in which multiple slates of electors can be submitted by the same State. That doesn’t happen very often. It happened in 1960. It happened in 1876. Let’s hope it doesn’t ever happen again. In those rare moments, Congress has to make a choice. It has to decide which slate should be counted and which will not. That did not happen here—thank heavens—and let’s hope that it never does.

Many of my colleagues have raised objections or had previously stated their position with respect to this. I have spent an enormous amount of time on this issue over the last few weeks. I have met with lawyers on both sides of the issue, and I have met with lawyers representing the Trump campaign and reading everything I can find about the constitutional provisions in question, and I have spent a lot of time on the phone with legislators and other leaders from the contested States. I didn’t initially declare my position because I didn’t yet have one.

I wanted to get the facts first, and I wanted to understand what was happening. I wanted to give the people serving in government in those contested States the ability to do whatever they felt they needed to do to make sure that their election was properly reflected. I spent an enormous amount of time reaching out to State government officials, to legislators, but none of the contested States—no, not even one—did I discover any indication that there was any chance that any State legislature or secretary of state or Governor or Lieutenant Governor had any intention to alter the slate of electors. That being the case, our job is a very simple one.

This simply isn’t how our Federal system is supposed to work. That is to say, if you have concerns with the way that an election in the Presidential race was handled in your State, the appropriate response is to approach your State legislatures, first and foremost. These protests—hearing from those who have raised concerns should have been focused on the State capitals, not the Nation’s Capitol, because our role is narrow, our role is defined, our role is limited.

Yes, we are the election judges when it comes to those elected to our own body. And, yes, the House of Representatives are the judges of their own races there. We also have the authority to prescribe, as a Congress, rules governing the time, place, and manner of elections for Senators and Representatives. There is no corresponding authority with respect to Presidential elections—none whatsoever. It doesn’t exist. Our job is to convene, to open the ballots, and to count them. That is it.

Thank you.

Mr. SCHUMER. The Senator from Colorado, Mr. BENNET.

The VICE PRESIDENT. The Senator from Colorado.
wasn't stolen and that we, just as in the Roman Republic, have a responsibility to protect the independence of the judiciary from politicians who will stop at nothing to hold on to power. There is nothing new about that either. That has been true since the first republic was founded.

So now we find ourselves in the position, just days after many Senators here swore an oath to uphold and defend the Constitution—every single Member of the House of Representatives and the Senate itself. And I think we have a solemn obligation and responsibility here to prove, once again, that this country is a nation of laws and not of men, and the only result that we can reach together is one that rejects the claim of the Senator from Texas and the other Members of the House and Senate who seek to overturn the decisions that have been made by the States, by the voters in these States, and by the courts.

If we do not do the job they have proposed, we will be the ones who will disenfranchise every single person who cast a vote in this election, whether they voted for the President or they didn't.

I urge you to reject this, and I deeply appreciate the opportunity to serve with every single one of you.

Thank you.

(Appause.)

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. I yield up to 5 minutes to the Senator from Georgia, Senator ROEFLE.

The VICE PRESIDENT. The Senator from Georgia.

Mrs. ROEFLE. Mr. President, when I arrived in Washington this morning, I fully intended to object to the certification of the electoral votes. However, the events that have transpired today have forced me to reconsider now, in the light of conscience, object to the certification of these electors.

The violence, the lawlessness, and siege of the Halls of Congress are abhorrent and stand as a direct attack on the very institution my objection was intended to protect: the sanctity of the American democratic process. And I thank law enforcement for keeping us safe.

I believe that there were last-minute changes to the November election process and serious irregularities that resulted in too many Americans losing confidence not only in the integrity of our elections but in the power of the ballot as a tool of democracy. Too many Americans are frustrated at what they see as an unfair system. Nevertheless, there is no excuse for the events that took place in these Chambers today, and I pray that America never suffers such a dark day again.

Though the fate of this vote is clear, the future of the American people’s faith in the core institution of this democracy remains uncertain. We as a body must turn our focus to protecting the integrity of our elections and restoring every American’s faith that their voice and their vote matter.

America is a divided country with serious differences, but it is still the greatest country on Earth. There can be no disagreement that upholding democracy is the only path to preserving our Republic.

I yield the floor.

(Appause.)

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. I yield 2½ minutes to Senator BOOKER and 2½ minutes to Senator KAINE, in reverse order.

The VICE PRESIDENT. The Senator from Virginia.

Mr. KAIN. Mr. President and my colleagues, I applaud the comments of my colleague from Georgia deeply.

My first job after school was in Macon, GA, working for a Federal judge, Lanier Anderson. I learned a lot about integrity and a lot about law from him. I also learned some sad lessons, that in the history of Georgia—and, indeed, Virginia and many States—so many people, especially people of color, had been disenfranchised over the course of our history. Our late friend, John Lewis, a Congressman from Georgia, was savagely beaten on Bloody Sunday just for marching for voting rights. That act of violence inspired this body, the U.S. Senate, to come together in March of 1965 and work to pass the Voting Rights Act.

We should be coming together today—after acts of violence—as a U.S. Senate, to affirm the votes of all who cast ballots in November. Instead, we are contemplating an unprecedented objection that would be a massive disenfranchisement of American voters.

The Georgia result was very clear: a 12,000-vote margin, 2 certifications by the state, 7 lawsuits, as in the other States. If we object to results like this, the message is so clear. We are saying to States: No matter how secure and accurate your elections are, we will gladly overthrow them if we don’t like who you voted for. But, more importantly, what we will be saying—really, what we will be doing—is as the body that acted together to guarantee Americans the right to vote, we will become the agent of one of the most massive disenfranchisements in the history of this country.

So I urge all of my colleagues: Please oppose these objections.

Thank you.

I yield to my colleague from New Jersey.

The VICE PRESIDENT. The Senator from New Jersey.

Mr. BOOKER. Mr. Vice President, I can only think of two times in American history that individuals laid siege to our Capitol, stormed our sacred civic spaces, and a tried to upend and overturn this government. One was in the War of 1812, and the other one was today.

What is interesting about the parallel between the two is they both were waving flags to a sole sovereign, to an individual, surrendering democratic principles to the cult of personality. One was a monarch in England, and the other were the flags I saw all over our Country, including in the hallways and in this room, to a single person named Donald Trump.

The sad difference between these two times is one was yet another nation in the history of our country that tried to challenge the United States of America, but this time, we brought this hell upon ourselves.

My colleague from Texas said that this was a moment where there were unprecedented allegations of voter fraud. Yes, that is true, they were unprecedented when the President, before the election even happened, said: If I lose this election, then the election was rigged.

That is unprecedented. It is unprecedented, before the night of the counting of the vote was even done, that he called it rigged. It is unprecedented that he is fanning the flames of conspiracy theory to create a smoke-screen in this Nation to cover what he is trying to do, which is undermine our democratic principles.

But it is not just that. The shame of this day is it is being aided and abetted by good Americans who are falling prey, who are choosing Trump over truth, who are surrendering to the passion of lies as opposed to standing up and speaking truth to power, who are trying to fundraise off of the shame of conspiracy theories as opposed to doing the incalculably valuable, patriotic thing: to speak truth to our Nation. Our democracy is wounded, and I saw it when I saw pictures of yet another insurrection, of a flag of another group of Americans who tried to challenge our Nation. I saw the flag of the Confederacy.

What will we do? How will we confront this shame? How will we confront this dark second time in American history? I pray that we remember a Georgian and his words. All I can say is we must, in spirit, join together like those Georgians on a bridge called the Edmund Pettus, who joined hands, who were called threats to our democracy, who were called outrageous epithets when I saw pictures of yet another insurrection, of a flag of another group of Americans who tried to challenge our Nation. I saw the flag of the Confederacy.

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The sad difference between these two times is one was yet another nation in the history of our country that tried to challenge the United States of America, but this time, we brought this hell upon ourselves.
office today. Obviously, it hasn’t been easy.

Colleagues, today has been ugly. When I came to the floor this morning, I planned to talk about the lesson of 1861 because I am kind of a history nerd, and to celebrate the glories of the peaceful transition of power across our Nation’s history. It feels a little naïve now to talk about ways that American civics might be something that could unite us and bring us back together.

Now, 1861 blew everybody’s mind all over the world, by the way. John Adams loses to Thomas Jefferson, and Adams willingly leaves the Executive mansion and moves back to Massachusetts, and Jefferson peacefully assumes power. People all over Europe said: That must be fake news. Those must be bad reports. There is no way any Executive would ever willingly lay down power. Yet Adams, in defeat, did something glorious to give all of us a gift.

I think that in our code it feels a little bit harder now. This building has been desecrated. Blood has been spilled in the hallways. I was with toco-generational Members of this Chamber who needed to have troops and police stablized to get down the stairs at a time when a lot of our staffs were panicked and under their desks and not knowing what was going to happen to them.

It was ugly today. But you know what? It turns out that when something is ugly, talking about beauty isn’t just permissible; talking about beauty is obligatory in a time like that. Why? Why would we talk about beauty after the ugliness of today? Because our kids need to know that this isn’t what America is. What happened today isn’t what America is.

They have been given a glorious inheritance for the 59th Presidential election. If the Vice President wasn’t in the President’s tempe was, I would have made some joke that CHUCK GRASSLEY has voted in two-thirds of those 59 Presidential elections. He is laughing. It is not as good as “hit deer, deer dead,” but it still got a Grassley laugh.

I don’t think we want to tell the Americans that come after us that this republic is broken, that this is just a banana republic, that our institutions can’t be trusted. I don’t think we want that. We don’t want that in this body, and we don’t want that in our hometowns. I don’t think we want to tell our kids that America’s best days are behind us—because it is not true. That is not who we are. America isn’t Hatfields’ and McCoy’s blood feud forever. America is a union.

There is a lot that is broken in this country but not anything that is so big that the American people can’t rebuild it, that freedom and community and entrepreneurial effort and that neighborhoods can’t rebuild. Nothing that is broken is so big that we can’t fix it.

Generations of our forefathers and our foremothers—probably not a word—and our ancestors have spilled blood to defend the glories of this republic. Why would they do that? Because America is the most exceptional nation in the history of the world and because the Constitution is the greatest political document that has ever been written. Most governments in the past have said might makes right, and we saw some of that hooligan nuttiness today. Might makes right. No, it doesn’t.

God gives us rights by nature, and government is just our shared project to secure those rights. America has always been about what we choose to do together, the way we reaffirm our constitutional system. We have some governmental tasks, and we all in this body could do better at those governmental tasks, but the heart of America is not government. The center of America is not Washington, DC.

The center of America is the neighborhoods where 330 million Americans building to survive to put food on the table and trying to love their neighbor. That is the center of America.

We are not supposed to be the most important people in America. We are supposed to be servant leaders who try to maintain a framework for ordered liberty so that there is a structure that, back home where they live, they can get from the silver-framed structure and order to the golden apple at the center of Washington would have said, which is the things that they build together, the places where they coach little league, the places where they invite people to synagouge or church.

Sometimes, the biggest things we do together are governmental, like kicking Hitler’s ass or like going to the moon. Sometimes, there is governmental stuff. But the heart of America is about places where moms and dads are saying: Our kids are supposed to serve by maintaining order and by rejecting violence. You can’t do big things like that if you hate your neighbors. You can’t do big things together as Americans if you think other Americans are the enemy.

Look, there is a lot of uncertainty about the future. I get it. There is a lot that does need to be rebuilt. But if you are angry—I want to beg you—don’t let the screamers who monitize hate have the final word. Don’t let nellists become our drug dealers. There are some who want to burn it all down. We met some of them today.

But they aren’t going to win. Don’t let them be your prophets—instead, organize, persuade, but most importantly, love your neighbor. Visit the widower down the street who is lonely and doesn’t want to tell anybody that his wife died and he doesn’t have a lot of friends. Shovel somebody’s driveway. You can’t hate somebody who just shoveled your driveway.

The heart of life is about community and neighborhood, and we are supposed to be servant leaders. The constitutional system is still the greatest order for any government ever, and it is our job to steward it and protect it.

Let’s remember that today when we vote.

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. The Senator from Illinois, Mr. DURBIN.

The VICE PRESIDENT. The Senator from Illinois.

Mr. DURBIN. Mr. Vice President, in March of 1861, a Springfield lawyer caught a train to Washington. His name was Abraham Lincoln. It wasn’t his first trip there. He served as Congressman 15 years before and returned in the beginning of the Civil War to serve as President.

It was a different place than he knew as a Congressman. In 15 years, it had changed a lot. The Spprig’s boarding house across the street, which is now the Library of Congress, was gone. And the building was—big changes. They were building a dome on the Capitol. But they were also in the earliest days of war, and President Lincoln was counseled: Stop building the dome. It costs too much money. We can’t spend any more time on it.

But then—let’s fast forward. We are going to build that dome, and we are going to finish it. That dome and this building will be a symbol of this country that will survive this Civil War and come back strong.

They built the dome. They won the war. And since those days, that dome and this building have been a symbol to this country, a symbol of unity and of hope.

Tours come through here—before COVID—by the tens of thousands. If you have ever noticed their tours, they are often shushed. People are saying: Show some respect for this building.

We know this building and the Rotunda as a place where some of the greatest American heroes of both political parties lie in state, and we go there to honor them. We know this building because we work here. We enact laws here that change America.

We gather for State of the Union messages from Presidents and honor the people in the gallery.

This is a special place. This is a sacred place. But this sacred place was desecrated by a mob today, on our watch. This temple to democracy was desecrated by thugs who charged the halls and sat in that chair. Mr. Vice President, the one that you vacated at 2:15 this afternoon—sat and posed for pictures, those who were roaming around in this Chamber.

What brought this on? Did this mob spring spontaneously from America? No. This mob was invited to come to Washington on this day, by this President, for one reason: because he knew the electoral college vote was going to be counted this day. He wanted this mob to disrupt the constitutional process which we are part of. This mob was inspired by a President who cannot accept defeat.
If you wonder whether I am going too far in what I say, just read the transcript with the secretary of state from Georgia and listen to this President’s wild conspiracy theories, one after the other, swatted down by that Republican NATIONAL ATTORNEY GENERAL and his council. At least as having no basis in fact. This President begs, he coaxes, he even threatens that secretary of state to find the votes he needs. In any other venue, that would be a simple, obvious crime.

The lengths he will go to are obvious. The Texas secretary of state told us: Well, many people still agree with him, you know, when it gets down to the bottom line. Many people have fallen for this Presidential position that it must have been a rigged election if I lost. Well, I would say that about—we have lost count—57 lawsuits, 62 lawsuits—I have heard so many different numbers—after 90 different judges; after this President took his case, the best he could put together, to the highest Court in the land across the street, where he had personally chosen three Justices on the Supreme Court—and I say to the Senator from Texas that he knows much more about that Court than I do—I don’t believe they let that paper that he sent up there even hit the desk before they laughed it out of the Court. And that is the best he had to offer—no evidence whatsoever of this rigged election and this fraudulence.

The Governor from Texas says: We just want to create a little commission, 10 days; we are going to audit all of the States—particularly the ones in contention here—and find out what actually occurred. And it really draws its parallel to 1876, to Hayes and Tilden. Don’t forget what that commission—that so-called political compromise—achieved. It was not just some ordinary governmental commission. It was a commission that killed reconstruction, that established Jim Crow, that happened after a civil war, which tore this Nation apart, it reenslaved African-Americans, and it was a commission that invited voter suppression we are still fighting today in America.

Let me close by saying this. The vote we are going to have here is a clear choice of whether we are going to feed the beast of ignorance or we are going to tell the truth to the American people. We saw that beast today roaming the halls. Let’s not invite it back.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. I yield up to 5 minutes to the Senator from Kansas, Senator MARSHALL.

The VICE PRESIDENT. The Senator from Kansas.

Mr. MARSHALL. Thank you, Mr. President.

Freedom of speech and the freedom to protest are provided in our Constitution. While I share the same frustration many Americans have over the Presidential election, the violence and mob rule that occurred at the U.S. Capitol today and across the country over the past year are unacceptable, and I condemn them at the highest level. Like all of us in the Chamber, I am thankful for the heroic law enforcement officers who worked feverishly to restore order and get us back to the electoral certification process.

During my 29-year career as an obstetrician and gynecologist, too often I had to sit down with patients and give them a very bad diagnosis. It might have been a young mother of three whose three babies I delivered, now with metastatic breast cancer, or perhaps another woman with advanced cervical or ovarian cancer, all of which have very challenging prognoses. But before I sat down with each one of those patients, I carefully reviewed all the labs, their x-rays, and the pathology to make sure I had the facts straight, but at the end of the day, my final recommendation was always going to be a recommendation from my heart.

I want my fellow Kansans and all Americans to know that I have given as much consideration and thought surrounding the issue of objecting to a State’s electoral votes as I did considering the treatment plan for a serious health concern, and today’s decision once again is from my heart.

Mr. President, I rise today to restore integrity to our Republic, and I rise to offer—not in fear, but with courage and respect for our colleagues, no evidence whatsoever that would have affected the outcome. I don’t rise to undo a State’s legally obtained electoral college votes; rather, I rise in hopes of improving the integrity of the ballot to hold States accountable to the time-proven constitutional system of the electoral college.

Doing this would spur many of our colleagues to execute free, legal, and fair elections, ignore Republican-elected officials, and even worse, ignore the will of the people across this vast, great Nation by trying to overturn this election. They are placing more trust in Reddit conspiracy theories than the Constitution, proving that appeasing Trump is more important to them than serving our political interests or helping us to avoid the wrath of a petty, insecure, wannabe pin-tot dictator on the precipice of losing power and relevance. No, there is no ambiguity here—Joe Biden won the election with a record number of votes. Republican officials nationwide confirmed those results, including in Arizona, as has judge after Trump-appointed judge. Even Trump’s Attorney General admitted that the U.S. Department of Justice had not found widespread fraud that would have affected the outcome. Yet still many of my Republican colleagues are asking us to ignore all of that. With no evidence of their own, they are asking us to ignore court rulings, ignore Republican-elected officials, and even worse, ignore the will of the people across this vast, great Nation by trying to overturn this election. They are placing more trust in Reddit conspiracy theories than the Constitution, proving that appeasing Trump is more important to them than protecting the most basic tenet of our Republic—the adherence to free and fair elections.

If there is one thing I know, it is that my troops didn’t sign up to defend our democracy in war zones thousands of miles away only to watch it crumble in these hallowed halls here at home. Yet that is what this effort amounts to—an attempt to subvert our democracy. In this process, it is threatening what makes America American, because in this country—in this country—the power of the people has always
mattered more than the people in power.

That is the ideal that this Nation was founded upon. That is why a few patriots threw some tea in Boston Harbor, why Washington crossed the Delaware, why suffrage was not granted until the 19th century, why my friend John Lewis crossed that bridge in Selma in 1965. It is why millions spent a Tuesday in November standing in line, braving a pandemic to make their voices heard.

This is how, in this Chamber, we have the opportunity to prove that here in this country, truth matters, that right matters, that the will of the people matters more than the whims of any single powerful individual.

I have no tea to throw in Boston Harbor tonight, and I regret that I have no Black Hawk to pilot, nor am I asking for any grand gesture from my Republican colleagues. All I am asking of you is to reflect on the oaths that you have sworn, on the damage done to our Union, on the sacrifices made by those who have given so much to this Nation, from the servicemembers from Arizona's Fort Huachuca and Marine Corps Air Station Yuma to the marchers who bent America's moral arc a little bit more toward justice with every single step that they took, every bridge that they crossed.

Then ask yourself whether the democracy they were willing to bleed for, the country that each of us in this Chamber has sworn to defend, is worth damaging in order to protect the porcelain ego of a man who treats the Constitution as if it were little more than a yellowing piece of paper. I think we all know the right answer.

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. Mr. President, I yield up to 5 minutes to the Senator from Kentucky, Senator PAUL.

The VICE PRESIDENT. The Senator from Kentucky.

Mr. PAUL. I wrote a speech for today. I was planning to say that I fear the chaos of establishing a precedent that Congress can overturn elections. Boy, was I right. Chaos, anarchy—violence today was wrong and un-American.

The vote we are about to cast is incredibly important. Now more than ever, the question is, Should Congress override the certified results from the States and nullify the States' rights to conduct elections?

The vote today is not a protest; the vote today is literally to overturn elections. We have been told that this is a protest, that this is about an electoral commission. No, it is not. It is about whether the electors certified by a State. It is not about an electoral commission. It is not about a protest. You can go outside if you want to protest. This is about overturning a State-certified election.

If you vote to overturn these elections, wouldn't it be the opposite of States' rights Republicans have always advocated for?

This would doom the electoral college forever. It was never intended by our Founders that Congress have the power to overturn State-certified elections. My oath to the Constitution doesn't allow me to disobey the law. I can't cast my vote for a State. So I ask that police in Montgomery County, and the Montgomery County Commission. Such a vote would be to overturn everything held dear by those of us who support the rights of States in this great system of federalism that was bequeathed to us by our Founders.

The electoral college was created to devolve the power of selecting Presidential electors to the States. The electoral college is, without question, an inseparable friend to those who believe that every American across our vast country deserves to be heard.

If Congress has the power to overturn the States' elections, what terrible chaos would ensue every 4 years. Imagine the fury against the electoral college if Congress becomes a forum to overturn States' electoral college slate.

It is one thing to be angry. It is another to focus one's anger in constructive ways. That hasn't happened today, to say the least.

We simply cannot destroy the Constitution, our laws, and the electoral college in the process. I hope, as the Nation's anger cools, we can channel that energy into essential electoral reforms at the State level. America is admired around the world, and we can use our image abroad as a beacon of what's possible when we work together.

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. The Senator from Virginia, Senator WARNER.

The VICE PRESIDENT. The Senator from Virginia.

Mr. WARNER. Mr. President, I think like most of us, I am still pretty reeling from what happened today. What I was going to talk about was the work I am most proud of since I have been here, with my good friend RICHARD BURR and all the members of the Intelligency Committee, about a multiyear report we did into foreign influence in our elections. Probably our top recommendation of that five-volume, bipartisan report was that any official or candidate should use restraint and caution when questioning results of our elections because when you do so, you often carry out the goals of our foreign adversaries. Use caution because, whether knowingly or unknowingly and whether that adversary is in Russia or China or Iran, their goals are pretty simple: They want to make it appear to the American people that they are around the world, and to our own people that there is nothing special about American democracy.

I was going to try in a feeble way, maybe, to reach some of the rhetorical heights of BEN SASSE. I knew I couldn't do that, so instead—I know I am violating rules. Today is the day for violating rules. This is a photo that appears in one of the most prominent German newspapers. You don't need to draw it up. You can draw up photos from any newspaper or any television feed anywhere across the world. And what is this photo of? It is of thugs—thugs—in the Halls of this Capitol, diminishing the words we say we believe in, in this democracy.

When you look at those images, realize that those images are priceless for our adversaries. I am willing, tonight, in an overwhelming way, to take a small step, in a bipartisan way, to start restoring that trust of our people and, hopefully, the billions of people around the world who believe in that notion of American democracy. Remember, these images are still there. I yield to the floor.

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. Mr. President, I yield 5 minutes to the Senator from Missouri, Mr. HAWLEY.

The VICE PRESIDENT. The Senator from Missouri.

Mr. HAWLEY. Mr. President, I want to begin this evening by saying thank you to the men and women of the Capitol Police, the National Guardsmen, the Metropolitan Police, and others who came to this Capitol and put their lives on the line to protect everybody here who was working inside. I want to thank law enforcement all across this country—in my home State of Missouri and everywhere else—who do that day in and day out.

I just want to acknowledge that, when it comes to violence, it was a terrible year in America this last year. We have seen a lot of violence against law enforcement, and today, we saw it here in the Capitol of the United States. In this country, in the United States of America, we cannot say emphatically enough: Violence is not how you achieve change. Violence is not how you achieve something better.

Our Constitution was built and put into place so that there would be, in the words of Abraham Lincoln, no appeal from ballots to bullets, which is what we saw, unfortunately, attempted tonight. There is no place for that in the United States of America, and that is why I submit to my colleagues that what we are doing here tonight is, actually, very important because, for those who have concerns about the integrity of our elections and for those who have concerns about what happened in November, this is the appropriate means. This is the lawful place where those objections and concerns should be heard. This is the forum that the law provides for—that the law provides for—that the law provides for that those concerns to be registered, not through violence—not by appealing from ballots to bullets—but here, in this lawful process.
So to those who say that this is just a formality today—an antique ceremony that we have engaged in for a couple of hundred years—I can’t say that I agree. I can’t say that our precedent suggests that. I actually think it is very vital, what we do. The opportunity to hear and address objections is very vital because this is the place where those objections are to be heard and dealt with, debated, and finally resolved—in this lawful means, peacefully, without violence, without attacks on our core ideals.

Let me just say now, briefly—in lieu of speaking about it later—a word about Pennsylvania, which is a State that I have been focused on and have objected to, as an example of why people are concerned—why millions of Americans are concerned—about our election integrity.

I say to Pennsylvania, quite apart from allegations of any fraud, you have a State constitution that has been interpreted for over a century to say that there is no mail-in balloting permitted except for in very narrow circumstances, which is also provided for in the law. Yet, last year, Pennsylvania’s elected officials passed a whole new law that will allow for universal mail-in balloting, and they did it, regardless of what the Pennsylvania Constitution said.

Then, when Pennsylvania’s citizens tried to be heard on this subject before the Pennsylvania Supreme Court, they were dismissed on grounds of procedure and timeliness, in violation of that supreme court’s own precedent.

So the merits of the case have never been heard. The constitutionality of the statute, actually, has never been defended. I am not aware of any court that has passed on its constitutionality. I actually am not aware of anybody who has defended the constitutionality, and this was the statute in which there were over 2.5 million mail-in ballots in Pennsylvania.

This is my point, that this is the forum. The Pennsylvania Supreme Court hasn’t heard the case, and there is no other court to go to, to hear the case in the State, so this is the appropriate place for these concerns to be raised, which is why I have raised them here today.

I hope that this body will not miss the opportunity to take affirmative action to address the concerns of so many millions of Americans—to say to millions of Americans tonight that violence is never warranted, that violence will not be tolerated, that those who engage in it will be prosecuted, but that this body will act to address the concerns of all Americans across the country.

We do need an investigation into irregularities, fraud. We do need a way forward together. We need election security reforms, but not on the other side of the aisle don’t disagree with that. We need to find a way to move forward on that together so that the American people from both parties and all walks of life can have confidence in their elections and so that we can arrange ourselves under the rule of law that we share together.

I yield the floor.

Mr. SCHUMER. The Senator from Pennsylvania, Mr. CASEY.

The VICE PRESIDENT. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise tonight to defend the people of the Commonwealth of Pennsylvania—to defend the more than 6.9 million voters who voted in this election to modernize the State in the strongest possible terms, this attempt to disenfranchise the voters of Pennsylvania based upon a lie, a falsehood. That same lie sowed the seeds of today’s violence and today’s lawlessness here in the Capitol.

One of my constituents, Susan, from Lehigh Valley—the community of our State where Senator TOOMEY lives—recently wrote to my office and, perhaps, said it best:

"We cannot allow ANYBODY to overturn the legal votes of the citizens of Pennsylvania. This would be the ultimate destruction of our democracy."

"Said Susan."

It really should not be a disagreement, regardless of party affiliation, when we’re talking about counting votes...by eligible voters. It is not a very controversial thing or, at least, it shouldn’t be.

After election day, Commissioner Al Schmidt, his family, and his colleagues were subjected to death threats simply because he was trying to do his job with integrity. We saw the politician who did not try to do that great line from “America the Beautiful”: “O beautiful for patriot dream, That sees beyond the years.”

These election officials, like so many of our patriots—and we heard from Senator Duckworth, her hero, and her patriots—did their jobs. They are patriots, and these objections are an attack on these Pennsylvania public servants. I will give you one example from Republican Commissioner Al Schmidt, of Philadelphia.

He wrote:

"There really should not be a disagreement, regardless of party affiliation, when we’re talking about counting votes...by eligible voters. It is not a very controversial thing or, at least, it shouldn’t be."

The VICE PRESIDENT. The Senator from Utah, Mr. ROMNEY.

Mr. ROMNEY. Today was heartbreaking, and I was shaken to the core as I thought about the people I have met in China and Russia and Afghanistan and Iraq and other places who yearn for freedom and who look to this hallowed building and these shores as a place of hope. I saw the images being broadcasted around the world, and it breaks my heart.

I have 25 grandchildren. Many of them were watching TV, thinking about this building and the man they call grandpa was OK. I knew I was OK. I must tell you, as well, that I am proud to serve with these men and women. This is an extraordinary group of people. I am proud to be a Member of the US Senate and meet with people of integrity as we do here today.

Now, we gather today...
supporters, whom he has deliberately misrepresented for the past 2 months and stirred to action this very morning. What happened here today was an insurrection that was incited by the President of the United States. Those who chose to support this dangerous gambit by objecting to the results of a legitimate and democratic election will forever be seen as being complicit in an unprecedented attack against our democracy. Fairly or not, they will be remembered for their role in the shameful episode of American history. That will be their legacy.

I salute Senators LANKFORD and LOEFPFFER and BRAUN and DAINES and, I am sure, others who, in light of today’s outrage, have withdrawn their objections. For any who remain insistent on an audit in order to satisfy the many people who believe the election was stolen, I would offer this perspective: No congressional audit is ever going to convince these voters, particularly when they will continue to say that the election was stolen. The best way we can show respect for the voters who are upset is by telling them the truth.

(Applause, Senators rising.)

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. Mr. President, I yield up to 5 minutes to the Senator from Ohio, Senator PORTMAN.

The VICE PRESIDENT. The Senator from Ohio.

Mr. PORTMAN. Mr. Vice President, you have fulfilled your duties as President of the Senate tonight with distinction, and we all appreciate it.

I thought about changing my mind and not speaking tonight, given the language that some all of my colleagues would have appreciated that greatly. But I thought it was necessary to speak because I want the American people, particularly my constituents in Ohio, to see that we will not be intimidated, that we will not disrupt our work, that here in the citadel of democracy, we will continue to do the work of the people. Mob rule is not going to prevail here.

Now, let’s face it. We did not reclaim this chamber tonight. Brave and selfless law enforcement officers stood in the breach and ensured that the citadel of democracy would be protected and that we would be defended, and we are deeply grateful for that— as is the Nation.

I have listened carefully to comments of my colleagues, and I have listened over the past couple of weeks as this issue has been discussed, and I tell you, for me, it is not a hard decision. I stand with the Constitution. I stand with the Constitution. I stand with the Constitution.

Let me be clear: The people and the States hold the power here, not us.

I urge my colleagues to move forward with completing the electoral count, to refrain from further objections, and to unanimously affirm the legitimacy of the Presidential election.

Thank you, Mr. President.

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. The Senator from New Hampshire, Senator SHAHEEN.

The VICE PRESIDENT. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, on January 3, 1, along with 31 of my colleagues, stood in this Chamber and sworn in to uphold and defend the Constitution of the United States. It is both ironic and deeply disappointing that only 3 days after swearing these oaths, some of my colleagues are coming close to breaking this promise.

Since 1797, each U.S. President has peacefully handed over power to the next, and that will happen again on January 20, when Donald Trump, despite his threats for violence today— when Donald Trump leaves the White House at noon and Joe Biden becomes President.

We have heard tonight from both Democrats and Republicans about the importance of the outcome in the election and about the fact that there is no evidence of widespread voter fraud. But this is not just an issue for us here in the United States; this is an issue for nascent democracies around the world, which, as Senator ROMNEY said, look to the United States as an example. We are the shining city on the hill. We give those struggling under oppression hope for a better future.

Now, like so many of us in this Chamber, I have traveled to developing democracies around the world— to Afghanistan and Iraq, to the Western Balkans, to Africa, to the country of Georgia. I went there with my colleague Senator Risch.

In 2012, I went to Georgia to observe officially, on behalf of the Senate, the election between outgoing President Mikheil Saakashvili and his United National Movement Party and the challenge by Georgian Dream, which was peacefully formed party supported and funded by billionaire oligarch Bidzina Ivanishvili. It was a battle for Parliament, but also for control of the government.

Senator Risch and I visited multiple polling places on election day, and we agreed with the international assessment that that election was free and fair and that Georgian Dream were the winners.

But there was real concern in the country that Saakashvili was going to refuse to give up power—that that would lead to violence, and it would end the nascent democratic reforms that were happening in that former Soviet Republic.

So Senator Risch and I, the day after the election, went to visit President Saakashvili to try and talk him out of staying in power. I remember very clearly going to his home, and we sat down with him, and we pointed out clearly going to his home, and we sat down with him, and we pointed out clearly that we would lead to violence, and it would end the nascent democratic reforms that were happening in that former Soviet Republic.

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And Saakashvili listened to us, and he did yield up to 5 minutes to the Senator from Ohio, Senator PORTMAN.

The VICE PRESIDENT. The Senator from Ohio.

Mr. PORTMAN. Mr. Vice President, you have fulfilled your duties as President of the Senate tonight with distinction, and we all appreciate it.

I thought about changing my mind and not speaking tonight, given the language that some all of my colleagues would have appreciated that greatly. But I thought it was necessary to speak because I want the American people, particularly my constituents in Ohio, to see that we will not be intimidated, that we will not disrupt our work, that here in the citadel of democracy, we will continue to do the work of the people. Mob rule is not going to prevail here.

Now, let’s face it. We did not reclaim this chamber tonight. Brave and selfless law enforcement officers stood in the breach and ensured that the citadel of democracy would be protected and that we would be defended, and we are deeply grateful for that— as is the Nation.

I have listened carefully to comments of my colleagues, and I have listened over the past couple of weeks as this issue has been discussed, and I tell you, for me, it is not a hard decision. I stand with the Constitution. I stand with the Constitution. I stand with the Constitution.

Let me be clear: The people and the States hold the power here, not us.

My oath to the Constitution and my reverence for our democratic principles make it easy for me to confirm these State certificates.

By the way, I opposed this process some 15 years ago, when some Democrats chose to object to the elections from my home State of Ohio after the 2004 elections. I opposed it then, and I oppose it now. I said at the time that Congress must not thwart the will of the people. That is what we would be doing.
Let’s assume for a moment that those who object to the certifications are right, that the Constitution intended that a bare majority of Members of Congress could circumvent the States that have chosen to certify the popular vote in those other States. I ask the objectors to think about the precedent that would be set if we were to do that.

What if the majority in the House and the Senate were of the other party when a Presidential candidate of our party won a close Presidential election? Would you want a Congress controlled by the Democrats to play the role you now intend for us? It is asking Congress to substitute its judgment for the judgment of the voters and its judgment for the judgment of the States that certified the results. And even forgetting the dangerous precedent that would be set, what would be the basis for objecting in this election?

Look, I voted for President Trump. I supported him because I believe the Trump administration’s policies are better for Ohio and for the country. And I supported the Trump campaign’s right to pursue recounts—they had every right to do it—and legal challenges.

I agree that there were instances of fraud and irregularities in the 2020 elections. I think we all do. And by the way, there are fraud and irregularities in every election. It is supposed to be something we all have the right to do it—and legal challenges.

But it is also true that after 2 months of recounts and legal challenges, not a single State recount changed the result. And of the dozens of lawsuits filed, not one found evidence of fraud or irregularities widespread enough to change the result of the election. This was the finding of numerous Republican-appointed judges and the Trump administration’s own Department of Justice.

Every one of those States weighed in and chosen to certify its electoral slate based on the popular vote, as set out in the Constitution.

I understand that many Americans who would never storm this Capitol don’t trust the integrity of the 2020 election, don’t think the States should have certified, don’t think we should have accepted the results from the States, and are insisting on more transparency and accountability.

In 2020, lest we forget, many Democrats objected to the results and distrusted the election.

I challenge my colleagues on both sides of the aisle to listen but also to do our part to try to restore faith in our elections. We should all work to improve the integrity of the electoral system and the confidence of the American people in this bedrock of our great democratic Republic.

Today, I will do my constitutional duty and oppose these efforts to reject the State-certified results.

And tomorrow, in the wake of this attack on the Capitol, the pandemic that engulfs us, and other national challenges, let’s work together for the people.

The VICE PRESIDENT. The Democratic leader.

Mr. SCHUMER. Mr. President, I believe we have 8 minutes left, so I would like to divide 4 to Senator KING and 4 to Senator VAN HOLLEN.

The VICE PRESIDENT. That is correct.

The Senator from Maine.

Mr. KING. Mr. President, Winston Churchill once said that he could do a 2-hour speech extemporaneously, but a 10-minute speech took immense preparation. I don’t know what he would have said about a 4-minute speech.

We are a 246-year anomaly in world history. We think that what we have here in this country is the way it has always been.

It is a very unusual form of government. The normal form of government throughout world history is dictators, kings, warlords, tyrants, and warlords. And we thought 20 years ago the march of history was toward democracy, but it is in retreat in Hungary and Turkey—goodness knows, in Russia. Democracy as we have practiced it is fragile. It is fragile, and it rests upon trust. It rests upon trust in facts. It rests upon trust in courts, in public officials, and, yes, in elections.

I don’t sympathize or justify or in any way—it is not only—that is putting it mildly—what happened here today, but I understand it. I understand it because I saw those people interviewed today, and they said: We are here because this election has been stolen.

And the reason they said that is that their leader has been telling them that every day for 2 months.

We cannot afford to pull bricks out from the foundation of trust that underlies our entire system. And I agree with Governor ROMNEY that the answer to this problem is to tell people the truth—is to tell them what happened.

It is easy to confront your opponents. It is hard to tell your supporters something they don’t want to hear, but that is our obligation. That is why the word “leader” is applied to people in jobs like ours. It is not supposed to be easy. It is supposed to be something we can do, we can do, we can do, and if people believe something that isn’t true, it is our obligation to tell them: No, I am sorry, it isn’t, just as Senator PORTMAN just said, as MIKE LEE just said: I am sorry we can’t do this here. We don’t want to do this here. This is a power reserved to the States, not to the Congress.

And I agree with the majority leader. I think this is one of the most important votes any of us will ever take.

On December 1, 1862, Abraham Lincoln came to this building. He came to this building in the darkest days of the Civil War. He was trying to awaken the Congress to the crisis that we were facing, and he didn’t feel that they were fully and effectively engaged. He ended his speech that day with words that I think have an eerie relevance tonight. Here is what Abraham Lincoln said:

Fellow-Americans, we cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us.

And here are his final words:

The fiery trial through which we pass will light us down in honor or dishonor to the latest generation.

Thank you, Mr. President.

The VICE PRESIDENT. The Senator from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. President. The mob violence and attack we saw on our Capitol today should be a wake-up call to each and every one of us of the risk that we face when we fail to come together, not as Democrats and Republicans but each of us as Americans, to stand up to a President who time and again has shown contempt for our democracy, contempt for our Constitution.

Today, here on the Capitol, we witnessed people taking down an American flag and putting up a Trump flag. That is not democracy in the United States of America.

As every Senator who has spoken has mentioned, we have for hundreds of years had a peaceful transfer of power. Nobody likes to lose, and supporters of the losing candidate are always disappointed. What is different this time? We all know what is different this time. We have a President who, as the Senator from New Jersey said, even before a vote was cast, that if he didn’t win the election, it was going to be a fraud and every day since then has perpetrated that lie.

We have a President who just today criticized the very loyal Vice President, who is presiding right now, urging him to disregard his responsibilities under the Constitution of the United States in order to reinstall Donald Trump as President; the same person who got on the phone to the secretary of state in Georgia and threatened him to change the results of the election.

Mr. President, I read something this week that I thought I would read in a newspaper in the United States of America. It was an op-ed by all the living former Secretaries of Defense, including Secretaries Rumsfeld, Cheney, and Mattis, warning—warning—the country about our tradition of peaceful transfer of power and that it would be inappropriate for the military to take sides in the United States of America. We talk to the world about how we want to promote democracy and our values, and right here at home too many are undermining those values.

Mr. President, Donald Trump could not do this alone. He could only do it if he is aided and abetted by individuals
who are willing to perpetrate those lies and those conspiracies, and that is why it is so important that we as Democrats and Republicans and Senators stand up together—stand up together and tell the truth. You know when you go into a court of law, in all those 60 cases, you are testifying under penalty of perjury. That is very different than here in the House and the Senate, and in all those 60 cases, under penalty of perjury, there was no evidence of widespread fraud. So it should be easy for us all to together to tell the truth.

On January 20, Joe Biden will be sworn in as the next President of the United States. He has said he wants to bring the country together. He has said he wants to bring Democrats and Republicans together to do some of the pressing business of this country, to defeat this pandemic, to get the economy going again, to face challenging issues of racial and social justice. I hope we will learn from what happened today—what we have watched happen on this Capitol—the price we pay when we don’t stand up for the truth and for democracy.

James McHenry, Maryland’s delegate to the Constitutional Convention, wrote about the famous exchange in his diaries between Elizabeth Willing Powel and Benjamin Franklin. A lady asked Dr. Franklin, "Well, Doctor, what have we got, a Republic or a monarchy?" A republic," replied Dr. Franklin, "if you can keep it." My colleagues, this is a test of whether we unite to keep our Republic. I hope we will pass the test together. Thank you.

Mr. LEAHY. Mr. President. January 6, 2021, will forever mark a historic day for our Nation. Not simply because our beloved Capitol building—the very heart of our democracy—laid under siege. Not simply because rioters stormed the Senate and House floors, assaulted Police officers and leaving a wake of destruction along the way. Not simply because the President of the United States encouraged his supporters to commit these felonies—to march to the Capitol and "to fight," in his words. No, today will also be remembered because of what happened before all of that. Today, over 100 Members of the House and a dozen Senators supported a ploy to deprive the States and the American people of their constitutionally-applied right to have their votes counted in the certification of the winner of the election.

The President’s obscene claim that the election was stolen from him, which he continued to spout even while his rioting supporters roamed the Halls of the Capitol today, has been disproven time and again. Every single Senator knows that Vice President Biden won the election and did so decisively. Claims that President Trump won in 2020 and that he can’t accept the results is simply rejection of the facts. But that is not just fantasy. They are delusional. And citing voters’ mistrust in the election results as grounds for this stunt is particularly disingenuous given that those concerns have been fueled by the President’s own baseless conspiracy theories—not by the evidence, not by the facts, and not by State election administrators, both Republicans and Democrats, who actually verified the votes and know what they are talking about.

President Trump and his allies have now lost more than 60 cases in courts across the country, by judges of every political stripe. But today we will talk about the unprecedented actions today to attempt to undermine a fairly and properly conducted democratic election.

Under our system of government, States bear the primary responsibility for running elections and certifying election results, and that is exactly what we have seen—all 50 States and the District of Columbia have certified the results of the 2020 Presidential election.

The results of the election are clear: Joe Biden and Kamala Harris won.

Challenging these electoral votes now is the height of hypocrisy for a party that prides itself on States’ rights.

Even worse, today’s actions are based on the faulty premise that this election was somehow tainted by widespread fraud, which is flat out wrong. Pretending that these votes today is a disservice to our constitutional order and the more than 81 million Americans who voted for Joe Biden and Kamala Harris.

We must also recognize that today’s actions could echo far beyond this election. Our democratic Republic has survived as a result of certain bedrock principles, including the peaceful transfer of power and the right of the people to elect their leaders.

For Congress to challenge the legitimacy of electoral votes because President Trump is upset that he lost far exceeds our role as envisioned by our Founding Fathers. The challenges threaten the very core of a functioning democracy—that voters and votes matter.

If a State’s electoral votes can be set aside by Congress based on conspiracy theories dreamed up by the President and his followers, the value of free and fair elections is damaged for all time.

Mr. President, those who feel they needed to protest today’s results say they do so because of allegations of fraud. The problem is, those allegations all originate from President Trump himself.

The Justice Department found no evidence of widespread fraud. Attorney General Barr himself said there were no irregularities that could have affected the outcome of the election.

Likewise, our courts—including the Supreme Court—have tossed out lawsuits after lawsuits filed by President Trump and his allies, more than 60 in total.

I appreciate those Republicans Senators who have stood up for democracy and against these baseless objections to the election results.
Senator ROMNEY called it an “egregious ploy.”

Senator TOOMEY said, “Allegations of fraud by a losing campaign cannot justify overturning an election.”

Senator PORTMAN said, “I cannot support President-elect Joe Biden to lead our nation and our Constitution through our current and dangerous times. The attempts of some of our colleagues to subvert the will of our voters is an affront to our American way of life.”

And Senator THUNE added, “It’s time for everybody to move on.”

He is right; the election is over. President-Elect Biden won. Especially now, after all of the events of the day. It is truly time to get to work repairing our country.

Thank you, Mr. President, I yield the floor.

Mr. CARPER. Mr. President, “Free, fair elections are the lifeblood of our democracy. Charges of unfairness are serious, but calling an election unfair does not make it so. Charges require specific allegations and then proof. We have neither here. These aren’t my words. Those are the words of a judge on the U.S. Court of Appeals for the Third Circuit, rejecting President Trump’s legal challenges to the Pennsylvania election—a judge who, I might add, was a longtime member of the conservative Federalist Society and was nominated to the bench by President Trump.

Mr. President, the 2020 presidential election was hard-fought, but the American people spoke clearly and decisively. 81.2 million votes for Joe Biden, 74.5 million votes for Donald Trump, 51.3 percent of the vote for Joe Biden, 46.8 percent of the vote for Donald Trump, 306 electoral college votes for Joe Biden, 232 electoral college votes for Donald Trump.

Accepting the outcome of an election can be difficult when our political party doesn’t win, but calling an election unfair does not make it so.

More than 60 Federal and State courts, involving more than 90 judges, many of whom were nominated by Republican Presidents, including President Trump, are all in agreement. No evidence of widespread fraud, wrongdoing, or other irregularities have been uncovered during the 2020 election. Unfortunately, some of our colleagues today ask us to do the same thing Donald Trump asked of the secretary of state of Georgia: to overturn the results of the 2020 election without specific allegations and without proof. Our ancestors asked us not to abide by the will of the people but to bend to the will of one man, Donald Trump.

In 1787, delegates from 13 States convened in Philadelphia to debate the future of our country. Our Founders disagreed on many things, but they did agree that they didn’t want a King, and they set up an intricate system of checks and balances to ensure that we would never have an all-powerful King. That system of checks and balances is being tested by a dangerous limit here today, but it will prevail.

Here are just some of the claims Donald Trump and his legal team have made and that our colleagues lend credence to today: that Venezuela, Cuba, and China rigged our country’s voting machines in favor of Joe Biden; that dead people voted in this election and they only voted for Joe Biden; and that poll watchers and election observers who risked their lives during this pandemic to uphold the integrity of our elections—stuffed ballot boxes with Biden votes and shredded Trump votes. Not one—let me repeat—not one of these things is true. There is no evidence to back up these ridiculous claims.

Many of these absurd claims from Donald Trump and his legal team are nothing more than conspiracy theories circulating online. This misinformation and dangerous rhetoric from the President and his allies, including calls for violence, have polluted our discourse and imperiled our peaceful transition of power. And when our colleagues show indifference or outright support for these baseless and groundless claims and conspiracy theories, they lead our nation and our Constitution down a dangerous path. We all swore an oath to support and defend our Constitution—not our political party, and certainly not any individual candidate.

Colleagues, the security of our citizens and our Republic, we must lead by example and turn the temperature down. It was a hard-fought campaign, but the campaign is over. The votes have been recounted. The states have certified in all 50 States, and in 2 weeks, on January 20th, Joe Biden and Kamala Harris will be sworn-in as President and Vice-President of the United States.

We have serious and urgent challenges that will require working with our new President and Vice President and with one another, including making sure hundreds of millions of Americans can be vaccinated, getting our kids back to school, and getting their parents back to work, just to name a few.

It is time to stop trying to overturn the will of the people and get back to working on their behalf.

President Lincoln observed at the end of the Gettysburg Address that ours is a “government of the people, by the people, and for the people.” Even in the midst of a Civil War, President Lincoln put his unwavering faith in “the American people and their history.”

The American people spoke clearly and decisively: 81.2 million votes for Joe Biden, 74.5 million votes for Donald Trump, 46.8 percent of the vote for Joe Biden, 51.3 percent of the vote for Donald Trump.

This past November, the American people voted in the highest numbers we have seen in our Nation’s history. More than 155 million Americans cast a ballot in what was a free and fair election. A clear majority voted for former Vice President Joe Biden and the current president, Donald Trump. This was not the closest election in our Nation’s history by a long shot. President-Elect Joe Biden won by more than 7 million votes. He and Vice President-Elect Kamala Harris were the赢家 of the 2020 election. Donald Trump and Mike Pence received 232 electoral votes.

Given the tremendous impact the COVID-19 pandemic has had on our country, everyone should be overwhelmed that Americans turned out in such strong numbers for this election. People should not have to choose between casting their ballot and protecting their own health and their family’s health. The pandemic wreaked havoc in so many of our lives for much of 2020, which last winter, which just pass, was characterized by an outbreak that continues to maraud our way of life.

In 2020, Americans cast their votes while safeguarding the health and well-being of voters and election judges alike.

The process of voting is one of our oldest and most cherished traditions. It is our moment to ensure that everyone can vote safely and securely. The Department of Homeland Security, DHS, stated that the November 3 election was “the most secure in American history” and that there is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised.”

President Trump responded how we would expect a would-be autocrat to respond, by firing the head of the DHS agency overseeing election security, pursuing baseless and groundless lawsuits, and promoting wild conspiracy theories about a rigged election. These lawsuits repeatedly have been dismissed as frivolous by both State and Federal judges appointed by both Republican and Democratic Chief Executives.

There is simply no evidence of widespread voter fraud claims in this election that can credibly affect the outcome of the election. The charges of voter fraud—complaints that a State court had already dismissed. Stephanos Bibas—a judge whom President Trump appointed—wrote, “Free, fair elections
are the lifeblood of our democracy. Charges of unfairness are serious. But calling an election unfair does not make it so. Charges require specific allegations and then proof. We have neither here.

On Monday, January 4, in the U.S. District Court for the District of Columbia, James Boasberg—whom George W. Bush originally appointed to the bench—dismissed yet another frivolous lawsuit seeking to stop Congress from certifying President-Elect Joe Biden’s victory when it meets in joint session to tally the electoral college votes on Wednesday.

In a 7-page opinion, Judge Boasberg noted that the plaintiffs had filed in the wrong court; did not have standing to sue; and had made no effort to serve defendants with the suit, a legal requirement. He indicated that he was contemplating referring the case to the Court’s Committee on Grievances “for potential discipline of Plaintiffs counsel.” More importantly, he wrote, “the suit rests on a fundamental and obvious misreading of the Constitution.” He concluded, “It would be risible were its target not so grave: the undermining of a democratic election for President of the United States.”

After being shut down again and again by the courts and State election officials—the people who run the elections—President Trump has continued his sordid campaign to undermine the rule of law in our Nation. He continues to fan the flames of division in our Nation, including encouraging fringe elements seeking to declare martial law or have the military intervene to overturn the election results. This demagoguery led all 10 former Secretaries of Defense who are still living—Republican and Democrats alike—to warn against any attempt to involve the military in any claims of election fraud, arguing that it would take the United States into “dangerous, unlawful and unconstitutional territory.”

President Trump and his enablers’ ceaseless lies call into question whether we can have a peaceful and orderly transition of power in the United States. This concern is not theoretical, as we saw today, as a lawless mob encouraged by the President temporarily took control of our sacred Capitol.

President Trump’s recent phone call to pressure the Georgia secretary of state to “find” the votes he needs to win the State is his latest failure to take care that the laws be faithfully executed.

Historically, American Presidents have understood that America is a democracy and not an autocracy or a cult of personality. It is understandable that we even need to say that out loud. Elected legislators cannot, in good conscience, allow President Trump to continue to act like a dictator by trying to undermine valid election results and then trash and burn our Republic on his way out of office.

If a foreign leader acted in such a blatant way to overturn legitimate election results, the full U.S. Congress would forcefully condemn such autocratic and undemocratic moves. My congressional colleagues who are objecting to the electoral college results without any evidence or legal basis make President Trump’s insatiable ego. They must remember their oath is to the Constitution and not the President.

Sixty years ago, John F. Kennedy warned that people who foolishly seek power by riding the back of the tiger ultimately end up inside its belly. People should heed that advice. It is time to put country before personal ambition.

Mr. TILLIS. Mr. President, the American people should have full faith in our election system, which is why I led the passage of voter ID legislation in North Carolina and why I supported President Trump’s right to call for recounts and bring challenges to the courts. I share the concerns of many Americans that securing widespread mail-in voting and the partisan actions of activist Democratic lawyers who succeeded in making questionable changes to the voting process while Americans were already voting isn’t enough to change the outcome of the election, irregularities and fraud are never acceptable, and they should be investigated and prosecuted when appropriate.

The framers of our Constitution made it clear that the power to certify elections is reserved to the States, not Congress. Refusing to certify State election results has no viable path to success, and, most importantly, it lends legitimacy to the left’s stated policy objective of completely federalizing elections and eliminating the electoral college. Congress should not overstep its constitutional authority by overturning the results of States that did not follow the results of the back vote, especially absent legitimate requests from States for Congress to intervene.

It is a precedent we should not set, and NANCY PELOSI and CHUCK SCHUMER should not have the power to set aside elections after the 2024 election and overrule Federal courts and the Constitution as they see fit.

I was proud to support President Trump’s agenda and campaign with him, and I am deeply disappointed he was not reelected despite his success in creating jobs, cutting taxes, securing a conservative judiciary, reforming the VA, and rebuilding our military. Although I certainly wish the results were different, Congress cannot change them without inflicting irreparable damage to our constitutional Republic. I will not oppose the certification of the electoral college votes, and I will not embolden politicians in the future to appoint our Presidents instead of having the American people duly elect them.

Mr. KELLY. Mr. President. In America, we have free elections and peaceful transitions of power. In America, democracy prevails over chaos. And in America, those who commit violent acts against our government are held accountable. These are the values that I served to defend in the U.S. Navy and that I have sworn an oath to uphold in the Senate, and they have not failed us.

Our democracy was tested today—first, by a baseless objection to Arizona’s electoral votes, despite the fact that Arizona’s elections were fairly administered and certified by a Republican Governor, Secretary of state, and public servants at every level of government and representing both political parties; and then again when individuals, spurred on by the President, stormed the Capitol in an unpatriotic attempt to overturn our election. They will fail. Tonight we will count Arizona’s electoral votes and those of every other State.

For centuries, our democracy has thrived because after elections we have come together to find common ground and solve our challenges, and that is the work we begin tonight. My focus will continue to be on representing Arizonans by working with Republicans and Democrats and the incoming administration to beat this virus and rebuild our economy.

Mrs. LUMMIS. Mr. President, it is the privilege of a lifetime to represent the people of Wyoming in this great deliberative body. I genuinely look forward to joining each of you to make a difference for the American people and to uphold my solemn oath to support and defend the Constitution.

Let me be clear. An attack on our Capitol is an attack on our Constitution and democracy itself. I strongly condemn the violence that occurred today, which did more to thwart the democratic process than to protect it. Today, many Members of the Senate were trying to peacefully use our democratic process and the voice of every American’s vote. In the best tradition of the U.S. Senate, we will fulfill our constitutional duty and complete the electoral count tonight.

In 1833, Senator Daniel Webster said that “duty binds ... the conscience of the individual member” in counting the votes for President and Vice President. Each of us has a solemn duty to ensure that the slate of Presidential electors we certify is beyond reproach, represents the people’s voice and upholding the Constitution. Congress will not overturn the people’s voice. A president will be inaugurated on January 20. Congress cannot and shall not dictate the results of a Presidential election to our States. That would be the death of our Republic.

In the coming months, Congress must take a fresh look at troubling concerns from the election that simply don’t add up. After the 2020 Presidential election, millions of voters in Florida felt disenfranchised, and now 74 million Americans deserve the assurance and the dignity that their votes
count the same as every other American. We owe our first duty to the American people, following procedures—like the Electoral Count Act—used for nearly 150 years.

It is my fervent hope that our State legislatures will consider a meaningful election reform to ensure that our election laws are applied uniformly, to ensure the technology we use is accurate and secure, and, most importantly, to ensure that all Americans treasure our precious vote and that their voices are heard. States are at the very center of elections in our country and will remain so.

Many ask why Congress should be involved in election matters that have been considered by the courts. Some argue that Congress’ role in certifying our Presidential elections is merely ministerial. Under our constitutional separation of powers, it is too often forgotten that Congress has the right and duty to interpret the Constitution, especially on matters by which the Constitution have been delegated to Congress, like the electoral count. Congress interpreted the Twelfth Amendment, which called the Electoral Count Act in 1827 and continues to breathe life into these provisions by its actions today. Our Founders understood Congress would play a key role in debating constitutional issues as a co-equal branch of government. Thomas Jefferson commented in an 1819 letter that “each of the three departments [of government] has equally the right to decide for itself what is its duty under the Constitution.”

I remain deeply concerned that the electoral votes of the Commonwealth of Pennsylvania were not “regularly given” under Pennsylvania law, as required by the Electoral Count Act. Serious concerns have been raised about the conduct of the election by Pennsylvania. The election law voting-by-mail statute. Also, Pennsylvania election law may have been applied unequally by State officials, including signature verification and voter identification requirements.

In 2005, Senator Barbara Boxer and the late Representative Stephanie Tubbs Jones objected to the slate of electors from Ohio. They rightfully drew attention to the fact that many African-American and other communities suffered disproportionate wait times at the polls, broken voting machines, and high ballot rejection rates. Raising this objection led to some of these issues being remedied and more African-American voters saw the precious opportunity to vote. That is a legacy our Senate and every American should value today.

Thank you.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. Mr. President, I yield 5 minutes to the Senator from South Carolina, Senator GRAHAM.

The VICE PRESIDENT. The Senator from South Carolina.

Mr. GRAHAM. Many times, my State has been the problem. I love it. That is where I want to die but no time soon. Tim and I have a good relationship. I love TIM SCOTT. In 1876, South Carolina, Louisiana, and Florida sent two slates of electors—they had two Governors, by the way—and we didn’t know what to do. Why did South Carolina, Louisiana, and Florida do it? To hold the country hostage to end Reconstruction. It worked.

The Commission was 8 to 7. It did work. Nobody accepted it. The way it ended is when Hayes did a deal with these three States. You give me the electors. I will kick the Union Army out. The rest is history. It led to Jim Crow. If you are looking for historical guidance, this is not the one to pick.

If you are looking for a solution to convince people there was no fraud, having a commission chosen by NANCY PELOSI, MITCH MCCONNELL, and John Roberts is not going to get you to where you want to go. It ain’t gonna work. So it is not going to do any good. It is going to delay this credibility to a dark chapter of our history. That is why I am not with you, but I will fight to my death for you. You are able to object. You are not doing anything wrong. Other people have objected. I just think it is a uniquely bad idea to delay this election.

Trump and I have had a hell of a journey. I hate it being this way. Oh, my God, I hate it. From my point of view he has been a consequential President. But today, the first thing you will see, all I can say is, count me out. Enough is enough. I tried to be helpful. But when the Wisconsin supreme court ruled 4 to 3 that they didn’t violate the Constitution of Wisconsin, I agreed with the three, but I accept the four. If Al Gore can accept 5 to 4 he is not President. I can accept Wisconsin 4 to 3.

Pennsylvania went to the Second Circuit. So much for all the judges being in Trump’s pocket. They said: No, you are wrong. I accept the Wisconsin Second Circuit that Trump’s lawsuit wasn’t right.

In Georgia, they said the secretary of state took the law in his own hands, and he changed the election laws unlawfully. A Federal judge said no. I accept the Federal judge, even tough I don’t agree with it.

And you tell them there is 66,000 people in Georgia under 18 voting. How many people believe that? I asked: Give me 10. I haven’t had one. They said, 8,000 felons in prison in Arizona voted. Give me 10. I haven’t had the 10.

Does that say there are problems in every election? I don’t buy this. Enough is enough. We got to end it.

Vice President PENCE, what they are saying is: We don’t agree with it. Rand is right. If you are a conservative, this is the most offensive concept in the world that a single person could disenfranchise 155 million people.

[The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be President.

Where in there does it say that Mike can say, “I don’t like the results; I want to send them back to the States; I believe there was fraud”? To the conservatives who believe in the Constitution, now is your chance to stand up and be counted.

Originalism, count me in. It means what it says.

So Mike—Mr. Vice President, just hang in there. They said: We can count on Mike. All of us can count on the Vice President. You are going to do the right thing. You are going to do the constitutional thing. You have a son who flies F-35s. You have got a son-in-law flying F-18s. They are out there flying so we can get it right here.

There are people dying, to my good friend from Illinois, to make sure we have a chance to argue among ourselves, and when it is over, it is over. It is over.

The final thing. Joe Biden. I have traveled the world with Joe. I hoped he lost. I prayed he would lose. He won. He is the legitimate President of the United States. I cannot convince people, certain groups, by my words, but I will tell you by my actions that maybe I, above all others in this body, need to say this. Joe Biden and Kamala Harris are lawfully elected and will become the President and the Vice President of the United States on January the 20th. (Applause, Senators rising.)

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. Mr. President, I yield back the balance of our time.

VOTE ON OBSTRUCTION COUNTING OF ARIZONA ELECTORAL VOTES

Mr. MCCONNELL. Mr. President, I yield the balance of our time.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. Mr. President, I yield for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

Does that say there are problems in every election? You don’t buy this. Enough is enough. We got to end it.

Vice President PENCE, what they are saying is: We don’t agree with it. Rand is right. If you are a conservative, this is the most offensive concept in the world that a single person could disenfranchise 155 million people.
The VICE PRESIDENT. On this vote, the yeas are 6, the nays are 93.

The objection is not sustained.

The Secretary will notify the House of the action of the Senate, informing that body that the Senate is now ready to proceed to joint session for further counting of the electoral vote for President and Vice President.

The majority leader.

Mr. MCCONNELL. So, colleagues, here is where we are. We have a few more speakers now as we wait for the House to finish their debate and vote. We expect the House to finish voting on Arizona between 11:30 and midnight.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Pennsylvania.

OBJECTION TO COUNTING OF PENNSYLVANIA ELECTORAL VOTES

Mr. TOOMEY. Mr. President, I appreciate the indulgence of my colleagues allowing me to speak twice today. But my understanding is that later this evening, objectors will object to the certification of Pennsylvania’s electoral votes because they disapprove of the process that my State used in the last election. So in light of my expectation of this objection, I rise to defend the right of my citizens, my constituents, to vote in the Presidential election.

Let’s be clear. That is exactly what this objection is about. It is what it would do. It would overturn the results of the Presidential election in Pennsylvania, and it would thereby deny Pennsylvanians the opportunity to even participate in the Presidential election.

Even if Congress did have the constitutional responsibility to judge the worthiness of a State’s election process, which it does not, rejecting Pennsylvania’s electoral votes would still be wildly out of proportion to the purported offenses and very damaging to our Republic.

Let me go through a few facts about Pennsylvania.

First, some of the objectors and, in fact, even the President of the United States this morning have observed that the Pennsylvania Supreme Court disregarded exactly when it ruled that mail-in ballots could be counted even if they arrived up to 3 days after election day.

Now, the objectors are right about that. In my view, the Supreme Court of the United States should overturn that illegal decision. But only 10,097 ballots arrived in Pennsylvania during the 3 days after the election, and those 10,097 ballots have been excluded from the vote count that resulted in President-elect Biden winning Pennsylvania by about 80,000 votes. What greater remedy could the objectors possibly want than the complete exclusion of the late-arriving ballots? How could we possibly invalidate the entire Pennsylvania election over 10,000 votes that were not even included in the vote count?

A second charge we heard—and the Senator from Missouri alluded to it this evening—is that a 2019 Pennsylvania law that allows mail-in ballots for any reason—that that might violate the Pennsylvania Constitution. First of all, as Senator CASEY observed, this was a bipartisan law passed with nearly unanimous Republican support.

Clearly, the State legislators and the Governor believe it is consistent with the Pennsylvania Constitution.

Secondly, this law was not challenged when it was passed. It wasn’t challenged when it was applied during the June primary election. It was challenged only after President Trump lost the general election. But 2.6 million Pennsylvanians voted by mail-in ballot in the general election. Over 37 percent of Pennsylvania voters, in good faith, relied on a law to cast their votes, as they have, for 100 years. And that is their justification for refusing to certify the election results. But the allegations of election irregularities and fraud have been investigated. They have been adjudicated. They were adjudicated in the States in which they were alleged to have occurred, not in um, refusing to certify the election results. But the allegations of election irregularities and fraud have been investigated. They have been adjudicated. They were adjudicated in the States in which they were alleged to have occurred, not in um, refusing to certify the election results. But the allegations of election irregularities and fraud have been investigated. They have been adjudicated. They were adjudicated in the States in which they were alleged to have occurred, not in um, refusing to certify the election results.

In Pennsylvania, the Trump campaign took their case of election irregularities into the courtroom of Judge Matthew Brann of the Federal district court. Judge Brann is a conservative Republican Federalist Society member. Here is what he said about the Trump campaign case:

This court has been presented with strained legal arguments without merit and speculative accusations . . . unsupported by evidence. In the United States of America, this cannot justify the disenfranchisement of a single voter, let alone all [the] voters of the third most populated state.

So the campaign then appealed Judge Brann’s decision to the Third Circuit, and they drew a three-judge panel, all Republican-appointed judges, one appointed by President Trump. The panel concurred with Judge Brann.

Certainly there were irregularities in this election—there always are—but there is no evidence of significant fraud, conspiracies, or even significant anomalies that cast any serious doubt on the actual results of any election.

You know, one of the ways you can tell is to look at the big picture in Pennsylvania. Look at what happened. In 2016, President Trump won Pennsylvania by eight-tenths of 1 percent. In 2020, he lost Pennsylvania by a little over 1 percent. Is there anything at all that is implausible or surprising about a 2-percent change in the election outcome?

Relative to 2016, in Pennsylvania the President lost a little ground in most of the rural counties he had carried. He lost a lot of ground in the big suburban counties, and he slightly narrowed his large loss in Philadelphia. There are no surprises here. This reflects a pattern that occurred all across the country.

My colleagues, as I have said, it is not our responsibility to sit in judgment of State election procedures in the first place, but if we were, there would not be nearly sufficient reason to deny my constituents their right to participate in this Presidential election.

Joe Biden won the election. That is not what I had hoped for, but that is what happened. It was an honest victory with the usual minor irregularities that occur in most elections.

We witnessed today the damage that can result when men in power and responsibility refuse to acknowledge the truth. We saw bloodshed because the President refused to accept the results and sow distrust of his own fellow Americans. Let’s not abet such deception. Let’s reject this motion.
The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, with just a few minutes to speak, I am going to get right to the point.

Gunfire in the halls here, IEDs on the Capitol steps. We will say goodbye to colleagues, with the domestic terrorists roaming the halls just a few hours ago. I have been stunned that this debate is actually going forward, and that is because, colleagues, this is a fake debate on electoral certifications; that is because it lends credibility to the big lie idea that the Congress can actually toss out the results of the election, and, as we saw today, it serves to fuel insurrection.

Contrary to what some of my “aye” voting colleagues believe by votes cast just a few minutes ago, this debate has never been about setting up some kind of routine election tribunal. This isn’t about election security. If the Republican majority for the last 2 years had actually taken the path in election security, they would not have worked relentlessly to block my legislation to secure our 2020 elections with hand-marked paper ballots and post-election security audits.

By the way, those are the kinds of approaches that are part of the Oregon system, where for 25 years we voted by mail. I am the Nation’s first mail-in U.S. Senator. The second—and I see my colleagues from Maine and Alaska here because they are very fond of him, like I am—Gordon Smith, a Republican, was the second mail-in U.S. Senator in our country. That is because we do the job right. It is efficient.

Our late-Republican secretary of state, Dennis Richardson, actually told President Trump there was no evidence of fraud.

So if Republicans had been interested over the last 2 years in actually working with me and colleagues on both sides of the aisle and secretaries of state, we could have had an approach that would have empowered the Oregon idea to go national. Instead, we are now debating tonight the idea of—a discussion grounded in total fiction, where for 25 years we voted by mail, where for 25 years we had security audits.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. RUBIO. Mr. President. Over the last week, speaking up to this vote here today, I have heard from a lot of people about this vote, and I guess I want to address it as much to them as anybody else. These are people I know. These are friends. These are neighbors, long-time supporters, generally people on my side of the political aisle.

And they are upset. They are upset. They look at the media, and the media, they censored stories that might have been negative toward Joe Biden, and social media companies helped them out. And they saw how some States tinkered with and even mutilated State election laws, and they have doubts that the election was legitimate.

It gives this country this extraordinary crisis of confidence, which is very dangerous because democracy is very fragile, and it is not held together by elections. Democracy is held together by people’s confidence in the election and their willingness to abide by its results.

So the notion was we need to do something, we need to fight. Several of my colleagues have adopted the idea—and I respect it—that they are going to object.

Now, listen, it is important to understand something. Even the people objecting in the Senate recognize that it is not going to pass. It is not going to change the outcome, but it is going to send a message, and it is going to make a point.

The problem is I think it is a terrible idea at this moment. Just hours ago, a young lady died in this Capitol. That murder, somebody, someplace in this country, got a phone call that their daughter was dead. Their daughter was going to a political rally; she is dead—died in this Capitol, somewhere not far from where we are standing.

We had police officers—the men and women we walk by every single day, who guard the doors and we say hello to—out there with riot gear getting spat at and attacked today—not 10 weeks ago; just a few hours ago. I think it is important to think about all those things on a night like tonight with everything that has happened, wouldn’t even be here today—I doubt very much whether I would have even been interested in politics—had it not been for my grandfather. He died when I was 14, but I grew up at his knee. He would sit on the porch and would smoke three cigars a day, and he loved history.

He was born in 1899 in rural Cuba. It was still governed by the United States. It was a protectorate. Three years later, it gained its independence and became a republic.

During my grandfather’s first 60 years of life, he saw his country have an armed insurrection after a contested election, ex Presidents go in exile, coup, the rise of a Marxist dictator—a tyranny that stands to this day.

My entire life—my entire life I have lived with and next to people who came to America because their country was chaotic and their country was unsafe. What I saw today—what we have seen—looks more like those countries than the extraordinary Nation that I am proud to call home, and I think about the mockery that it makes of our country.

A lot of people say: Oh, well, China, China, China. Let me just say something. In all modesty, no one here has worked harder on the issue of China. They hate my guts. I am sanctioned—I don’t know what they are sanctioning—double sanctioned, and I can’t travel there. I wasn’t planning to anyway.

China is laughing. They are loving this tonight. In Beijing they are high-fiving because they point to this and they say: This is proof the future belongs to China. America is in decline.

Vladimir Putin—Vladimir Putin. Vladimir Putin could have come up with better than what happened here. It makes us look like we are in total chaos and collapse—not to mention the Ayatollah, who is probably bragging, if he has buddies, to his buddies: Look what is happening to the Great Satan.

I think politics has made us crazy. Everybody in this country has lost their minds on politics, and we have forgotten that America is not a government, America is not a President, America is not a Congress.

Let me tell you what America is. America is your family. America is your faith. America is your community. That is America. That is what our adversaries don’t understand, and that is what we need to remember. That is how we are going to rebuild this country and turn the page and have a future even brighter than our past.
I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Ms. HIRONO. Mr. President, it has been hard, at times, to find the words to describe the full harm that Donald Trump did to our country. We can spend hours dissecting how his policies have made us less safe and less healthy, but his Presidency has also been a profound moral failure.

Let me tell you a story. A few years ago, I sat in Hawaii joined me one of my talk-story sessions in my office, and he asked me a question that struck me hard at that time and has stuck with me until today. He said: How can I tell my son that lying is not OK when the President of the United States lies every single day? I struggled to answer his question then, and I am not sure I could offer an adequate answer now.

But this conversation remains a clear example of how we do not live in normal times. Nor is it normal as we stand at the threshold of a new era in which the world watched in horror as an angry mob stormed the U.S. Capitol? Blood was shed. People were hurt. Vandalism occurred.

It is not normal when we have a President who lies every single day. And even in the face of this vandalism, this mob, he really doesn’t have much to say except: I love you. You should go home now.

It is not normal when, in the middle of a pandemic that has claimed the lives of over 350,000 Americans, which is nearly the combined population of the islands of Maui and the Big Island, we have a President who only seems to care about spreading conspiracies to undermine confidence in our elections and our democracy.

It is not normal when duly elected Senators who took an oath to uphold the Constitution pull a stunt to try and nullify millions of votes in six States so that Donald Trump can remain President. I call this effort a stunt because it is doomed to fail.

We have a strong bipartisan majority, as noted in the vote that we just took, in both Chambers of Congress who reject this stunt, and courts have ruled against Trump and his allies in more than 60 cases.

So whenever this farce ends, the result will be the same: Donald Trump will have lost the election, and Joe Biden will become the 46th President of the United States.

You can tell a lot about a person from the way they handle defeat. The way Donald Trump has handled defeat says a lot about who he is. Watching so many of our colleagues indulge the President tells us a lot about them too. We don’t have to look back very far in history to find examples of candidates who lost tough races but demonstrated their character in defeat. Our colleague Senator ROMNEY graciously conceded his defeat to President Obama in noting:

At a time like this, we can’t risk partisan bickering and political posturing. Our leaders have to reach across the aisle to do the people’s work, and we citizens also have to rise to the occasion.

And in 2000, during an election with substantial irregularities and partisan intervention from the Supreme Court, then网上 the United States, put his country first and he said:

Let there be no doubt, while I strongly disagree with the Court’s decision, I accept it. . . . And tonight, for the sake of our unity as a people and the strength of our democracy, I offer my concession.

As I reflect on the service of these distinguished public servants and the acts they took to maintain our democracy, I am also drawn to remarks President Obama made 4 years ago in his farewell address to the Nation when he warned that our democracy is threatened whenever we take it for granted.

It is a particularly sage warning as we contend with the President of the United States seeking to nullify a free and fair election simply because he lost. We have to stand up, speak out, and fight back because our democracy itself is at stake.

American democracy has endured over these 244 years in large part because our institutions serve as guardrails to keep us from going over the cliff. As elected officials, we can strengthen these guardrails by listening to our own conscience in moments of peril, by having what our friend John Lewis called “an executive session with myself.”

Before making a big decision, John would say: Listen self, this is what you must do; this is where you must go. Today, we can follow John’s example, listen to our conscience, stand up for our Constitution, and do what is right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, let me begin my remarks tonight by expressing my heartfelt gratitude to the members of the law enforcement community and the National Guard whose hard work and courage made it possible for us to resume our deliberations tonight.

We return to this Chamber tonight undeterred by the violence we witnessed and strengthened in our determination to fulfill our constitutional duty. The Constitution is the foundation of our democracy, and the Constitution is what must guide our decisions on the Presidential election.

The process the Constitution sets forth for electing Presidents through the electoral college is straightforward. The people vote. Electors are chosen. The electors vote. Then Congress counts the electors’ votes.

That final step in the process is why we have convened today. Counting the votes of the electors, a function that constitutes the ceremonial act. Our job is simply to count the votes certified by each State—nothing more. We should not attempt to usurp the roles of the voters, the States, or the electoral college.

The American people have done their job, turning out in record numbers to vote in the midst of a frightening pandemic. Indeed, as a percentage of voting-eligible population, the turnout was the highest in 120 years. Similarly, in the midst of this pandemic, hundreds of election officials and volunteers have done their job, staffing polling places, protecting the vote, and often recounting votes. The States have done their job by certifying the election results.

Now, I have heard the proponents of these elections raise questions about whether the various States conducted their elections properly. When disputes over elections arise, candidates are able to appeal to our legal system, not Congress, for recourse.

In the 2 months since the 2020 election, the President’s lawyers and allies have had the opportunity to make their arguments and challenge election results before the courts. Notably, every one of nearly 60 lawsuits they have brought forward and often recounting votes. The States have done their job by certifying the election results.

We must abide by these rulings. The time has now come for Congress to do its job. We should affirm the certified results of each State by counting the votes of their electors. Altering the results of the electoral college would set a terrible precedent in which every candidate who loses the popular vote would be granted the presidency. And of course, we would go into a two-thirds vote to override the will of the voters and overrule our courts to unilaterally choose the next President. One Senator attempted such a maneuver after the election in 2004, and the Senate overwhelmingly rejected that effort. The Senate has demonstrated by its votes now that it will follow that precedent and do so again.

Today—tonight, Mr. President, I will continue to vote to reaffirm the foundation of our democracy, the Constitution of the United States. And I will reject these challenges to the electoral college.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, I invite all of my colleagues to cast your eyes upon these three boxes sitting on the table in front of the dais. These three boxes contain the results from every State in our Union regarding how that State voted, how their electors have voted for the President of the United States of America.

You cast your eyes on these three boxes, and you will see something special. You see that there are straps on them holding the top on and straps around the side and they are engraved—beautiful handle, beautiful leather work, crafted in the cabinet shop of our very Senate to say to the world that their cargo is precious.

There are three of these boxes. The third box is brand new. It was crafted
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because so many States were celebrating this process that they started to use very large forms, very large envelopes, very large seals to put those ballots into and, thus, a third box was needed. These boxes contain the voice of the American people weighing in, as they have been used to determine who will be the President of the United States. It is our constitutional responsibility to witness the counting. That is what the Constitution calls for.

Tonight, when this Senate Chamber was under attack by domestic terrorists, we were held here in this room, doors locked to protect us with the help of the Capitol Police. They did an excellent job. And then they escorted us to that announcement came quickly. And when that announcement came, our senior assistant parliamentarian, Leigh Hildebrand, organized the team to rescue these boxes and keep them safe.

Thank you to her and the entire team that rescued the voice of the American people. Had they not done so, then the hooligans outside, disrespecting the Constitution, would have come in here and opened these boxes and burned these ballots, destroying the voice of the people symbolically. I know no one in this Chamber wanted something like that to happen because we are here to defend the Constitution, to defend the integrity of the election process, not to allow it to be destroyed.

But, colleagues, although we are 100 Senators—or 99, actually, now because there are only 99 of us who are duly elected at the moment. We are 99 Senators united across party, defending these ballots from the hooligans outside and those who would vote to destroy the ballots from any given State. And let us come together and restore the Senate and fight for the victory for democracy, for our democracy.

There is more than one way these ballots can be destroyed, and that is for this Chamber and the House Chamber to vote that one of those envelopes representing the State will be shredded, will be burned, that those votes will be discounted.

We just held a vote on whether or not the envelope containing the electoral votes from Arizona should be burned. We defended these ballots against the hooligans outside, but there are those in this Chamber supporting the destruction of the voice of the citizens of Arizona—six voted. And we are coming back later tonight to vote on whether to shred or burn the ballots for the people of Pennsylvania.

We have to stand together to say absolutely not. The constitutional responsibility is for us to defend the process, not to proceed to destroy these ballots.

Now, in spite of all the troubling things that have happened in this Chamber this evening, something beautiful happened, and that is, we sat here in this Chamber, all of us listening to each other, 5-minute speeches, hearing each other out, diverse views, wrestling with a complicated issue. It is really the first time that has happened in the 12 years I have served in the Senate. We have a need to restore the process of struggling with America’s issues together on the floor of the Senate. That is the Senate I saw when I first came here as an intern for my home State Senator in 1976. That is the Senate that I said by the 20th of January, welcome new leadership.

And it is a moment much needed for us to restore the Senate to be the deliberative body once renowned and respected around the world. Let’s defend these ballot boxes, both from the hooligans outside and those who would vote to destroy the ballots from any given State. And let us come together and restore the Senate and fight for the voice of our “we the people” Republic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

MR. CARPER. Mr. President, “Free, fair elections are the lifeblood of our democracy. Charges on fairness are serious.” I think we will all agree. “But calling an election unfair does not make it so. Charges require specific allegations and then [they require] proof. We have not seen any.”

Those are not my words. Those are the words of a judge on the U.S. Circuit Court of Appeals for the Third Circuit rejecting President Trump’s legal challenges to the Pennsylvania election. I might add, a judge who was a longtime member of the conservative Federalist Society and was nominated by none other than Donald Trump.

The 2020 Presidential election was hard-fought—we will all agree. But the American people spoke clearly, and they spoke decisively: 81.2 million voters voted for Joe Biden—81.2; 74.2 million voted for Donald Trump; 51.3 percent of the vote went for Joe Biden; 46.8 percent of the vote was for Donald Trump; 306 electoral college votes for Joe Biden; 232 electoral college votes for Donald Trump. Four years earlier, Donald Trump referred to that kind of outcome as a “landslide” and as the Constitution calls for.

But accepting the outcome of the election can be difficult when our political party doesn’t win. We have all felt that before. But calling an election unfair does not make it so. More than 60 Federal and State courts involving more than 90 judges—many of whom were nominated by Republican Presidents, including Donald Trump—are all in agreement. None of these claims has any merit.

Unfortunately, some of our colleagues today ask us to do the same thing that Donald Trump asked of the secretary of state for the State of Georgia—to overturn the outcome of the 2020 election without specific allegations and, more importantly, without any proof. Our colleagues are asking us to not abide by the will of the people but to bend to the will of one man—one man—Donald Trump.

In 1787, delegates from the Thirteen Colonies convened in Philadelphia to debate the future of what would become the United States of America. Our Founders disagreed on a lot of things, but, you know, they all agreed on one thing for sure: They did not want a King; they did not want a Monarch. Many of them had been there, done that. They didn’t want to see it and feel it again, and they set up this incredible system of checks and balances to ensure that we would never have that all-powerful King in this country.

That system of checks and balances is being pushed to the limit here today; that Venezuela, Cuba, and China rigged our country’s voting machines in favor of Joe Biden; that dead people voted in this election, and they only voted for Joe Biden; that poll watchers and election observers who risked their lives during this pandemic to uphold the integrity of our elections stuffed ballot boxes with Biden votes, and then they shredded Trump votes.

Not one—let me repeat—not one of these things is true. There is no evidence—not one thing to back up these ridiculous claims. Many of these absurd claims from Donald Trump and his legal team are nothing more than conspiracy theories circulating online.

This misinformation and dangerous rhetoric from the President and his allies—including calls for violence—have
polted our discourse and imperiled our peaceful transfer of power.

When our colleagues show indiffer-
eunce to outright support for these un-
substantiated claims and conspiracy
theories, they lead our Nation and our
Constitution down a dangerous, dan-
gerous path.

All of us who serve here were aware
an oath to support and defend our Con-
stitution. I swore that same oath as a
naval flight officer many times and as
midsmanman at that. But all of us here have sworn to support and defend our Constitution, not our political
party and certainly not any individual
candidate.

Colleagues, for the safety of our citi-
izens and our Republic, we must lead by
democratic example. We must turn the tempera-
ture down. It was a hard-fought cam-
aign and certainly not any individual
party and certainly not any individual
candidate.

in many instances. First, they are all
endorsed at the end of the Gettysburg Ad-
dress that ours is a “government of the
people, by the people, for the people.”

Even in the midst of a civil war, Presi-
dent Lincoln put his unwavering faith
in the people to chart our Nation’s
course. We would be wise to remember
Lincoln’s words at this moment, at this
special moment, in our Nation’s history.

We are not a government of Trump,
by Trump, and for Trump. We are a
government of the people, by the people,
and for the people, and the people have
spoken. The people have spoken. Our job here today is to listen to them. I
intend to do that. I trust that my col-
leagues will join me in doing that as
well.

I yield the floor.

Mr. MARKEY. Mr. President, first, I
want to thank all of the first respond-
ers who helped to protect this sacred
Chamber today and protect those elec-
toral college ballots.

Today is a special day. On a day
when some 2,500 or more Americans
will lose their lives to the coronavirus,
when another 130,000 will be hospital-
ized with it, when hundreds of small
businesses will close their doors and
put thousands of Americans out of
work—on this day—the U.S. Senate is
not debating how to get more life-
saving vaccines into American arms
or how to put 2,000 badly needed dollars
into their pockets. No. Instead, we are
using the first days of the new Senate
and Congress to give time to our rad-
ical Republican colleagues’ baseless
and damaging claims of election
fraud—all in an attempt to keep Don-
ald Trump in office in violation of the
U.S. Constitution. There is a word for
this. It is called “sedition.” All of
these unfounded objections to State
election results are seditious. They are noth-
ing short of an assault on the estab-
lished order of the U.S. Constitu-
tion and our democratic Republic.

This is a historically shameful day
for the Senate and for our country. To
be clear, the notion that there is any
meaningful voter fraud that has been
identified in the 2020 Presidential el-
election is a dangerous, anti-democratic,
treasonous fiction. Joe Biden won. Don-
ald Trump lost—period—but that
has not stopped the President and his
enemies from using his baseless claims of
voter fraud in an attempt to keep Don-
ald Trump in office in violation of the
U.S. Constitution. There is a word for
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meaningful voter fraud that has been
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election is a dangerous, anti-democratic,

Second, we must recognize that Don-
ald Trump is and will remain a danger
to our Constitution and our democ-

racy. So, while time is of the essence,
limited, we should impeach Trump again
and bar him from holding office in the
future.

Finally, we should abolish the elec-
toral college. It is a vestige of a racist
Jim Crow America, and we have out-
grown it. Every person’s vote in every
State should count just the same—one
person, one vote.

Election fraud and reform are very
serious issues. Election reform abso-
lutely should be debated in Congress.
As such, we need a Special Committee
and a Special Joint Committee to
work on this issue.

What is on our “to do” list?

We can start with making sure that
hundreds of millions of Americans get
vaccinated—that we get off the dime
and start vaccinating. We vaccinated
4 million people last month. We were
supposed to have vaccinated 20 million.
How are we ever going to get to 250
million at this rate?

What else is on our “to do” list?

We are getting our kids back to
school. We have kids who are unable to
get on the internet, who are unable to
participate in their education, who may
not have any adult supervision at
home. They are struggling, and they
are falling even further behind. We
need to do something to help them.

What else is on our “to do” list?

—getting their parents back to work,
just to name a few things. Think of all
of the millions of people who have lost
jobs and don’t have skills anymore to
call the jobs that are needed. They need
our help. They need to be retooled and
retrained. It is time to stop over-
turning the will of the people. Let’s get
back to working on their behalf.

Abraham Lincoln has been quoted
a couple of times here tonight, but he
observed at the end of the Gettysburg Ad-
dress that ours is a “government of the
people, by the people, for the people.”

Even in the midst of a civil war, Presi-
dent Lincoln put his unwavering faith
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Lincoln’s words at this moment, at this
special moment, in our Nation’s history.

We are not a government of Trump,
by Trump, and for Trump. We are a
of election who actually counted the votes—who went to the polls and made sure that votes could be cast—and who, ultimately, stood firm for the integrity of that voting system.

I want to thank the judges. There are now about 90 of them who, except for one or two who ruled the other way on a technicalia, have stood firm for the integrity of that voting system. In those 60 to 70 cases, except for that one who ruled on a technicalia, they went with the integrity of our voting system and the rule of law.

Today was, indeed, disgusting and sickening. It was shocking and despicable. It was heartbreaking, but it was not surprising. In fact, today’s assault on our democracy—the mob violence, the riots, the thugs and goons who were inspired and incited by the President of the United States—all were of a piece, in these past 4 years, of a President who has no respect for the truth or the rule of law.

Donald Trump’s Presidency is coming to a close in the very same way it began—with an attack on our democracy. In 2016, the Trump campaign welcomed hostile foreign interference with our election. The President refused to acknowledge there would be an acceptance of the results of the election if he lost. Then, again and again, he demonstrated his contempt for the rule of law and for laws themselves. He obstructed justice, and he would have been charged with it had he not been the President of the United States. He invited a foreign government to interfere in our elections and find dirt on his political opponents.

Most disturbingly, these actions by a President who demonstrated that contempt for the rule of law were met with silence from many political leaders, our colleagues here in the Senate among them—silence in the face of that contempt for the rule of law and disrespect for the law enforcers. So we could have seen today coming. In fact, we did. I warned about it, and others did because the fantasies and falsehoods that drove those rioters—not protesters but the mob who assassinated the temple of democracy—were fueled by the President’s misstatements and lies and contempt for the truth, and he was enabled. He had enablers.

Today, we are stopping, in one instance, the embryo, but we must also make sure to stop it going forward. The political stunt that brought us here today offers no great solace that it will. These stunts have consequences. We say words have consequences, and the actions today will have significant consequences. They are an attack on our democracy that undermines the core tenets of our American Government and a disrespect for the will of the people and a peaceful transition of power. The political stunt itself, driven by populism, blaze a path that can be followed by more competent challenges just as the dictatorial instincts and actions of this President can be followed by more effective would-be tyrants intent on destroying our Republic.

Yes, we have more important tasks that we should be addressing as well—the pandemic, the economic revival. Yet, today, one of the threats to our democracy that we face down and come together on a bipartisan basis, but silence is never excusable in the face of lawlessness at the very top of our political structure.

I yield the floor to the PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I have a question for all of my colleagues this evening, which is this: What happened here today, and how is it different from what we expected as we assembled in this Chamber early this afternoon?

Sadly, much like the impeachment trial of just a year ago, I think as many of us slogged our way to the Nation’s Capital and dutifully filed into this Chamber, we expected hours and hours of debate and discussion, knowing the outcome, knowing what was being engaged in by a handful of our colleagues was a political stunt, feeding the ego of our President, who is chasing a post-presidency, but how he actually won the election 2 months ago that he lost and indulging his belief that somehow, somehow, the Congress could still, at the last moment, snatch victory from the jaws of defeat. Evidence to the contrary.

President Trump had been haranguing his own incredibly loyal Vice President, MIKE PENCE, as if somehow Vice President PENCE would simply declare him President today.

We knew that President Trump had been stirring up the spirits of thousands, urging them to come to Washington. We had an inkling that he might go out and speak to them, but I don’t think, as we filed into this Chamber, any of us—expected that, for the second time in our Republic’s history, the perimeter of this Capitol would be breached. Members of the Senate were rushed to safety; that just not the Capitol Police but U.S. Marshals and FBI officers and fully combat-geared soldiers would be in the U.S. Capitol, taking it back from a riotous mob of thugs.

Just a few moments ago, I went to the Rotunda to see the litter and the trash, talking to the agents of those who took over this building today, and to say thank you to the men and women of law enforcement who helped secure it after it fell to an angry mob.

But, folks, we have to think about the consequences of what happened here today, why this happened, and what it means and what it teaches, because, frankly, tonight, now, the whole world is watching. The entire world is watching a montage of scenes—of folks cavorting in the last Capitol, half-naked men taking that seat, scrapping things on different surfaces, parading up and down the Capitol corridors with a Confederate flag and a Trump flag, and in other ways signaling that they had done something significant. No. In fact, what they have actually done is weakened our democracy, showed some of its fragility, and encouraged our opponents around the world.

In the last 2 months since the election, we have one man who has abandoned his post, who has mostly spent his time golfing and tweeting and indulging himself in conspiracy theories and been less and less attuned to our national security and to a raging pandemic. And another President-elect, who is preparing to take over the responsibility for leading this country out of this pandemic and out of its current state of deep, deep division.

President Trump has abandoned his post. He does not deserve to be President any longer, and he poses a real and present threat to the future of our democracy.

But let me also say this to my colleagues, half of whom changed their predetermined vote today after seeing what happened in the Capitol. There were, as we began, roughly 13 Senators—Republicans—who said they were going to vote against the certification of the election, and when we actually finally called the roll, it was just 6–7 of them having been chastened by the events of today. But two who continue on this quest clerked for the Supreme Court Chief Justice, are deeply schooled in the law, and know better than what they did today. And in the House, in the debate going on over in the House even now, more than 100 House Republicans continue with this effort.

On this floor earlier today, this evening, there were strong and clear and brave speeches by Republicans and Democrats alike.

So I have a question as we move forward. When will this fever break? When will we finally say to each other: Enough is enough of indulging and following populism and demagoguery. Is it time to finally show who the leaders are and to uphold our Constitution that every one of the House Members and a third of us swore to uphold just 3 days ago?

I will tell you, as I look ahead, that I am confident that 2 weeks from now, Joseph Biden will be sworn in as the next President, KAMALA HARRIS sworn in as the next Vice President, and we have a unique moment in my lifetime, because, as Presidents and leaders in the Senate of both parties over the last decades have observed, the Senate has steadily shrunk in its significance, its role, in its power, and the Presidency has steadily grown. Not in my lifetime—not since LBJ—have we had an incoming President who spent 36 years in this Chamber.

We have a chance with Joe Biden, a President-elect who ran on bringing our country together, a President-elect who ran on turning the page from our moment of national division, and a
President-elect who respects and honors and understands the significance of this body.

So we have to take this opportunity to compromise, to hear each other, to work together, and to see the real challenges facing the American people and take this last best moment.

What happened here today should leave all of us gravely concerned about the health and the future of our democracy, and the opportunity we will have 2 weeks from today is one we should not let pass us by.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, more than 350,000 of our loved ones have died from a terrible disease. Small businesses have gone under, never to reopen. Millions have lost their jobs, and too many families don’t know how they are going to pay the rent or put groceries on the table.

It is tough out there, but Americans are fighters, and despite all the challenges facing the American people, they do what they need to do, change. They turned their backs on the sitting President who fans the flames of hatred while bodies pile up in the morgue. Instead, they elected a new President who wants to save lives, to save our economy, and to save our democracy.

Even as the pandemic raged, Americans worked overtime to set up safe systems, ballot drop boxes, early voting, and gallons of hand sanitizer. Voters mailed their ballots earlier, put on masks, and stood in line at the polls.

The election of 2020 shattered voting records.

So here we are on the floor of the U.S. Senate in the aftermath of a historic election held in the middle of a pandemic. People are suffering, and we should be working to get them the help they need. Instead, we are here because Donald Trump wants to overturn the results of that election. The Republicans objecting to the results of this election will be judged by history, but the rest of us will be judged as well.

It is our responsibility to stand up for our democracy even while other Senators work to undermine it.

Losing is hard. I ran for President myself. It was a hard-fought primary. But Joe Biden won and I lost. I am not the only one to live through that; a number of Senators in this room have run for President. None of us was successful, and when we lost, we conceded and went out of the race because that is how democracy works. None of us lied about the results. We didn’t throw tantrums. We didn’t tell our allies in Congress or the States to overturn the results. We didn’t feed poisonous propaganda to our supporters. We appealed to the people on State capitals or to descend on Washington. We accepted the will of the voters.

And it is not just us; it is everyone who has run for President since the beginning of America. Only once in America’s history have the people who lost tried to burn down our democracy on the way out. They caused a civil war that nearly destroyed our Nation.

Make no mistake, the violence we witnessed in this Chamber today was the direct result of the poisonous lies that Donald Trump repeated again and again for more than 2 months. His words have consequences. Our democracy has been grievously injured by this lying coward.

This effort to subvert our democracy is not merely one last Presidential tantrum. This effort is designed to knock out the basic pillar on which democracy is founded: the idea that the voters—not the sitting President and not the Members of Congress but the voters decide who will lead this Nation.

A democracy in which the elected leaders do not bend to the will of the voters is no democracy. It is a totalitarian state. And those who pursue this effort are supporting a coup.

I urge my colleagues to vote no on this effort to overthrow our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 12:25 p.m., recessed subject to the call of the Chair and reassembled at 12:28 a.m. when called to order by the Vice President.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. I know of no further debate.

The VICE PRESIDENT. Pursuant to S. Con. Res. 1 and section 17, title III, U.S. Code, when the two Houses withdraw from the joint session to count the electoral vote for separate consideration of an objection, a Senator may speak to the objection for 5 minutes and not more than once. Debate shall thereto. The objection is not sustained.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 7, nays 92, as follows:

[Rollcall Vote No. 2 Leg.]

YEAS—7

Crut

Lummis

Tuberville

Duckworth

Merkley

 Fuk Scott

Hyde-Smith

SCOTT (FL)

NAYS—92

Baldiv

Graham

Peters

Barrasso

Grassley

Portman

Bennett

Hagerty

Risch

Blackburn

Hanna

Romney

Blinken

Heinrich

Rosen

Boozman

Hickenlooper

Rounds

Braun

Hirono

Rubio

Brown

Inhofe

Sanders

Burr

Johnson

Sasse

Cassidy

Lankford

Schumer

Castell

Kaine

Sinema

Collins

Leahy

Smith

Coons

Lee

Shabon

Corzyn

Loeffler

Sullivan

Curry

Lujan

Tester

Cortez Masto

Lujan

Thune

Cotton

Manchin

Tillis

Cromer

Markay

Toomey

Cramp

McConnell

Van Hollen

Daines

Menendez

Warren

Durbin

Morgan

Whitehouse

Eysten

Murkowski

Wicker

Fiscus

Murphy

Wyden

Gillibrand

Paul

Young

The VICE PRESIDENT. On this vote, the yeas are 7, the nays are 92. The objection is not sustained.

The Secretary will notify the House of the action of the Senate, informing that body that the Senate is now ready to proceed to Joint Session for further count of the electoral vote for President and Vice President.

The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for information of all of our colleagues, we don’t expect additional votes tonight.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages
from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees. (The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER DECLARING ADDITIONAL STEPS TO BE TAKEN CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO THE INFORMATION AND COMMUNICATIONS TECHNOLOGY AND SERVICES SUPPLY CHAIN DECLARED IN EXECUTIVE ORDER 13873 OF MAY 15, 2019, RECEIVED DURING ADJOURNMENT OF THE SENATE ON JANUARY 5, 2021—PM 1

The PRESIDENT proclaims to the Congress of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring additional steps to be taken concerning the national emergency with respect to the information and communications technology and services supply chain declared in Executive Order 13873 of May 15, 2019 (Securing the Information and Communications Supply Chain Declared in Executive Order 13873)

(i) in consultation with the Attorney General and the Director of National Intelligence, provide a report to the Assistant to the President for National Security Affairs with recommendations to prevent the sale or transfer of United States user data to, or access of such data by, foreign adversaries, including through the establishment of regulations and policies to identify, control, and license the export of such data.

(ii) in consultation with the Attorney General and the Director of National Intelligence, provide a report to the Assistant to the President for National Security Affairs with recommendations to prevent the sale or transfer of United States user data to, or access of such data by, foreign adversaries, including through the establishment of regulations and policies to identify, control, and license the export of such data.

I have delegated to the Secretary, in consultation with the Treasury and the Attorney General, the authority to take such actions, including the adoption of Executive Order 13873; and

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP

THE WHITE HOUSE, January 5, 2021.

MESSAGES FROM THE HOUSE ON JANUARY 6, 2021

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 21. An act to enhance the innovation, security, and availability of cloud computing products and services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process under Government to leverage cloud computing products and services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes.

H.R. 22. An act to amend the Federal Accounting Act of 2001, to provide for the budget justifications for the Consolidated Appropriations Act, 2020, to require the budget justifications and appropriation requests of agencies be made publicly available.

H.R. 23. An act to require congressional notification for certain changes in status of inspectors general, and for other purposes.

H.R. 26. An act to amend the Consolidated Appropriations Act, 2021, to correct a provision on the prohibition on the use of a reverse auction, and for other purposes.

H.R. 27. An act to amend chapters 5 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution to provide for the count of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution extolling the life of the late Senator John B. Warner of Virginia, and commending his service to the Congress.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government.

The message also announced that the House has agreed to H. Res. 2, resolving that Cheryl L. Johnson of the State of Louisiana be, and is hereby, chosen Clerk of the House of Representatives; that Paul D. Irving of the State of Florida be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives; that Catherine Spindler of the Commonwealth of Virginia be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and that Reverend Doctor Margaret Grun Kibben of the Commonwealth of Pennsylvania be, and is hereby, chosen Chaplain of the House of Representatives.

The message further announced that the House has agreed to H. Res. 3, resolving that the Senate be informed that a quorum of the House of Representatives has assembled in the presence of NANCY PELOSI, a Representative from the State of California, has been elected Speaker; and that Cheryl L. Johnson, a citizen of the State of Louisiana, has been elected Clerk of the House of Representatives of the One Hundred Seventeenth Congress.

The message also announced that a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that may be pleased to make.

The message further announced that pursuant to Senate concurrent resolution 1, One Hundred Seventeenth Congress, and the order of the House of January 4, 2021, the Speaker appoints the following Members of the House to count the electoral votes: Ms. LOPFREN of California and Mr. RODNEY DAVIS of Illinois.
The message also announced that pursuant to section 123(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 4, 2021, the Speaker re-appoints the following Members on the part of the House of Representatives to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2022: Mr. Jeffery L. Fieletter of La Quinta, California, and Mr. Michael F. McCaul of Texas.

The message further announced that pursuant to 2 U.S.C. 2001, and the order of the House of January 4, 2021, the Speaker appoints the following Members to the House Office Building Commission to serve with herself: Mr. Hoyer of Maryland and Mr. McCarthy of California.

At 11:15 a.m., a message from the House of Representatives, delivered by Mr. Nay, one of its reading clerks, announced that the House has rejected the objection submitted by the Representative from Arizona, Mr. Gosar, and the Senator from Texas, Mr. Cruz, and is now ready to further proceed with the counting of the electoral votes for President and Vice President of the United States.

MESSAGE FROM THE HOUSE ON JANUARY 7, 2021

At 3:14 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has rejected the objection submitted by the Representative from Pennsylvania, Mr. Perry, and the Senator from Missouri, Mr. Hawley, and is now ready to further proceed with the counting of the electoral votes for President and Vice President of the United States.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 21. An act to enhance the innovation, security, and availability of cloud computing products and services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by authorizing, by rulemaking, the Federal Government to leverage cloud computing products and services; referred to the Committee on Homeland Security and Governmental Affairs.

H.R. 22. An act to amend the Federal Funding Accountability and Transparency Act of 2006, to require the Budget justifications and appropriation requests of agencies be made publicly available; to the Committee on Homeland Security and Governmental Affairs.

H.R. 23. An act to require congressional notification for certain changes in status of inspectors general, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 26. An act to amend the Consolidated Appropriations Act, 2021, to correct a provision on the prohibition on the use of a reverse auction, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 27. An act to amend chapter 5 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 11. A bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 13. A bill to establish an advisory committee to make recommendations on improvements to the security, integrity, and administration of Federal elections.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCOTT of South Carolina (for himself, Mr. Royce, Mr. Crapo, Mr. Cotton, Mr. Lankford, Mrs. Fischer, Ms. Ernst, Mr. Sullivan, Mrs. Capito, Mr. Young, Mr. Cassidy, Mr. Boozman, Mr. Moran, and Mr. Rounds):

S. 13. A bill to establish an advisory committee to make recommendations on improvements to the security, integrity, and administration of Federal elections; read the first time.

ORDERS FOR FRIDAY, JANUARY 8, 2021, THROUGH TUESDAY, JANUARY 19, 2021

Mr. McConnel, Mr. President, I ask unanimous consent that upon the dissolution of the Joint Session, the Senate stand adjourned to convene on pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, January 8, at 10 a.m.; Tuesday, January 12, at 12:30 p.m.; Friday, January 15, at 10 a.m. I further ask that when the Senate adjourns on Friday January 15, it next convene at 12 noon on Tuesday, January 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The VICE PRESIDENT. Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, JANUARY 8, 2021, AT 10 A.M.

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 3 a.m., the Senate adjourned until Friday, January 8, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

JASON ABBREND, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE VON J. TAYMIR,

RESIGNED.

UNITED STATES INTERNATIONAL TRADE COMMISSION

WILLIAM PATRICK JOSEPH KIMMITT, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2022, VICE F. SCOTT KIEFF, TERM EXPIRED.

DEPARTMENT OF STATE

BARBARA HARK THORNHILL, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SINGAPORE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 602:

To be brigadier general

COL. TERENCE A. ADAMS
COL. CURTIS R. GASS
COL. STEVEN D. BIRDMAN
COL. JOSPEH L. CAMPO
COL. ANDREW M. CLARK
COL. TAD D. CLARK
COL. LUKE C. G. CONLEY
COL. MELISSA S. CUNNINGHAM
COL. ROBERT D. DAVIS
COL. GIORGE M. DIXON III
COL. JASON D. DRAKE
COL. LYLE K. DREW
COL. STEVEN M. GORSKI
COL. GLENN T. HARRIS
COL. BRENNAN H. HARTLESS
COL. JUSTIN S. HOFFMAN
COL. OTIS C. JONES
COL. BRENNAN M. LAYLAW
COL. JASON E. LINDSEY
COL. DEBRA A. LOVEJOY
COL. WILLIAM L. MARSHALL
COL. ROBERT A. MARAYTE
COL. MICHAEL A. MILLER
COL. RICKY L. MILLS
COL. JEFFREY W. NELSON
COL. RANDY P. OAKLAND
COL. MAX E. PEARSON
COL. JONATHAN C. BRYCE IV
COL. JASON M. RUSCHHOFF
COL. JOEL W. SABRANNER
COL. TIMOTHY A. SKIBA
COL. STEPHEN F. SNELSON
COL. BENJAMIN W. SPENCER
COL. FRANK R. VERDUGO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 602:

To be brigadier general

COL. ANTHONY P. ANGELO
COL. FRANK L. BRADFIELD III
COL. HOWARD TRAVIS CLARK III
COL. ROBERT W. CLAUDE
COL. CAROL M. CRAIG
COL. MICHAEL A. HANSON
COL. JENNIE R. HANSON
COL. ANDREW J. LOCKS
COL. JOHN D. MCKAY
COL. BRIAN S. MCKEE
COL. KEVIN J. ROETHE
COL. CRAIG McPIKE
COL. JOHN D. MCKAY
COL. ANDREW J. LEONE
COL. JENNIE R. JOHNSON
COL. MITCHELL A. HANSON
COL. LISA M. CRAIG
COL. FRANK L. BRADFIELD III
COL. FRANK R. VERDUGO
COL. STEPHEN P. SNELSON
COL. COL. JASON M. RUESCHHOFF
COL. JONATHAN C. BRYCE IV
COL. JASON M. RUSCHHOFF
COL. JOEL W. SABRANNER
COL. TIMOTHY A. SKIBA
COL. STEPHEN F. SNELSON
COL. BENJAMIN W. SPENCER
COL. FRANK R. VERDUGO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 602:

To be brigadier general

COL. JOHN M. PAINTER
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

BRIG. GEN. MITCHELL MURDOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE ARMED FORCES TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

COL. MICHAEL A. BATTLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

MAJ. GEN. MARIA J. GERVAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. RICHARD E. ANGLER

BRIG. GEN. JAMES E. BONNER

BRIG. GEN. MICHAEL J. BREDEKAMP

BRIG. GEN. RICHARD B. COFFMAN

BRIG. GEN. CHARLES D. COSTANZA

BRIG. GEN. ROBERT L. EDMONSON II

BRIG. GEN. BRIAN S. FREITZ

BRIG. GEN. JAMIS J. GALLIVAN

BRIG. GEN. ANTHONY B. HALL

BRIG. GEN. WILLIAM J. HARTMAN

BRIG. GEN. JOHN H. HILL

BRIG. GEN. DAVID V. HOSNE

BRIG. GEN. HEIDI J. HOYLE

BRIG. GEN. SCOTT A. JACKSON

BRIG. GEN. MARK L. LANDERS

BRIG. GEN. CHARLES C. LANSIVR

BRIG. GEN. DAVID A. LESPRIEUR

BRIG. GEN. CHARLES R. MILLER

BRIG. GEN. MICHAEL T. MORRISSEY

BRIG. GEN. ALLAN M. PEPIN

BRIG. GEN. ANTHONY W. POTTS

BRIG. GEN. WALTER T. RUGEN

BRIG. GEN. GEORGE L. STAPLES

BRIG. GEN. DAREN L. WERNER

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

COL. DENNIS O. SUTTERWOOD

TOM H. MOORE

COL. DEVIN R. PEPPER

COL. JAMES R. SMITH

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TRAVIS D. BELLUCCI

PAUL R. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOEL R. HICKSHOFF

SHELBY W. JUDD

ROBERT S. MARTIN, JR.

KENNETH D. POWERS

WAYNE K. KLETTEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN D. CALDWEll

STEFANOS DOUTHITIS

KURT D. FIVE

KYLE J. SMIR

MARION R. WENDALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ANDREW C. GORDON

CHELSEA M. HUTCHINSON

MIDIAN G. LORD

BREYDIA F. PEACRE

AARON M. ROBERTS

CASEY M. SARAO

KASTRI SHENOY

CHRISTOPHER A. SMITH

AARON M. TAVIER

CLAUDIA TORMO

PAUL M. TRINQUEIRO

HANNAH E. VALLED

CASSANDRA J. WASSON

EVA K. WELLS

RICHARD G. WITTMYER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ALEXANDER G. KIEFPATRICK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 704:

To be major

RACHEL A. ADKINS

MOHAMED T. ALIDARANSI

HUFU C. ALLEN

ARADALAN AZAD

ROBERT J. BATEY

PETE C. BAILER

STEPHEN M. BEATY

ALEXANDER P. BONTECHR

ADAM F. BRADLEY

REAC A. BROWN

MIHDAH L. BROWN

EDWIN CASBY

KATHARINE M. CALDERON

WESLEIGH J. COCHRAN

ANTHONY A. CONTRADA

ANDREW W. CROSS

ALBERTO J. DELGADO

AMANDA L. DISSON

MARISA K. DOMINGUEZ

PETE M. ELLIS

MARC J. EMOND

BRETT D. IRERLAND

STEPHEN J. ESPERF

ALISON E. EVANS

NABEEL GADIT

BRI A. GALLAGHER

JOHN C. GIBSON

MATTHEW G. GOLLE

CATHERINE R. GODFREY

SHALOM T. GREEN

ANDREW K. GROUN

JACLIN G. HAGNER

RICHARD W. HAGNER

KENDEA J. HARRIS

JASON A. HARRELL

BRICH M. HARTMANN

CATRY R. HARTSTEDT

BRANDON D. HERBST

ALEXANDER N. HESS

NINA S. HELN

REBECCA S. JACKSON

BRANDON S. JONES

BRIAN D. JONES

JAMIS R. KAMOROFF

KENDALL B. KEMBLE

CALLIN E. KESS

LLREWGININA C. KING

JONATHAN G. KOCH

JOSPEH M. LARSON

MICHAEL J. LYNES

KEZIA B. MANES

AARON R. MATTHE

LADON A. MELE

ESTEFANA B. MESHIN

OWEN D. MORRIS

MEREDITH M. PICARD

ALLYSON G. RAFFERTY

DAVID L. RILTAND

CERLA L. RIGS

OLESHA ROAM

ROBERT W. RODRIGUEZ

JASON M. RAY

TRESHA M. SCHEL

LESLIE M. SCHEMMIC

MATTHEW J. SCHULZ

PAUL T. SHREK

STEPHEN B. SOLLER

JESSE R. SOMMER

AMANDA L. STAPLES

ATINA T. STAYNOPOULOS

VANESSA K. STRICKER

BRITTNEY M. SULLIVAN

RYAN E. SULLIVAN

FAHRIENNE M. SUTHER

EBONY D. THOMAS

NICOLE K. ULRICH

JOSEPH C. VANDEKNO

TYONGQUAN N. VU

RONALD C. WALTON

ANDREW S. WASHINGTON

BEAU O. WATKINS

BRANDON V. WELZ

BENJAMIN J. WEPHERRELL

BRANDON D. WILLIAMS

JOHN R. WILLIAMS

MICHAEL D. WING

JONATHON M. WOOD

IRIS YAO

AARON G. YEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 1223:

To be colonel

CLIFTON C. KYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major commander

MONDRE X. BARNES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JAMES M. MCDONALD

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER L. HARDIN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ABRAHAN B. STOKES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL S. DREWY

PAUL M. HERBER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL J. ALLAN

MATTHW M. ELIAS

DARRYN R. FLINT

CHRISTOPHER M. SMITH

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DOUGLAS A. MAYORGA

MARK L. OLDROYD

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSEPH W. HOCKETT

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMEEL A. ALI

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:
To be major
TIMOTHY M. LANDWERLEN
ADAM J. ROMNEK
KYLE R. SIDEMAKER
LONG N. VO

The following named limited duty officer for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
JAMES A. BERRY

The following named limited duty officer for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
STEVEN L. FINZERDA
ERIC J. GIANNIGHTINO
MATTHEW T. MIGLIOLO
KARLTON L. PETTY
TREVOR M. SMITH
WEIJUN B. XI

The following named limited duty officers for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
DAVID W. DIXON, JR.
ROSELL HUDSON III
ELISABETH PAOTAHERI
RICHARD L. POLLAIR
THOMAS R. RICE

The following named limited duty officer for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
JARED A. MASON

To be major
BENJAMIN D. EASTLING
ROBERT A. LOPEZ, JR.
PITUL P. THOMAS

The following named limited duty officer for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
AARON MORA

The following named limited duty officers for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
MARIO J. ARELLANO
JAMIS V. O'BRIEN
THOMAS R. WHITE, JR.

The following named limited duty officers for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
KELLY R. DAYTON
MARK W. MOYER, JR.
RICHARD L. RAINE

The following named limited duty officers for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
ISMAEL ALICIA
MATTHEW A. BEARD
KENNETH J. MIDDELFORD
CHRISTOPHER M. MOLTEN
ALFREDO TOFSTE

The following named officers for appointment to the grade indicated in the United States Marine Corps Reserve under Title 10, U.S.C., Section 1220:

To be major
JAMES L. BIGGERS, JR.
RYAN B. ROLLING

The following named limited duty officer for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
TED A. BONANO
SEAN P. BRADLEY
DAN S. CHRISTY
JOHN E. COLOMBO
WILLIAM E. CREMEER
MICHAEL F. DELPALAZZO
MICHAEL A. DINTORE
BRANDON C. FOGHER
SCOTT C. GARDINER
GLENSORD G. GILBERT
JOSHUA R. IZINO
GARY B. KUPF
LAWRENCE C. LEE
KYLE A. LEWIS
NICK J. MACKERS
MICHAEL D. MCCARTY
SARA E. MCGRAW
ELISABETH D. MELAS
STEPHEN M. FOWELL
DAVID M. ROSS
ERIC T. SAUNDERS
EDWARD J. SHEA
BRIAN D. STIMPEN
PHILIP B. STEUER
JENNY I. STORM
DEREK L. TRABAL
DAVID A. VALDEZ
SCOTT R. WALTON
MICHAEL K. WENDLER
STEPHEN G. WEST
MAYE S. WONG

The following named limited duty officer for appointment to the grade indicated in the United States Marine Corps under Title 10, U.S.C., Section 624:

To be major
JOSHUA D. KING

To be major
IN THE SPACE FORCE

The following named officer for appointment to the grade indicated in the United States Space Force under Title 10, U.S.C., Section 424:

To be major
JARED A. MASON

In the Space Force

The following named limited duty officer for appointment to the grade indicated in the United States Space Force under Title 10, U.S.C., Section 424:

To be major
JOSHUA D. KING