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Senate

(Legislative day of Tuesday, January 18, 2022)

The Senate met at 10 a.m., on expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Eternal God, our King eternal, guide our lawmakers to obey Your precepts, finding in sacred Scriptures a lamp for their feet and a light for their journey.

Lord, watch over our Senators as they seek to do Your will. May they hide Your words in their hearts, striving always to live with integrity. Give them the courage to stand for right and leave the consequences to You. Break the power of evil so that legislators will leave a legacy that will prompt future generations to praise Your Name. Lord, transform discord into sympathies of peace.

We pray in Your merciful 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 PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

NASA ENHANCED USE LEASING EXTENSION ACT OF 2021

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 5746, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 5746, a bill to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer amendment No. 4903 (to the House amendment to the Senate amendment), to add an effective date.

Schumer amendment No. 4904 (to amendment No. 4903), to modify the effective date.

Schumer motion to refer the message of the House on the bill to the Committee on Rules and Administration, with instructions, Schumer amendment No. 4905, to add an effective date.

Schumer amendment No. 4906 (to (the instructions) amendment No. 4905), to modify the effective date.

Schumer amendment No. 4907 (to amendment No. 4906), to modify the effective date.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader, Senator SCHUMER, is recognized.

H.R. 5746

Mr. SCHUMER. Mr. President, in the fall of 1868, recently freed African-American men participated in Federal elections for the first time in American history. According to Ron Chernow's biography of Ulysses S. Grant, the impacts of expanding the vote were immediate and dramatic.

In a startling reversal for an area once dominated by slavery, the elections spawned black sheriffs, school board members, state legislators, and congressmen. That yesterday's slave laborer was today's state legislator horrified many white southerners who refused to accept this extraordinary inversion of their bygone world.

Naturally, the opponents of voting rights had an answer. Chernow continues:

[T]o circumvent the fifteenth amendment, white politicians in Georgia [and other states] devised new methods of stripping blacks of voting rights, including poll taxes, onerous registration requirements—

Let me repeat that quote.

[O]nerous registration requirements, and similar restrictions copied in other states.

Many attempts were made by this very body to stop these sinister laws, but the result was ultimately a failure.

By 1877, ''the black community in the South steadily lost ground until a rigid apartheid separated the races completely, a terrible state of affairs that would not be fixed until the rise of the civil rights movement after World War II.''

Today, the U.S. Senate meets in a different century, facing new and different dangers but wrestling with the same fundamental question: How will the Members of this body protect and expand the most basic right of American citizens, the wellspring of our democracy, the thing that distinguished America from all of the countries in Europe when it was established in, first, 1776 and then 1789—the right to vote—the most important wellspring of our democracy, the most important feature of our democracy?

How will the Members of this body expand and protect the most basic right—the right to vote—from forces, right now in the 21st century, conspiring to take it away?

That is why, today, the U.S. Senate will debate legislation to protect our

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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democracy, and the eyes of history—the eyes of history—are upon us.

The question that is before us today is as old as the Republic itself. The story of democracy has been a long march toward universal suffrage, a holy struggle to take the vision of our Framers and make it real in the present.

The march, unfortunately, has often not been linear. At the time of our Constitution's ratification, you had to be, in many States, a White, male, Protestant, landowner to vote. How many in this Chamber would have been able to participate in those early elections?

Throughout our Nation's history, moments of significant progress have often been followed by reactionary backlash. Unfortunately, it seems—led by one party, compelled by the most dishonest President in our history—we are in another of those dark periods.

That is why, for the first time—the first time—in this Congress, the Senate is debating and will vote on legislation to confront these threats: the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

For the information of all, debate on these bills will continue throughout the day. And as soon as 6:30, if not a little bit later, we will hold a cloture vote to conclude debate and proceed to final passage on these measures.

I want to thank my colleagues who spoke yesterday in favor of these bills. There were so many eloquent and strong speeches. At our caucus, I have rarely seen such passion about the need to vote and the need to change the rules to allow these vital bills—so fixed upon the wellspring of our democracy, voting—to pass.

If the Republicans block cloture on the legislation before us, I will put forward a proposal to change the Senate rules to allow for a talking filibuster on this legislation, as recommended by a number of our colleagues who have been working on this reform for a very long time.

Make no mistake, win, lose, or draw, Members of this Chamber were elected to debate and to vote, particularly on such an important issue as this. And win, lose, or draw, we are going to vote—we are going to vote—especially when the issue relates to the beating heart of our democracy, as voting rights does.

For months, Senate Republicans have resisted virtually every attempt at holding a bipartisan debate on voting rights legislation. Senate Democrats have certainly tried to bring them onto the table.

Senate Democrats have certainly been willing to compromise to get something done. My colleagues Senators MANCHIN and KAINE and TESTER and KING and DURBIN and KLOBUCHAR and LEAHY—and many more—have all met with Republicans to initiate a dialogue, dating back to last August, if not earlier. At virtually every turn, we have been met with resistance.

And amazingly enough, my colleagues—none of them are here to hear it—our Republican colleagues don't even acknowledge that we have a crisis. Leader MCCONNELL even claimed that ''States are not engaged in trying to suppress voters whatsoever.''

Let me read that quote again. This is from Leader MCCONNELL's words:

> States are not engaging in trying to suppress voters whatsoever.

I would ask the Republican leader, if there is no effort to suppress the vote, why have 19 States passed 33 new laws making it harder for Americans to participate in our elections, in the aftermath of one of the safest elections in American recent history, where there is virtually no evidence of any material fraud—none.

If there is no effort to suppress the vote, why are States from Texas to Montana restricting the number and hours of polling places? Why have States like Florida and Texas made it harder to register—to register—to vote? Is that not suppressing the vote?

Why are States like Iowa cutting down on the number of days you can vote early? Is that not suppressing the vote?

And if there is no effort to suppress the vote, why have States like Georgia made it a crime for volunteers to give food and water to voters standing in line at the polls?

Leader MCCONNELL, once again:

> States are not engaging in trying to suppress voters whatsoever.

Just as Donald Trump has his Big Lie, Leader MCCONNELL now has his:

> States are not engaging in trying to suppress voters whatsoever.

The same types of lies that have motivated—the same type of Big Lie that Donald Trump put forward has now motivated Leader MCCONNELL and many other Republicans to embrace that Big Lie and spout others that come from the same poisonous tree.

And what is even more galling, knowing our history, that the laws that I spoke of a minute ago don't target everyone. This is not an effort aimed at everyone. They are aimed particularly at people of color, at poor people, at young people, at disabled people, at elderly people, at people who live in cities. Given the long history, particularly against African Americans, Black Americans, of suppressing the vote in every kind of way possible, this is particularly disgraceful, particularly abhorrent, particularly obnoxious.

We all know the game here today, exemplified by every seat being empty when we are having our first debate about voting rights, not because Republicans agreed to go along but because we were able to use a message from the House to go forward without their OK.

So we all know the game here. To date, I don't know if any of you have, but I have not heard a single serious defense of these laws from Senate Republicans. They don't come here to the floor to defend what is going on in the States. What we have heard is sophistry, distractions, and outright gaslighting.

For months, Senate Republicans have come up with excuses and subterfuges to avoid doing the right thing, just like others have come up with similar lame excuses and subterfuges in the past. But this is the 21st century. We are supposed to have gone beyond that, but unfortunately we have not. Facts are stubborn, and today's debate will help us arrive at the facts of voter suppression before we vote to take action. As we debate this issue so critical to the wellspring of our democracy, will we all confront a critical question: Shall Members of this Chamber do what is necessary to pass these bills and move them to the President's desk?

It is my hope that courage awakens within the heart of our Republican colleagues before the day is out. But if the Senate cannot protect the right to vote, protect the cornerstone of our democracy under the existing rules, then the Senate rules must be reformed.

Let me say this. We have diverse views about whether the filibuster today in 21st century America is a good thing or a bad thing. And there are some in our caucus who believe it helps bring—a few who believe it helps bring—us together. I don't see evidence of that at all, and I think the majority of my colleagues will agree with that. But even for those who feel that the filibuster is a good thing and helps bring us together, I would ask this question: Isn't the protection of voting rights, the most fundamental wellspring of this democracy, more important? Isn't protecting voting rights and preventing their diminution more important than a rule in the Senate, which has not always been in existence and was not envisioned by the Founders? That is the question we should ask ourselves.

Our proposal for a talking filibuster on these pieces of legislation would be the first step toward passing voting rights, restoring this body, and breaking the gridlock that we now face on this vital issue.

In this body, proponents of our democratic rights, again and again, have brought legislation to the floor only to be met by a filibuster. Opponents of fair, open elections filibustered anti-poll tax legislation in 1942, 1944, 1946. They filibustered the civil rights bill of 1960. They filibustered legislation on literacy tests in 1962—all this before real substantive progress was made.

Our struggle today is not new, but we must nevertheless meet it with renewed conviction. Senate Democrats are under no illusion that we face an uphill fight, especially when virtually every Republican has remained staunchly against every attempt to pass voting rights legislation. Again, I would remind the American people and every one of my colleagues that this is a different Republican Party controlled

by Donald Trump. Ronald Reagan, George H. W. Bush, and George W. Bush all supported renewal of the Voting Rights Act—every one of them—and it received large bipartisan majorities in the Senate.

It is a different Republican Party, not just on so many issues that we debate but on this issue, the wellspring of our democracy. So we know it is an uphill fight. But whenever this Chamber confronts a question this important, one so vital to our country, you don't slide it off the table and say, ''Never mind.'' You don't say, ''We are not going to deal with this issue head-on.''

The Senators' job is to vote and to vote on the most important issues facing us, and vote we will, and we are going to keep pushing. We are going to keep working. We are going to keep fighting long after today because the issue is so important to all of us.

I believe firmly in my bones, Mr. President, that if we follow Dr. King's advice to just ''keep moving,'' history shows that doing the right thing will eventually prevail. Justice will flow like the mighty waters, as the Prophet Amos has said.

But the work of justice does not stir into action on its own. It is up to us, Members of this body and Americans all across the country, to do our part to make justice come alive today and assure that our country does not backslide here in the 21st century.

So I urge my colleagues, for the sake of our beautiful, wonderful democracy, for the sake of what the Founding Fathers called this ''noble experiment,'' take a stand and do everything, everything, everything you can to protect voting rights today—today—in this Chamber.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

H.R. 5746

Mr. MCCONNELL. Mr. President, the Democratic Party has had control of Washington for exactly 364 days. Tomorrow will mark exactly 1 year since President Biden was inaugurated on the West Front and promised to ''unit[e] our people,'' ''lower the temperature,'' and brin[g] America together.'' But today, the President and his party will try to use fear and panic to smash the Senate, silence millions of Americans, and seize control of our democracy.

Now, there is no shortage of real crises Democrats might consider tackling: the worst inflation in 40 years, the seemingly endless pandemic, soaring homicides, the border crisis, and Russia flirting with war in Europe.

But the administration and this Senate majority are focused on none of that. Instead, they have been consumed by a fake panic over election laws that seem to exist only in their own imaginations.

So let's put a few basic facts on the table. Fewer than one-half of 1 percent of American adults believe that election law is our country's most important problem. When polls ask people what new Federal election laws they want, the most popular response is ''none of the above.''

Actually, more Americans believe current voting laws are too lax than believe they are too restrictive. Let that sink in. You could have taken in hundreds of hours of leftwing rhetoric and media coverage over the past year and had no inkling of this basic fact. Significantly more Americans believe current voting laws are too loose and insecure than believe are too restrictive.

Professional liberals have spent 3 straight years talking down our democracy, except a short period after they liked an election result and questioning elections was, at least briefly, off limits. But the American people are not buying that. Democrats have spent years stoking fear and panic over voting laws and the American people simply do not buy it. But while Washington Democrats' fake panic has failed to persuade the country, it could still deal permanent damage.

Today, the Senate will need to prevent this factional frenzy from damaging our democracy, damaging the Senate, and damaging our Republic forever.

First, our democracy. Professional liberals' fake hysteria over State voting laws is literally collapsing before our eyes. Even normally friendly media outlets are asking Democrats why a law like Georgia's is supposed to be outrageous when it is objectively more open than rules in blue States like Delaware and New York. President Biden's false statement about one State law earned him—listen to this—''four Pinocchios'' in the Washington Post. That is not easy to get. There is no factual standard by which any State in America is creating a civil rights crisis, not compared to their own prepandemic baselines, not comparing across with other States.

What is more, Democrats' own paper trails refute the notion that this is about new State laws from 2021. Three years ago, in 2019, Leader SCHUMER was already giving interviews about supposed voter suppression. The same conspiracy theories were being pushed back then. The same ominous buzzwords were in vogue. And 3 years ago, in 2019, Democrats had already introduced their first version of the legislation they will be pushing today.

This party-line push has never been about securing citizens' rights. It is about expanding politicians' power. That is why their bill tries to weaken voter ID laws that are popular with Americans of all races. That is why their bill is stuffed with strange policies that have zero relationship to ballot access, new powers for bureaucrats to police citizens' speech online, new schemes where the Federal Government would directly fund political campaigns.

This is not some modest bill about ballot access. It is a sprawling takeover of our whole political system. It was never even intended to attract bipartisan support. This partisan Frankenstein bill that the House Democrats slapped together was intended to do one thing, just one thing only: Give the Senate Democratic leader a pretext—a pretext—to break the Senate.

Later today, this Chamber will host a sad spectacle that has not been seen before in living memory. A sitting majority leader will attempt a direct assault on the core identity of the Senate. Our colleague from New York will try to kill the character of the institution he is supposed to protect and to serve.

Now, the Democratic leader once said that breaking the rules to kill the filibuster would turn the Senate into a ''rubberstamp of dictatorship,'' make America a ''banana republic'' and trigger ''a doomsday for democracy.''

Several years ago, with no connection to this particular issue, he began talking about shredding minority protections if—if—he ever got power.

And now he wants to press that doomsday button.

The legislative filibuster is a central Senate tradition. It is the indispensable feature of our institution. It makes the Senate serve its founding purpose—forging compromise, cooling passions, and ensuring that new laws earn broad support from a cross section of our country.

The Senate is not supposed to be a duplicate House of Representatives with fewer Members and fancier desks. This body is not supposed to amplify huge swings in Federal law with every election. It exists to slow those swings and to bring stability.

The legislative filibuster is the only reason the Senate provides what James Madison called a ''complicated check'' on ''improper acts of legislation.'' It embodies Thomas Jefferson's principle that ''great innovations should not be forced on slender majorities.''

Killing the legislative filibuster—any way it happened—would hugely damage the Senate, but doing so by nuking the rules would destroy the Senate. As I have explained at some length, this is true on the most practical level. A Senate in nuclear winter would not be a hospitable place for either side.

As then-Senator Obama explained a decade and a half ago, ''If the majority chooses to end the filibuster, if they choose to change the rules and put an end to democratic debate, then the fighting and the bitterness and the gridlock will only get worse.''

Please note that, even in the Democratic leader's manufactured case, even when he presumably wanted the most persuasive theater he could possibly muster, the Senate will have only spent about a day and a half on this bill before he tries to ram it through. Since when does the Senate pass any significant bill in a day and a half, much less a gigantic elections overhaul? Our colleague is not trying to conclude an unending discussion that

he cannot stop; he is trying to short circuit a debate that he cannot win. This is just the kind of shortsighted power grab this body was actually built to stop.

The case that most of our Democratic colleagues are making this week boils down to a claim that everything is somehow broken. The Senate is broken because they can't get everything they want. Our democracy is broken because Democrats sometimes lose elections. Entire States are broken because voters vote the wrong way, and so their voices in this Chamber should be totally silenced. Millions of American voters should be denied any say whatsoever in this Chamber. Really? Really? Our Democratic colleagues claiming our entire Republic is broken? That is what their anger and pessimism boils down to.

They say that we are hopelessly divided; that governing institutions that have served us for centuries need to be smashed and steamrolled; that we are fated to keep escalating brute-force battles with no end in sight. This is exactly the kind of toxic world view that this President pledged to disavow, but it is exactly what has consumed his party on his watch. You can literally hear it in their voices.

In the last few days, our President and his top allies have been reduced to shouting angrily at reporters and at the American people. They are so certain they know best. How dare the rules, how dare the facts, the Republicans, and millions of voters all obstruct their unique wisdom?

Well, the good news is that the fear is false. The rage is misplaced. And today, factional fevers will not carry the day.

The Senate is not broken. We have passed major, bipartisan bills this year, and we have stopped partisan bills that lack support; exactly—exactly—the mixture the Framers imagined and Senators on both sides praised—praised—until the last few months. Our democracy is not broken either. Citizens across America have ample opportunity to vote and say so to anybody who will listen to them. Our Republic is not broken. Even with all the crises that Democrats' policies have created, we remain fellow citizens who are blessed to live in the greatest country on Earth.

Today, it appears that a narrow, bipartisan majority of Senators will vote to save the Senate. With hope, with confidence, we will stand up and say that our institutions are worth protecting; that rules matter; that no American deserves to have his or her voice in this Chamber silenced. Ah, but a partisan minority will do the opposite. They will try to smash and grab as much short-term power as they can carry.

For both groups of Senators, this vote will echo for generations. Before we part ways tonight, all 100 of us will have marked our legacies in permanent ink. Who will vote with hope and confidence in our people, and who will vote from anger, fear, and fake panic? Who will vote to protect checks and balances, and who will try to purchase power at any price? Who has the courage to protect every single American voice in this Chamber, no matter their home State, no matter their politics, and who will vote to silence millions of citizens for the sin of voting for the wrong team? The American people deserve to know, and from this day forward, they will.

The PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I would say to the Republican leader while he is still on the floor, would you entertain a question?

Mr. MCCONNELL. Excuse me. No.

H.R. 5746

Mr. DURBIN. I am sorry that he did not stay for a question because I would have asked the basic question phrased by Senator SCHUMER: Does he really believe that there is no evidence of voter suppression in the actions of 19 States across our Nation? I think the facts speak for themselves.

For those who are witnessing this, this is a rare moment in the history of this Chamber. In the recent history, it is rare because we are here; half of the seats are occupied in the U.S. Senate. That is a rare occurrence because it is rare that we come together to debate, to amend, or to even exercise the authority given to us as U.S. Senators.

It is also a rare moment in history because we again are being called on, as others have before us, to speak to the fundamentals of freedom and democracy and to go on record by the end of this day, when night falls, as to where we stand in the sweep of history.

Approximately 155 million Americans voted in the 2020 election—highest voter-turnout percentage since the 1900 election. A record number voted early or cast mail-in ballots—options that were expanded in red and blue States in response to a deadly pandemic. That was before we had vaccines, and COVID was killing an average of 1,200 Americans a day. Yet they voted. Tens of millions of Americans stood in line, some for hours, to cast their ballots. That is how important the American people thought it was to vote in 2020.

People risked their lives to cast their ballots. It is hard to believe that fact could be measured against statements made by the Republican leader just a few moments ago that people don't care about the right to vote. They care enough to risk their lives, and they did in the 2020 election.

Despite the crush of voters and the confusion of the pandemic, the 2020 election was judged ''the most secure in American history.'' That is not my opinion; that is the official statement issued by the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency under the Trump administration, an Agency which coordinates the Nation's top cybersecurity and voting infrastructure security. They released their assessment 10 days after the 2020 election, and they did so to counter a dangerous and unprecedented avalanche of misinformation—including from an enraged and defeated President—claiming falsely the election had been stolen.

These nonpartisan election security experts were not alone in rejecting Donald Trump's Big Lie. President Trump and his loyalists filed more than 60 lawsuits in State and Federal courts, repeating their false claims of voter fraud and stolen votes. They offered no evidence to back their claims—only bizarre conspiracy theories and far-right internet gossip. Their lawsuits were overwhelmingly dismissed, some by judges whom President Trump himself had nominated. The former President exerted extraordinary pressure on the Department of Justice—we found that in the Senate Judiciary Committee and through other sources—and he failed.

When he couldn't bully the courts or the Justice Department to do his bidding, he summoned his mob. We all know personally about the death and destruction the Big Lie brought to this building on January 6, a year ago. We lived through it. The Capitol survived it. The entire world recoiled at the sight of Americans, goaded by the former President, attacking the heart of our democracy.

The Big Lie is corroding Americans' faith in our elections. In a recent poll, two-thirds of Republicans—two-thirds of Republicans—surveyed agreed with the false claim that ''voter fraud helped Joe Biden win the 2020 election''—two-thirds of Republicans. That poll also found that 64 percent of Americans believe that U.S. democracy is ''in crisis and at risk of failing.''

Senator MCCONNELL dismisses this conversation, but the American people know it is deadly serious.

In another poll, only one in three Republicans said that they trust that the 2024 elections will be fair regardless of who wins—only one in three Republicans.

Donald Trump would rather destroy American democracy than admit he lost the election, and sadly, it seems that many Republican lawmakers would rather repeat his lies than face his wrath.

Republican lawmakers of many States are using the Big Lie as a pretext to pass new laws aimed at undermining both Americans' right to vote and the integrity of our elections. Sadly, Republicans in the Senate are aiding and abetting this attack. Three times last year, the Republicans used the filibuster—the weapon of choice in the Jim Crow era—to block this Senate from even debating voting rights.

Each morning, we stand and pledge allegiance to that flag and what it represents, but I don't believe any Senator stands to pledge allegiance to the filibuster.

The filibuster is a rules creation in the Senate which really has stopped

many important pieces of legislation from being considered. It was really the major reason in the 1960s that the Voting Rights Act and other civil rights legislation took so long. I know personally five times I have brought to the floor the Dream Act to give young people in this country a chance for a path to citizenship, and five times on the floor of the Senate, it has been stopped by that same filibuster.

We have heard lofty rhetoric from the Republican leader about what the filibuster means in the Senate. It has been used perhaps in constructive ways, but it has certainly been used time and again for a destructive purpose.

In the year since January 6, Republican legislatures in nearly 20 States have enacted laws making it harder for Americans to vote and, in some cases, easier for partisan actors to potentially meddle and interfere with elections.

In total, more than 440 bills with voting restrictions have been introduced in 49 States, and Senator MCCONNELL can't see one example of voter suppression.

Let me give you some examples so you know what we are speaking of.

We have heard this from Senators WARNOCK and OSSOFF about the State of Georgia, a new law making it a crime to give a voter waiting in line to vote a snack or a drink of water—a crime to give a drink of water to someone waiting in line.

As Senator BOOKER reminded us yesterday, these long lines many times are populated by members of minority populations. What a coincidence that they are the ones with too few voting machines or polling places and have to wait many times for hours to exercise their franchise.

In Texas, as a result of a new law known as S.B. 1, local election officials all over the State are reporting they are being forced to reject hundreds of absentee ballot requests for the State's upcoming March primary.

In Denton County, Texas officials have had to reject over 40 percent of absentee ballot requests. In Travis County, nearly a third of mail ballot applications have been rejected. Making matters worse, this new law makes it a felony in Texas for an election official in Texas to send an unsolicited mail ballot application to a voter.

In Florida, Republican Governor DeSantis last week proposed creating a police unit that would be empowered to arrest voters and others who allegedly violate the State's election laws. This is straight out of the Jim Crow playbook.

In addition, Republican lawmakers in at least 10 States have diminished secretaries of states' authorities over elections or shifted aspects of the administration to partisan bodies, including State legislators themselves or election boards dominated by the Republican Party.

A new law in Arkansas now grants the State Board of Election Commissioners—made of up five Republicans and one Democrat—police powers to investigate complaints about violation of the State's election laws despite no evidence—none—of widespread voter fraud in the State. It empowers the board to upend the State's traditional county-based election administration.

A new law in Arizona specifies that Democratic secretary of state, Katie Hobbs, can no longer represent the State in lawsuits defending the election code. That power now lies with the attorney general, who happens to be Republican—but only through January 2, 2023, when Katie Hobbs' term in office ends.

Even more chilling, Republican lawmakers in a number of States have introduced or passed new laws criminalizing aspects of election administration.

In Wisconsin, the election administrators could face criminal penalties for correcting mistakes on a voter's mail-in ballot. Voting rights experts fear that such laws could leave nonpartisan election administrators and workers forever looking over their shoulders or cause them to quit or be replaced by those who are less experienced and more partisan.

So why is this happening? As I mentioned earlier, the 2020 election had incredible turnout. According to the Census Bureau, 67 percent of all eligible Americans reported voting, and the majority clearly voted for President Joe Biden. So now Republican lawmakers are using the Big Lie to pass partisan election laws in order to reduce voter turnout and control outcomes of the elections this year and in 2024. Their target? Democratic voters. And their goal? Sow the seeds of doubt in our democracy and the credibility of future elections.

Republicans refuse to join us in protecting voting rights. Why? Because the agenda they are following was set by Donald Trump, and dissenters pay a price. If you don't endorse—if you endorse, rather, the Big Lie, he will endorse you; if you don't, he will unleash his fury.

These attacks on voting rights are shaking the pillars of our democracy, the credibility of our elections, and the peaceful transfer of power.

The vast majority of our Republican colleagues are all singing from the same hymnal. They say there is no new wave of voter suppression and election nullification laws. They are wrong.

They claim that our proposals to restore the Voting Rights Act and set minimum Federal standards for elections amount to an ''unprecedented takeover of State elections and a partisan power grab.'' They are wrong.

Each of us in our desks has this common document that guides us, I hope, in all of our actions on the Senate floor. Despite statements to the contrary, we know that this document is explicit in what we are setting out to do today.

The elections clause of the Constitution, article I, section 4, gives Congress the authority to make election laws. The 14th and 15th Amendments give Congress the responsibility to protect voting ''by appropriate legislation.''

The Voting Rights Act was reauthorized and strengthened five times, always with a strong, bipartisan majority. The last time it was reauthorized was 2006, 7 years before Shelby County. That decision of the Supreme Court, we know, gutted the law's protections. The Senate voted unanimously, Democrats and Republicans, to reauthorize and strengthen the law. Sixteen current Republican Members of the Senate voted yes. It wasn't a Federal takeover of elections then, it isn't now, and they know it.

I am the person chosen by Senate Democrats to count votes, and based on their public statements, two Democrats may not vote to change the rules to allow this Congress to stop this power grab by Republican State lawmakers. These Senators have given their reasons. But there is something more important than an existing Senate rule—a rule that has been changed 160 times in the history of this body. The integrity of our free elections, the right to have your vote counted, and our oath to uphold and defend the Constitution I believe count for more.

On January 6, after the insurrection was quelled, we returned to the Senate to complete our constitutional duty of certifying the election and declaring Joe Biden President.

Speaking to the few Members of his party who still intended to challenge the electoral count on the feeble grounds that some of their constituents had doubts about the election, the junior Senator from Utah, Senator ROMNEY, said: ''The best way you can show respect for the voters who are upset about this is to tell them the truth.''

Then something happened on the floor of the Senate which rarely occurs: Senators on both sides of the aisle rose to their feet and gave Senator ROMNEY a standing ovation. Do you remember it? I do.

It is time to remember that courage. It is time to tell the voters the truth. Stop repeating the Big Lie that is tearing this country apart. It is time for the Senate to pass the Voting Rights Act and the Freedom to Vote Act. To restore the power of the Voting Rights Act is to restore the promise of America.

I would like to close by reminding us that, earlier this week, we marked Martin Luther King, Jr., Day. I saw many tweets from Members of this Chamber celebrating his legacy.

One Republican leader tweeted: ''Nearly 60 years since the March on Washington, Dr. Martin Luther King, Jr.'s message echoes as powerfully as it did that day. His legacy inspires us to celebrate and keep building upon the remarkable progress our great nation has made toward becoming a more perfect union.''

Well, I certainly have good news for that Republican leader who sent that

tweet. He has an opportunity today to keep building on that remarkable progress.

Instead of building on Dr. King's work, we have watched Republicans and State legislatures across the country choose to tear down that remarkable progress and make it harder to vote and make it harder to even acknowledge and teach the brutal history of the civil rights movement and the systemic inequities that still exist.

So here are the questions for Members in this Chamber today: Are we going to live up today—this day, Wednesday—to the values we claimed on Monday, Martin Luther King Day? Are we going to be inspired to actually listen to the message of Dr. King and why he risked his life to deliver it? Are you going to keep building upon the legacy and progress that he fought to achieve?

For all of us on both sides of the aisle who quoted Dr. King on Monday, I implore you to listen to what he said in an interview in 1963 when asked about President Kennedy's civil rights bill. He said: ''I think the tragedy is that we have a Congress with a Senate that has a minority of misguided senators who will use the filibuster to keep a majority of people from even voting. They won't let the majority of senators vote. And certainly they wouldn't want the majority of people to vote, because they know they do not represent the majority of the American people. In fact, they represent, in their own states, a very small minority.''

Let's listen to Dr. King. Let's stop using the filibuster to kill legislation to protect Americans' fundamental right to participate in our democracy.

I yield the floor.

The PRESIDING OFFICER (Mr. LUJÁN). The Senator from South Dakota.

Mr. THUNE. Mr. President, later today, we expect the Democrat leader to force a vote on undermining the filibuster in hopes of forcing through a Federal election takeover to give his party an advantage in future elections. Make no mistake about it, that is what we are talking about—federalizing elections in this country; usurping, preempting States, where elections have been administered and regulated since the inception of this country.

The method—the method—that you are talking about using to do it will literally undermine and blow up everything the Senate was supposed to be.

Now, you can say that the filibuster is used to prevent or block things from happening, and that may be true. You have done it. We have done it. Used a 60-vote threshold last week to stop a bipartisan Russia sanctions bill from passing in the U.S. Senate. Both sides have done it. But the filibuster is representative and symbolic of something much larger, and that is, the very essence of what the Senate is about.

I want to read for you from the Federalist Papers because there has been a lot of quoting of the Founding Fathers over here today.

This is what the author of Federalist 62 notes:

> [A] senate, as a second branch of the legislative assembly, distinct from, and dividing power with, a first, must be in all cases a salutary check on the government. It doubles the security to the people, by requiring the concurrence of two distinct bodies in schemes of usurpation or perfidy. . . .
>
> Secondly. The necessity of a senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions.

To go on, the author of Federalist 62:

> [A] continual change even of good measures is inconsistent with every rule of prudence and every prospect of success.
>
> In the first place, it forfeits the respect and confidence of other nations, and all the advantages connected with national character.
>
> The internal effects of a mutable policy are still more calamitous. It poisons the blessing of liberty itself. It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes that no man, who knows what the law is to-day, can guess what it will be tomorrow. Law is defined to be a rule of action; but how can that be a rule, which is little known, and less fixed?

Ladies and gentlemen, our Founders created this institution to be separate and distinct from the House of Representatives for a reason. And what you are talking about doing today is turning the U.S. Senate into a majoritarian body no different—no different—from the House of Representatives except with longer terms and, some people would argue, bigger egos. That is what we are talking about doing. They won't need us. Yes, we have longer terms; they are staggered. But the essence of the Senate is a check and balance on the passions of the other body, and there is a reason why the Founders created it.

Now, I represent a red State, South Dakota. I am not a racist, nor are the people whom I know in the State of South Dakota. Our State legislature, like most States' legislatures, pretty much every year comes up with ideas. Some of them—a few of them—not most, but a few get enacted into law. A lot of them end up on the cutting room floor, which is where most legislative ideas end up. And there are some crazy ones.

I would argue we have some crazy ones coming out of here. There are some pretty crazy bills that get introduced around here, most of which, gladly, never make it into law.

But in South Dakota, our legislature meets every year, like most legislatures, introduces a bunch of bills, acts on them, conducts hearings, and moves them through the legislative process. Some become enacted and signed into law; most don't. One of the bills that did get signed into law was a bill that created a photo ID to vote. It was passed in 2003. It has worked well in South Dakota. People support it, not just in South Dakota but across the country. And after passing in 2003, the 2004 election had the largest turnout in modern history, at least for the years for which we have that kind of information available, as 78.6 percent of people voted in the 2004 election after—after—2003, when the South Dakota legislature passed a photo ID law.

Now, I think there are some ideas out there that are pretty bad, and I am not one who is here to dispute the 2020 election. The 2020 election is over. It has been decided. It was the largest turnout since 1900. It was the largest turnout in 120 years, which is why you all are arguing that these States are going in and changing things to prevent high turnout. Well, in most of the States that I have seen—at least that I can tell—the legislation that I have looked at that have been passed and enacted are things that in most cases people would say: Well, yeah, that is probably within the purview of the State legislature.

The State of Georgia, for example, in terms of days in which you can early vote, actually has more early voting—more early voting, more permissive early voting—than the State of New York or the State of Delaware, the President's home State. There is no-excuse absentee voting. We have that in South Dakota. We have a long period for absentee voting or early voting in South Dakota, much longer than what we are talking about here. In a red State, the State legislature decided that, thought it made sense. But no-excuse absentee voting is something that we do in South Dakota, something that is allowed for in Georgia but is not in the State of New York or the State of Delaware, because the States decide it, as it should be.

About standing in line and giving people things while they are standing in line to vote, the State of South Dakota has a law against that, too. It is called electioneering. It is called electioneering. Now, there isn't anything that I understand of Georgia law that doesn't prevent an election worker from going out and giving somebody a glass of water or something to eat. There isn't anything that says that 150 feet away—which is 50 yards—50 yards away, you can't feed people lunch. All it says is, when somebody is standing in line, that political operatives shouldn't be electioneering, going out and handing things out to induce people to vote a certain way.

Ladies and gentlemen, don't blow up the U.S. Senate and everything that the Founders intended the Senate to be about over an issue that, for all intents and purposes—and you can say it is not—but it is federalizing our elections. It is taking power away from States to make the laws that govern our elections.

And thank God in 2020 the States did things the right way. The States certified on time, in accordance with the law, the 2020 election. And if we hadn't

had that, if we had sucked all that power up here to Washington, DC, and centralized our elections, what do you think would have happened?

I mean, I think there is a reason why we have a decentralized system, and I think it makes sense for a country as big as ours, particularly at a time when we are worrying about other countries hacking our elections. It is a lot harder to hack 50 States than it is one computer system here in Washington, DC. But that is what we are talking about, and you can't sugar coat it. You can disguise it and you can say it is Jim Crow 2.0 and all that, but it is federalizing elections in this country and taking power directly away from the States.

I lost my first Senate election back in 2002. I was ahead on Wednesday morning. Tuesday night and Wednesday came and went. On Wednesday morning, I was sitting in my living room in Sioux Falls, SD, watching the television, and I watched my 3,300 vote lead become a 524 vote deficit, like that because one precinct came in from one of the Reservation counties in South Dakota, and they voted 94 percent—93 percent—against me, and I lost that election. And I had all these people, all of these smart political minds around the country and in South Dakota, say: You have to contest it. There are irregularities. You know there are irregularities.

I thought about it, and we did a little bit of looking into it, but, a day later, I decided to say the election was over. I lost that first election. And you know what, that is what happens. Sometimes we win; sometimes we lose.

What you all are trying to do here is create a system, it seems to me, at least, where you give your side a permanent advantage. And I don't—I mean, that is your prerogative. If you want to do this, that is fine in terms of having the issue and talking about it. But the one thing I just fundamentally disagree with is how you are proposing to do it—to literally do away with everything the Senate was designed and created to be by our Founders and has served a purpose very, very well, and you all did it the last session of Congress. You filibustered numerous coronavirus bills. You filibustered police reform. You filibustered pro-life legislation, and then go down the list. And like I said, you used the 60-vote threshold last week to keep a Russia sanctions bill—a bipartisan Russia sanctions bill, I might add—from passing the Senate.

And you can go on and look at all the statements you have all made through the years, and I am not going to repeat them, because you heard them over and over again. But I think it is important to remember one thing, and that is, when you make statements like that, they do have a shelf life. And some of that shelf life is pretty short, because it was just a few years ago, in some cases 3, 4 years ago; in some cases, 1 year ago, 2 years ago.

A lot of you have statements publicly, clearly out there, defending the filibuster: Doing away with it would be doomsday for democracy; turn America into a banana republic.

Don't do it. I am just saying, don't do it. There has got to be somebody over there who gets this. I mean, we had the pressure to do this. You know that. Thirty-four times, our President in the last administration—34 times—tweeted publicly, demanded that Republicans get rid of the filibuster, and we resisted it. And I have had people in the media ask me. And I have heard that your side is saying, too: Well, the Democrats, you know, if we don't do it now, Republicans will do it.

No, we are not going to do it—not if you don't. If you do, then sure, then all bets are off. And then the Senate becomes the House of Representatives and policy changes every 2 years or 4 years, depending on who is in power. There is no stability. There is no predictability. There is no moderation, and there is no incentive for this body to work together across the aisle. That changes permanently.

I hope that doesn't happen because I don't think that is what we should be about—certainly not what we should be about. But that is where this is headed if—if—if you move forward, if you change the rules, overthrow the rules to do this.

Mr. President, we are better than this. Our country is better than this. Our Founders created a system that was designed to provide that moderation, provide that continuity, to provide that stability, to provide that predictability in a way that what is being talked about today would completely destroy and undermine, not only in the near term but permanently—because you can't do this once. You can't turn this off. You can't put the genie back in the bottle. Once you do this, it is a new state of play in the U.S. Senate, and that is a whole new world, not just for us but for the people we represent, for our Nation and for the world.

I hope and pray that there are enough wise Democrats on your side that will join with all of us to resist the pressure that you are feeling, like we did when our President came to us and said you have to do this. We aren't going to do it because we understand what it means, and you should too.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am here on this momentous day for our country, and I would like to address some of the remarks from my friend and neighbor from the State of South Dakota. I hope he will stay for my remarks.

What is the Senate about? That is what Senator THUNE was just addressing. What is the Senate about? We come here to represent the people of our States, and we come here to make decisions and to vote. I don't think anyone in our States wants us to come here and hug an archaic tradition and then simply stop votes, stop debates; hug that tradition tight and then throw the voters under the desk and go home and raise money; because, basically, that is what this tradition has turned into.

I believe what our Founding Fathers wanted when it became clear that this country was forming, they wanted to have a Senate that worked. And when you go back and look, there is no mention about filibuster in the Constitution. There is no mention of 60 votes. There is no mention of cloture. Rules developed over time. And believe it or not, to my friend from South Dakota, those rules changed with the times. In the words of Senator Byrd, someone who believed in the traditions of this place, the rules change with the circumstances. And in the words of our Constitution, which the Senator from South Dakota failed to mention, ''The Times, Places and Manner of . . . Elections''—well, this is what it says: ''Congress may at any time by Law make or alter such Regulations.''

That is what it says. It was very, very clear, at the beginning of this country, that it was anticipated that the Congress would have a role in these elections. Why? Because they are Federal elections.

And now before us—before us—is the freedom to vote, something that has been a long and hard fought battle in our country's history. And today we continue that march toward justice in the Senate because we face a coordinated and relentless campaign to limit Americans' constitutional right to vote.

As President Biden said last week—I was honored to be there with him and Vice President HARRIS in Atlanta. As he said, ''This is the test of our time.''

There are moments in the life of our Nation, like when a bomb blew up the 16th Street Baptist Church in Birmingham and four little girls were murdered; like when John Lewis and so many others were bloodied as they crossed that bridge in Selma—there are moments in time when things stand still.

And make no mistake, our country is at one of those moments right now. It is no coincidence that after more Americans voted than in the history of this country in the 2020 election, that suddenly there was a slew—a flood—of State election laws meant to suppress the votes of Americans.

It is not, as the minority leader just described, a fake panic. A fake panic? Let's see what is fake about this. What is fake about this law that passed in Georgia, where, suddenly, when 70,000 people registered to vote during the runoff period—I would say to the minority leader if he were here, when 70,000 people registered to vote during the runoff period—they changed that law. They reduced the time of the runoff period. They make it so no one can register during that time. In Montana, 8,000 people availed themselves of

same-day registration in the last election by either changing their address because they moved or registering for the first time. What did they do? That is it. That is not going to happen, even though it has been in place for 15 years, long before the pandemic.

That is not fake. There is nothing about that that is fake.

And when I think about the moment in time we are in now, I look back to that moment when Senator BLUNT and I and Vice President Pence—the last ones remaining in this Chamber, with two young women holding the mahogany box with the last of the electoral ballots through W, Wyoming. At 3:30 in the morning, as we took that long walk over to the House of Representatives—that walk that had been so joyful just that morning. That glass, broken on the sides of that wall, that was not fake. The statues covered in spray paint, that was not fake. That was real—just as real as the fact that over 440 bills, since that fateful day, have been introduced to restrict voting, and 30 of these bills have been signed into law in 19 States. What is happening in States like Florida, Georgia, and Texas, with their omnibus bills, that is very real.

The voters—they know it is real. Last summer, when we took the Rules Committee on a field hearing—joined by Senator OSSOFF, who is a member of the committee, and Senator Reverend WARNOCK, who has taken on this torch in his State and across the country—we met a veteran, living in central Georgia. He told us how he took his older neighbors to vote early, but they had to give up and go home after seeing the line wrapped around the block, and when he later went back to vote, he had to wait, himself, for 3 hours in the hot Sun.

That is not fake, I say to the minority leader. That is real.

This guy is a veteran. He served in the Air Force during Operation Desert Storm. When I asked him if he had to wait in line when he signed up to serve, he said no. But when he came home and wanted to vote in an election in the United States of America, he had to wait in the hot Sun hour after hour, after hour.

When the minority leader said that no American deserved to have his voice silenced, as he just said in this Chamber—those long lines, one ballot box in the middle of Harris County, TX, with over 5 million people, which would be like putting one ballot box in the middle of my entire State—then what are those laws about? Silencing people. That is what it is about.

When we were in Atlanta, we also heard from Helen Butler, a former elections official for a rural county, who told us how she was ousted by the Republicans in the State legislature after over a decade of service, which the new law makes even easier to do by stripping power away from local officials and, ultimately, putting it in the hands of the State legislature. They are messing around, my friends, with the very counting of the votes, with proposals made in Wisconsin, with proposals made in other States.

One Montana woman, living on the Blackfeet Indian Reservation, had open heart surgery a week before the 2020 election and relied on a Tribal assistance provider to return her ballot, but under another new law, the assistance she received is now banned. These are real, and these are real people.

It is voters who were made to stand in the rain, in homemade masks and garbage bags, at the beginning of the pandemic, just to exercise their right to vote. It is veterans standing in hot lines in the Sun in Georgia. It is a voter in a wheelchair in Texas being forced to travel 3 hours and take 4 buses roundtrip to reach a ballot drop-off box. It is a voter in Arizona being told that she didn't receive her mail-in ballot for the State's primary because she had been marked as an inactive voter even though she had just cast her ballot in the Presidential primary.

It is five States—Indiana, Louisiana, Mississippi, Tennessee, and Texas—still telling over 30 million—30 million—Americans, registered voters, that they cannot request a mail-in ballot during a pandemic without an approved excuse. That is why it is on us, with the support of the Constitution, to take action. As I noted at the beginning of my remarks, it was, in fact, anticipated in the Constitution with that clause that empowers Congress to make or alter rules for Federal elections.

What does the Freedom to Vote: John R. Lewis Act do?

It sets basic Federal standards to ensure that Americans can participate in the franchise. It guarantees at least 2 weeks of early voting, like voters now have in two-thirds of States, including red States. It provides for same-day registration, like they had for 15 years in Montana. It allows all voters to request a mail-in ballot, without an excuse, and ensures voters do not need to provide witness signatures or notarizations of notary publics, whom they would have to hire, on mail-in ballots because, if you are in South Carolina right now and you want to cast a mail-in ballot and you have COVID or you are in a hospital, you have to have a witness sign off on that ballot. It also makes your voters have access to drop boxes.

The Freedom to Vote: John R. Lewis Act would also include much needed protections against those seeking to undermine our elections. Senator BLUNT and I held a bipartisan hearing this last year, and we found out that nearly one in three local elections officials feels unsafe because of the job, and nearly one in six has received threats of violence.

The Republican Kentucky secretary of state said that, if something doesn't happen, they are not going to have enough people to work at elections. Now, he didn't agree with what we were going to do, but he did note that they no longer have enough volunteers to work their polls.

A Republican Philadelphia city commissioner who did want to see legislation passed, Al Schmidt, told us about the threats—he is no longer in his job—he received as a result of his work of simply counting the ballots. He told us—I see the Senator from Pennsylvania here—that his family's names, his kids' names have been put out on the internet as well as his address, a picture of his house, and a message, saying: Tell the truth or your three kids will be fatally shot.

Arizona Secretary of State Katie Hobbs told us she received a message: I am a hunter, and I think you should be hunted.

These are not just 1-point examples. Over 9,000 Members of Congress have received threats—double, triple. This is according to the Capitol Police, in numbers that we have never seen before.

So, no, I say to the minority leader. This is not fake. This is not one big fake. It calls for Federal action. Yes, I am disappointed that four times our colleagues have voted down allowing us to go forward with the Freedom to Vote Act or the John Lewis bill, which are now combined into one. With the exception of Senator MURKOWSKI, who did allow for the debate to continue on one of the bills, the John Lewis bill, no one stood up and joined us in allowing for a debate on these bills—no one. So that is why we are here.

I say to Senator THUNE: The reason we are looking to restore the rules of the Senate is that there is no other way to move forward to guarantee Americans the right to vote. In the past, this was bipartisan. In 2006, the Voting Rights Act was reauthorized under President George W. Bush by a vote of 98 to 0—98 to 0—but that is, sadly, not where we are today.

When it comes to the rules of the Senate—and I am not going to belabor this, as I see my friend Senator MERKLEY of Oregon, who is a historical expert on all of this—I will say this: There are 160 exceptions—160 exceptions—to the filibuster rule. Things have been changed to benefit my colleagues on the other side of the aisle. Somehow, it only took 51 votes to put in place the Trump tax cuts or the Bush tax cuts. Somehow, it only took 51 votes to put Amy Coney Barrett on the Supreme Court of the United States—a change by them, made by them. Somehow, it only takes 51 votes to try to overturn a regulation or to try to mess around with the Affordable Care Act.

But then, when it comes to something like voting rights, suddenly, everyone on the other side of the aisle is hugging that filibuster tight, knowing that, in so many times in history, including most recently with the debt ceiling, changes have been made to allow a vote with less than 60 votes: the National Gas Policy Act in 1977; in 1995, the Endangered Species Act; in

1996, a change to the reconciliation process—160 times.

And, as Representative CLYBURN pointed out so well, there have been times in our history when that most sacrosanct of rights has been extended or defended—the right to vote—on a bipartisan basis, like with the 15th Amendment. But we know, as he said, that that was a single-party vote that gave Black people the right to vote, and that fact does not make the 15th Amendment any less legitimate.

During the past week, so many in this Chamber celebrated the life of Martin Luther King, but let us not forget what he stood for. He did not stand for the filibuster. He didn't like it. As Reverend WARNOCK has pointed out so many times, he stood for action and fairness and freedom.

Last week, I met with Martin Luther King III and his wife and daughter, who came to Washington to help us pass this legislation. They told me that their daughter was born in 2008, the year that President Obama was elected. They told me how the Supreme Court's Shelby County decision was issued 5 years later, followed by Georgia's anti-voting law, enacted just last year. How sad is it that, if we do not act, their daughter—the granddaughter of Dr. Martin Luther King, Jr.—and her classmates will face more obstacles in voting, in casting a ballot, than the promise that they were born with? This cannot be the democracy that our children inherit.

Dr. King once said—and I will paraphrase—that disappointment is finite. I don't know how today is going to end, but if it ends without this bill's passing, we will be much less of a country moving forward. Yet I will keep this in mind, what he said: Disappointment is finite, but hope is infinite.

The people of this country will not tolerate, as the minority leader has said, the silencing of their voices. Truly, I think, by voting this down, by not allowing us to even debate this to get to the conclusion of a vote, that this is silencing the people of America—all in the name of an archaic Senate rule that isn't even in the Constitution. That is just wrong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, just 14 months ago, our Nation stood on the brink of a constitutional crisis as the former President and his followers attempted to disrupt the peaceful transfer of power and overturn the results of a free and fair election.

Instead of accepting the will of the voters in upholding the foundations of our constitutional Republic, President Trump and his followers engaged in a campaign of blatant disinformation and political interference. They attempted to coerce State and local election officials to make false claims of widespread fraud and then use those claims to not certify election results and reject the will of the people—all to ensure that the former President could stay in power at any cost.

My home State of Michigan was at the very center of this battle in 2020 when our State Board of Canvassers met to certify the undeniable fact that Joe Biden and KAMALA HARRIS had won the State of Michigan and its 16 electoral votes, but we came dangerously close to the kind of anti-democratic and authoritarian behavior that the United States has long decried in other nations.

It basically came down to one vote—just one vote—from one Republican member of the Board of Canvassers—one canvasser who dared to withstand the intense political pressure for him to ignore the will of the people and to not certify those election results, one canvasser who chose to ignore blatant lies and disinformation. His one vote was all that stood between a secure, free, and fair election and a constitutional crisis. This one Republican board member knew his decision to follow the law would cost him the position on that board. He knew that his physical safety would be threatened, and it was. Yet he stood his ground. He fulfilled his constitutional duty and followed the will of the people of the State of Michigan by voting to certify those results.

So what was his reward for his courageous vote? Well, the Republicans removed him from the board, sending a very clear message and a threat to all of those who will follow him.

Despite failing to coerce enough officials to ignore the law and falsify election results and despite losing one bogus challenge after another in the Federal courts, we all know that the former President didn't stop his efforts there—no. Instead, he rallied his supporters and incited them to attack the U.S. Capitol Building—the very citadel of our democracy—to disrupt Congress as we conducted the ceremonial certification of the results. But thanks to the brave actions of law enforcement officers, the National Guard, and so many others, our democracy withstood these unprecedented attacks on our constitutional Republic.

This attack shook the very foundation of our democracy. It exposed cracks that show that it is more fragile than we ever thought was possible.

Despite all of this, I believe that we need to celebrate the fact that the 2020 Presidential election was secure, according to the Department of Homeland Security and the FBI. We should celebrate that we had record turnout even in a once-in-a-lifetime pandemic. We should commend the election workers who made this incredible feat possible. Instead, too many people, including too many of my Republican colleagues, have continued to sow doubt in the integrity of our election process, and these actions threaten the very bedrock of our democracy.

Instead of condemning falsehoods and violence, there is a concerted effort underway in Michigan and all across our country to rewrite history, remove election officials, and rewrite State laws to limit voter participation.

One of the bills that were introduced in the Michigan Legislature would lock up—would lock up—absentee drop boxes before election day. One Republican city clerk called this idea crazy and said it makes no sense whatsoever. I agree. Another bill would restrict the ability of State election officials to send out absentee ballot applications to voters. In fact, Michigan Republicans filed 39 bills in the State legislature to restrict voting rights.

Nothing less than the very future of our democracy is at stake, and we must act or risk losing what so many Americans have fought for and have died for for nearly 250 years. The right to vote, the right to self-governance, the right of the American people to choose and fire public officials is our Nation's fundamental freedom. We can protect that right and ensure every American has equal access to the ballot box, and we can do it by simply passing two bills that are before us.

The Freedom to Vote Act will protect the rights of voters by facilitating registration, early voting, and vote-by-mail. It will set a standard to ensure that every citizen in every State has guaranteed rights. The John Lewis Voting Rights Advancement Act takes additional steps to address the practices that have historically been used to discriminate against voters simply based on their race.

Despite some of the Republican arguments that I have already heard today, the Constitution is very clear. We have heard that from article I of the Constitution, and many times, Congress has continued to strengthen the voting rights of individuals.

The 15th Amendment clearly states that the right of citizens cannot be abridged by a State and clearly states that ''Congress shall have the power to enforce this article by appropriate legislation.'' That is just what Congress has done in passing the Voting Rights Act of 1965, the Help America Vote Act, and the National Voter Registration Act. Congress has done this in the past. We need to do it again.

The American people overwhelmingly support these commonsense measures, and they deserve to know where we stand. For that reason, after every Senator has had a chance to speak, the debate must come to an end, and we must have an up-or-down vote on these bills.

I believe history will not be kind to the colleagues of mine who stand in the way of democracy.

Make no mistake about it, we are at a pivotal moment in our Nation's history. Our democratic Republic and our most treasured values are in danger. If we fail to act, we may lose it.

I proudly stand on the side of democracy, and I urge my colleagues to stand with me in passing the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, families in Texas and across the country are being pummeled by the highest inflation in 40 years. For everything from gasoline to groceries, to clothing, to utility bills, basic expenses have skyrocketed.

Groceries just don't cost more, they are also harder to find. Empty shelves have become a sign of the times as supply chain problems, staffing shortages, and severe weather have created a perfect storm.

On top of that, families are trying to stay safe and healthy in the midst of a surge in COVID–19 cases. There is an urgent need for testing and masks, both of which are increasingly hard to come by.

With so many urgent needs facing families in Texas and elsewhere, what does the Democratic leadership have teed up for the Senate this week? A partisan bill to take over the Nation's elections. Democrats apparently want people to forget about the fact that they can't keep their refrigerators or pantries stocked or that their kids are out of school again because of the pandemic and can't study in person or that it costs a small fortune to fill up your gas tank. Apparently, they are trying to convince the American people that there is somehow a coordinated assault on the right to vote and their partisan legislation is the only savior.

According to our colleagues, the evidence of this attack can be found in a number of State laws passed this last year, even though many of the reforms in those laws make voting easier than in a number of blue States. The Georgia law, for example, extends the early voting period to 17 days, giving voters more time than what is offered in the President's home State of Delaware, which, until this year, did not allow any in-person early voting.

When that argument fails, though, our colleagues say the need for this legislation stems from the attack on the Capitol on January 6, even though their bill was written long before a mob descended on this building. In fact, the first version of the For the People Act was introduced in 2019, more than 3 years ago.

The so-called voting rights crisis is nothing more than manufactured hysteria to justify our colleagues' longstanding attempts to take over America's elections.

Just to put a timeframe around the concerns, this is what 94 percent of respondents to a Pew poll, a nonpartisan poll, said about the 2020 elections. Ninety-four percent said it was easy or very easy to cast their ballot. Yet the legislation that is going to be considered today has its origins in a 2019 bill called the For the People Act, which obviously predates this poll from the Pew corporation.

While I have no doubt the Senate will reject this legislation once again, I never cease to be amazed at how far our colleagues are willing to go to enhance their own political power purely along partisan lines. As a matter of fact, they have done a complete about-face.

Less than 5 years ago, the majority leader said we should ''build a firewall around the legislative filibuster.'' He has now laid the groundwork and will call the vote to end it. The Democratic leader has tried to frame this radical move as a way to promote debate, but make no mistake, our colleagues aren't trying to blow up the Senate to force Republicans to explain our opposition to the election takeover bill. In fact, we have done that endlessly. We don't need this drama in order to explain our position. I, for one, have spent hours on the Senate floor explaining the dangers of this partisan legislation, as have many of my other colleagues.

The only conclusion I can reach is that our Democratic colleagues are trying to blow up the Senate in order to clear a path for purely partisan legislation, to take a body that was actually created to promote bipartisan consensus building and make it possible with purely Democrat votes to work their will in a body that represents some 330 million Americans. What a bad idea that would be, to promote purely partisan legislation and dissuade or take away the incentives that encourage us to do what doesn't come naturally, and that is to actually work together and build consensus.

Our colleagues apparently don't realize how shortsighted this move actually is. In the Senate, the door actually swings both ways. One day, you are in a majority. The next day, you are using every tool at your disposal to have a say in the process while representing your constituents.

No matter how much frustration and heartache the filibuster creates for the majority party, the shoe is always capable of being on the other foot. Those of us who have been here a while have been in the majority and in the minority and understand the frustration that a majority feels when they can't get what they want while complying with the Senate rules and the consensus-building requirement of the 60-vote cloture vote requirement.

But if our colleagues succeed in blowing up the filibuster, there is no question that it will be easier for them to turn their progressive wish list into the law of the land.

You can't just carve out one piece of legislation. Once we head down that slippery slope, the legislative filibuster is gone.

Taking over America's elections may be the first item on their agenda, but it won't be the last. They could pass the Green New Deal 2.0, impose sweeping gun control laws, legalize abortion from the time of conception until the time of natural delivery, and force every individual in the country into a one-size-fits-all healthcare plan. They could expand the Supreme Court and pack it with partisan Justices. They could even add new States—Puerto Rico, Washington, DC—and add to their majority in the Senate while doing so.

There would be no limit, no constraint, not even a speed bump on what our Democratic colleagues could do if they created so-called carve-outs for every bill they dub ''must-pass legislation.'' The entirety of the radical left's wish list could become law without having to gain a single Republican vote.

Of course, there is one big caveat here: Our Democratic colleagues can only do that if they retain the majority. As our colleagues know, power is fleeting, and at some point, the shoe will always be on the other foot. The sign on Senator SCHUMER's door may say ''majority leader'' today, but that won't last forever. In a year, Republicans could hold the majority in both the Senate and the House. Three years from today, we could have a Republican President-elect. I would like to ask my colleagues, what happens then? When Republicans control the Senate, the House, and the White House, as Democrats do now, how would our colleagues feel about the new rule book that they have created? Will they stand by their decision to silence the minority and ignore the millions of the people those Senators represent? Not a chance. If the filibuster is eliminated, it doesn't just pave the way to our Democratic colleagues' agenda; it clears the path for the majority's agenda, whichever party that may be.

Now, liberal activists may like the idea of nuking the filibuster today, but they will soon find themselves ruing the day their party broke the Senate. The next Republican-controlled Senate could make the 2017 tax cuts permanent and ensure that blue-State millionaires are required to pay their fair share of Federal taxes.

We could make sure that there would be investments in border security and immigration enforcement and craft reforms to reduce the immigration court backlog. We could withhold Federal funding from sanctuary cities and prioritize the deportation of violent criminals.

We could implement a 20-week ban on abortions and ensure that any baby who survives an abortion receives life-saving care. We could expand school choice to give students and parents more options when it comes to a quality education. We could protect our constituents' Second Amendment rights and establish concealed carry reciprocity throughout the Nation.

We could pass right-to-work laws, expand natural gas production, and make even more investments in our national security.

In short, a future Republican-controlled Senate would be able to accomplish a lot, all thanks to a precedent that our Democratic colleagues seek to establish today. And while I would love to see many of these bills that I just

mentioned become law, I oppose any effort to eliminate or weaken the legislative filibuster, just as we did when we were in the majority working with a Republican President during the preceding 4 years.

There is no scenario in which partisan wins are more important than long-term stability for our laws and our public policy. It is not just the American people who would experience whiplash under this game of ping-pong. Imagine the chaos our economy would endure if laws were simply changed every couple of years because a new majority comes into place.

Without some degree of predictability, how could businesses, small and large alike, make investments that would pay off in the future and create more jobs and help grow our economy?

This is why we need the filibuster for every piece of legislation that comes out of the Senate. The much derided 60-vote threshold is there to ensure the stability of our country's laws and policies are not affected by the transitory majorities that we find here in Congress.

I know the Democratic leader and many of our colleagues are moved to action by their political base, and some may actually be worried about having a primary opponent unless they go to the mat trying to eliminate the filibuster. Well, some of our colleagues have experienced unbelievable pressure, particularly the Senator from West Virginia and the Senator from Arizona. And last night, if the press reports are accurate, when asked whether the majority leader would support a contested primary run against Senator MANCHIN and Senator SINEMA, he didn't respond. The Senator from Vermont, Senator SANDERS, did respond and said he would consider supporting a primary opponent to the Senator from West Virginia and the Senator from Arizona. I would make the point that it was the junior Senator from Vermont who made that statement, not the Presiding Officer.

So, in the Democratic Party, if you can't vote your conscience anymore, you either have to fall in line or your colleagues will make every effort to try to kick you out.

Well, I have some news for our friends across the aisle. If they think liberal activists are upset now, they haven't seen anything yet because, if the majority leader successfully blows up the rules of the Senate, the radical left will have a full-on meltdown when Republicans regain the majority, which could be as soon as next year.

Regardless of which party holds the majority, the Senate rules should not be bent or broken to achieve strictly partisan wins. Democrats' attempt to blow up the Senate is reckless and embarrassingly shortsighted. You wonder if anybody learned anything out of the debates and the nuclear option that was used strictly for judicial nominations, which resulted in three Republican nominees being confirmed to the Supreme Court during the last President's term of office.

Later today, all 100 Senators will go on the record. Each Member will vote on whether to silence 50 Senators and the tens of millions of people that those of us in the majority represent. All of my Republican colleagues support the filibuster, even when we have received a lot of pressure—like the Senator from Arizona and the Senator from West Virginia have had—from people in their own political party, including the President of the United States, because we have stood in favor of that requirement because of the stabilizing force that it provides and, again, forcing us to do something that doesn't necessarily come natural, and that is to work together and build bipartisan consensus.

Don't get me wrong. It is hard, in this polarized country, to work together and find common ground, but it is essential that we continue to do so where we can. Our Democratic colleagues used to agree. In fact, it has been less than 5 years since 27 of our current Democratic colleagues signed a letter arguing that the filibuster should be preserved. We will see if those colleagues and the many others who have defended the filibuster end up caving to the radical left in their political base and vote to blow up the Senate.

For the sake of the American people, our economy, and the long-term stability of our government, I hope this ends up being another failed vote.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Virginia.

Mr. KAINE. Mr. President, I am so glad to be with my colleagues on the floor on this most important day discussing a most important topic, and I want to say particularly that I am glad to follow my friend from Texas. The senior Senator from Texas is a friend. We have traveled together. We have legislated together. But friends can disagree, and on this topic we disagree strongly.

Life throws ironies at us. The Senator from Texas inhabits the seat that was held by Lyndon Baines Johnson—Lyndon Baines Johnson—the towering figure who helped usher through the Voting Rights Act of 1965. I inhabit a seat that for years was called the Byrd seat in the Senate, inhabited for 50 years by Harry Byrd, Sr., and Harry Byrd, Jr., who were known for their virulent efforts to deprive African Americans of civil rights, including frequent extended filibusters on this floor against voting rights.

LBJ is held in high regard today because of his passion for voting rights.

Harry Byrd—I was at the State capitol in Richmond on Saturday to see our new Governor inaugurated, and I walked by the spot on the capitol grounds where a Harry Byrd statue used to stand. It was removed 6 months ago. The Harry Byrd Middle School in Henrico County was renamed 5 years ago to the Quioccasin Middle School.

The Harry Byrd, Jr. School of Business at the Shenandoah University in Winchester, their hometown, had that name stripped off the building a few years ago.

And I stand to follow the Senator who holds LBJ's seat—the Senator from the Byrd seat—to today argue that the time has come for us to protect voting rights.

I am just happy to be on the floor talking about a bill. I mean, for gosh sake, we have been able to talk about voting rights in the morning hour. Mr. Leader, I have been here since January of 2013. This is the first time since then that we have been able to get a bill on the floor to talk about voting rights.

And I am going to admit something to you guys that will not surprise you because you know me: I am incredibly naive. At age 63, I am still incredibly naive.

I came to the Senate in 2013. One of the first things that happened was the Supreme Court of the United States struck down the preclearance provision of the Voting Rights Act in the Shelby v. Holder case. It happened when I had been here about 6 months.

And the Supreme Court said: But Congress can fix this. Preclearance is fine. You just shouldn't use a geographical requirement that dates back to 1965. Just come up with a new standard for which jurisdictions should have to preclear voting changes, and make it even-steven.

So we quickly did come up with something: You only have to get preclearance if you have had a history of voting rights problems in the last 10 years. If you don't, no preclearance. We will treat every ZIP Code—north, west, east, south, midwest—exactly the same.

We came up with it, and we went to Republicans. We went to Republicans knowing they were a great voting rights party—the 14th Amendment, the 15th Amendment, the 19th Amendment. The women's vote happened in a Democratic administration but with Republican support. The 26th Amendment—so 18-year-olds can vote—happened in the Nixon administration.

But especially the Voting Rights Act, it wouldn't have happened without rock-solid Republican support. It was always reauthorized with Republican support.

So at this moment when the act is gutted, we go to Republicans and say: All you have to do is be consistent with the history of your party and help us fix the Voting Rights Act.

One. In the House, in the Senate, where is this 150-year history of supporting voting rights? Only one—only the senior Senator from Alaska, Senator MURKOWSKI, would join in this effort.

I was so naive. I was so naive. But we are here today, and we have an opportunity. Why are we here? We know why we are here.

After preclearance was struck down, there began to be an escalating avalanche of laws to make it harder for

people to vote. Then we had a President who did a frontal assault on democracy itself: demeaning the democracy; attacking election officials; trying to dig up dirt on a Presidential opponent from a foreign country; refusing to concede; filing meritless lawsuits; bringing about threats against election officials; violence in the Capitol, against the Capitol, against these Members, against the staffers, against Capitol Police, against our democracy; repeated efforts in States around the country to roll back; violent threats against election officials that persist even to today.

That is why we are here. We are standing exactly in the same spot as that Senate stood in 1965: disenfranchisement efforts, coalesced by a galvanizing action of violence—the beating of John Lewis on the Edmund Pettus Bridge in Selma, AL. We have an avalanche of disenfranchisement galvanized by an act of violence—the attack on this democracy, the physical attack on January 6.

The time to act is now.

Let me respond quickly to some comments I have heard from colleagues this morning, particularly Senator CORNYN. You have heard again and again this theme that the bills we are attempting are a Federal takeover of elections. They use that—federalizing elections, a Federal takeover of elections.

So here comes the history quiz part of my speech. Both Senators DURBIN and KLOBUCHAR have referred to this and read it, and I am going to do it again: ''The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations.''

How many times—how many times in the Constitution—can you read the phrase ''at any time''? The Constitution gives enormous powers to Congress in article I, enormous powers to the President in article II, powers to the judiciary in article III, powers to the States, powers to voters. It is sort of assumed, when those powers are given, that they can be exercised at any time.

But in one occasion—in one occasion only—the Framers decided: We had really better spell out ''at any time.'' The only use of that phrase in the Constitution is to put an exclamation point, essentially, after the notion that Congress must be able to act at any time to alter or make regulations with respect to the Federal vote.

Senator CORNYN said that 94 percent of people were happy after the November 2020 elections. Then why has the GOP decided to systematically weaken votes, take votes away, put obstacles in the path, kick out duly-sworn election officials, and put decisionmaking in other people's hands?

Senator CORNYN said that this was a partisan effort. Partisan? Partisan? One of the chapters of our bill is nonpartisan redistricting. That is partisan?

Another part of our bill is complete transparency in all campaign contributions. How is that partisan? Go poll any Republican, Democrat, Independent populous about what they think of transparency in campaign contributions. It is overwhelmingly popular. We have made some of these changes in Virginia. Thank goodness that this bill would allow it.

We just had a Governor's race. Turnout went up by 20 percent, and a Republican won. It wasn't my candidate. It was good for democracy.

This is not a partisan bill, even if the Republicans won't stand up for it.

Finally, the Republican leader and Senator CORNYN started off with a lengthy ''Well, why won't you work on other stuff, like stuff about COVID, stuff about the economy?'' My memory is pretty good. I think we were here in March dealing with a significant bill that was about vaccinations and COVID and support for small businesses and a whole series of things—hospitals, educational aid. How many Republicans voted for that bill, the American Rescue Plan—you know, the one that was COVID and the economy? None. Why don't we pay attention to some other stuff? Well, we have been, generally with little support.

I will close and say this: Congress may at any time, by law, make or alter such regulations—at any time. If not after the Supreme Court cuts the heart out of the Voting Rights Act, when? If not after an avalanche of State legislation carving back voting rights, when? If not after a violent attack, unprecedented in the history of this country, on the Capitol of the United States to disenfranchise 80 million people and disrupt the peaceful transfer of power, when? If not after subsequent Big Lies leading to action in State legislatures all over this country, when?

We may act to protect Federal elections at any time. We are here for such a time, and the time to act is now.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Montana.

Mr. TESTER. Mr. President, most of you know that I have a real job besides being a U.S. Senator, and that real job includes farming the land, which includes spending—starting in the spring—12 to 16 hours a day on a tractor, where you get an opportunity, after you are going around and around and around, to think about anything you want to think about.

Before I got in this job, I used to do math problems. Since I have gotten in this job, I think about this job when I am on a tractor, and I think about the U.S. Senate. I think about how over the last 15 years this place has been incredibly dysfunctional. I have been here 15 years; I can't speak to what it was like before that. But it has never worked since I have been here. The reason it has never worked is because—I had this idea in my head that, being the U.S. Senate, it would be a place where we could have debate. In the greatest deliberative body, you ought to be able to have debate. I think I saw Senator DURBIN once almost get into a debate here, maybe twice. But it just simply doesn't happen, and it doesn't happen because we are not forced to do it because you take the easy way out. All you have to do is put a hold on a bill, and then you can walk out. In fact—I think it was my second year here—there was a Senator who put a hold on a bill and then went back to his home State. He didn't even stick around.

I don't think that is what the forefathers had in mind. I think what the forefathers had in mind is to stay here and have a discussion and have a debate, and when people disagree, don't be disagreeable, but try to find common ground. That doesn't happen but rarely.

So you ask yourself what can be done about it. I have had the opportunity over the last 3 months to work pretty extensively with my friend Senator KING and Senator KAINE and Senator MANCHIN and talk about ways we can move forward in a way that encourages people to come to the floor and debate, and I think there is a proposal to do exactly that. This is a carve-out today, but the truth is that there is a proposal to protect minority rights and encourage people to come here and debate.

We ought to be doing that. It isn't nuking the body. It is not destroying the U.S. Senate. It means we get a chance to stand here in front of these cameras and challenge one another because we have to, because the rules force us to do that—not to go home to our home State, not to put a hold on a bill or a person and then not say a word why, not to be able to justify why you are doing that on the floor.

So I see this in a little different light than has been described by some across the aisle, and I don't think this is blowing the Senate up at all. I think the Senate—if the forefathers looked at the Senate today, they would sit there and shake their heads and say: What has gone wrong?

I think what has gone wrong is, we have gotten lazy. It is the truth. The last place, truthfully, I want to be is on the floor of the U.S. Senate trying to justify my position. I mean, that is a lot of work. It takes time. It takes effort. We ought to be forcing people to do that. That is part of this debate we are having here today.

We ought to realize that there is not a single Member of this body on either side of the aisle who wants to ''blow this place up.'' They might describe it that way. But the truth is, everybody who serves in this body knows that this body doesn't function as the U.S. Senate. It doesn't function. We don't do what we need to do. We don't empower committees. We don't make sure our chairmen are doing what they need to do. We don't debate on the U.S. Senate floor anymore, and we haven't for 15

years and probably a heck of a lot longer.

I happen to sit in the seat of Mike Mansfield. I don't think Mansfield would look at this and say: This body works, and we ought not change the rules because it works so well.

I think Mike Mansfield would say: Do you know what, guys? We did some changes in 1976. You need to take a look back. Things have changed here.

We have cameras now we didn't have in 1976. We have folks who come on the floor and raise a lot of money on this floor by talking to those cameras instead of talking to one another about what is important here, about the policies we need to take up.

So that is first thing. I don't think we should be afraid about adjusting the filibuster to make the U.S. Senate work. I think it is the right thing to do—not blowing it up but making some adjustments to make it work.

Now, let's talk about voting rights for just a moment. I believe there are 19 States in the United States right now that, on a purely partisan basis, have changed the way votes—either access to the polls or the way votes are counted when they are done. I can't imagine anybody in here, when you look at that—and it has all been done on a partisan basis by Republican legislatures—when you would look at that, you would say: Boy, this is moving our democracy forward.

You know what. When I got in the State senate in 1999, I worked with a very conservative Republican on the State Administration Committee to make voting easier. We worked together. We both had the same ideas in mind. We wanted to make voting easier in Montana, and we did it.

Now, it is a different world out there, and I really don't know why. Let me give you an example. When I ran in 2018, there were a record number of votes cast in Montana, and I won. A Democrat won. In 2020, there was even a larger number of votes that were cast in 2020, and a Republican won. This isn't about advantages for Democrats or advantages for Republicans; this is about making it so everybody can have their voice heard—something very basic to this country, by the way. We stand up here and talk on the floor about how people have sacrificed for the rights and the freedoms in this country, and one of those freedoms is the freedom to vote. Lives have been sacrificed for it, but yet we want to limit certain groups of people from voting.

In Montana, for example, they have said that student IDs—a college student ID won't work as an ID to go to the polling place. Are you kidding me? I mean, first of all, what kind of message are you sending to the young people who are going to be running this show—and probably a heck of a lot better than we are—in just a few years? You are saying: Your voice doesn't count. You want to talk about disenfranchising? This is crazy. It doesn't make any sense. It is really hard for me to think how you justify—how do you justify saying this is a good thing to have happen?

Voter registration. OK. Now, we are in this job. We all do this every day, think about it every day. So voter registration is probably no big deal to us. But to working people who have to pay the bills, having to take a half a day off of work to be able to go register when you can't do it on election day—that is a big deal.

We all stand up here, and we always say: We are for working families; they are the heartbeat of this country. And they are. But the truth is, what message are we sending to them when we say: No, you know what, no more same-day voter registration—which, by the way, in Montana, it was a vote of the people, and the legislature, a year ago right now, repealed a vote of the people on same-day registration. So what message are we sending to those folks?

My good friend RAPHAEL WARNOCK, Senator WARNOCK, talks about standing in line for 8 or 10 hours to vote. First of all, I don't know that I have the will to stand in line, personally, for 8 or 10 hours to vote. I complained when they moved the polling place 3 miles from my house to 15 miles from my house. But to stand in line for 8 to 10 hours—I mean, that is a commitment to vote. Now we are going to make it tougher? We are going to make it so that when there are Good Samaritans out there handing out water and maybe some soda crackers, we are going to say ''No, that is illegal'' and punish them—breaking the law; punishment by—God knows what. A fine? Jail? I don't know.

What is it?

Mr. MERKLEY. A felony.

Mr. TESTER. It is a felony.

This is crazy, guys. We shouldn't be acting like the stuff that is going on in this country right now and has been going on mainly for the last year—and my fellow Senators have talked about why it is the case—we shouldn't act like it is no big deal. It is a huge deal. If we disenfranchise voters in this country, our democracy is on a slide away from democracy.

As my friend ANGUS KING has said many times on this floor, democracies are the exception, they are not the rule in history. They have happened rarely, and they happen because people understand the sacrifices it takes.

We have sacrifices we need to make in this body, and part of it is, we need to ensure that everybody has equal access to the polls so that they can vote. It is fundamental to our democracy. That is why we are all sitting here. If it wasn't fundamental to our democracy, do you know what? I would be doing something else. I would be in my office working on papers or something like that—who knows. But the truth is, this is fundamental to our democracy.

We can try to, you know, move the conversation and say: Why aren't we talking about the economy? Senator KAINE said it very, very well. We have dealt with economic issues. We need to continue to deal with economic issues. We have dealt with supply chain issues with the bipartisan infrastructure bill. We need to continue to work with supply chain issues as we move forward, and we will. But I will tell you, if we disenfranchise enough folks from the polls, we won't have a democracy to talk about anything because it is fundamental to our democracy.

I would just encourage everybody to take a look at the bill that is presented today, the two bills. Look at it. Don't talk about the one that was presented in 2018 or 2019. We can all do that. That distracts from what is really going on. Look at the bill and ask yourself, ''Is this really a Federal takeover of elections?'' It absolutely is not. It is about making it so people can go to the polls and make their voices heard and feel like they are making a difference in the country by voting for the candidates whom they want or, in some cases, voting against the candidates they don't like.

And as far as the filibuster goes, times change, things change. And one of the things that has changed in this body is we don't debate anymore. I am for anything that will get people to the floor so we can debate the issues that are so important to the future of this country.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have had an opportunity to listen closely to my friend Senator KAINE, who asked the important question about voting rights, about when—when are we going to act? And that is a question that is something that we, each of us, need to ask ourselves is ''when.'' But I think we also need to keep in mind the ''how'' we act because I think how we act is important—because I think we recognize that when we act unilaterally as a party on issues that are of great weight and great political debate in this country, that solutions to these difficult problems come best when we are able to be working together.

I know that we are very fractured in this body, and it has made it hard, but hard does not mean it is impossible. It is only impossible if we give up, and we say it can't be done.

To my friend from Montana—and I appreciate the commonsense words of a man of the earth, a good farmer—amen to what you said about this body and our dysfunctionality. We are not the same Senate that I came to close to 20 years ago. I beat you by about 5 years, 6 years. We are not that same body. We are not operating in the manner with which I think we really were designed to be—that tempering body, that deliberative body. We are supposed to be the world's greatest deliberative body, and we don't demonstrate that on any single day out there.

But I question whether or not changing the rules actually works to change the attitude because that is what I think we have going on here. The rules have been in place for a long while. It is just how we have chosen to utilize them to our advantage and to the disadvantage of the other side, and that is unfortunate.

I don't know how—it is much easier, I think, to change the rules than it is to change attitude. It is much easier to try to do things alone than to try to build consensus. Just ask any one of the 10 of us who worked tirelessly last year to advance a bipartisan infrastructure bill. There were so many points along the way where any one of us or any half of the group could have said: We are done. This is just too hard. We are never going to make progress.

But just because it is hard doesn't mean it is impossible.

The Senator from Montana urged us all to read the measure before us, the Freedom to Vote: John R. Lewis Act, now pending before the Senate. It has a few new things that have been added in, but much of it is what we saw previously with the Freedom to Vote Act.

I voted against that motion for cloture when it came before us because I looked at that as being a bill that was overly prescriptive. In my view, it really did work toward nationalizing elections. I come from a State where things are just a little bit different there. You hear me talk about it all the time. Part of it is dictated by the geography. Part of it is dictated by an indigenous population where the language that is on the ballot doesn't align with what they speak at home and how we address matters like that.

What has happened with this measure in front of us is it has been combined with the John Lewis Voting Rights Advancement Act, which I have worked on in good faith with good colleagues whom I respect enormously, and I appreciate that we have been able to sit down. In fairness, much of the good work goes to our respective staffs who sat down and said: All right, can we do a little bit over here? What do we need to do over here? And we made some progress. We made enough progress that I was certainly willing to vote to advance debate here on the Senate floor on that measure.

I recognize that not everybody sees the value and the benefits of preclearance. I recognize what the courts did in Shelby, but I also heard, as Senator KAINE said, the courts saying: All right, legislative branch, do something about it now.

So I have been willing to be part of that discussion, not only this Congress but in previous Congresses, where I have joined with Chairman LEAHY to try to advance that conversation. We haven't been as successful as I would have liked, but I certainly think we made good progress with the John Lewis voting rights bill.

We had a substitute. As I look through this bill, it looks like much of that substitute has been incorporated, including the Native American Voting Rights Act, which I worked hard on in the Indian Affairs Committee with Chairman SCHATZ to try to make that as robust as we possibly can. I have done all this because I do believe—I do believe—that this Senate should pass a reauthorization of the Voting Rights Act, but I also believe that it must be a bipartisan effort.

It has been 16 years since we last addressed the Voting Rights Act. We need to do more than just talk about it; we need to ensure that the ballot is equal for all Americans and free from any discrimination. It is pretty simple for me in that regard. And wherever you have uncertainty, wherever you have ambiguity in the laws that govern our Federal elections, we need to clarify these. We need to clarify these so that there aren't these open questions or perhaps cynical interpretations that would go with them.

So how do you do it? Because this is all hard stuff. We acknowledge that. We acknowledge that. You really do have to do it coming together to try to hear the objections.

As I look at the measure that we have before us, I am not convinced that we are there yet. I am not convinced that we are there yet with the product that we have. I will absolutely agree that there are some good—I think there are some important provisions in the measure that we have in front of us. But what we are faced with today, or later today, is going to be a take-it-or-leave-it vote and then an effort to change how we approach hard issues.

Before I get into my comments in that vein, I do want to look at and highlight what I think are some of the positives that we have in place because—I think of a collaborative effort, but because we have shared observations, we have shared views on what some of these solutions may be, and I think that these can help us in anchoring a more broadly supported bill.

The measure features transparency provisions that require public notice of changes to State voting rules for Federal elections. I think we would all say: Yes, this is important. This is common sense.

It has changes to electoral district boundaries for elections at all levels, information about precincts and polling places for Federal elections. These are things that I think there is consensus here. We have stronger protections, necessary protections for voters during registration and voting as well as protections for election workers, polling places, election infrastructure.

The measure emphasizes the security of voting systems. I think we recognize, again, this is imperative. It has to be a priority. If we are going to thwart any malign actors out there, maintain confidence in election results, we have to have this.

Important to me, it extends the bilingual election requirements of the Voting Rights Act for 5 years. It also includes the Native American Voting Rights Act, again, that we worked on in the Indian Affairs Committee to address, unfortunately, very longstanding obstacles to voting for American Indians and Alaska Natives.

So there is good stuff, if you will, good measures that are contained within the bill in front of us.

But we also have some negatives. I think you have heard my colleagues detail many of them—not only negatives within the text but in terms of this partisan effort that we have in front of us.

We have a measure that is 753 pages long. We can move through that. We are not going to say just because it is big doesn't mean that we can't do it again. But it has come over to us through a shell vehicle. It is now directly on the legislative calendar. You have, again, this combination of two bills, plus a few add-ons.

But, unfortunately, neither of these—even with my support of the John Lewis Voting Rights Act—neither one of these had sufficient support to pass cloture. Since then, we haven't done anything. I shouldn't say ''anything'' because there were a few additional provisions that were included. I don't want to dismiss that. But not much has been done to build support cooperatively in this body for the two combined measures, other than to build pressure to, not change the legislation, not to modify it, not to gain compromise—but to change the rules to take it up.

This is a big bill, but one of the things that we don't have contained in it that many of us have been talking about now for a period of time is we don't address the Electoral Count Act, which I think most of us would look at this and say that this is something that needs to be revised.

We do not need a repeat of 2020 when, by all accounts, our last President, having lost the election, sought to change the results of that election by demanding that his Vice President exploit vague statutory language that was written decades ago. We need to address this.

The bill before us has some gaps, but at the same time that it has gaps, it is also pretty prescriptive in many areas. Some of the previous objections that I had made to the Freedom to Vote Act remain.

I share with my colleagues that I want us to protect voting rights. I think we should all want to protect voting rights. But my concern is that, as we look at this measure, is that it is going to make any kind of a change—any kind of a change that States would make to their election laws for any reason—extremely difficult to do without being directly challenged in court.

And maybe—maybe—that is the goal here. But what it does do, in my view, is deprives States of the flexibility to design and implement their own laws as the Constitution provides.

Again, I look to my State for some of those very specific examples where, if I

have a small remote village with perhaps 100 voters and I have a prescription in Federal law that says a polling place must be open and available for a period of a week to 10 days with 2 weekends—if you are out in a village and you are living a sustenance lifestyle, Saturday or Sunday don't mean anything to you. It is winter. When are the animals moving? When are the fish moving?

Let's not put limits on our States so that they can't enhance opportunities for all voters.

So federalization is not the right answer here, and, again, whether we are talking voting rights or other issues, typically in my State a one-size-fits-all approach is not the right effort. So we have got to find an appropriate balance that doesn't result in a takeover of States' ability to run their own elections, and how we are able to achieve that balance is important.

So as I talk about my views on the legislation that we have before us, I am very, very well aware that the results of this effort to push voting rights was, unfortunately, determined before we began this debate. We are going to come to a vote on a motion to invoke cloture. We know what is going to happen. It is going to fail due to a lack of sufficient support. And then we are going to face some kind of a vote to change the Senate's rules and weaken the legislative filibuster, which we also understand will fail. And I guess the point here is to get folks on record, and that will happen.

But what have we accomplished? What have we accomplished for the people that we serve? Instead of allowing us as a body to say, ''OK, what are we going to do to address this,'' we have brought cross-party relationships to yet another low—perhaps, an unprecedented low.

I was part of a very troubling conversation last evening, and it was shared that, you know, depending on which side you are on in this body today on this issue, you are either a racist or a hypocrite. Really? Really? Is that where we are? I find that so, so hard and so troubling, because when it becomes that deep and that divided where we cannot have the debate that my friend from Montana says we need—and I agree we need—but if we are so, so divided, this is not right. This is not good for the health of the body.

But what has happened here is we have devolved into a debate over voting rights versus voting rules, and you have got part of the country that thinks this bill is about protecting the right to vote. Another part believes that this bill will do nothing but undermine it. And so we are both sitting in a situation, I think, where both sides are now set to cast doubt on elections if they don't win. And that takes us to a very troubling place, because when people doubt whether their vote matters, when they doubt whether that individual who is sitting in the White House was freely and fairly elected, they will doubt all decisions. They will doubt what we do here, and they will doubt their own democracy. And that is troubling for our Nation.

So I refuse to believe that this is the best that we can do right now. As I said, this is hard, but hard is not impossible. I think that we can, if we are operating in good faith, as there are so many in this body who do that on a daily basis—it doesn't get noted because, quite honestly, it is far more interesting to write about the fur that flies around here, rather than us actually making things happen together.

But the effort to change our rules, to pass legislation on a party-line basis is not going to help us here. It is not going to help us here. I think we need to do everything that we possibly can to avoid further polarizing voting rights and election reforms.

It may be too late. I don't know. It may be just too late, but I think we have to try. I think that we have to try. And I think that there is an effort to try to do just that. There is a good handful of people in this body on both sides of the aisle who have been talking this, through kind of following the model of what we did with the bipartisan infrastructure group.

You know, when we first started that effort, nobody believed that we would be successful with that. Probably, most listening to the debate that is going on now and will go on later all throughout the afternoon don't believe that we can do anything. But let's prove them wrong. Let's prove them wrong. Let's sit down with those who have made that commitment—we have heard it here on the floor—made that commitment to work through some of these issues, some of these areas of common ground that I think we can build a base from, and work to build a foundation that will be enduring for this country when it comes to election reform and voting rights, because I fear greatly that if we are to advance measures that are solely, strictly party line—and that is what eliminating the legislative filibuster will allow us to do—we will take the easy way out.

Senator TESTER suggested that maybe we are getting a little legislatively lazy around here. We will get even lazier, because we don't have to do the hard work of trying to find consensus. Elections and voting rights are so important. We understand that. Let's commit to resolving the issues that divide us, that will not only help bring this Congress closer together, but that just possibly, just hopefully—and maybe I, too, am naive, Senator KAINE—but that just possibly can help heal this country, because that is what we need right now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. MURRAY. Mr. President, we are here today to talk about our democracy, and here is what I know about how a democracy actually works. I come out here to the Senate floor every day, just like every Member of this Chamber, and I fight for what I believe in. And I use my voice to do that, and I use my vote to do that.

The same is true for every citizen of this country. They use their vote to say what they want the future of our democracy to look like. But, right now, States across the country are taking away that right. They are taking away their voice.

We have to make sure that every vote is never taken away, that no voice is taken away, or we are going to lose the democracy in the future.

And here is what is happening right now. Republican legislatures are making it hard to vote for certain groups of people—primarily Black Americans, Native Americans, young people, and people with disabilities, just because they might vote for a Democrat.

This is a national coordinated effort to keep Republicans in power at every level of government by keeping Americans away from the ballot box, by keeping Americans from being able to use their voice and their vote. Specifically, Republican legislatures are passing legislation to make it harder for people to vote by mail; drastically eliminating the availability of secure drop boxes so people can safely drop off their ballot; and reducing early voting hours or days.

And it is all done to demoralize and discourage people—working people—from making their voices heard and to make the democratic process so much more cumbersome. That is a mom who is juggling childcare and schooling during the pandemic, who is going to look for options to get that ballot in, to get her voice in, to get her vote in, and she won't able to find a way to do that with all of her responsibilities.

Maybe there is not a drop box near her, or maybe early voting hours have been cut short, or maybe the new rules about voting by mail are just too complicated.

Because of those barriers that are being erected in Republican legislatures, that mom will not get to advocate for her kids or her community with her vote. And too many Republicans want it to work exactly like that.

And those far-right politicians also want to pick their own voters—literally drawing lines between communities to reinforce partisan divides.

Congressional Democrats are working to do the opposite. Instead of letting politicians draw maps to rig the outcomes in favor of one party or another, we just want to end partisan gerrymandering.

Because—let's be clear—people should pick their representatives in the United States of America, not the other way around. And what we are seeing happening across the country is undemocratic, and in no uncertain terms, it is a threat to this democracy.

And if you don't believe me, look at what the former President said just

this past weekend. Donald Trump, the leader of the Republican Party, continues as we know to spread the lie that the 2020 election was stolen from him. He is working hard, out in the open, to convince every American that he can that our free, fair election in 2020 was illegitimate.

But even more concerning is the former President's explicit stated determination to rig the outcome of future elections. In a recent recorded message Donald Trump said:

> We have to be a lot sharper the next time when it comes to counting the vote. . . . Sometimes the vote counter is more important than the candidate.

More important than the candidate? And what Donald Trump means in this case was clear. He wants his loyalists to oversee our elections to make sure the outcome is always in his favor. I mean, just sit with that. We are not talking about hypotheticals here. The leader of the Republican Party wants to toss democracy out the window and change the outcome of any election results he doesn't like.

History is sitting on our shoulders right now. The American people are looking to us for a way to move forward and protect the right to vote, and this is it. And all that is standing in our way is Senate procedure—Senate procedure that a majority of us voted last month to change.

Now, I understand the reluctance around reforming the filibuster. I do. I understand we want this institution to work, to be bipartisan when it comes to tackling big challenges. But here is the deal: I don't think that carving out a path to pass voting rights on a simple majority precludes that.

In fact, I think it is past time that we reform the filibuster to make sure the world's greatest deliberative body actually deliberates the issues and challenges that are facing the American people.

But today's Senate procedure keeps us from that kind of deliberation. Senate rules not unlike the partisan gerrymandering we are seeing in States across the country push Democrats and Republicans further into their corners, rather than toward collaboration, making it unbelievably easy to block legislative action and nearly impossible to start it.

And that means Americans do not get to see where elected officials stand on issues as consequential as protecting the right to vote. To even have the debate we are having right now, we had to dig through Senate rules and quite literally repurpose a bill that allows NASA to lease its property. Otherwise, we wouldn't even be standing here on the floor today to have this discussion about voting rights. That does not make sense.

It should not be so difficult to make it so the public can see where each of us stands. And let's remember that these voter suppression laws are all being passed mainly on a partisan basis with simple majorities.

Now, some have suggested that if we believe these laws are unconstitutional we should fight them in the courts, take our arguments all the way to the Supreme Court. But remember, there are three Supreme Court Justices all appointed by a simple majority of this Senate without the filibuster.

So let's recap. Republicans want to appoint judges without a filibuster standing in their way. They want Republican State lawmakers to be able to pass voter suppression laws without a filibuster. But Democrats can't protect the basic right to vote on a simple majority.

That is what we are talking about here today: making election day a Federal holiday, making sure everyone can vote by mail, ending gerrymandering so voters can pick their politicians and not the other way around. These are simple, straightforward reforms, with tremendous significance for our country's future as a democracy.

And the path to getting them done is simple and straight forward too. What each of us has to do is decide that our democracy comes before Senate procedure and then cast our votes.

I have made my decision, and here is what I believe: We cannot let the filibuster stop us from protecting every American's right to vote. If it is the filibuster or democracy, I will choose democracy. If it is the Senate rules or a Senate that works for the American people, I will choose a Senate that works.

And I urge my colleagues with all of my heart, for the sake of this democracy, to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I am here today to address Democrat leadership's effort to demolish the Senate rules and structure, and thereby destroy the world's greatest deliberative body. Their ploy would silence millions of Americans, and it would substantially harm our Nation.

Abolishing the filibuster would end the Senate's unique role in American Government, which has kept us on the steady course of becoming a more perfect union for the past 230 years. This unique role is to ensure that Federal legislation, covering all 50 States, requires careful debate and broad support, often reflecting compromise, so that American policy is durable and lasting.

That way, as the senior Senator from Arizona put it in her courageous and patriotic remarks last week, we avoid ''wild reversals in Federal policy'' every few years on the basis of bare majorities, which would make our government far less effective and our economy far less stable.

Democrats know how integral the filibuster is to American Government. Democrats have said it themselves. Eliminating the filibuster would ''be the end of the Senate.'' That is a direct quote from the senior Senator from Illinois in 2018.

The Democratic leader, before assuming his current position, said that eliminating the filibuster would ''be a doomsday for democracy.''

And President Biden, when he was Senator Biden, said that to eliminate the filibuster would be ''the arrogance of power.'' Apparently, he is now suffering from such arrogance.

Until they took control of the Senate last year, most Democrats passionately advocated for preserving this critical Senate rule. That is because it enables our representative government to function and reflect the will of the people.

Indeed, in 2017, when there was a Republican in the Oval Office and a Republican majority in the Senate, 32 Democrats, including then-Senator Kamala Harris, signed a letter supporting the filibuster.

During the Trump administration, Democrats routinely used the filibuster to block Republican legislation, including bills on police reform, border security, and late-term abortions; important bills that impacted life, sovereignty, and community safety—certainly, bills that Republicans wanted to enact.

Yet, when met with the filibuster, Republicans didn't change the rules on a completely partisan basis. Republicans didn't tear down this institution in order to score short-term partisan political points, and Republicans certainly didn't use cheap demagoguery to create a fake hysteria to justify doing so.

Yet now that Democrats are in the majority, nearly every one of those 32 Democrats has completely reversed himself or herself, with a few notable exceptions. Why? Because this is about one thing: Power. Doing the exact same thing is a doomsday for democracy when it is a bill they oppose, but it is essential to save democracy when it is a bill they support. It is about power.

There doesn't seem to be a power grab that is too extreme for the modern left, whether it is abolishing the filibuster, packing the Supreme Court, or making the District of Columbia a State. There is no institution that they aren't willing to destroy.

This is shameful because Democrat leaders' past statements show that they know that destroying the Senate would be disastrous for our Nation.

Let's call this what it is. It is worse than a solution in search of a problem. It is a power grab in search of a crisis. In this case, they had to manufacture a crisis to justify the power grab.

They have been trying to pass this bill for years. Democrat operatives first introduced a version of this bill on January 24, 2017, 4 days after President Trump was elected to office. It was part of their scorched-earth policy to challenge the 2016 election results, clinging to the false claims of Russian collusion. Since then, they have continued to maniacally, and on a wholly partisan basis, push this electioneering fantasy.

Even though this bill is about keeping power, they use whatever justification is most convenient at the moment. In 2017, it was President Trump and Russia. In 2020, it was the pandemic. And now, it is the preposterous claim that returning to prepandemic voting practices is the end of democracy.

This election takeover would impose taxpayer-funded campaigns. It prohibits overwhelmingly popular, commonsense State voter ID laws. What does nullifying voter ID laws and handing out taxpayer-funded campaign dollars have to do with voting rights?

Last night, the senior Senator from Virginia pointed out that Republicans have always led the way on voting rights. So why not now? Because this bill isn't about protecting voting rights. It is about protecting politicians. This isn't the 14th Amendment. It is Washington Democrats' 14th attempt to take over elections in all 50 States for the third different reason in the last several years.

Americans want laws that make it easy to vote and hard to cheat. Such laws currently exist throughout the country. That is why we had record-breaking voter participation in 2020, including in my home State of Tennessee.

So ask yourself: With more Americans voting in the last election than ever before, why is this Democrats' top priority? Why are they willing to destroy the Senate to do it? What is the real reason they are focusing on this made-up crisis, while ignoring actual crises of inflation, falling real wages, soaring energy prices, supply chain crises, a collapsed southern border, the collapse of Afghanistan, and increased authoritarian aggression around the world—real problems that actually affect the American people?

Democrat leaders have tuned out those concerns. They are taking no action to address them. Think about it. Our country has the highest inflation rate in 40 years, and the Senate Banking Committee, which has jurisdiction over our Nation's monetary policy, has not held a single hearing examining this topic since it began in 2021.

To avoid those issues, they have created a fake crisis to take over elections—a desperate attempt at self-preservation because Americans are rejecting their agenda. That is the real reason Democrats are pushing this. It is about protecting the power of politicians here in Washington.

Elections should be determined by the voters, not by the politicians.

Last week, President Biden traveled to Georgia to demonize all Americans who don't submit to this hyperpartisan political agenda. He ranted that Americans who support the constitutional system of free, fair, and locally run elections are somehow bigots.

In support of this scheme, the Democrat leader offers the talking point that State legislatures don't have filibuster rules so why should the U.S. Senate?

The answer to this is obvious: because Federal legislation governs all 50 States, as opposed to State legislation that just affects one State. It requires broader support, more than a bare majority in a 50–50 Senate.

This is the greatest Nation on Earth, and the Senate is its compass. This isn't the Democrat leaders' political play thing.

Ensuring broad support for Federal laws, which ensures American stability, is the very purpose of the U.S. Senate. Sadly, this election power grab is just the start. With the filibuster gone, Democrats would be free to enact mass amnesty, pack the Supreme Court, pack the Senate, punish law enforcement officers, and much, much more.

It was my hope, coming into this new year, that the Senate would refocus on what we were elected to do: Listen to the American people and address their concerns. Yet the recent rhetoric of Democrat leadership has dispelled any such optimism.

The American people deserve a government that acknowledges their concerns and works tirelessly and constructively to address them. The serious problems we face as a nation demand it.

Americans want us to do our jobs. Abolishing the Senate's rules that guarantee debate and compromise would be ''the end of the Senate,'' as the senior Senator from Illinois put it. It would do irreparable harm to the fabric of our government and to the cohesion of our Nation.

I hope my colleagues find the strength and the courage to maintain their previous, longstanding support for preserving the Senate's role. I hope they reject this cynical move to steamroll half of its Members and the voters they represent.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Mr. President, colleagues, with Senator KAINE as my witness, I, like many of you, had an opportunity to stand here yesterday to begin to speak on the issues before us—the need for this urgent and critical voting rights legislation and our opportunity to act this week in the spirit of the holiday we celebrated on Monday, Martin Luther King Day.

Before I get into my substantive remarks, I just feel compelled to respond to a couple of items that Senator HAGERTY just mentioned. And if he is willing to stay and listen, that would be appreciated, but that is his choice.

You know, a couple of our Republican colleagues have made mention to: Well, we shouldn't focus on voting rights; there are other pressing issues at hand, things like the economy.

Well, last I checked, because of our actions last year, especially the investments in the American Rescue Plan, wages are up and unemployment is at record lows.

Democrats are taking action. We have been called out on what are we doing to address supply chain issues. We have acted. The infrastructure and jobs act has been signed by the President, and I can attest that in the Ports of Long Beach and Los Angeles, the percentage of containers waiting to be picked up is drastically down. Democrats are taking action.

COVID. Yeah, we are still dealing with this once-in-a-century global health pandemic. But imagine how much better a position we would be in, how many lives we would have saved, if the Trump administration took responsible action much earlier in this pandemic, and imagine how fewer cases and deaths we would have to count if more people would get vaccinated.

Senator HAGERTY, like many Republicans, says: Well, when it comes to voting and elections, we should be focusing on making it easier to vote and harder to cheat. Who wouldn't agree with that?

But here is the truth. Here is reality. We know what it takes to make it easier to vote. That is what we are calling for in the Freedom to Vote Act, and I will go through some of the specifics here in a minute. But ''the harder to cheat'' misses the point. The evidence is there. The data is out there. Massive voter fraud doesn't exist. Voter fraud is exceedingly rare in America. So we got the ''harder to cheat'' part down, if only Republican Senators and legislatures and Governors, for that matter, would embrace the proven reforms that make it easier for eligible Americans to cast their ballot in our democracy.

But the most egregious, I just have to say, when Senator HAGERTY suggests that changes to elections law should only be done after careful debate and broad support, I invite him to say the same things to Governors and legislators in Georgia, in Texas, in Arizona, and elsewhere, and I will go through some examples in the course of my presentation.

But, colleagues, as I have had an opportunity to share with many of you, you know that, before I joined the Senate last year, I served for 6 years as California's chief elections officer. I served as California secretary of state, the largest State in the Nation with the largest and most diverse electorate in the Nation. And in that role, I had a chance to oversee a side of election administration that most Americans and most U.S. Senators never really experience. Former State secretaries of state serving in this body: Senator BLUNT, Senator BROWN, Senator MANCHIN, and myself, the most recent. And my experience, by the way, included overseeing the administration of the November 2020 Presidential election in the most populous State in the Nation.

So I want to take a few minutes to explain exactly how the Freedom to Vote Act will help all voters and respond to some more of the claims I have heard about this bill from my Republican colleagues.

See, the purpose of the Freedom to Vote Act is to give every eligible

American more choices about how and when they cast their ballot. No matter where you live, no matter which State, no matter which ZIP Code, no matter your political party preference, you deserve multiple, safe, secure, accessible options for registering to vote and for casting your ballot.

Isn't that what we were all supposed to have learned in high school government class; that our democracy works best when as many people participate—the will of the people, not the will of the few, not the will of the privileged few, the will of the people.

But today voters in different States take different paths to the ballot box, some more difficult than others, needlessly. And sometimes what some of you may view as a small obstacle can add up to a big deterrent to participation, depending on where you live, depending on where you work, depending on your disability, and more. That is why the Freedom to Vote Act is so critical. It will help all Americans by guaranteeing the same baseline of access to the ballot to all eligible Americans.

And, no, this is by no means a Federal takeover of elections. I appreciate that several of my colleagues have gone through the history of Congress acting to protect the right to vote and to improve elections. So let me really bottom line it and make this point. With the passage of the Freedom to Vote Act, it is not Congress that will be distributing ballots or the Federal Government that will be collecting ballots and counting ballots. Election administration will still be local. What we are doing is setting a baseline for access to the ballot for all eligible Americans, and, yes, it is appropriate for us to do so, as Senator KLOBUCHAR, Senator PETERS and others have referenced the Constitution, referenced prior congressional action, and I will point it out too.

It has already been pointed out that in the Constitution, the Constitution of the United States, ''The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations.''

That is what we are seeking to do.

But I really want to up the ante, folks, and I need you to listen to me because there are two important words. Senator PETERS gave you the list, right? The Voting Rights Act, the Help America Vote Act, the National Voter Registration Act, 1993, passed on a bipartisan basis. In it you will read that ''it is the duty of the Federal, State, and local governments to promote the exercise of [the fundamental right to vote].''

I call your attention to two words, ''the duty'' of government—not the option, not the if you wanna, not the may.

The duty of government, to what? To promote the exercise of the fundamental right to vote—not just to sit back and make sure that elections are run fair and square, not just to say: Hey, it is up to you voters if you want to register to vote. Government has a duty to promote the exercise of the fundamental right to vote.

So now to the specifics of the Freedom to Vote Act and how it tries to live up to that duty of government to promote. Well, as we all know, you can't vote unless you are registered to vote, and different States have different options for how to register to vote. Once upon a time, you had to present yourself in person at a county courthouse. Imagine the innovation that it took, the getting out of the comfort zone, once upon a time, for folks around the country that we had the audacity to suggest: Wait a minute. You can register to vote by mail or sign a voter registration card under penalty of perjury that your information is true and correct, attesting to your eligibility.

Now, some States have only the option of voting through that card or in person. Other States have innovated and accepted things like online voter registration—imagine that—or automatic registration, same-day registration.

Again, I want to talk to you in a minute about that. But let me give the big picture of why it is important. The numbers are out there. The data is out there. Who is it who tends to be eligible to vote in America but not registered to vote? Disproportionately, communities of color, disproportionately low-income communities, disproportionately young people—eligible voters—but voters of color, potential voters of color, young people, and low-income are disproportionately not registered.

So we can either act—as the NVRA says, we have a duty to promote—to increase those registration numbers or not. To live up to the duty, we need to, and if we don't or perhaps even if we make it harder to vote or stay registered to vote, who are you disproportionately affecting?

So Republicans can deny their intent. We know the true effect of making it harder to register to vote or to stay registered to vote.

So, again, different States have different options. In Alaska, you can register in person, by mail, online, automatic voter registration. In California—yes, I am proud—in person, by mail, automatic registration, online, election day same-day registration. In Texas, Mississippi, only in person or by mail.

Different States, different rules.

Everybody deserves the same opportunity. So why the value of online voter registration? Well, first of all, it is convenient, right? There is a whole lot that people have become accustomed to doing online. Second, for the ''good government'' types and the folks who want to make prudent use of precious taxpayer dollars, it lowers administrative costs. When you allow voters to register online, it is seamless; it is quick; and it is easy.

I have been to county election offices where you have clerical staff sitting there with a pile, a stack of voter registration cards that they have to read and input by hand—not very efficient. Online voter registration increases efficiency and, by the way, accuracy. I don't have the best penmanship. Can you imagine the clerical staff and county offices trying to make out, well, how do you spell this name that can be spelled three or four or five different ways. Online registration reduces those types of errors and cleans up the voting rolls and is very cost-efficient to implement and has been proven, in State after State, to be safe, secure, and effective.

But should online registration be the only option? No. And we shouldn't take away the in-person or paper registration. Some States have innovated automatic voter registration, where we take advantage of the opportunity when citizens are interfacing with their government—particularly the DMV. Ninety percent of eligible voters in America will either have a driver's license or a State ID. And what are we asked to provide when we conduct that transaction? We are asked to provide our name, our address, our date of birth, a signature attesting to the accuracy of our information—all the same information that is asked for when we are registering to vote. So it is just common sense to utilize that same transaction for eligible citizens to seamlessly be registered to vote at the same time.

Going back to the National Voter Registration Act, which requires voter registration opportunity for people when they go to their Department of Motor Vehicles, that will serve as an opt-in model. Thanks to technology today, we can implement this opt-out model. You still have the option as a voter to not be registered to vote, if you choose not to, but the default is, if you are eligible, you are added to the voter rolls. And similar to online registration, it has been proven safe; it has been proven secure; it has been proven effective. From an elections perspective, it is wonderful. It doesn't just capture previously eligible but unregistered voters now adding them to the voter rolls. If you are already registered to vote, when you renew your license or your voter ID—guess what—you are asked: Is this your current address?

Now, when most people move, they are quick to do the change of address through the post office because they don't want to miss out on their mail. You are updating your driver's license or your ID because it has to reflect your current address. But a lot of people don't think of, ''Oh, let me call the county and update my voter registration.'' This is a seamless and effective way of doing that.

In California, our experience, similar to other States, for every new registered voter that was enrolled through automatic registration, you had at least two voters who updated or confirmed the accuracy of their registration. So, collectively, it leads to the most accurate voter rolls we have had in a long, long time.

Isn't that worth doing? Isn't that in the interest of election integrity?

And it is not a partisan idea. States, not just California, States like Alaska, represented by Republicans, have automatic voter registration. The State of Maine, which has sent to this body a Republican and an Independent, has automatic voter registration.

Now, here is a true lover of democracy's perspective on automatic registration. Reverend Warnock, I hope you can appreciate this.

Colleagues, think about it. If you are eligible to vote in America today but not registered, you do not receive the State's voter information guide if your State provides one because you are not on the list. If you are eligible to vote in America today but not registered, your county doesn't send you your sample ballot to know when election day is, where to go, and what we are voting on. If you are eligible to vote in America today but not registered, chances are candidates and campaigns aren't knocking on your door or calling you during dinner or flooding your mailbox trying to engage you in the democratic process. Maybe the smart campaigns and candidates are trying to reach out to more voters, but, by and large, that doesn't happen. So the sheer addition of adding eligible Americans to the voter rolls creates that activity.

Imagine that—civic engagement. Imagine that—participation in our democracy. But why stop there?

Same-day registration option. What if you missed a prior artificial deadline of registering to vote or updating your registration and come election day you are still 18 years or older and a citizen of the United States? You deserve the opportunity to have your voice heard in that election and election administrators know how to do this. You can register to vote, and whether your registration is automatically processed for jurisdictions that have the technology and the history to do so or your registration is held and your ballot is held, you can still cast your ballot, have the county process your registration, and your voice is heard in that election. That is what democracy is supposed to be about.

And, again, not partisan. Twenty States, including Republican-leaning States, have already implemented same-day registration, including Wyoming, Idaho, and Utah. California implemented—we technically call it conditional voter registration, but starting in 2017.

In 2020—just to give you a flavor for what it means. In 2020, nearly 270,000 California voters were same-day registered, 270,000. That is like half of a House district. Of all in-person California voters in 2020, nearly 10 percent were same-day registered.

The others—you know, why such a big number? Because so many people voted by mail, voted early, et cetera. And it is not partisan. Of the same-day registrants, when the registrations were processed, 36.2 percent were not affiliated with any political party. This is 32 percent Democrats and 25 percent Republicans. So it is not partisan. It is good for everybody.

As we know, registration is only half the battle. Just because somebody may be registered doesn't guarantee that they are going to cast their ballot.

In going back to the NVRA, folks, the government has a duty to promote the exercise of our fundamental right to vote. So we have a duty to implement this, and these are proven reforms on the registration side.

What about on the casting your ballot side?

Again, once upon a time, you had to show up in person on election day, only between this hour and that hour, at one designated location. In this modern economy, with so many different types of work schedules, that is not exactly easy. I live in Los Angeles, where we have this thing that we call traffic. So, if you have a job that is no longer 9 to 5—imagine—and you have to drop the kids off at school before you leave for work and have a full day and are dealing with traffic in getting back and have to get the kids from school and have to get dinner on the table, now I have got to go to one designated location and be in line by a certain hour to vote. There has got to be a better way, and there is.

Depending on the State where you live, you have options that include voting on election day in person; voting in person but early, prior to election day; or voting by mail—again, all proven, secure, effective ways to cast your ballot. But we have a mishmash across the country. California and Alaska, by the way, have election day, vote-by-mail, and early voting. In Texas, it is on election day only or early voting, but there is very limited vote-by-mail. In Mississippi, sorry—election day only. In Connecticut, sorry—election day only. Yes, even Democratic States have room for improvement in making the process easier.

We shouldn't be hampered because of the demands on our time—family obligations, work obligations. That is why States like Utah were early proponents of voting by mail. It is why States like Arizona were early proponents of early voting. So we should strive to provide all voters in America the same baseline of access to the ballot. Duty to promote—before the Freedom to Vote Act, that is exactly what we were trying to do.

At this point, let me just reply to something our colleague Senator CORNYN referenced. I wish I could borrow, right now, the board that he had right next to him. Did you guys see that big ''94 percent'' that he had on the board? He was citing a Pew Research Center report that said 94 percent of voters in the November 2020 election found it easy to vote. That is great, and I will tell you why.

It is because, in 2020, because of the threat of the pandemic, even States that were resistant prior to affording voters more early voting options knew that it was smart to do so in order to reduce crowds and long lines on election day. That is why States that were even reluctant prior to 2020 to expand their vote-by-mail opportunities knew that it was smart to do so so that people could vote safely and securely from home, and it worked. It was the most secure election in our history, with record turnout.

So, if that is the case, why go backward? Why go backward? Because that is what they are doing in the States that have introduced and passed—what?—33, 34—and counting—laws that are making it harder to register to vote, harder to cast their ballots, which is contrary to the NVRA—duty to promote.

So what are the options for early voting?

As we mentioned, we want to be specific. See, most States already have some sort of in-person early voting opportunity, but it is inconsistent. Some offer weekends; some don't. Some offer evening opportunities to vote; some don't—or before work hours and after work hours. Every voter, regardless of the demands on your time, deserves equal opportunities to vote prior to election day, in person, if that is your choice.

Mail voting. Again, a lot of States have some sort of mail voting, but we are specific to no-excuse voting by mail. Voting by mail is secure. It has been proven to be secure. So why have only a limited subset of the electorate been able to benefit from that? We saw it work beautifully in November 2020. Imagine how much better it could work once we are past the pandemic. Mail voting was pioneered, actually, in a lot of Western States, not blue or red. North Dakota, South Dakota, Wyoming, Idaho, and Nebraska came along with Utah in doing all-mail elections in addition to Oregon, Washington, Colorado, and California.

Let me tell you the other beauty of vote-by-mail, especially when we cover postage. I don't have a roll of stamps in my kitchen drawer anymore, as very little is done that way, but when you are voting by mail, we can cover that postage delivery. You get your ballot in the mail; you give it back to your letter carrier; and it gets back to the county and is counted.

Some people may wonder, though—and we have had this battle across the country and in these Chambers over the course of the last year—about what is happening at the Postal Service these days. Is mail quick? Is it slow? What about the pandemic? What about changes in processes and procedures under the postmaster?

Well, in California—Colorado has it, as well, and other jurisdictions across the country—we have a tool that allows voters to track their ballots through the mail. This is going to blow your mind. Imagine signing up to receive either phone calls, emails, or text messages on the status of your ballot through the mail service. Wow.

Mr. PADILLA, the county just mailed you your ballot. Be on the lookout, right? It is going to come in the next few days.

When I return it, I receive confirmation that the Postal Service has taken possession of it, confirmation from the county when they have received my ballot, and confirmation when my ballot has been counted.

It is a great tool for administrators because you can identify bottlenecks in the delivery service, and you can go to a local branch and say: Hey, folks. Sorry. The Macy's catalog can wait another day. We have to get these ballots out on time because election day deadlines are looming.

Then, for a voter to have that peace of mind that my ballot arrived and my vote was counted and my voice was heard, it is great for transparency and great for public confidence in the electoral process. That is what vote-by-mail provides.

So, similar to voter registration, with multiple, safe, secure options, it should be the same with voting, with multiple, safe, and secure, proven options—all to help us live up to the obligation, the duty, to promote the exercise of our fundamental right to vote.

That is the opportunity that we have before us today, colleagues, either by approving the measure that has been sent over to us from the House, which encompasses both the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act, or if we can't do it consistent with our current rules, then let's amend the Senate rules to allow us to do that—to protect the right to vote for all Americans—because our right to vote is under attack.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I had the privilege to listen to my colleague from California's oration and the privilege to hear many of the things spoken, both by the President and by colleagues here in the Senate, as regards to the voting rights bill that is here before us today. I want to start off with the President's comments because I think it frames the debate, if you will, in terms of how it is being framed to the American people.

The President considers Georgia's new law as Jim Crow. That is a manipulative statement. It is a cynical statement. It tries to make people think that 2022 is the same as 1965, which is laced with incredible irony, as our country has seen an African-American President, an African-American Vice President, and Lieutenant Governors of Virginia and Kentucky who are African American. Then, to brag of my own State, as long as things are being seen through certain prisms, we have Louisiana's Bobby Jindal, who is ethnically from India, who was our Governor, and the first Vietnamese American elected to the U.S. Congress. In fact, Louisiana has had a White elected mayor of predominantly African-American New Orleans and a Black elected mayor of predominantly White Baton Rouge. But no, this statement is somehow manipulating people to think that we are back in Bull Connor days.

Well, if this is Jim Crow, then States like Delaware must be Jim Crow 2.0. Why is there not an outcry against Delaware?

I will point out that Georgia has more permissive voting laws than Delaware, more early voting days than Delaware, no-excuse absentee voting, which, by the way, the voters of New York recently rejected. Georgia now makes ballot drop boxes permanent, which was not the case before the pandemic. Much has been made about restricting the number of drop boxes. I have been told that the one county pointed to is actually a ruby red Republican county in which they dropped down to one.

If this is being done for partisan advantage, my gosh, they are not doing a very good job of partisan maneuvering, but I would argue that this bill is a wonderful example of partisan maneuvering.

What does it do? It is a Federal takeover of elections.

This innovation that the previous speaker, my colleague from California, was speaking of now has to run the gamut of a Federal official who says yea or who says nay.

It funnels tax dollars to fund political campaigns no matter how fringe that person's perspective might be, who no self-respecting donor would give money to online or in person, but because of this law, my gosh, they have got a chance.

It bans commonsense voter ID laws. Now, there is this kind of myth being promulgated that States are putting up these onerous laws that cannot be complied with. Courts reject those laws. Courts do not allow a State to use a mandated picture ID, issued by the State, as an ID, and to say so is manipulative. It is manipulative in the worst way. Courts decide the threshold, and courts decide what is reasonable and is unreasonable, and to suggest otherwise one more time is an attempt to manipulate people into thinking that 2022 is 1965, with all of the implications thereof and all of the harm that does to our body politic. Shame.

It also allows unlimited ballot harvesting—and, I think, California might be the only State to have it in place—where you go to a homeless shelter and have people sign up who might be addicted, mentally ill, brain damaged and have them sign for a certain candidate. Now, you can imagine a well-paid activist—because this bill allows activists to be paid—might discard those ballots which are not for her candidate and keep only those for their own candidate. This bill requires that all 50 States have it; whereas, in North Carolina, they actually booted a candidate because he used ballot harvesting.

It also prohibits States from cleaning up their voter rolls. Now, somehow, this is now wrong. I actually come from Louisiana, a State hit by Hurricane Katrina in 2005. After 2005, it was a tragedy for my State, but we had tens of thousands of people who moved to other States. Now, at some point, they registered to vote in Atlanta or in Houston or in Dallas, and our secretary of state went back and said: Hmm, you are on a voter roll in Louisiana, and you are on a voter roll in Georgia. It appears that you are now paying taxes in Georgia. We are going to drop you from our rolls.

Is anything wrong with that? Is anything wrong with pointing out that somebody is registered to vote in two different States and then saying, ''You are paying taxes there, so we are going to remove you from our rolls here''?

Lastly, I will say this: It puts Democrats in charge of the FEC, a neutral organization enforcing voter laws. I can imagine, as soon as Republicans take charge again, we are going to do the same thing back to the other side. We are going to attempt to manipulate voting laws to our advantage, and it is not above either party to do that. So—I hate to use this word, but to sanctimoniously declare that this bill is the end of history; that partisanship is behind us; that, by golly, these laws are going to be put in place, and forever after, we are going to live harmoniously, is to not understand Washington, DC, where every edge is sought, and whenever it is sought, it is exploited to keep your particular party in power.

I say this as a Republican: I don't trust my party any more than I trust their party. I trust the States and the courts to oversee them, but this bill usurps that responsibility.

Now, you can say that maybe this power grab is merely in place to distract from real issues, and there is something to be said to that. We are debating this—whether or not to require all 50 States to allow ballot harvesting—when we have the highest rate of inflation than we have had in over 40 years; when Russians are about to invade Ukraine, apparently; when there are people pouring across our southern border and there is a looming humanitarian crisis in Afghanistan and the COVID response is kind of being caught up with, not being preemptively addressed, and we are discussing this.

FILIBUSTER

Mr. President, let me mention one more thing—the filibuster.

I was in an interview today about the surprise medical billing bill. My colleague from New Hampshire, who I think was in the Chamber earlier, helped to put that together. Multiple

colleagues ended up coming together on that. It took us 2 to 3 years to get it done, the surprise medical billing. As of January 1 of this year, if you get a surprise medical bill, there is a 1–800 number to call, and you get help.

Why did it take us 2 years? We had to listen to stakeholders. We had to get legislation that works for all. We had to go to this Republican, that Democrat, this committee in the Senate, that committee in the House; working with a broad coalition; even maybe, at the end, it slipping away; but we managed to pull it together, and we passed surprise medical billing, and it was better because of that process.

Now, that is in contrast to a bill in which a majority of Democrats in the House and the Senate, with the President, can force through without any input from Republicans, from the 50 percent of the United States that voted for the other side. Well, let's guess whose advantage that bill is going to be for. It doesn't take much to imagine.

What MITT ROMNEY said on the Sunday morning show—did the White House ever call you about this voting bill? MITT ROMNEY said: Never called me. That made it clear there was no effort to make this bipartisan.

We are going to break this 200-year-old filibuster that requires us to come together to find common ground—that gives us bills that are stronger because of it—because of a desire for partisan advantage and knowing that once we break it and Republicans take it back, we are going to use it the same way. This is wrong. This is wrong for our country. It is wrong for our institution. I suppose that is why 16 of my Democratic colleagues signed a letter last year—when, by the way, Republicans were in control—saying that we should preserve the filibuster.

It was recently stated that there is a disease of division infecting our country. That is true. And blowing up the filibuster removes one of the last things that make us come together. That is wrong, and that will be tragic, however—however—it is framed.

I yield the floor.

The PRESIDENT pro tempore. The Senator from California.

Mr. PADILLA. Mr. President, I request a brief opportunity to respond since my name and my State were invoked by Senator CASSIDY on this—you have got to give Republicans points for creativity on their terminology—some type of ballot harvesting. Let me tell you specifically what he is referencing because, again, different States have different rules and different histories.

In my speech, I talked about vote-by-mail. In California, we have seen the wisdom of every eligible voter automatically receiving a ballot in the mail with multiple options for how to return their ballot, including in person if that is their choice, through the Postal Service if that is their choice, through ballot drop boxes if that is their choice.

If, after all that—in-person early voting, election day, vote-by-mail, Postal Service, drop boxes—if, after all of that, a voter decides for themselves that they need or would like assistance with returning their ballot, that is the voter's prerogative.

Imagine that—asking a family member, a neighbor, or a friend: Can you do me a favor? Can you make sure this gets to a mailbox or the polling place in time for my vote to be counted?

Yes, there is a requirement in California that if you are somebody assisting a voter with returning their vote-by-mail ballot, you, too, have to sign that return envelope, the official return envelope, and your relationship with the voter—relative, friend, neighbor, et cetera.

Imagine that—empowering voters to decide for themselves how to return their ballot. That is what it is. They don't call it ballot harvesting because—once again, what are Republicans proving time and again they are interested in doing? Making it harder for eligible people to register to vote, stay registered to vote, and actually cast their ballot.

I just wanted to clarify what it is that we are talking about here.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. BENNET. Mr. President, I appreciate the clarification from my colleague from California.

Mr. President, let me say what a privilege it is to have the opportunity to make this speech in front of you, the fifth longest serving Senator in the history of the U.S. Senate—somebody who has been in the Senate for 46 years. I was 11 when you came to the U.S. Senate, and I am not a young man anymore. I am 57 years old.

Mr. KING. You are young.

Mr. BENNET. Somebody said: ''You are young.'' Only in the U.S. Senate would that be true.

But I know the Presiding Officer, who is the chair of the important Appropriations Committee, is retiring this year. I was sitting here as I was getting ready to speak, thinking that you have seen it all, Mr. President. You have seen it all.

Unlike almost anybody else in this Chamber, you have actually seen a functioning U.S. Senate. You have seen the Senate where the floor was filled with people having a debate; where filibusters actually had to happen out in public, not in secret in a Senator's office; where people were not spending 80 percent of their time in call rooms fundraising instead of being out here on the floor doing the American people's business, as Senators will see; that actually passed important pieces of legislation that made a difference to the American people and made our country more competitive, made us stronger. You are one of the last people here who saw a Senate that worked like that.

The Republican leader has been here long enough to have seen a Senate that worked like that.

You were here, I am sure—I know you were, Mr. President—in 2006 when you were passing the Voting Rights Act here with 98 votes. Ninety-eight to zero the Voting Rights Act passed in 2006.

The Republican leader of the Senate then, the senior Senator from Kentucky, Senator MCCONNELL, voted for that bill. It wasn't even close, from his perspective. I have a number of quotes from him, but one was ''The Voting Rights Act has proved to be a success for America'' and has ''brought about greater justice for all.''

Amen, Leader MCCONNELL, taking that principled position in 2006. It was part of an honorable tradition that the Republican Party has had in this country going back really to Abraham Lincoln and the votes that were taken here to put Reconstruction in place, to fight the redeemers. It was true in 1965 when they passed the Voting Rights Act by 77 to 19 on this floor. Lyndon Johnson could not have done that without Everett Dirksen, a Republican, the Republican leader, who was for that.

As you know, I say to the Presiding Officer, because you saw it—you probably were there—four Republican Presidents—Nixon, Ford, Reagan, and George W. Bush—all signed versions of the Voting Rights Act. They showed the country every time they did it that there is nothing partisan about voting rights.

Senator MCCONNELL said:

> [O]ur country will and must continue its progress toward a society in which every person, of every background, can realize the American Dream. With the passage of the Voting Rights Act, we are reaffirming that Dream.

He was right back then when he said that, but today, he is leading the blockade.

There are 16 Republican Senators here who voted for the Voting Rights Act back then in 2006, and today, they are all part of this blockade. What has changed? What has changed?

One of the things that changed was the Supreme Court's decision in the Shelby case that eviscerated the Voting Rights Act by getting rid of preclearance for States that had historically discriminated against African-American people, among others.

But do you know what is interesting about that, I say to the Presiding Officer? The Supreme Court said in that decision that Congress can fix this problem. We have a constitutional problem, but Congress can fix this problem.

That is exactly the same thing they said, by the way, when they wrote that horrendous decision in Citizens United. They said that Congress can fix this problem. But they may not have detected the paralysis that now exists—not in PAT LEAHY's Senate from when the Presiding Officer got here but in MITCH MCCONNELL's Senate today, in the modern-day Senate where people are willing to let a decision like Shelby

just lie, not address it; where people are willing to accept a decision like Citizens United that says that we are going to let billionaires buy elections in this country instead of favoring people's right to vote. And we, the Congress, won't do anything about it even when the Supreme Court tells us we could do something about it.

I think it is worth quoting the Notorious RBG in her dissent in that case, in the Shelby case, when she said that ''throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.''

She was 100 percent right. State after State after State started to adopt restrictive voting statutes.

Last July, the Supreme Court issued another opinion that makes it harder to challenge State laws that disproportionately hurt certain voters.

By the way, none of this could have come at a worst time because we have a former President traversing the United States of America, perpetrating the Big Lie that he didn't lose the election, that the election was stolen from him, that Joe Biden is not the legitimate President of the United States. There are politicians, I am sad to say, elected leaders all over this Nation, who are parroting—including in this Chamber—that Big Lie when they know that it is a lie, when they know that it is false, who are unwilling, as MITT ROMNEY said, to respect their own voters enough that they actually tell them the truth.

In every State except one—I say to Senator LEAHY, it is your State, Vermont—in every State except yours, people are introducing legislation to take away the vote of other people. There are 500 such bills.

Arizona has adopted changes that would purge up to 150,000 voters from the rolls.

Montana has gotten rid of same-day voter registration to make it harder for students.

Texas is down to one drop box per county. In Harris County, a county—I am sorry to say to my friend SHELDON WHITEHOUSE—that is actually larger than Rhode Island, that means there is a drop box for 2.5 million voters.

Mr. WHITEHOUSE. Thank you for using us as a unit of measure.

Mr. BENNET. I am glad to use Rhode Island as a unit of measure. It is also smaller than a number of Colorado counties, but it has its charm. It has its charm. It has water, which we don't have in the State of Colorado.

But just let me say—because I am here with my colleague from Colorado who, when he was Governor, did a lot to make sure that people would have the right to vote in our State—in contrast to Houston, where there is 1 drop box, in my hometown of Denver, where there are 500,000 registered voters, we have 40 drop boxes in Denver. We are a lot smaller. We have 40 times the number of drop boxes that they have in Houston.

After Georgia's Republican secretary of state refused to buckle to President Trump's demand to find, somehow, another 11,000 votes—you remember the phone call. I am not making it up. You heard it with your own ears.

He called him up, and he said: Well, find 11,000 votes.

The guy said: No, I am not going to do that.

Now the legislature has removed him from the State election board.

So this isn't just about making it harder for people to vote, although it is making it harder for people to vote; this is shoring up the soft spots that prevented Donald Trump from being able to assert, credibly, that somehow the election had been stolen from him.

So 1 year after January 6 happened—1 year after this Capitol was invaded, 1 year after there was a guy in horns standing up on the top of that Gallery behind me—the majority leader who once came to this floor to proclaim the importance of the Voting Rights Act is saying that this is all a ''fake panic.'' That is the language he used today.

Boy, given what we are seeing in this country, if we ever needed him to summon the principle that he articulated or espoused in 2006, Mr. President, when you were here, it is now. It is now. That is an important principle to defend.

So he comes to the floor today and says: I am going to defend the Senate. That is what I am here to do. I am here to defend the Senate.

Let me say something that might offend you, Mr. President. And I don't mean to offend you, and I apologize if it offends you. But no one in America knows what the cloture rule is. No one. No one in America. My mom doesn't know what the cloture rule is, and she is a pretty close watcher of the Senate. No one knows what the cloture rule is.

No one in America knows, I would assert, what the filibuster is. But let me tell you what it is—not what it says; what it is. It is a rule that was created to let 60 Senators cut off debate so 51 Senators could make a decision that has been warped into a rule that allows 41 Senators to stop any debate and prevent the Senate from ever having a vote.

That is what the cloture rule is. That is not what it says, but that is what it is, which is why every time you turn your television set on at home, you see a crawl at the bottom of your screen that says ''Quorum Call,'' and you can't find a U.S. Senator anywhere because they are probably back in a phone booth making fundraising phone calls.

Until this century, there was virtually not any filibuster used.

By the way, I should say how much I appreciate Senator THUNE coming to the floor here today and saying that President Trump lost the election. I appreciate it. I really do. He is an honorable person.

But it is important to know that one place the filibuster does not exist is in the U.S. Constitution. For most of the country's history, we never had the filibuster. It was almost never used until the modern era.

When I got here in President Obama's first term, the Republican leader, MITCH MCCONNELL, used the filibuster a record number of times. He filibustered everything in his attempt to first make Barack Obama a one-term President and then basically to bring down his Presidency.

He came out to the floor the other day and he said: ''Sometimes the effect of the filibuster is to block bills outright.'' Sometimes? Sometimes? It happens all the time. This is why we never do anything. This is why we can't make decisions. This is why we can't even have debates.

The American people have no idea whom to blame. They don't know because no one in America knows what the cloture rule is. And when they elect a majority and they expect things to get done, they don't get done.

Senator MCCONNELL argues that the filibuster ''gives all kinds of citizens and all kinds of States a meaningful voice in nearly everything we do.'' We have heard that over and over again today—the voice that somehow we are shutting out.

I haven't met anybody who thinks that their voice is meaningfully represented in the U.S. Senate instead of special interests or the most powerful people—nobody—and it is because we can't have a debate on anything they care about.

Take background checks. Eighty-four percent of voters, including 77 percent of Republicans, support them. We can't even have a debate on the floor.

Let Medicare negotiate drug prices on behalf of people. Seventy-seven percent of the American people support that. We can't even have a debate here.

Seventy-four percent of people support the Dreamers—something Senator DURBIN has been working on for a million years since you have been here?

Mr. DURBIN. Two million.

Mr. BENNET. And we can't get a vote on that.

The Freedom to Vote Act. Seventy percent of all voters, including 54 percent of Republicans, support it.

All of them have been blocked by Senator MCCONNELL and his abuse of the Senate rules—not some great, venerable tradition of the U.S. Senate but his modern-day abuse, his caricature of the Senate rules. And it has created a minority veto—something that the Founders of this country would never ever in a million years have imagined that this place would be perverted into. They knew the trouble that would cause because they had had the Articles of Confederation, which is what they were trying to replace at the Constitutional Convention.

I am coming to an end, so I apologize to colleagues. But let me just say, none of this has stopped us from cutting

taxes by $8 trillion, mostly for the wealthiest people in this country, and none of this has stopped us from putting lots of rightwing judges on the court when Donald Trump was here because you can do those things with 51 votes. That is about the extent of Senator MCCONNELL's legislative agenda, so I am not surprised that he prefers the status quo. But for the majority of Americans who believe that the next generation actually demands something greater than that from the Senate and from all of us, from each of us, we need a Senate that works.

Mr. President, think about this. Think about this. It is easy to forget. The Clean Water Act of 1972 passed 74 to 0.

By the way, I worked with the Senator from Louisiana on that surprise medical bill. I am proud of that bill, but it is not the Clean Water Act of 1972.

The Americans With Disabilities Act of 1990, 91 to 6; the children's health insurance plan, 85 to 15 in 1997; comprehensive immigration reform—we were part of that effort—68 votes in the Senate before it completely collapsed into smithereens; and, of course, the reauthorization of the Voting Rights Act. Does anybody think—Mr. President, do you think that any of those bills would pass with a bipartisan majority like that today? Not a single one. We wouldn't even get to the vote.

We are still on a temporary budget. I don't need to tell you, the chairman of the Appropriations Committee, that we haven't passed any of the 12 appropriations bills this year. We have taken three times as long to confirm President Biden's nominees—103 days—compared to President Reagan. This is no way to compete in the world, Mr. President. This is no way to compete with the Chinese Government's totalitarian approach to humanity.

I know we can compete, but we have to restore the Senate, and the most basic part of our job is protecting the right to vote. That is why we are here. Every American should be able to vote like we do in Colorado, thanks to my colleague from Colorado, Senator HICKENLOOPER, and what he did when he was Governor.

As Dr. King said, ''The history of our Nation is the history of a long and tireless effort to broaden . . . the franchise of American citizens.'' That is what this bill is about—to broaden the franchise of American citizens.

If we look back at our history, this is only the latest example of how the Senate has impeded American progress, and it wouldn't be the first time that the Senate rules were changed in response to that.

Before the Civil War—a time even before you were in the Senate, Mr. President—the Senate sheltered the minority interests of slaveholders on this floor. After the war, it enabled monopolists and robber barons and isolationists to profit from the misery of the conflict and its aftermath.

Each time in our country's history, crises forced the Senate to fundamentally change the way it worked, and each change has led to meaningful progress, including clearing the way for the passage of the 14th and 15th Amendments to emancipate and enfranchise former slaves, sweeping antitrust reforms, and long-delayed legislation to protect civil rights.

The bottom line is that the Senate rules are not suspended in amber, especially when they are being abused the way they are being abused today. They can and they always have changed with the times.

Finally, let me say this: As we consider these reforms, the last thing we should do is make another House of Representatives. That is not what I want to do. I want to have a Senate where you have to come out here and debate; where you can't filibuster in secret in your office but you have to be out here to persuade the American people of the righteousness of your cause; where the minority has the right to offer amendments; and where, in the end, 51 Senators can actually make a decision so that we can move this country forward and so that each one of us, whether we are in the majority today or sometime in the minority, can live under the rules that we have constructed to make the Senate actually function for the American people.

That, Mr. President, I think is why most of us have been sent here, and it is what I hope we are going to accomplish today. If we don't, we have to keep fighting.

The Senator from Louisiana mentioned that this isn't 1965. Let me end by saying this: The economic gap between White Americans and Black Americans is as great today as it was in 1968. That is a brutal fact about the state of our economy, and it is why we need a Senate that actually can respond to the needs of the American people.

With that, Mr. President, I thank you for your patience and your indulgence. I apologize that you are having to consume part of your last year listening to a yearslong speech.

With that, I yield the floor.

The PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, to hear the other side talk—by ''the other side,'' I mean the Democrats—they would never dream of questioning our democratic process. So I want to take you back in history just a little ways to just before the 2020 election.

Let's not forget the outlandish conspiracy theory promoted by leading Democrats in the runup to the 2020 election that somehow the Postal Service might not deliver absentee ballots.

Postmaster General DeJoy was slandered and slandered disgracefully based on no evidence whatsoever of any wrongdoing. The Postmaster is hired by the Board of Governors of the Postal Service. He was neither appointed by President Trump, nor did he answer to President Trump. The fact that DeJoy had supported President Trump's election was just enough for the other side to concoct a highly implausible election-tampering plot.

Now, after the election of President Biden, we heard no more about the problems of the Postal Service maybe not delivering mail. The necessary business transformation initiated by Postmaster General DeJoy to make sure that the ballots did arrive to be counted on time—that business transformation resumed after an election pause to allay irrational fears stirred up by partisans. We have heard precious little about this alleged threat to democracy since the election. Now, had the election gone differently, I suspect that we would have heard a lot more.

However, the effect of that scare tactic still lingers to this very day. Along that line, I hear from Iowans who dropped off their absentee ballots for the first time, scared that their vote would not have been counted if mailed because of that conspiracy theory against DeJoy that somehow the Postal Service was going to make sure a Democrat ballot didn't get delivered.

My State of Iowa is one of the few States that use the Postal Service's Intelligent bar code on ballot envelopes. That helps the Postal Service expedite the ballots and allows Iowans to track their ballot until it is delivered to the county auditors. Iowans continue to be able to vote absentee with great confidence that their vote will count.

So it makes me very sad that some were convinced otherwise as part of a political con game prior to the 2020 election. This denigrating of our election process for short-term political gain is disgraceful.

Now, I see the current false claims about State laws suppressing votes in the same light. Whether Democrats believe their own talking points or whether it is a cynical attempt to paint Republicans as anti-voting, these false claims undermine faith in the democracy.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Ohio.

Mr. BROWN. Madam President, I would like to go back a little further in history than last year's warmed-over conspiracy theories that we just heard my friend from Iowa talk about.

I so appreciated Senator BENNET's discussion of sort of the history of voting rights and the history of this body. The American public certainly doesn't know what cloture means. The American public really doesn't know all that much about the filibuster either.

But go back a few decades. The filibuster was used to suppress the vote. The filibuster was used by many people in my political party—back when too many Democrats were on the wrong side of history and the wrong side of civil rights—was used by southern segregationists. It was finally overcome by some northern Republicans, with a whole bunch of northern Democrats.

But think about what else the filibuster has been used for. The filibuster was used in the 1970s and 1980s to protect Big Tobacco in Kentucky. The filibuster was used to protect Big Oil. Now, it is used to protect Wall Street. The filibuster is used to protect big tech companies. The filibuster is used in case after case after case to protect big drug companies. So we know that the whole purpose of the filibuster has been to protect the most affluent, the most privileged, the wealthiest corporate interests in this society that just get their way in this body day after day, week after week, month after month, year after year.

Now, this weekend—and many referred to this—we honored Dr. Martin Luther King. We heard a lot of words extolling his legacy. Those words from many who are for whatever reason not supporting voting rights today—those words sounded pretty empty.

Few people told the story of Dr. King in Memphis, why Dr. King was in Memphis.

In early February of 1968, sanitation workers in Memphis—some of the most abused, taken-advantage-of workers in our country; mostly Black workers doing a dirty, difficult job in a segregated city with a very racist mayor, who let that be known in the ensuing months—these sanitation workers were not even given rest periods, particularly when they were in White neighborhoods. There was nowhere to go when they were picking up the garbage in White neighborhoods. There was no place to go for the rest periods.

Two workers in early February, in a rainstorm, got in their garbage trucks to protect themselves from the rain for a few minutes. The garbage truck malfunctioned. Those two workers—underpaid, with no real benefits and no insurance and no help for their families—those two workers were killed.

Dr. King went to Memphis the first time to help lead that strike, to join the striking workers. The second time he went back, that is when he was assassinated.

Dr. King understood that the dignity of work was intertwined with voting rights. Worker rights and voting rights always went together. Dr. King insisted that no job is menial if it pays a decent wage. Those sanitations workers, as I said—low wages, no benefits, no health insurance, no retirement—none of that—and few days off.

Dr. King said:

> What does it profit a man to be able to eat at an integrated lunch counter if he doesn't earn enough money to buy a hamburger and a cup of coffee?

He talked about the dignity of work—a term mostly popularized by him—and he said no work is menial if it pays an adequate wage.

Until all workers have dignity in the job, Dr. King's work will remain unfinished. We can't get there if workers cannot vote. I don't mean just workers who put on a tie and sit at a desk; the vote should be open to everyone—I mean all workers, whether you punch a clock, whether you swipe a badge, whether you work for tips, whether you are on salary, whether you are raising children, whether you are taking care of aging parents.

We know who powers our economy. It is workers. It is not the rich donors and the corporate contributors who fund the politicians who are pushing for gerrymandering and voter suppression in the takeovers of local election borders; it is workers.

I think about what we did in the Senate last week—with some difficulty, but ultimately, it worked. We unanimously passed a resolution honoring the custodians and the maintenance workers. We had talked often about the police officers, some of whom gave their lives and dozens who were injured, all who were courageous. We honored them, as we should. We also, last week, though, passed a resolution honoring custodial workers and maintenance workers. They get little recognition. They work for too low pay.

Last January, 1 year ago, these workers—largely Black and Brown workers, many of them immigrants—were forced to clean feces off the wall, clean up after the destruction of the White supremacists, and restore dignity to our Capitol after domestic terrorists ransacked it. The insurrectionists destroyed; the Black and Brown workers cleaned up. The carpenters and the maintenance workers and the painters union members all rebuilt. Last week, we came together to honor their service. They deserve more than words, more than gratitude.

So often, they and other working people don't have much of a voice in this country. They don't have the high-priced lobbyists who come here. Many of you have looked down the hall and seen, in front of Senator MCCONNELL's office—you have seen the lobbyists lined up, who always seem to get what they come for. Workers don't have corporate lobbyists. They aren't going on campaign donor retreats. But workers have the vote or should have the vote.

The voting booth is where all of us are supposed to have an equal voice. The voting booth is where workers are supposed to be able to go to hold the wealthy and the powerful accountable. So it is not surprising that politicians who pass corporate tax cuts—the same politicians who do the handouts for the wealthiest 1 percent—don't want lots of workers to vote.

We know whom voter suppression and election subversion is aimed at. It is at the parents working two jobs to pay the rent and make sure their kids have a decent meal, with no control over their work lives and their work hours if they don't have a collective bargaining agreement. It is students. It is people who don't get a day off. It is seniors in nursing homes. It is home healthcare workers who care for them. So often, these are women of color, working the graveyard shift after coming straight from their second job.

We know whose votes these politicians want to throw out after they are cast. We know which cities the former President went after. One is Philadelphia, PA, Senator CASEY; and Atlanta, GA, Senators OSSOFF and WARNOCK. What do they have in common? They are diverse places with a whole lot of Black and Brown workers who cast ballots that the rich and powerful don't like.

Ultimately, as others have said, it comes down to this: These politicians want to cherry-pick their voters rather than the voters picking their elected officials. Through gerrymandering, through voter suppression, and through meddling in local election boards, politicians want to pick and choose whose votes are counted.

President Trump carried my State twice by 8 points. My State, though, is about a 53, 54, 46, 47—slightly Republican State now. For the last decade, the Members of Congress in my State—12 Republicans and 4 Democrats in 2012, in 2014, in 2016, in 2018, and 2020. None of that changed. Not one of those districts changed because Republicans, with their corruption and with their skill at drawing maps, drew those maps in ways that there were no real fair elections.

We know whose votes they don't want to count. It is the votes of the low-paid and the overlooked; the votes of workers who power this country yet don't have much power; the votes of people who might hold politicians accountable, who might demand fewer tax cuts for rich people and an increase in the child tax credit and the earned-income tax credit, the largest tax cut for families in our Nation's history.

Ninety percent of families in Colorado, in Georgia, in New Jersey, in Ohio, and all over this country—90 percent of families with children get at least a $3,000 tax cut because of what we did in this body when we said: No more Republican freight trains carrying tax cuts down the track. We are going to give tax cuts to moderate-income people and working families.

The votes of people who hold politicians accountable, the votes of people who understand the dignity of work—if you say you support American workers, you support their right to vote.

I ask my colleagues of both parties to come together to protect the right of every American to have a voice in this country no matter who you are, no matter where you work, no matter where you live.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, I did not intend to speak today. I came down here and listened to the speeches of some of my colleagues for 2 hours this morning and asked for an opportunity to get on the list of what are nearly 50 Senators who are going to speak today. But I heard loud and clear some of the comments. I just wanted to go back and revisit them and talk about maybe

the path forward after this vote occurs today and, I hope, fails to change the filibuster rule.

I think Senator TESTER was the one who said he knew of a voter who waited 8 to 10 hours to vote. That is unacceptable. We need to change that.

I would also say that probably over that 8 to 10 hours, they run a long line—far beyond any restrictions they had for electioneering—so they could have food and water.

Some people could have heard that speech and thought that someone was starving or thirsting to death for 8 or 10 hours, but we all know that most States have laws that allow anyone to provide food or water to others 50 feet away from the election sites.

I know if you have ever been in elections, you have been there too. I have been there handing out my push card, 50 feet out, handing people water. That happens every day. The American people need to know that. And if there are States that have restrictions, that is something I hope I have a moment to talk about as we move forward.

We also heard Senator KLOBUCHAR say that, 160 times, the rules have changed. The fact of the matter is, they have never changed for the legislative calendar, which is what we are talking about, without regular order. It happened seven times, and it happened because the majority of Members, Democrats and Republicans, thought that we should modernize the rules. But we did it through regular order. It has never been done before.

In fact, in two notable examples where the nuclear option was used was once by then-Majority Leader Harry Reid and followed up by then-Majority Leader MITCH MCCONNELL. If that is not the best indicator of what will happen to this body, nothing is.

Remember when Senator Reid said: We are just going to carve out a little bit of the Executive Calendar to make it easier for district judges to get confirmed. That is all we are going to do.

Why on Earth does anybody believe that that carve-out wasn't going to result in the ultimate nuclear option for the Executive Calendar? That is why you have Justice Gorsuch, Justice Kavanaugh, and Justice Barrett. That is why you have it. This is the political physics here. For every action, there is an equal and opposite reaction.

And if you vote to nuke the legislative filibuster, you might as well build a wall straight down this body because anytime Democrats or Republicans hit the trifecta and we have the White House and we have the Senate and we have the House, the minority's voice will count for nothing. And, even worse, the voices of the vocal minority at either end of the political spectrum will have a disproportionate impact on what we vote on and pass out of this body.

If you think it is hard getting the voting rights bills passed today, just think how hard it is going to be for you to stand down your most extreme base—we have got our own—on things that are not good for this country that the vast majority of the American people will not support. We will go to an every 2-year or 4-year cycle of huge swings for the first time ever in this Nation's history.

I hope that last week most of you had the opportunity—I was in the Chamber, but if you weren't, I would ask you to go back and listen to Senator SINEMA's speech. Some people would have just spiked the football on our side of the aisle saying: It looks like she will preserve the filibuster. We can move on.

What I heard was a Member calling on us to bridge the gap and make progress. That is what I heard. And on voting rights, I think we can. I think the American people need to know that if this fails today, it is not the end of the discussion of progress we need to make.

My staff said: We don't want you to put this board up because we are afraid that will tip your hand on things you are having discussions on.

I have had a number of discussions with Members on the other side of the aisle. We have legitimate problems that we need to fix. We need to make it harder to cheat and easier to vote. We need to reform the Electoral Count Act. With all due respect to the majority leader, I think that he said it is unacceptable and insufficient and even offensive, because he said: ''Scorekeeping matters little if the game is rigged.'' ''If the game is rigged''—that sounds like what President Trump was saying just about 18 months ago. Now, we have both sides of the aisle talking about how ''the game is rigged.''

What we are doing is creating more discontent, and we are actually suppressing people's interest in voting because they think their vote won't count. That is what is being said in this Chamber today. That is what we have to stop. There are a number of things that we can do.

I voted against all of the objections of my seven Republican colleagues on January 6. I stand by proud. I was proud to certify that election. But since 2001, the Electoral Count Act has been weaponized. You had 14 House Members object in 2021. You had 31 House Members and a Senate Member object in 2005. You had 7 House Members object in 2017. And we had 138 House Members and 7 Senate Members object in this last election. It has clearly become weaponized. We clearly have to make it clear that the Vice President is in a ministerial position, and there should be a higher bar for lodging an objection.

There are other things that we can do. The certifying agencies across the States should say: You can't change the rules after the election is held.

That is what we should be talking about. We should be talking about making it easier to vote.

I don't know why New York rejected, by a 58-to-42 margin, same-day registration last year, but they did. The voters went to the polls. And I am reminded of you saying the legislature overturned it. So now, it is the legislature in New York that is going to overturn 58 percent against same-day registration and 54 percent against no-excuse absentee ballot?

I have got no-excuse absentee ballots in North Carolina. I think we should encourage more States to do the same.

So where does this need to head? After tensions cool and after what I hope is a failed vote to change the rules—and, incidentally, the day that Republicans change the rule for the legislative filibuster is the day I resign from the Senate. And I believe that I have a number of Members on my side of the aisle that would never do it. So you don't have to worry about the argument, ''If you don't change it now, they will change it when they hit the trifecta.'' It is not going to happen.

Senator KAINE, I think I was naive. When I signed that letter—after President Trump called for nuking the filibuster 34 times—I said: Get me on the letter to preserve the filibuster.

I went home, and I was attacked. I have had the protesters. I have had the censure proposals in county GOPs and State GOPs. And I stand by it and I will stand by it as long as I am here. But I have to say I feel a little bit disappointed and a little bit betrayed by the fact that the 32 Members who signed it on the Democratic side, all but one now say, Well, things have changed. They haven't changed. And we can't let this filibuster change. We need to work on making it easier to vote. We need to work on making it harder to cheat.

There are reasonable solutions that I think most sides of the aisle can agree to. And the American people need to know that there are people like me and other Members that are going to fight for that after this vote hopefully goes down today.

Let's not build a wall between our Chamber. Let's continue the relationships that we have. I had five conversations with Members on the other side of the aisle this morning, talking about legislation we are working on, a visit to North Carolina to spend some time together outside of the political cauldron that we are in here now, helping somebody out with a vote in Judiciary for a judicial nominee that you otherwise may be inclined to vote against. But let me tell you what. If you want to destroy that opportunity moving forward, vote to nuke the filibuster; vote to have any rational basis for working with Members when one of us hits the trifecta.

But I do hope, after this vote fails today, that Members will answer the call to fix what is wrong with our system, fix the Electoral Count Act, make it easier to vote and harder to cheat.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President and colleagues, I am going to talk for just

a few minutes about vote-by-mail. I think Senator KLOBUCHAR will probably be joining me.

Madam President and colleagues, I am the first U.S. Senator to be elected completely by mail. The second U.S. Senator elected completely by mail was my friend, Republican Gordon Smith, a Senator well known to many here in this body.

The country looked up and its first experience, colleagues, with vote-by-mail was thoroughly bipartisan—one Democrat, one Republican, who, as it happened, after running against each other, got along very well and did a lot together.

As the country began to get its arms around vote-by-mail, it was bipartisan and the bipartisan efforts to build on it really took off. They took off all across the country until President Donald Trump got elected and began to spew all these lies about vote-by-mail. So then something that was completely bipartisan suddenly became very partisan. What I want to do is rebuild that bipartisanship. My colleagues seem to say that is what they want. And the fact is, vote-by-mail is the gold standard for casting an informed vote, particularly for working people, seniors, and others, who would like the time, the opportunity in their living rooms and their kitchens, to look at the ballot and consider the various alternatives.

And in that effort now to undo the damage done by Donald Trump to vote-by-mail and in the name of restoring bipartisanship, which is what it is all about—and I can just tell my colleagues, our late secretary of state, Dennis Richardson, used to say he was about the most conservative person who ever lived. He basically told Donald Trump to go fly a kite when it came to vote-by-mail. Dennis Richardson, our late secretary of state, a staunch conservative, said the reality is there hadn't been fraud; it worked very effectively. You are off base.

So in the hope of being able to restore that bipartisanship, I want to ask a question of the distinguished chair of the Rules Committee. Then, I will wrap up very quickly, and we can move on. But we have had an awful lot of revisionist history with respect to vote-by-mail.

Senator KLOBUCHAR, I know the Rules Committee, under your leadership, has dug into the history. Utah—bright red Utah—votes by mail. Senator KLOBUCHAR, take us through that history and then I will close.

Ms. KLOBUCHAR. Thank you, Senator WYDEN.

I want to thank you. Oregon was the first to use vote-by-mail for a Federal election. Although, I think Senator PADILLA, a great member of the Rules Committee from California, would tell you, in fact, that California and Washington first allowed any voter to request a mail-in ballot in the 1970s.

But since then, what has happened? Utah, considered a red State by all accounts has mail-in balloting for nearly all of their voters. We have seen this across the country.

Today, 34 States allow any voter to request a mail-in ballot. During the pandemic, 45 States actually allowed this to happen without an excuse. What happened during the pandemic is that we saw 11 States that didn't typically allow all voters to request a mail-in ballot do so.

Sadly, 10 of them have already started rolling this back for the next election. We know that this is a really safe and good way to vote, whether there is a pandemic or there isn't a pandemic. And the key is voters got used to it, they liked it, and attempts to roll this back and to make it harder to vote are the wrong way to go for our country.

And, instead, we should be assuring everyone that regardless of their ZIP Code, regardless of their State, they should be able to vote by mail.

Thank you for the question.

Mr. WYDEN. Madam President, let me close very quickly.

The fact is, we can bring about the bipartisanship that many of my Republican colleagues have been talking about over the last 4½ hours. It is doable. It is possible to do it in a way that builds on a practical gold standard for informed voting used in Oregon, used in bright-red Utah, and it is what we had until 2020, when Donald Trump tried to preempt the progress we were making because, in every rally, he would talk about all this fraud, for example. Fraud, Madam President—the last analysis of fraud in Oregon is 0.00001 percent of all votes cast.

So we can get back to what the Republicans have been talking about over the last 4½ hours, but the way you are going to have to do it is they are going to have to go to Donald Trump and tell him: Look, we just don't agree with you on this.

And that is the kind of leadership that we need. We saw it in Oregon. We saw it in Utah. We have seen it now from sea to shining sea. That is what it is going to take.

I want my Republican colleagues to know that we will meet them more than half way, but they are going to have to start taking on Donald Trump's lies on these issues if we are going to have that bipartisanship that my colleagues have been talking about this morning.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, this past weekend is our annual reminder as a country of the courage, suffering, sacrifice, passion, love, and energy that so many of our fellow Americans put into protecting our democracy.

When in a democracy, one group of citizens can deliberately, purposefully make it more difficult for another group of citizens to vote, they have put a dagger into that democracy. We cannot let that happen.

I am here today to focus, in particular, on one voting right that we have in this country, and that voting right is, when you are voting, to know what the hell is going on around you in that election, to know who is saying what, to know who the players are around you. If we are supposed to sit here, as Americans, and just act like indolent consumers, passive in this democracy, that is not the way it is supposed to work. Citizenship is an office, and that office has duties, and the duties include being informed of what is going on around you.

And what is stopping American citizens from knowing what is going on around them is the cascade, the torrent, the Nile River of dark money that has begun to flow into our democracy since Citizens United.

It wasn't enough that the Republican Members of the Court let unlimited money flow. They then had to refuse to react when that unlimited dark money went underground, when it went dark, when it became anonymous.

They have had chance after chance to fix it and they refuse and we are left with this mess. It matters that citizens know who is talking in a democracy.

In my circuit, the First Circuit Court of Appeals—where JACK REED and I have the honor, occasionally, to recommend nominees to the President—there is a judge who I believe is the dean of the First Circuit Court of Appeals named Bruce Selya. He is a Rhode Islander. He was a Reagan appointee. He is a Republican. He is a very distinguished judge. And he has said: It is crucial that the electorate can understand who is speaking and, thus, to give proper weight to different speakers and messages when deciding how to vote.

That crucial right is denied to Americans wholesale because of an unprecedented dark money campaign of interference in our democracy.

You see it whenever it is election season. You are watching a television show and suddenly your TV screen is occupied by an advertisement that tells you that somebody is a bum, that somebody is no good, that somebody is terrible, that smears them. And at the end it says, ''This advertisement was brought to you by Americans for peace and puppies and prosperity,'' some completely imaginary group that was cooked up just to launch those advertisements, and whatever filth those advertisements contain is then disappeared with the end of that front group.

It is the political equivalent of toilet paper. You flush it when you are done with the filth, and whoever is behind it keeps their hands clean.

So we now have a tsunami of slime—as one writer put it—flowing through our country, and it is denying our citizens the most fundamental right they have when they vote, which is to know who the actors are and who is doing what to whom.

Well, in this bill is the DISCLOSE Act that would fix that. If you spend more than 10 grand in an election, you

have to report it. And I don't care how many shell corporations and donors trusts and phony 501(c)(4)s you line up to blockade your identity, our bill will get through it.

It superdrills through however many screens you put up, and the American public will, at last, once again, know who is really talking to them in their elections. Dark money takes away voters' rights to know who is talking to them and what is going on in their democracy. It is a fundamental right.

And, unfortunately, it doesn't end there because the other rights that my colleagues have so eloquently talked about—to get to the ballot, to be treated fairly at the ballot, to not be harassed on the way to the ballot, to be able to get a ballot mailed to you—the Republican efforts around the country to attack those rights, to suppress votes those ways, do you know how that is being done? It is being done with dark money.

We know it because they have been caught. It is not a matter of debate or dispute. When these enterprises are set up to deprive—what Reverend Warnock calls ''some people''—some people of their right to vote, and when the laws are done so that that is accomplished against, particularly, African-American voters with what one court called ''surgical precision,'' that is not happening at random. It is happening because enormous amounts of anonymous money are flowing into groups to make it happen.

And I will close with two examples. One is called Heritage Action, which is—the current state of the art on this is you set up a phony 501(c)(3) and a phony 501(c)(4), and they are a pair. And the money to the 501(c)(3) is deductible, and the political dirty work is done by the 501(c)(4).

And Heritage Foundation, which we have all heard about, is the 501(c)(3), and Heritage Action is its 501(c)(4). And Heritage Action was recorded talking to its secret donors.

And the person who was making the presentation to the secret donors in April of 2021 said:

> We worked quietly with the . . . legislature. We got the best practices to them. We helped draft the bills. We made sure activists were calling the state legislators, getting support, showing up at their public hearings, giving testimony.
>
> In some cases, we actually [drafted the bills] for them or we have a sentinel—

Think about that word for a minute, a ''sentinel''—

> on our behalf give them the model legislation so it has that grassroots, from-the-bottom-up type of vibe.

She said: And we did this with ''little fanfare. Honestly, nobody even noticed. My team looked at each other and we're like, 'It can't be that easy.'''

Well, the DISCLOSE Act will stop it from being that easy to have an out-of-state, dark money campaign take a State legislature and get them to pass voter suppression laws without the State legislatures even knowing who is behind them. And that is on tape. I am not making this up.

The other one that is always worth looking at are our friends at the Honest Elections Project, which actually doesn't exist. What exists is something called the 85 Fund. And the 85 Fund is allowed, under Virginia law, Senator KAINE, to have a fictitious name and to operate as if it were operating under its fictitious name.

And it has several, one is the Judicial Crisis Network, which we all know helped stock the Court with rightwing judges, but another one is the Honest Elections Project. The Honest Elections Project and the Honest Election Project Action are the pair that work on this.

Money has poured into this effort, and the Honest Elections Project has been smack in the middle of it. In 2012, 77 percent of its money came through donors' trusts, which is a great identity-laundering device for rightwing dark money; in 2013, 96 percent; in 2014, 88 percent; in 2015, 84 percent; in 2016, 82.6 percent; in 2017, 93 percent; in 2018, 88.8 percent; and in 2020, the year that the Honest Elections Project waged dark money voter suppression, the 85 Fund received over $45 million, identity laundered through donors' trusts. And much of that money came from one single $19 million contribution. Somebody wrote a $19 million check to suppress votes.

Folks, if we don't get to the bottom of this, we are going to have a real problem on our hands. And when we get to the bottom of this, the American public will be with us because they hate this stuff. You can be a Bernie Bro or you can be a Tea Partier and you can disagree on everything, and you agree that big dark money corruption has no place in American democracy.

This is the issue where Senator MCCONNELL's political minions met with the Koch brothers' political minions, and they did whatever ''minioning'' they do together. And their conversation got out to Jane Mayer, who wrote about it, and this was the issue that they said to each other: We can't dirty this up. No matter how hard we try to put a good spin on this, voters hate dark money corruption. Our voters hate it just as much as their voters.

So this is our chance to fix this to take out the dark money behind the voter suppression effort in all these States.

This isn't happening, folks. It is being done. And we have got to pay attention to who is doing it. And when we do, we will restore that fundamental voting right of all Americans to know who is talking to them in their elections—to have ours be a democracy without masks, without subterfuge, and without dark money.

I yield the floor.

Mr. SCHUMER. Would my colleague yield just for a brief comment?

Mr. WHITEHOUSE. Gladly.

Mr. SCHUMER. I just want to thank Senator WHITEHOUSE. He has been a leader on this issue. It doesn't get enough attention. It is very much part of our bill, the Freedom to Vote Act. It is universally or virtually universally supported, and it is one of the great scourges of our politics.

If we don't move forward on these bills, we are not going to be able to do this because we will not get the kind of bipartisan cooperation we need on this horrible, horrible thing that I think all 50 of us agree should be changed.

So I want to thank him for his efforts—not just his speech today but his amazing efforts over the months and years.

Mr. WHITEHOUSE. Thank you, Leader. Much appreciated.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT of South Carolina. Thank you, Madam President, for the opportunity to talk about something really important to all Americans but specifically important to Americans from the Deep South who happen to look like me.

As I listened to the President talk about the importance of stopping what he characterized as Jim Crow 2.0, I felt frustration and irritation rising in my soul. As I keep hearing the references to Jim Crow, I ask myself how many Americans understand what Jim Crow was. I am so thankful—thankful—that we are not living in those days.

But just for those who don't appreciate the Jim Crow that was, it was a time when my grandfather, born in 1921, would have experienced it. If he were still alive, he could tell the stories of the Jim Crow South and the Jim Crow era, an era where, in order for a black person to vote, you had to pass a literacy test.

Now, if you could read at that point, it would not just be a test on whether or not you could read, it would be a test on ''Do you know who your Governor was 20 years before you were getting ready to vote?'' It would include the threat of being lynched—literally killed—because those in power wanted to stop Black folks from realizing and fully participating in the greatest Nation on Earth and exercising what I believe is a fundamental responsibility and right of Americans, the right to vote.

It would include beatings and the power of intimidation, the loss of your job if you dared to show up to vote. And so when I hear my President, your President, our President of these United States, just a little while ago, a week or so ago, talk about Jim Crow 2.0 and using as the poster child of this new Jim Crow South being the Georgia voting law, I rushed to read the law one more time so that I could understand what in the world is he talking about.

I am here this afternoon because I had a conversation with the South Carolina NAACP about 2 hours ago, and they encouraged me to come to the floor and make my comments as public as possible so that people understand

what I have read in the Georgia law and compare it to the Jim Crow South.

So what we know about the Georgia law—and I have read the law—what we know about the Georgia law is the controversies the President spoke about and that we have heard Members of Congress speak about over the weekend is it is illegal to get water while waiting to vote.

Now, that claim has been proven false. It is not illegal to get water while waiting in line. That is false. The only time you can't get water while waiting in line to vote, according to the Georgia law, is if it is a partisan; someone campaigning for someone—campaigning for someone—you can't bring them water. But if you are an election worker or a relative, you can, of course, bring a person water. So that was completely false.

But if that is the threshold of the new Jim Crow era, it looks nothing like the past. However, even that is false. What else is in that Georgia law that is supposedly the poster child of voter suppression? It allows for early voting, to include now the Souls to the Polls, where you have Sundays where you can vote early—as a matter of fact, 17 days of early voting, more early voting than the President's own home State or New York.

It allows for mail-in ballots without an excuse, the same thing that was turned down by the voters in New York. No-excuse, on-demand, mail-in ballots is now the law in Georgia.

New drop boxes. Prepandemic there was—it was not legal to have a drop box in Georgia. Now, it is legal to have a drop box in Georgia and voter ID, supported by at least 60 percent of African Americans, 60 percent of Hispanics, 60 percent or more of the majority population.

After going through point by point and realizing in South Carolina that minority turnout was stronger than the overall turnout in South Carolina and that two of the three African-American Senators in the U.S. Senate today—two of us—represent those Southern States, it is hard to deny progress when two of the three come from the Southern States that people say are the places where African-American votes are being suppressed, not to mention the fact that 2020 was a banner year for minority participation in the greatest Nation on Earth from a voting perspective, and that is, my friends, good news.

The Democrats' proposal would allow for the supporters of BERNIE SANDERS and their tax dollars to go into my reelection account; I oppose that. It would undermine voter ID laws across our country; I oppose that. It puts unaccountable bureaucrats in charge of our elections; Americans oppose that. And walking in on the day of the election, registering to vote without any verification, is something I, too, oppose.

And so, when I think about the important issue of voting and when I think about the issue of voter suppression, it lands on my front porch because, as a guy who has voted in the Deep South all my life, as a person who was born in 1965 with a mama who understands racism, discrimination, and ''separate and not equal,'' with a grandfather who I took to vote and helped him cast his vote because he was unable to read, to have a conversation in a narrative that is blatantly false is offensive, not just to me or southern Americans but offensive to millions of Americans who fought, bled, and died for the right to vote.

So if we are going to have an honest conversation about the right to vote, let's engage on that based on the facts of the laws that are being passed, not the rhetoric surrounding those laws, where it looks like power is more important than people.

I will close with this. The Civil War of this Nation started in my hometown. One of the most powerful and popular Senators in the history of America was Strom Thurmond. In 2010, when I ran for Congress, I ran for Congress in the place where the Civil War started, and I ran for Congress in a Republican primary against the son of Strom Thurmond. I won that race, not merely because of who I am but because of who we have become as a Nation.

The evolution of the heart of America and the hearts of southerners could not be more clear on a day when the son of a single mother, mired in poverty, runs against the son one of the most famous Senators in the history of the country and comes out victorious.

I would love for us to have a conversation about what we are doing for Americans as opposed to this negative, false narrative of what is happening to America.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I have deep and tremendous respect for my friend from South Carolina. I am not a Senator from the South, but my family hails from the South, from Monroe, LA, to Alabama, to North Carolina. I know my roots, and I know the challenges of Jim Crow, and, thank God, we are not in a time of Jim Crow.

The history that my friend talked to, I know. I know his history, and I know my colleagues in the Senate know his history. We are all not blind to what happened in terms of racial oppression going back to the founding of this Nation. The Constitution that people have been waving around, it is hard not to read that and not see that many of the compromises were based upon an acquiescence to that original sin of this Nation—slavery. We know the violence of what he said and talked about.

I am frustrated that we can agree that there has been overwrought language on both sides of the political aisle around this issue, but we should be focusing on the facts. I have a hard time listening to people that want to talk about this issue and don't talk about facts.

In the United States today, it is more difficult for the average African American to vote than the average White American. That is not rhetoric. That is fact.

We know that Black voters, on average, are forced to wait on line twice as long as White voters.

We began this session today swearing an oath to that flag, saying that this would be a nation of liberty and justice for all. Where is the justice in a nation where there is, on average, for a Black person twice as long to vote? It is factual.

But let's keep going because I heard my colleague speak.

During the 2016 Presidential election, residents of entirely Black neighborhoods waited to vote. They were 74 percent more likely to spend more than 30 minutes at their polling place relative to residents of entirely White neighborhoods. That is a fact.

Similar racial disparities were observed right before the pandemic. In the 2018 midterm elections, the Brennan Center report found that Latino voters waited almost 46 percent longer than White voters and Black voters about 45 percent.

The report also found that Latinos and Black voters were more likely than White voters to wait in the longest of lines on election day.

You could go into State after State and you will see who waits, factually, on longer lines.

Georgia—are we going to reduce this to just being about water? I find that law offensive, but that is not the thing that offends me most.

Do you want to know what is going on in Georgia right now? They have a historical pattern of dwindling polling places in the diverse areas, with some voters in Georgia waiting up to 10 hours in predominantly Black neighborhoods.

Think about this for a second. Do you want to talk about voter suppression? You are working a job, you are taking care of young kids, and you are going to give up a day's salary in Georgia to vote? You want to talk about a modern day poll tax?

And my friends on the other side are saying that race is not an issue here?

I am going to continue with facts because I was flabbergasted that someone could stand up here and say there is not a different experience for Blacks and Whites when voting. I am just going to continue to read the facts.

Since Shelby v. Holder eviscerated the Voting Rights Act that people like Goodman, Chaney, and Schwerner died for, Black voters in Georgia have faced disproportionately longer lines and fewer polling places.

The average number of voters per polling place have grown 40 percent in diverse Atlanta Metro since 2012, and voters in Black neighborhoods waited nearly 10 times as long, on average, after polling places were closed in neighborhoods.

I am looking for an amen from my colleague from Georgia.

Mr. WARNOCK. Amen.

Mr. BOOKER. I mean, in what country are we, where a certain minority in predominantly minority communities has to wait 10 times as long?

And so when you read—and I have heard my colleagues read these laws. They read: Well, what is wrong with having no drop boxes because, hey, we didn't have them before the pandemic. What is wrong with not having that many days to vote by mail?

What is wrong with these things is obvious because they are not designed for voter protection. They are not designed to help voters have more access to the polls. They are designed to suppress the vote and create these longer lines. That is the obvious result, and if you can't see that, I am flabbergasted. I am sorry. It is hard. This is not my turn to speak, and forgive me to my colleagues. But I am flabbergasted that the Republican Party, the party of the 14th Amendment, the party that once fought for equal access to the polls is now creating this ruse that 19 States—that the States that are passing these laws, 19 States—this is not about voter protection.

Donald Trump's own person said the last election was the safest, most secure election in American history. This is not about in-person voter fraud. Study after study has shown that you are more likely to be struck by lightning.

This is about lies. I am sorry. This is about lies, and they are targeting groups.

I am going to go on with facts, but I just want to talk about students for a second. I heard Senator JON TESTER. I have heard my colleagues from New Hampshire, and they are not hiding the ball, folks. They are not trying to tell us: Oh, we are concerned about it.

As early as 2011, the State Republican house speaker at the time in New Hampshire—Senators, you know William O'Brien; can I get a hallelujah there—promised to clamp down on unrestricted voting by students calling them ''kids voting liberal, voting their feelings, with no life experience.''

I hear what you are saying, that this is—oh, these laws are innocuous on their face. But if you start looking at the legislative record, you see groups are being targeted in this country. Polling places are diminishing on college campuses. Voter ID laws are being created so complex in Midwestern States that they are saying you can't use a 4-year ID; it has got to be a 2-year ID. Those are some of the laws that are being passed.

Can somebody be a witness on that?

And I hear this rhetoric where people pull out one law: Well, look at this law. This is just about shrinking the days, or this is so innocuous on its face, and I know there are people at home thinking to themselves: Hey, that doesn't sound like a big deal. Maybe the Republicans have a point.

No. Let's return to the facts.

I am going to go to Texas because I heard the Senator from Texas accuse this body of creating rhetoric that was divisive.

Do you want to know what is divisive to a country that says ''e pluribus unum'' above where the presiding person is? Do you want to know what is divisive? It is telling people in the Congresswoman's State that if you live in a predominantly minority area, we are going to remove polling places and change laws so that Black folks disproportionately are waiting 5, 10, 15 times longer.

Facts. The burden of long lines in polling places, closures in Texas in the post-Shelby County areas often falls disproportionately on Black and Latino voters.

Congresswoman, of the approximately 750 sites Texas has closed since Shelby v. Holder, 542 were in the 50 counties with the fastest growing Black and Latino populations.

Don't lecture me about Jim Crow. I know this is not 1965. That is what makes me so outraged. It is 2022, and they are blatantly removing more polling places from the counties where Blacks and Latinos are overrepresented. I am not making that up; that is a fact.

I am not going to stop because I am tired of hearing that this does not have to do with singling out certain populations in our country—students, Native Americans—and not others.

I am not accusing anybody. Please, let's not go around in defense, where we crouch into defensive postures. I am not accusing anybody of being racist. I am just speaking to the facts in our country that I know motivate everybody here. A hundred of my—ninety-nine of my colleagues know it is wrong to create barriers for some populations and not others under the guise of a lie that there is a voter security problem.

Let me continue. I am sorry, Congresswoman, to keep talking about Texas.

In the Presidential primary on March 3, voters at historically Black Texas Southern University in Houston waited not an hour, not 2 hours, not 3, 4, 5—waited 6 hours.

A poll of Texas voters conducted just in the 2020 election underscored the disparity non-White voters faced in casting their ballots.

I am sorry. Senator KAINE, you were very good when you talked about that sign of 98 percent of people happy. I sat here stunned. I was wondering who they were polling because they were not polling Black and Latino voters in Texas when they did that.

Let me give you the facts. Forty-eight percent of Black voters and 55 percent of Latino voters in Texas found it easy to vote, but that leaves a lot of folks who didn't think it was easy. White voters—actually, 65 percent think it is easy to vote.

Everybody is not happy. People who wait in 6-hour lines are not happy.

I just want to give a couple more facts. Let's go to my dad's home State. North Carolina was one of the States most affected by poll closures. There were 158 fewer polling places in 40 counties with large Black communities, and African-American voter participation dropped 16 percent. Why? Well, my friend Bennet said this. We still live in a country where the economic disparities between Blacks and Whites is what it was in the 1960s. So if you are a Black, struggling family, and your option to vote means standing in line for 10 hours—compared to predominantly White counties—where the wait is longer, you don't go vote.

That is not just Black folks. The stories about disabled voters, with about 1 in 7 or 1 in 8 pointing out that it is hard for them to vote because of physical impediments—that is discriminatory against them. It doesn't mean people here are anti-disabled. We are not throwing those labels around; I am just talking about the facts.

So I just want my colleagues to know that I can pull story after story of these States—the 19 that are passing these laws—if you pull them out and want to read them absent context, you are going to try to obscure the larger picture of what is going on in our Nation, which is that we are seeing entirely Republican legislatures—entirely Republican legislators—passing laws that are disproportionately impacting certain groups, by the facts.

I want to close with this: On the march across the Edmund Pettus Bridge, they were stopped and beaten back. They tried to go again with King and were again blocked by Alabama State troopers. But they finally got to their destination to protest voting rights.

I love what King said there. He talked about those people whose hearts were discouraged because they hadn't passed voting rights. I know there are going to be a lot of people here on this day who are going to feel that kind of discouragement. But, Reverend WARNOCK, King gave one of his best speeches that day where he asked people ''How long are we going to have to wait? Not long'' because the truth—I am thinking about the lies we are hearing now, the big lies, the lies of in-person voting. The truth, crushed to the Earth, will rise again.

Don't lie and say there is not a disparate voting reality for Blacks and Whites in this country right now; the facts speak differently. Don't lie and say that these laws are not being done in a way to make it harder for students to vote. Don't lie and say that we are a nation that should be doing more to ease access as opposed to putting up more barriers because to go on more barriers is anti-democratic. Those lies will not live forever.

I do believe still that the arc of the moral universe is long and it bends toward justice. I still believe that the best of our democracy will come out if people do not give up and are not discouraged.

I ask my colleagues right now to continue on the floor today, to continue to

tell the truth of what is happening in your States, to continue telling the truth of what is happening in our Nation, because we will win this fight. I don't know how long it will take, but that will be determined by how dedicated we are to the principles of this democracy.

We must live in a nation where everyone is equal—not in rhetoric or in slogans or in salutes, but everyone is equal in the experience they have to participate in democracy. The vote is the bedrock of our Nation. It is the foundation of the country, and it does have cracks that need our repair.

Whether we get down on our knees in prayer or we stand tall, let's continue the work of this democracy so that freedom and justice do roll down like water and righteousness like a mighty stream.

Forgive me, colleagues, for speaking well beyond my time, and I apologize if I demonstrated too much emotion.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, confidence in our elections is vital to self-governance, and voting is a fundamental right. This is something that Democrats and Republicans can agree on.

Article I, section 4 of the Constitution states that ''Times, Places and Manner'' of congressional elections ''shall be prescribed by the States.''

Over the last year, my Democratic colleagues have introduced and tried to pass several versions of what they call voting rights legislation—the For the People Act and the Freedom to Vote Act. But these wholesome titles are seriously misleading. The bills are partisan power grabs that will give the Federal Government unprecedented power over our elections and weaken the ability of State legislatures to administer their own election laws.

Federalizing election procedures would export traditional State authority to the Federal Government and defer decisions on how citizens elect their congressional representatives to Congress. This is inherently less responsive and less accountable.

This legislation would undermine State legislatures by sending taxpayer dollars to political candidates for the House of Representatives, weaken popular State voter ID laws, and make updating rolls more difficult.

According to a Gallup poll, 80 percent of Americans support voter ID laws. Yet, under this legislation, States would be required to accept essentially any document that includes a person's name as a valid form of ID. If you wanted to dispel the notion that voter fraud occurs in our elections, this is not a good start.

One-size-fits-all solutions—the approach the Democrats are pushing—is completely unfit for Kansas and for the country.

Perhaps even more alarming—and this is the point that I would make more strongly than what I just said—more alarming than this Federal election takeover is the Democrats' proposed means of passing it.

President Biden and Majority Leader SCHUMER, realizing the limitations of their slimmest possible majority in the Senate, have advocated for weakening the legislative filibuster, the ability for the Senate to debate legislation until a 60-vote threshold is met.

Ironically, Democrats utilized the filibuster vote margin just last week to block sanctions on Russia's Nord Stream 2 Pipeline, making use of the same 60-vote threshold they are so determined to demonize.

The filibuster protects the minority. It doesn't necessarily mean Republicans or Democrats. It may mean just somebody with an odd idea. It may mean rural, where I come from, or urban, where other Members of the Senate come from. It may mean the ability for a Member of the Senate to speak on behalf of his or her constituents and advocate for their views. It allows every Senator to have the opportunity to garner more information, to seek out sponsors of a bill, to have conversations, and to pull people together before we decide on how to proceed on legislation. But the filibuster does more than that. It forces us—I am sorry it is necessary to force us, but it forces us to work together.

Freedoms and liberties are protected by process. In today's world, too many people want the outcome regardless of how the process works. That process is called the Constitution of the United States. And in our case, there are rules in the U.S. Senate that require a 60-vote for legislation to be considered and passed by the U.S. Senate.

In the circumstances that those are eroded, those process issues—I really want to highlight it again. It bothers me so much that in so many circumstances, we set aside process because we want an end result. But in doing so, we erode the personal freedoms of Kansans and all Americans, and those freedoms and liberties are diminished as a result.

I would say it is unusual for me to have as many of my colleagues on the floor as there are today while I speak, and in this case, most are Democrats. I would say that if we want to change the U.S. Senate—and I am a critic of the way we do business here. I never enjoyed serving in the U.S. Senate in which it worked well.

If we wanted to do something that would actually make a difference as opposed to changing the process by which we consider legislation, how about having committees that actually do their work; how about having hearings and markups and debate? Give me the chance—give all of my colleagues a chance to participate in this democracy of developing legislation.

But how many times have I voted on things that are garnered, put together, patchworked together, created by the leadership of the Senate or the leadership of the House or working together, a bill that is proposed by the White House? I want to have ownership. Even if I don't get my way, at least I had the opportunity, and it is the committee process that allows us to do that.

Instead of fixing something as fundamental as the Congress of the United States and having committees at work, we are going to change the process by which we can get to a bill or pass a bill and reduce the role that people who have different ideas play in that outcome.

Give me ownership of legislation through a committee process. Don't take away my ability to better represent Kansans and Americans and people in the minority by changing the 60-vote rule.

Americans voted for a Congress that is nearly a 50–50 split between the parties in the House and a precisely 50–50 split in the Senate. I don't think Americans voted to give one party free rein to implement an unprecedented power grab to nationalize elections and fundamentally reshape the way the Senate passes legislation.

Thankfully, there is bipartisan opposition to weakening the filibuster. A majority of Senators agree it would bring about massive uncertainty for Americans who don't want to be subjected to the dramatic political swings when one election occurs and one party is in power and then the next party is in power.

There is so much uncertainty because there was never the consensus to build a 60-vote margin for a piece of legislation.

We must have confidence in our elections. It matters. I want everyone who is legally entitled to vote to be able to vote. I understand that voting is a fundamental right, but Kansans know what is best for Kansans, and congressional Democrats would be wise not to underestimate our resolve in making our own determinations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. I thank the Presiding Officer for covering the presiding Chair for a little longer than usual to allow me to make an address to the Senate.

Madam President, I rise because it is time for the Senate to stand on the side of protecting our very democracy and the freedom to vote.

You know, this used to be a bipartisan issue, and I was proud to know, in the history of the Voting Rights Act of 1965, it passed the Senate 77 to 19. Then, in 1982, when it was reauthorized, when we extended it, President Reagan said:

> I've pledged that, as long as I'm in a position to uphold the Constitution, no barrier will come between our citizens and the voting booth. And this bill is a vital part of fulfilling that pledge.

When I served in the House of Representatives, the dean of the Wisconsin delegation, Representative JIM SENSENBRENNER, a Republican, led the bipartisan effort for the Voting Rights Act

Reauthorization and Amendments Act of 2006. You know, today, we can't even get a vote in the Senate on the Voting Rights Act.

Why have today's Republicans walked so far from those who came before them?

There is a simple answer: Too many of my colleagues on the other side of the aisle refuse to stand up for democracy and, instead, choose to stand on the side of Donald Trump and his Big Lie about the 2020 election being stolen from him.

It wasn't. Trump lost fair and square, and President Biden won, and that is simply a fact. To suggest otherwise is a fraud that undermines people's faith in our very elections. Enough is enough. We must act. We have the responsibility to do so. The threat posed by this Big Lie is all too real, and in my home State of Wisconsin, we have a stark example of it.

I come from a purple swing State. We have had many, many closely decided elections in recent history. In 2000, then-Vice President Gore won the State by less than 6,000 votes—a mere .22-percent margin of victory. Four years later, John Kerry carried the State by about 11,000 votes—a .38-percent margin. In both cases, despite these narrow margins, those elections went smoothly and were fair. Their outcomes were not disputed. George W. Bush declined to request a recount. No credible person, let alone the leader of a political party or an elected official, claimed the election in Wisconsin wasn't fair, free, and properly decided by the voters. Once again, in 2016, we had a pretty close Presidential election in Wisconsin and another equally as close one in 2020. President Biden won Wisconsin by about 20,000 votes—a margin of victory of .63 percent.

In 2020, Wisconsinites exercised their right to vote in record numbers. More than 75 percent of eligible Wisconsinites voted. Wisconsin voters broke the record for the highest turnout ever measured in the State—with every one of Wisconsin's 72 counties producing an increase in turnout, benefiting both Presidential candidates. Wisconsin State and local officials and citizens who volunteered from both political parties did heroic work to ensure our election was smooth, safe, and fair. They took important steps to make our election system worked safely and securely for all voters while the COVID–19 pandemic raged in my home State.

Wisconsinites cast their ballots for Democrats and Republicans, up and down the ballot, and after Wisconsin county clerks in all 72 counties canvassed the results, Joe Biden won with a margin of over 20,000 votes. The voters of Wisconsin chose Joe Biden and KAMALA HARRIS to receive our State's 10 certified electoral votes, but the scrutiny of those election results, through the channels provided by law, continue.

After an official vote count showed Trump lost, his campaign requested a recount and targeted Wisconsin's two most diverse counties—Milwaukee and Dane. When the recount was completed, it came to nobody's surprise that it didn't change the outcome. Trump lost, and President Biden won. The votes had been counted and recounted, but that did not stop President Trump from filing a lawsuit, trying to throw out 220,000 legal votes in Wisconsin.

Fortunately, our State's highest court rejected this attempt to disenfranchise Wisconsin voters and find more votes for himself. As two Wisconsin Supreme Court justices wrote, in concurring with the majority decision of dismissing Trump's campaign case, ''The evidence does show that, despite a global pandemic, more than 3.2 million Wisconsinites performed their civic duty. More importantly, as it relates to this lawsuit, these voters followed the rules that were in place at the time.''

To borrow Justice Hagedorn's metaphor, ''Wisconsin voters complied with the election rule book. No penalties were committed, and the final score was the result of a free and fair election.''

But that wasn't the end of the road for Republican efforts to sow distrust in the 2020 results in Wisconsin.

In February 2021, a committee of the Republican-controlled Wisconsin State legislature, by a party-line vote, directed the nonpartisan Legislative Audit Bureau to review the administration of the 2020 election. The bureau, according to its report, spoke with the staff of the bipartisan Wisconsin Elections Commission and surveyed all 1,835 municipal clerks and 72 county clerks in the State. They also reviewed a host of records regarding the election, including a total of 45 sworn complaints, pertaining to the election, that had been filed with the elections commission. In October, the bureau issued its report, which did not find any evidence of widespread voter fraud or wrongdoing in the election.

Separately, a conservative think tank, the Wisconsin Institute for Law and Liberty, conducted its own review of the election. Their report, released in December 2021, also concluded that there was no evidence of widespread voter fraud in Wisconsin.

The fact is that our bipartisan Wisconsin Elections Commission conducted a free, fair, safe, and secure election, just as local elections clerks did across our State.

Trump has still not provided any credible evidence of voter fraud or election irregularities. In fact, Federal judges appointed by Trump rejected on the merits his false claims about the Wisconsin election. Despite all of this, the Republican leadership of the Wisconsin legislature authorized yet another sham process to question the integrity of the 2020 election, with a budget of at least 680,000 of Wisconsin taxpayer dollars to boot.

I would be remiss if I didn't point out that this unnecessary partisan charade came shortly after the former President called out these Republican leaders by name for trying to prevent a forensic audit of the election results. This was no mere coincidence. A Wisconsin State Republican named Michael Gableman led this effort after he famously said—and without evidence—right after the November election, that it was somehow stolen. He is who is leading this probe.

In August, Gableman traveled to Arizona, on Wisconsin taxpayers' dime, to learn about that State's widely discredited audit, supported by the cyber ninjas.

Then he was off to South Dakota to attend a symposium on voter fraud, led by My Pillow's chief executive and infamous conspiracy theorist, Mike Lindell. In no effort to show nonpartisanship or to be a neutral arbiter, Gableman hired partisan actors like a former Trump administration official and the head of a group that asked the Supreme Court to throw out the results of Wisconsin's election and force the Wisconsin legislature to certify electors instead.

Gableman has issued wide-ranging subpoenas to local officials in Wisconsin's largest cities and has even threatened to jail them if they fail to comply with this taxpayer-funded promotion of Trump's Big Lie.

Separately, the Republican leader of the Wisconsin Assembly's elections committee began her own set of investigations, issuing subpoenas to clerks in Milwaukee and Brown Counties, the latter being home to Green Bay. She had also traveled to Arizona and, in a press release, when announcing her inquiries, stated that Wisconsin similarly needs a ''transparent, full, cyber-forensic audit.''

To put it simply, there has been a constant drumbeat undermining the integrity of our elections in Wisconsin since President Biden was duly elected. Casting doubt and undermining confidence in our elections has real consequences. It has led to harassment and threats of the hard-working State and local elections officials who worked tirelessly during an unprecedented public health crisis to make sure Wisconsinites could safely and securely exercise their right to vote. Elections officials across the State have received dangerous threats and harassment for simply doing their jobs.

The executive director of the Milwaukee Election Commission reported being told she deserved to be hung in the public square. She received a threatening letter at her home, calling her a traitor and a profane insult that I will not repeat on the floor of the Senate. She also received a profanity-laced voice mail, telling her she should be convicted and hanged.

Another Wisconsin clerk reported being called every name you can imagine and received threats that led to a local police department's having to conduct a security review of the clerk's office and having the clerk feeling the

need to install a camera at her house for security.

In Rock County, WI, the county clerk's office asked the local sheriff for protection in the wake of angry calls after a news report had misstated the county's votes. One of the members of the Wisconsin Elections Commission had pictures of her home posted on social media, and she received threatening messages about her children.

Even elected officials are attacking the role of these individuals in administering our elections. A Republican sheriff has called for the five members of the bipartisan Wisconsin Elections Commission to face criminal charges for guidance they provided during the pandemic about collecting absentee ballots from nursing homes.

Let's be clear. On January 6, 2021, Donald Trump not only incited a violent insurrection against our democracy, he also incited an ongoing attack on voting rights across America. Across the country, we have seen more than 400 bills that restrict access to voting that have been introduced in 49 States.

In Wisconsin, the Republican-controlled State legislature has advanced legislation curtailing voting rights and has put up barriers to make it harder to vote. Last year, they passed measures that would make it harder for voters to turn in their absentee ballots. They have passed legislation that threaten election officials with felonies for assisting voters with minor issues on their ballots, and they want to make it harder for people with disabilities and who cannot make it into the polls to exercise their right to vote. Thankfully, our Wisconsin Governor has vetoed these measures.

Despite drop boxes being a safe, secure, and effective way for voters to turn in their ballots and have their votes counted and despite previous support for their use from Republicans in the State legislature, Trump's Big Lie has pushed them to now oppose the use of drop boxes statewide. In fact, there is now a push to override guidance from the Wisconsin Elections Commission to make drop boxes for legal ballots illegal in Wisconsin.

At the same time, the Republicans in the State legislature are advancing a redistricting proposal that will double down on Wisconsin's unprecedented level of hyperpartisan gerrymandering, where politicians pick their voters instead of people choosing their elected officials.

Not to be outdone, the New York Times has reported that my fellow Senator from Wisconsin—and this is a quote—''believes Democrats cheat.''

This false accusation was accompanied by a proposal from this U.S. Senator to change the rules in Wisconsin and have the Republican-controlled State legislature seize control over the administration of our elections, taking this nonpartisan process out of the hands of our bipartisan, independent Wisconsin State Elections Commission.

As was reported, ''Senator RON JOHNSON, a Republican, said that G.O.P. state lawmakers should unilaterally assert control [over] federal elections, claiming that they had the authority to do so even if Gov. Tony Evers, a Democrat, stood in their way—an extraordinary legal argument debunked by a 1932 Supreme Court decision and a 1964 ruling from the Wisconsin Supreme Court.''

That is from the New York Times.

For my part, I believe voting rights are fundamental to our democracy, and that is why I will keep on working to pass the John Lewis Voting Rights Advancement Act and the Freedom to Vote Act, so we stop voter suppression efforts and protect the right to vote. We must ensure that, regardless of where you live in this country, you have the same access to the ballot box and faith that our elections are fair and safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, my Democratic colleagues are continuing what started last week, with spending hours trying to convince Members of their own party, both here in this Chamber and across the country, that they had no choice but to blow up the Senate rules by firing a partisan torpedo at the filibuster.

Now, it appears, from what we have heard, that they used demeaning, shaming words and really went about weaving quite a frightening tale about what would happen if their Democratic colleagues did not cave on this issue. That tale was no more based in reality than the vial accusations of racism that they have hurled at those who oppose this push to single-party rule.

Last week, when this insulting narrative started to collapse, they tried a new approach and pitched their assault on the Senate as a ''carve-out'' to accommodate an emergency change to election law.

I fully believe, when someone is going to tell you who they are, you should believe them. And over the past year, we have watched Joe Biden and the Democrats throw self-control out the window and leverage emergency after emergency to expand their power.

Joe Biden signed more than a dozen Executive orders in the very first hours of his Presidency, knowing that if he did not do this, these policies would never see the light of day.

The people—and that is the people of this country—hadn't seen fit to give his allies in Congress the majority that he needed for his agenda, so he waved his pen and conjured up a mandate for himself.

And now, his Democratic allies in the Senate are prepared to do the exact same thing on behalf of a bill that would federalize elections in America, stripping away protections for the ballot box and injecting uncertainty into the voting process.

Who asked for this? No one. If the American people wanted this, they would have given the Democrats the majority they needed to get it done. But they didn't. And, in fact, I hear from Tennesseans every day who want it to be easier to vote and harder to cheat, not the other way around.

But based on what I have seen, I have come to the conclusion that what the people want no longer seems to matter to our Democratic colleagues.

We can take today's event as proof that if the people don't see fit to give them the power, they will come and take that power and turn the Senate into a rubberstamp they can deploy when an Executive order just won't get the job done.

That really frightens Tennesseans because they can see what is coming down the path: open borders, court packing, gun control, the Green New Deal, abortion on demand, socialized healthcare, speech restrictions, federalized elections, and more out-of-control spending, and, yes, higher inflation.

We know that this is the future that the Democrats are laying out for America. It is the future that they see for our children and grandchildren because these policies are the policies that they have fought for since long before Joe Biden took office.

Do we really think that this attack on the Senate rules will stop with an election law takeover? The American people don't think it will. Tennesseans do not think that it will.

As I said, when somebody shows you who they really are, you ought to believe them. And as I have said previously, this is no way to run the world's greatest deliberative body, but this is exactly how the Democrats are choosing to go about trying to destroy it.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from Delaware.

Mr. COONS. Madam President, why are we here? Why is this Senate dedicating this entire day to a debate on the floor?

Well, we are here today to talk about, to debate and consider two critical voting rights bills. It is our fourth try. It is our fourth try. The three previous times we have tried to get on this bill, there has been a filibuster on the motion to proceed, an obscure a procedural standing that prevented us from getting to this bill.

We are finally on it, and there is a challenge in this Chamber, in this country, to explain and articulate briefly why this is such an important moment and why it justifies, in a tension between two of my core principles—one of which is making sure that we work across the aisle and find bipartisan solutions as much as possible and the other that we protect foundational principles—the right to vote—and through that right to make progress toward justice and inclusion in our society—that I choose the latter.

We have seen across our country, in recent months and years—ever since Shelby County, a Supreme Court case, blew a hole in the center of the Voting Rights Act passed in 1965, the most powerful civil rights law in the history our country—a whole series of laws at the State and local level eroding and undermining access to the ballot.

And in the months since the 2020 election, tragically, we have also seen now State legislatures take up and pass laws designed to change who counts the ballot, who certifies an election, voter subversion and voter subversion, access to the ballot box, and who counts the votes.

Every one of us is here because we were elected. Every one of us wants to know, or should want to know, that we won a free and fair election in which as many Americans in our State as possible voted.

Why would we want barriers to Americans with disabilities, Americans speaking different languages, Americans working full time and strained by their working family commitments, Americans who are Black or Brown, Native American, or Hispanic, or African American? Why would we want to have any suspicion that our election to this body relied, in some part, on suppressing or miscounting those votes?

Today, I am going to speak just briefly, if I can, about how today is really about a fraying bipartisan consensus. Some of my Republican friends and colleagues have spoken about how we have to continue to hang on to and respect the rules of this Senate, especially the 60-vote threshold, to moving forward on policy changes, and I have long defended that and respect that concern. But we are also principally here because of a forgotten consensus about working together to protect access to the ballot box.

We have heard just now from a colleague the accusation that this is a ''partisan Federal takeover'' of elections. Yet several of my colleagues have read and reminded us the Constitution itself explicitly gives this Congress the power, even the responsibility, to ensure that Federal elections are conducted in a way that is free and fair.

When the first Senate gathered, think about who was in the room. Think about the qualifications to vote, how narrow they were—property, White men. Think about the arc of change in our Nation and how, year after year, generation after generation, with a huge amount of struggle, ultimately, the moral question of who can vote, of who counts and whose vote should be counted has slowly, painfully, through sacrifice, changed.

There was, for 50 years—from 1965, when earned through blood and sacrifice on the Edmund Pettus Bridge, the Voting Rights Act was signed into law by a former Senator from Texas, President Lyndon Baines Johnson—there was for 50 years a consensus in this body that the Voting Rights Act was a critical, even a sacrosanct, protection. It was reauthorized five times—in 1970, in 1975, in 1982, and in 1992—by strong bipartisan majorities, and in 2006, unanimously. No wonder, then, that my friend and predecessor at this desk, our President, seems to struggle to comprehend how a Republican Party that included Strom Thurmond, when he chaired the Judiciary Committee, voted over and over and over to reauthorize the Voting Rights Act.

Yet today, as we debate the John Lewis Voting Rights Advancement Act, we sadly do not have a single vote across this aisle to move us forward.

How did this happen? How did this consensus, so hard-won, fray so quickly? In short, it is because of a lie. It is because of a misrepresentation that millions of illegals are voting—famously said by our immediate past President. But a widespread belief that voter fraud was undermining the very credibility of our elections has been adopted across our country and spread and caused a fundamental break.

There has also been action by the new conservative majority on the Supreme Court; first, in 2013 in Shelby County, where they took out the section 4(b) formula that eviscerated section 5 preclearance to provide free election protection against voter suppression; and then just last year, in Brnovich v. DNC, when six conservative Justices concluded that a State law in Arizona that had a demonstrable disparate impact on Hispanic and Native American and Black voters could be allowed to stay on the books and proceed.

Now, let's be clear. We should make sure there is no widespread voter fraud. And on the Judiciary Committee, my colleague from Illinois and others have led hearings to confirm that there is no widespread voter fraud, as my colleague from California, the former secretary of state, spoke eloquently to earlier.

The Freedom to Vote Act, which is the other bill in front of us, benefited from modifications by Senator MANCHIN of West Virginia, also a former secretary of state, to ensure that we have protections in terms of voter ID.

I will also, briefly—and I know I need to conclude—respond, if I can, to accusations by several of my colleagues that Delaware's voting laws are not yet at the highest standard. And I will say, it is true my State has a long, brutal, tragic history of race relations that were not their best, and our voting laws have just now come to up to the Federal standards we are hoping to make the standard for our whole country.

But let me ask this question: In the midst of a pandemic, when State after State has adopted changes to voting ballot boxes and no-fault vote-by-mail and same-day registration, why would States be moving those back? The pandemic isn't over.

In November, millions of medically vulnerable Americans will be looking to vote. Why would we end these new provisions to provide access to the ballot box?

Let me make two last points and conclude.

As I have traveled to a dozen countries in the last year, I have heard from allies and adversaries concerns about the health of our democracy. We must take action to protect the right to vote in this country.

Last, we should not make the last casualty of this dread pandemic rolling back voting access. If I must choose between a fundamental principle learned through five congressional civil rights pilgrimages spent with John Lewis that voting is a moral question or continue to hold to a rule, I will choose the former and embrace a change that is as narrow and temporary as possible and that will restore debate on this floor.

As I marched across the Edmund Pettus Bridge for the last time with John Lewis, he stopped and turned and said to all of us in his halting voice, knowing he was in his last weeks: Never give in. Never give up. Never become hostile. Hate is too great a burden to bear. Stay hopeful and keep marching.

It is my hope, Madam President, that our debate today, our votes today, will give strength and lift and truth to the service and the life and the sacrifice of Congressman Lewis.

The PRESIDING OFFICER. The junior Senator from Florida.

DEMOCRATIC PARTY

Mr. SCOTT of Florida. Madam President, like many of my colleagues, I often speak about my family here on the Senate floor. As most of my colleagues know, I grew up poor and spent years of my childhood living in public housing. I never knew my biological dad, and my mom and my adopted father did the best they could for our family with the very little they had.

I think that small part of my life is well known, but what may not be known to many people is that my parents were Democrats. Sadly, the Democratic Party my parents belonged to no longer exists. Today's Democratic Party would be totally unrecognizable to my parents, just as it is to millions of Americans all across our country right now.

I am a proud Republican. It is no secret that I am trying to expand my party, but I still believe in the benefits of our centuries-old two-party system. It makes our Nation stronger; it pushes us to listen to both sides, work together, and leads to progress.

That is why the filibuster is so important. As a rule, the filibuster embodies what is most essential to the survival of our Republic. It weakens the sometimes attractive nature of tribalism and bolsters the importance of and need for consensus when crafting policy.

The filibuster protects our democratic process. That is why the Founders designed the Senate to operate this way, as a cooling saucer that could resist the temptation of political expediency that leads our country to wild swings in policy and position.

I make this point not only to highlight the foolishness of doing away with this rule as my Democratic colleagues would like to do but to draw attention to the gravely concerning abandonment of democratic principles we see in today's Democratic Party.

Madam President, I take no joy in saying this, but today's Democratic Party has become the new anti-democracy party. The terrifying examples of this are all around us: packing the Supreme Court, pushing a radical Federal takeover of State elections, ignoring our laws on border enforcement and criminal prosecution, and forcing unconstitutional vaccine mandates on American workers. None of these things give more power to the people we are elected to represent.

What these dangerous ideas show is that today's Democrats don't believe that people are capable of getting it right. Democrats don't think their ideas can win enough elections to control a majority in the Senate. Senator SCHUMER said as much just last week. He said that if the Democrats don't pass their ''Corrupt Politicians Act,'' they will lose their majority. A party that once prided itself on being a voice for working Americans like my parents is now turning to authoritarian tactics to impose its will on government by force because it does not trust the decision voters will make.

In trying to pack the Supreme Court, Democrats are saying they do not trust the decisions of the State legislatures—bodies comprised of the people's elected representatives.

In pushing the Federal takeover of State elections, Democrats are showing that they know their ideas are too radical to win the approval of voters, so they need to leave the backdoor open for fraud and the dilution of votes to win elections and stay in power. That is why they want to give noncitizens—those here illegally and who may be dangerous criminals—the sacred right to vote.

In pushing an unconstitutional vaccine mandate, Democrats are making clear that they don't trust the American people to make smart decisions for themselves and their families when it comes to their own health.

In the eyes of today's Democrat leaders, disagreement is intolerable. There are no more opponents; only racists. They allow no room for compromise because all who disagree are evil, bigoted, and backward.

When the ruling class strips the people of their voice, democracy dies. When the elites in Washington decide they know better than the families they are supposed to represent, our American experiment fails.

Madam President, it is a sad day when I think about how unrecognizable today's Democratic Party would be to my parents, not because it has naturally evolved or modernized but because it has abandoned the principles it once fought so hard to protect.

I am sure these words will upset many of my colleagues on the other side of the aisle. I hope they do, and I hope it drives them to refocus their party back where it belongs: on the needs of American families.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Michigan.

H.R. 5746

Ms. STABENOW. Madam President, I am not sure where to start, having just heard my colleague from Florida. I just have to say that who he is describing I don't recognize, either, because I don't recognize that at all of anyone who is here.

I just want to start by thanking my Democratic colleagues, first of all, for voting for the American Recovery Act that, among many other things, is helping to focus on ways to bring down the cost of food and our food supply chain, to help fix it, and a number of other issues that unfortunately not one colleague on the Republican side voted for—not one.

So we have heard a lot today about how we should be focusing on the needs of the American people. I think there would be a collective ''amen'' from our side about that. We would love to have our colleagues join us, frankly, in that effort. But nothing is more fundamental to our democracy than preserving our freedom to vote as Americans, and that is really what the debate and the votes are all about today.

We know there are people willing to use violence to stop accurate, legal certifications of our national Presidential election. How do we know this? Because we were here. We were here a year ago on January 6 and witnessed the violence and the death and the destruction.

We also know there is a coordinated Republican effort across the country to limit the freedom to vote and make it easier to intimidate and remove election officials who won't do their bidding. And how do I know this? Because it is happening in Michigan as I speak.

Today's vote on the legislation in front of us is the fundamental act we must do to stop this destructive, partisan movement, and we also know that in order to make this happen, we have to return the Senate to its original principle—the original principle of majority vote.

Our Nation's Founders had a lot of opinions about the type of country we should be and the type of government we should have. At times, the discussions got heated—and not just because it was summer in Philadelphia, Senator CASEY. They were actually wearing wool at the time, so it got heated in a number of different ways. However, there was one thing they agreed on: Government should be run by the will of the majority—not a minority, not a King. They agreed on this because they saw what happened when a nation is held captive to the views of the minority.

The very first Constitution of the United States, the Articles of Confederation, was, frankly, a dysfunctional mess. That is why they gathered in Philadelphia to try again and to get it right this time, and getting it right meant majority rule.

James Madison said that majority rule is fundamental to our democracy. Thomas Jefferson said that ''the will of the majority is in all cases to prevail.'' In Federalist 22, Alexander Hamilton wrote a lengthy description of the problems that arise when a minority can override the will of the majority.

The Founders didn't have an opinion on the Senate filibuster because it didn't exist. It didn't exist. However, over time, Senators figured out they could slow down legislation through unlimited debate.

We know that, at first, the filibuster was rarely used—mainly by southern Senators who wanted to block civil rights legislation. Yet, over time, it has evolved from a procedural tool into a weapon, and we all know this. This weapon is increasingly used to stop our Nation from making progress on issues that are so important to the American people and so important to our families and crucial to the future of our country.

We are here today because the most basic freedom in our democracy is the freedom to vote, and across the Nation, Republicans are pushing legislation to take that away, including in Michigan.

In 2020, Michigan voters clearly and resoundingly chose Joe Biden to be our President and KAMALA HARRIS to be our Vice President in the largest voter turnout in our Nation's history. They won by more than 150,000 votes, and that is 14 times more than Donald Trump's margin was in 2016.

Now, I very much appreciate my friend Senator THUNE saying he accepted his first loss to the Senate. None of us like to lose. It is not fun. President Trump should have done the same thing, but instead, Donald Trump's campaign and his allies filed eight lawsuits in Michigan. They lost every single one of them. In the only case that was appealed to the Michigan Supreme Court, the court declined to hear the case despite having a majority of Republican justices.

The people of Michigan voted. Michigan Republican and Democratic counties verified the vote, and our State, on a bipartisan vote, certified it. There is no evidence of fraud that would suggest we need legislation to now restrict our voting.

So why are Michigan Republicans trying to make it harder to vote with 39 different bills they have introduced? Well, they just don't like who Michiganders voted for. Think about it. Because they didn't like the result,

Michigan Republicans decided to target Michigan voters as part of a coordinated, nationwide assault on this fundamental right that my friend, the late Congressman John Lewis, called precious, almost sacred.

That is why we must pass the Freedom to Vote: John R. Lewis Act today. I know that some folks think any legislation we pass to protect the freedom to vote must be bipartisan to be legitimate. But when it is time to vote, we are told not 1 Republican will join all 50 Democrats—50 Democrats—in voting for the Freedom to Vote: John R. Lewis Act; therefore, they say, the bill shouldn't pass. Yet the attacks on democracy in Michigan and the other States are strictly partisan.

In Michigan, Republicans are even using a loophole in our constitution to go around the Governor's veto and take away people's freedom to vote without the capacity to veto the legislation. They are doing it by a simple majority, and they are doing it with not one Democratic vote—not one—in Michigan. But they are still doing it.

Republicans are making it harder for people to vote using a simple majority. Yet we are told that protecting people's freedom to vote needs a supermajority to do it. That makes no sense. And—wait—I think I hear Hamilton, Jefferson, and Madison rolling over in their graves.

Today, we each will choose to protect every American's freedom to vote or allow those supporting the Big Lie to limit people's freedoms and undermine our democracy. Today, we will choose to stand with our Founders and our Constitution as written or maintain Senate procedures that are seriously broken.

It is time to restore the Senate to majority rule, as it was intended by the Founders, so we can protect—protect—the American people's right to vote.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Kansas.

Mr. MARSHALL. Madam President, as everyone in this Chamber knows, the filibuster requires a supermajority—60 votes—to proceed on most issues in the Senate. The filibuster is truly the essence of this deliberative body. It is what makes the Senate the Senate. It is what forces collaboration, long-term solutions, and prevents a partisan roller coaster ride of ever-changing laws and rules every 2 years. The filibuster puts the brakes on hasty legislation and helps prevent unintended consequences, which come with most every new law.

I ask America this: Do you want more laws or less laws? Do we want more certainty from our government or less certainty?

Arguably, the best speeches to keep the filibuster in place have been made by Presidents and Senators from across the aisle. Nothing is more convincing than my Democrat friends' own words.

President Obama, then-Senator Obama, said in a floor speech here in 2005:

> But the American people sent us here to be their voice. They understand that those voices can at times become loud and argumentative, but they also hope we can disagree without being disagreeable. At the end of the day, they expect both parties to work together to get the people's business done.
>
> What they do not expect is for one party, be it Republican or Democrat, to change the rules in the middle of the game so they can make all the decisions while the other party is told to sit down and keep quiet.

I am still quoting President Obama here:

> The American people want less partisanship in this town, but everyone in this Chamber knows that if the majority chooses to end the filibuster, if they choose to change the rules and put an end to democratic debate, then the fighting, the bitterness, and the gridlock will only get worse.

In that same year, our current majority leader stated from this very floor, and I quote the majority leader again:

> We are on the precipice of a crisis, a constitutional crisis. The checks and balances which have been at the core of this Republic are about to be evaporated by the nuclear option, the checks and balances which say if you get 51 percent of the vote you do not get your way 100 percent of the time. It is amazing. It is almost a temper tantrum by those on the hard right.

Still quoting the current majority leader:

> That is not becoming of the leadership of the Republican side of the aisle, nor is it becoming of this Republic. That is what we call abuse of power.

If the current Democrat majority party jams this through, they will live to rue the day, possibly as soon as next year. But for now, my colleagues across the aisle are kowtowing to the radical left base. The tail is wagging the proverbial dog.

Sadly, 25 of my colleagues across the aisle have flip-flopped from a position they staked out in writing just 4 years ago, but thank goodness that 1 Senator who signed the letter has remained true to his word.

What has happened to change the minds of these 25 Senators? Why is the national media not asking them the same question? Because it would point out the hypocrisy.

Let me remind them all, as President Joe Biden once stated to this body, that removing the 60-vote threshold would, and I again quote—again from President Biden:

> Quite frankly, it is the ultimate act of unfairness to alter the unique responsibility of the Senate and to do so by breaking the very rules of the Senate. . . . Put simply, the nuclear option would transform the Senate from the so-called cooling saucer our Founding Fathers talked about to cool the passions of the day, to a pure majoritarian body like parliament. . . . But the Senate is not meant to be a place of pure majoritarianism. At its core, the filibuster is not about stopping a nominee or a bill, it is about compromise and moderation.

These men and women of noble character, in their heart of hearts, do they truly believe in making this rule change that will forever alter the way our government functions, the way our Founding Fathers intended it to be? What will they say to the people of their State when the shoe is on the other foot, when Republicans hold the majority in the Senate once again and Republicans show them how the hog eats the cabbage?

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I come to the floor today in defense of what in essence is the very essence of our democracy and the voting rights of all Americans.

Our dear friend, someone whom I had the privilege of serving with in the House of Representatives, the late John Lewis, took a beating on a bridge in Selma for the right to vote. Surely we in the Senate can muster a shred of his courage to protect that right.

There are no other rights without the right to vote. It is through the right to vote that freedom rings, that justice reigns and opportunity arises.

As we all know, this Monday was Dr. Martin Luther King Day, and we have to remember his words: He said:

> The vote is the most powerful instrument ever—
>
> Ever—
>
> devised by human beings for breaking down injustice and destroying the terrible walls which imprison people because they are different from others.

That is what he called the right to vote—humanity's greatest instrument for advancing progress. Well, the time has come for us to defend it.

Now, my colleagues who oppose our voting rights legislation have had ample time to make their opinions heard. Soon, it will be time to end debate and hold a simple up-or-down vote on the Freedom to Vote Act and the John Lewis Advancement Act. After all, the State legislatures passing voter suppression laws across the country are doing so with simple majorities, conservative majorities that in many cases were born out of decades of partisan gerrymandering.

How about the Supreme Court? It was a simple majority vote of 5 to 4 that gutted the Voting Rights Act. That was the law that John Lewis and others risked their lives for on Bloody Sunday.

The Voting Rights Act of 1965 ended discriminatory tactics that not only blocked Black voters from their ballots but other minorities, too, including Latinos.

Shortly after the Civil War, Latinos held greater political power in States like California, Texas, and Arizona, but as Jim Crow spread throughout the South, they were pushed out of elected positions and threatened with violence for their continued participation.

The Voting Rights Act transformed our country for the better. It created the diverse, multiracial democracy we live in today. I know that my story—the son of first-generation refugees

who came from nothing and rose to become one of 100 U.S. Senators in a nation of 350 million people—is only possible because of the civil right giants who came before me.

The Voting Rights Act ended Jim Crow-era voting laws, and its preclearance provision stopped States from resurrecting them in the future. States and localities with ugly histories of discrimination had to get preclearance from the Justice Department before tampering with their voting laws. Yet, in 2013, the Supreme Court's 5-to-4 ruling in Shelby County essentially said that racial progress rendered the need for this oversight obsolete—obsolete—as if racism no longer exists in this country.

The late Supreme Court Justice Ruth Bader Ginsburg said it best. She said that ending preclearance when it is continuing to ''stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.'' Indeed, that rule opened the floodgates for new voter suppression laws.

My colleague from New Jersey often cited Texas. Texas, home to millions of Black and Latino voters, resurrected a strict photo ID law that had been struck down just the year before.

Then North Carolina slashed early voting and ended same-day registration with a law that the Fourth Circuit found was ''intentionally''—intentionally—written to disenfranchise Black voters.

Other States, like Alabama, started reducing polling locations in minority communities.

These measures may not look like poll taxes or literacy tests, but they are the tools of oppression just the same. Their intent is the same—to depress turnout among minority voters—and they threaten the promise of our vibrant, multiracial democracy.

Now, throughout this debate—I have tried to sit here several hours—I have heard our Republican colleagues question, well, why, after record turnouts in the last Presidential election, would we feel the need to revisit voting rights legislation. Well, the answer is pretty simple: If Republicans systematically were not tearing down the laws that gave rise to the record turnouts, then maybe this wouldn't be necessary. But that is exactly what they have done in State after State.

Voting rights used to enjoy broad bipartisan support here in the Senate. Indeed, Republicans and Democrats stood together for decades to reauthorize the Voting Rights Act, most recently in 2006. In fact, I want to quote one of my colleagues on the day of the last reauthorization. He said:

> America's history is a story of ever-increasing freedom, hope, and opportunity for all. The Voting Rights Act of 1965 represents one of this country's greatest steps forward in that story. . . . Every American must have freedom of political expression—including the free, unfettered right to vote.

Those words were from Senate Minority Leader MITCH MCCONNELL, who spoke those words on that day. He was 1 of 16 Republicans who proudly voted for the 2006 reauthorization but stand in the way today, 16 Republicans who still are present in the U.S. Senate, including not only him but Senators GRASSLEY, SHELBY, CRAPO, COLLINS, BURR, INHOFE, GRAHAM, THUNE, CORNYN, BLACKBURN, BLUNT, BOOZMAN, CAPITO, MORAN, and WICKER.

That is right—16 Republicans who supported the reauthorization of the Voting Rights Act still serve in this body today. So to them, I say: Join us. Join us. What has changed? What was right then is clearly right now. Join us, and we could pass the Voting Rights Advancement Act with a bipartisan supermajority—no change to the rules necessary. Just join us, as you did in 2006.

Well, we know that won't happen, not today, not since our democracy has been flooded by a torrential downpour of lies.

Earlier this month, we observed the 1-year anniversary of the January 6 insurrection. A defeated President's violent mob nearly overturned a free and verifiably fair election and tried to overthrow the U.S. Constitution. Shots rang out in the Capitol. The Confederate flag waved through its hallowed halls. That never even happened during the Civil War.

A New Jerseyan and Capitol Police officer named Brian Sicknick was drenched in bear spray and later died. Imagine using a toxic substance intended to fend off bear attacks on fellow human beings, beating officers within inches of death, and inflicting such painful trauma that multiple officers have since ended their own lives, all because one man could not accept defeat—a man with an ego so big, he could not fathom losing by 7 million votes; an ego so big, he manufactured a lie to match it—a lie so big, it inspired violence and nearly brought down the Constitution.

That lie should have died within minutes of the former President speaking it. Instead, it lived. The Big Lie lived to grow even bigger thanks to a Republican Party that is no longer a party, I believe, of principle but a party of fealty to a wannabe despot.

Since the insurrection, the most anti-democratic laws since Jim Crow have taken the Nation by storm. Last year, 19 States passed nearly three dozen laws undermining access to the ballot box. It is as if they are trying to codify the Big Lie into law.

In Arizona, Georgia, and other States, they made it harder to vote by mail, something that my colleagues have talked about that Americans have been doing for decades and that Republican GOTV efforts one time long embraced it as a way to succeed.

They are also removing drop boxes in minority communities under the bogus claim that they invite fraud. So when it is in Reverend Warnock's community or Senator PADILLA's community or CORY BOOKER's community or my community, somehow that drop box invites fraud just simply because it is in our community? Another lie straight from the mouth of a defeated President.

And many States are reducing early voting days.

When you add up all of these restrictions, what do you get? Longer lines at the polls, people giving up, folks who have to get home to their kids, workers who can't afford to take a day off. To the partisan architects of these laws, their sigh of resignation is music to their ears. They want to make voting so inconvenient for working people and communities of color that they don't even bother.

The Georgia State legislature gave itself the power to remove election officials that were elected by the people if they don't like what they see. Simply put, these laws gave State legislatures new tools to disregard—disregard—the will of the voters.

So I have come to the conclusion that since Republicans cannot win elections with the power of their ideas, they are doing everything they can to change the rules of the game so they can win anyway. In doing so, they are taking us back to a time and place where injustice prevailed, a time and a place that I certainly don't want to go back to nor do I want my children or grandchildren to go back to or those whom I represent to go back to.

Finally, as chairman of the Senate Foreign Relations Committee, I would note that when we see an attempted coup or creeping authoritarianism abroad, we call it democratic backsliding. Now other countries are wondering: Is that happening to the United States? Dictators around the world are jumping for joy. This is what they want to see, democracy in disarray. In fact, last November, the Institute for Democracy and Electoral Assistance added the United States to a list of ''backsliding democracies'' for the first time ever—ever.

Look, democratic self-government only works when all parties consent to be governed by whoever wins the most votes. That is how elections work. We can debate corporate tax rate. We can disagree about financial aid funding. We can differ over healthcare policy. But the outcome of a fair and free election, the sanctity of the right to vote—these are not up for debate.

Voting rights are the foundation of this entire democratic enterprise, this great American experiment. It is time every Senator looks into their souls and decides how they want to be remembered when future generations remember this perilous moment in our history.

This legislation will protect the rights of all of our voters—young and old; rich and poor; Black and White; Latino and Asian; indigenous; immigrant; Republican; Democrat; Independent; the single mom, exhausted but relieved her neighbor could watch the kids so she could make it to the

polls; the warehouse worker who can't afford a day off but winds up taking one anyway; the elderly African-American woman, her hand shaking with determination as she signs her name on a mail-in ballot—she remembers life before the Voting Rights Act of 1965, and she will never forget the sacrifices of those who marched for it, who bled for it, and even died for the right to vote.

Now, I will just say one final thing. We all take an oath to the Constitution. It is required under the Constitution to be sworn in as a Member of Congress. And in that Constitution, an amendment that is seen only as it relates to a different time in history, but it is very clear and very powerful:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> [And] the Congress shall have power to enforce this article by appropriate legislation.

These rights enshrined in the Constitution under the 15th amendment, they are certainly being abridged. They are certainly being affected in a way that we could not fathom in the year 2022. How shameful it would be if we let it slip through our fingers and be buried under an avalanche of one sore loser's life. How shameful it would be to violate our oath to the Constitution, to that 15th amendment, in order to preserve some rule that is not in the Constitution and certainly is not as enshrined as that right to vote.

I hope that those who joined us in 2006 will be there today to vote with us on the Republican side, and if that fails, then I hope we will change the filibuster into a talking filibuster so the Nation can see who stands on the side of ensuring the franchise of that right to vote for every American.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, something I have been hearing a lot lately from members of the media, from many of my Democratic colleagues here in the Senate, and even from the President of the United States is that democracy is at stake, that democracy will die if we don't make drastic changes to our election system, that we are just one election away from the end of the experiment our Founders began in 1776.

If my colleagues really believe that our democracy is teetering on the edge of the cliff, that it is going to fall over the edge unless we transform the way we run elections across the entire country, then they need to be able to tell the American people why. But, instead, all I am hearing from Democrats—even from the President, himself—is that democracy is on its deathbed; that Americans are no better than George Wallace or Jefferson Davis if they dare to question that; and that the only solution is for one party to rewrite the rules of the U.S. Senate to pass a completely partisan Federal takeover of State and local elections. Those are truly some wild claims.

If you take these assertions at face value, I can see why some Americans might be concerned about the State of voting rights in this country, but not a word of what they are saying is true.

The good news is that most people live in the real world, where America shattered records for voter turnout in the 2020 election and 66 percent of eligible voters cast a ballot, the highest level in 120 years. That translates to 156 million Americans, the most in history.

In my State of Nebraska, 76 percent of voters cast a ballot in the last election. We have been proud to be a no-excuse State for absentee voting for years since long before the pandemic. We have that law because we want to make it easier for Nebraskans to vote. And there are many other States that don't require voters to provide a reason before voting by mail, not just Nebraska.

Across the country, turnout was up in the last election, regardless of race, class, or any other demographic. And according to Pew Research, 94 percent of 2020 voters said voting was easy. Yet Democrats still say voter suppression is rampant in the United States. The logical response to that is to ask: OK, where?

In Georgia, Democrats say.

After Georgia passed a new law last year, things have apparently gotten so bad that the President picked Atlanta to give a recent speech on the issue. But if you listened to President Biden's speech, you might have noticed that he barely talked about the Georgia law at all. And when he did, he twisted the law into an unrecognizable caricature, into Jim Crow in the 21st century. He has shamelessly and intentionally misrepresented the Georgia law for months, and his speech last week was no different.

But something he didn't say in his speech is that the Georgia law extends early voting to 2½ weeks. That is longer than blue States like California and New York, and it is longer than the President's home State of Delaware, which currently allows for zero early-voting days. Maybe he should have given that speech at his house in Delaware instead of in Georgia. And he didn't say the language in the Georgia bill that requires voter ID for absentee ballots is very similar to a bill that passed the Senate almost unanimously in 2002, the Help America Vote Act, with President Biden voting in favor.

So if the Georgia law is the best Democrats can do, then there is simply no evidence for the idea that Republican State legislatures around the country are trying to restrict voting rights.

With that in mind, here is a friendly suggestion for the President. If he truly believes, in spite of all that, that democracy itself is at stake in a way it has never been before, the last thing he should want is for the voting laws of all 50 States to be overseen by the Department of Justice and a partisan Attorney General. That power should remain with State-level secretaries of state, State legislatures, nonpartisan local officials—anyone but one official at one Department in one branch of the Federal Government. In other words, he should want exactly the election system we have now. Our decentralized system, with buy-in from a diverse group of voices, is what allowed States to adapt to the pandemic and achieve voter turnout, a record turnout in 2020.

But the Democrats' Federal election takeover would give the U.S. Attorney General the power to oversee every State's electoral process, and it would turn the Federal Government into a piggy bank for our House candidates. Everyone running for election in the House of Representatives would have access to Federal money through a new program designed to help them fund their campaigns. The Federal Government would match contributions 6 to 1, meaning money that belongs to taxpayers would go to politicians with views that many of those taxpayers may oppose.

This partisan takeover would require States to allow felons to vote once they are out of prison, overruling the States that already have laws in place preventing this. And if Democrats have their way, they will mandate that every single State offer same-day registration at every polling place in the Nation. If you live in a State that has decided that that is not a good idea, well, too bad.

Mr. President, it is clear that the majority leader wants to get rid of the filibuster to accomplish all of this, but what Democrats are trying to do in Congress right now is the best argument I could ever imagine for keeping the filibuster. Think about it this way. Let's say we are talking about before the 2020 election and I told you that Republicans would retain the Presidency and the Senate and we would win back the House, but the Senate would be split 50–50 and we would barely have a majority in the House.

In fact, Republicans are going to have the slimmest majority in Congress in more than a century. But guess what: Republicans are going to try to pass bills that most Americans don't fully support anyway, and we are going to dismantle a rule that has promoted bipartisanship and compromise in this body for nearly 200 years to accomplish it.

And be honest, you would say that is outrageous, and you would be right. It is outrageous. You would be begging those of us on the other side of the aisle to leave the filibuster untouched. And if you think way, way back into the past—all the way back to 2017 and 2018—Republicans were in the same situation that Democrats are in now. We had a Republican President and majorities in both Chambers of Congress. We had bigger majorities than the Democrats have today.

The former President even outright asked us to abolish the filibuster, and that brought many, many Democrats to the floor praising the filibuster, saying it should never be abolished.

But we didn't abolish it for the simple reason that burning down 200 years of bipartisan history for a few temporary victories is shortsighted, at best, and institutional arson, at worst.

And don't think that by presenting this talking filibuster Americans won't see the Democrats' efforts for what they really are—a ploy to abolish the 60-vote threshold for legislation, to abolish the need for bipartisanship, because, in reality, it will only take a majority vote to pass controversial bills.

Nebraskans can certainly see through this. In Nebraska, State senators have to speak on the floor to filibuster a bill before our legislature, but to overcome the filibuster in Nebraska, you need two-thirds of senators to vote to end debate, not the simple majority that Leader SCHUMER has proposed before this body today.

Nebraskans have benefited from the consensus-building and the moderation in developing good legislation that this rule promotes for nearly 100 years. We know that it works. The 60-vote threshold in the U.S. Senate does exactly the same thing for all Americans. So I urge my Democratic colleagues: Don't abolish the filibuster.

And if Democrats won't listen to reason from Republicans, they should listen to the President himself.

When he was a Senator, he said: ''At its core, the filibuster is not about stopping a nominee or a bill, it's . . . about compromise and moderation.''

He has forgotten that now, but that doesn't mean his colleagues who are still here have to forget it. Senate Democrats were happy to use the legislative filibuster hundreds of times under President Trump.

Not so long ago, it was ''the most important distinction between the House and the Senate,'' and without it, the Senate would become ''much more subject to the winds of short-term electoral change.'' That was the now-majority leader, and he was 100 percent correct.

But now the Democrats are in power, and they have changed their minds. Today, the filibuster is not only no longer essential, but anyone who supports keeping it is called a racist. That is truly incredible, and it is offensive.

The Democrats who supported the filibuster a few years ago clearly weren't being truthful, and they aren't being truthful now about the state of voting rights in this country.

The problem they are responding to simply doesn't exist, and the solution they have for this imaginary problem would do lasting harm to our democracy. I will be voting against this partisan takeover of our elections.

I yield the floor.

The PRESIDENT pro tempore. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I want to congratulate all of these speakers. It has been wonderful hearing all of my colleagues on both sides of the aisle state their positions, as they have done so eloquently. We have all learned a lot. I am not sure it has changed anything, but we sure have learned a lot in this process.

But I rise today to rebut what I believe is a great misleading of the American people.

Before I get into the details, let me tell you a little bit about where I come from and my political background. I have been involved in public service in my State of West Virginia for over 40 years, in one capacity or another. I have been in the house of delegates. I have been in the State senate for 10 years. I have been secretary of state. I have been Governor for two terms. And now I have been here in the Senate for going on 11 years.

When I served in the legislature, I could put a bill on the floor or I could put a bill in committee, and it would go through committee. It would go to the floor if it came out. I could get amendments on it. Sometimes it passed; sometimes it didn't.

But, at the end of the day, we had a place we called ''Junior Rules.'' It was behind the senate chamber. You would go behind the door, and there would be ''Junior Rules.'' After it was over, after we had our debates and discussions—whether it be in committee or whether it be on the floor—we would all gather, Democrats and Republicans. We ate together. We had some refreshments together. We spoke about what happened today and what we could do to make it better tomorrow. I never could understand, when I got here, how divided we were. How did this happen?

So I kept thinking, when I first got here they said: Well, you know, the Republicans are over there, and we are the Democrats here, and it is nice. We all get along and everything. But now, when they run, we have to be against them.

I have to be against you, no matter how close you may be, no matter if I sat beside you, no matter if we have dinner at night. If it is your election cycle, I have to be against you. Not only that I am supposed to be against you, I am supposed to basically write a check to whoever is running against you—to whoever is running against you. And maybe, even, they want me to maybe go to your State and campaign against you.

And I am thinking: You know something, where I come from in West Virginia, if I went to work during the day and you did that to me, we are going to go outside and have a little conversation. That ain't going to happen back where I come from. And I wasn't going to do it here.

Now, if we can change some things, that is what we should be changing. Why should we do this? How are we expected to sit down at the end of the day or the end of a session or at the end of anything and come back on Monday and say, ''OK, now, Senator THUNE, would you go on this amendment with me and help me with this bill,'' after I just came out and basically worked for your opponent that the Democrats have recruited and basically given them money.

That is not going to happen. It is not going to happen.

So I keep thinking, we keep thinking: What is wrong with the place? That is what is wrong. I tried to get just a little oath that we could all sign that we wouldn't do that to each other. I guess there used to be a gentlemen and ladies' agreement that you just didn't do those things, but not anymore, not anymore.

I heard about the good old days. I don't know what happened to the good old days, but I can tell you they are not here now.

We can talk about a lot of things and the way we want to change, but I still really believe we should talk about how we treat each other and how we approach each other in a body that this 330 million people are depending upon.

But rules—what little bit we have left that maybe makes us take pause before we jump off of that bridge—we had better be careful what we are doing.

After the State legislature, I also had the privilege to serve as West Virginia's secretary of state. I never one time, as secretary of state in my official capacity, had anyone ever talk to me: We have got to suppress the vote. Democrat, Republican, Independent, no matter what, no one ever came and said: Joe, we have got to stop this group from voting because that won't help us. No one ever thought that way.

You know where most of my ideas came? I brought in early voting. I had a lot of men working in the mines, shift working and all that, and sometimes on Tuesdays, on our election day, they couldn't get off. They had to work.

So someone says: Do you know what we did in our State? We got early voting. We call it no-excuse voting. You can come any time you want. You have got 7 days, 10 days, 2 weekends, whatever.

So I had a hard time getting people to understand. They think: Oh, maybe something bad is going to happen; something nefarious will happen.

It took a while for me to get 7 days in, just one week in. I fought for that. After I got 7 days, they wanted more.

I understand that Kentucky just has early voting, and that is great. They make those decisions.

That came out of the experiment we call the great experiment, State by State. There are 50 experiments that go on every day in every State. We should learn from them. They should learn from us. We all share together. We have got many former Governors sitting here. We know how this works. And that is what we are talking about.

I also started a program called SHARE. It was the SHARE Program. I

had low turnout in West Virginia, and I was trying to get the turnout up. So I am thinking: What can I do? And I always thought this: I can't sometimes teach an old dog new tricks, but I can teach a pup some tricks and maybe get the old dog to follow him. So I thought of a program called SHARE, Saving History and Reaching Every Student—Saving History and Reaching Every Student—because Jennings Randolph, former Senator Jennings Randolph in West Virginia, was the father of the 18-year-old vote. It took him 21 years to get it done. He started back in World War II and didn't get it done until the 1970s—1970. He was the father.

So I had the Jennings Randolph award. I had every high school competing for it, because we went out and educated students that if you are 17 years of age and you turn 18 on election day or before—on general election day or before—you can vote in the primary election at 17 years of age. No one knew that. The kids didn't know that.

We got them all fired up, and, I mean to tell you, we had awards and made a big ceremony, and all of our election counts went up. Everything went up. We did a good job. And they really, really appreciated it.

So we were able to increase the turnouts, but I believe with every fiber in my body that every eligible citizen of voting age should have the right to vote and be protected by law—everyone. And I think everyone in here believes the same thing—I truly do—that we should be able to do that.

Later today, we are going to vote. And I am going to vote, again, to protect that right, and I am going to be proud to cosponsor the Freedom to Vote Act and the John Lewis Voting Rights Amendment Act. We all have different positions on that, but I am proud to be a part of that. But that is not what we are debating right now, and I think we all know that. Right now, we are debating a fundamental change in the Senate rules that will forever alter the way this body functions.

For the last year, my Democratic colleagues have taken to the Senate floor, cable news airwaves, and pages of newspapers across the country to argue that repealing the filibuster is actually restoring the Senate to the vision that the Founding Fathers intended for this deliberativee body.

My friends, that is simply not true. It is just not true. The U.S. Senate has never, in 233 years, been able to end debate on legislation with a simple majority vote. With a simple majority vote, they have never been able to end debate. They could not stop the debate.

Robert Byrd used to say that there are two things a Senator can do: A Senator has a right to amend and a right to speak. He always said that.

In fact, prior to 1917, there was no mechanism for ending debate in the Senate whatsoever. You couldn't end it. In that year, the Senate adopted the cloture rule. It required the debate to end when two-thirds of voting Senators willed it.

Since then, the cloture rule has been amended seven times, always by regular order. I hear all of these things that we are talking about, but we forget that a lot of things are done with regular order. Just recently, Senator SCHUMER, Senator MCCONNELL, the debt ceiling—they did that using the rules. You didn't break the rules to do that. You did it. You worked it out, which is the leadership's responsibility.

It means that the Senate has followed its own rule book when making changes that affect legislative debate. We have changed rules. We have all talked about how many times rules have been changed. We changed them, but we changed them with the rules. We didn't break the rules; we changed the rules. But, all of a sudden, now we just can't do it anymore. We just got to blow it up.

The rule book means that the rules changes are done on the basis of broad bipartisan consensus, not imposed on the minority by raw majority power. No matter who is in power, the majority does not have that power to do that in this Senate.

Now my colleagues propose to sidestep this process. They would use the nuclear option to override a rule that we have used ourselves but now seem to find unacceptable.

Unacceptable now.

We are going to break the rules to change the rules. We will make up new rules as we go along and invite ourselves and future majorities to disregard the rule book at will.

No rule of the Senate can withstand the act of a willful majority. No rule will withstand a willful majority—not the cloture rule or any other rule. Let this change happen this way, and the Senate will be a body without rules. There will be no rules.

The Senate's greatest rule is the one that is unwritten. This is an unwritten rule, and it is the greatest one we have. It is the rule of self-restraint, which we have very little of anymore—self-restraint. That rule will be broken along with the cloture rule if the nuclear option is executed, and for that—I cannot be a party to that.

But there is good news. Here is the good news. We don't have to change the rules to make our case to the American people about voting rights, about the John Lewis. We don't have to. We really don't.

Senator SCHUMER didn't have to file cloture to cut off debate. He didn't have to fill the amendment tree to block Republican amendments. We are here. We could have kept voting rights legislation as the pending business for the Senate today, next week, a month from now. This is important. Let's work it out. Let's stay here and go at it. I think you all are here. Everybody is here. We had a lot of good talks today. I am sure you have a lot of amendments you would like to make, and all of us would like to make amendments. If you want to see it work again, let's do it. Let's go for it.

That is exactly what I think should be done. I think the American people really need that. I think that we owe that to them. We wasted a year behind the scenes, partisan negotiations back and forth, talking through each other, around each other, but not to each other.

Let's have the debate, Democrats and Republicans, and let the American people decide. The pressure will come. That is what the filibuster is all about. The pressure is mounting until you have made either a compromise, you have made a decision; you all have decided to go—you know, one way or another, you are going to end that filibuster. And today, we haven't seen that.

Just 4 years ago, 61 of us, 61 Senators—myself being 1—33 of us on the Democrat side, many of whom are sitting in the Chamber today—you have heard this many times. We sent a letter to Senator SCHUMER and to Senator MCCONNELL warning them of the dangers of eliminating the filibuster. That letter presented a united front committed to ''preserve the ability of the members to engage in extended debate when bills are on the Senate floor.''

While some of the Senators have changed their positions, I have not. I respect that this is a two-way street, and I would hope you would respect where I am. I respect that you have changed your position on this. I would hope that you would respect that I have not, and I have never wavered on this.

I do not and will not attack the content of the character of anybody who has changed their position, and I would hope you would give me the same opportunity and not attack mine.

Allowing one party to exert complete control in the Senate with only a simple majority will only pour fuel on the fire of political whiplash and dysfunction that is tearing this Nation apart, and you don't have to look very far to see how we are tearing ourselves apart.

I can tell you, in every part of this country, people are divided now. It used to be that we couldn't talk about religion at the supper table; now, you can't talk about politics. It has truly become a blood sport, and it should not be that way.

The rest of the world is looking at us. They are depending on us. They are looking for guidance. They are looking for some stability.

If we do this, there is not going to be any check on the executive branch.

Bob Byrd was scared to death of not having a check on the executive branch, even when the executive branch was part of his own party, being a Democrat. He always said: I do not work for the President; I work for the people of West Virginia. He made very sure of that, he made sure that every President knew that, and he made sure he would hold them accountable, and

they weren't going to streamroll over him.

The filibuster plays an important role in stabilizing our democracy from the transitory passions of the majority and respecting the input of the minority in the Senate.

Contrary to what some have said, protecting the role of the minority, Democrat or Republican, has protected us from the volatile political swings that we have endured over the last 233 years.

The role of the minority is what ensures the policies of our Nation have input from all corners of the country. We must never forget this is a Senate made up of 50 States, 100 Senators, blue States and red States.

For those who believe that bipartisanship is impossible, we have proven them wrong. In the last several years, we have made historic investments in our Nation's public lands, passed trillions of dollars in COVID–19 relief, and finally invested in rebuilding our Nation's infrastructure. These critical pieces of legislation have had significant impacts on Americans across the country. They were passed with broad bipartisan support.

We can do it again. We truly can. We can make it easier to vote. We must. We can make it harder to cheat. I think we can. We have heard from our Republican colleagues, who basically agree with us on that. We can reform the Electoral Count Act, which is what caused the insurrection. We agree on that. We can fix that. We will never have to witness another January 6, such an absolutely deplorable stain on this great country of ours. And we can protect local election officials from harassment and intimidation by making them Federal crimes. We can do that, and I know we can do that together.

I am going to leave you with this: In May 2010, just a month before Robert C. Byrd died—he died in June of 2010. This was a month before. Senator Byrd was asked by then-chairman Senator CHUCK SCHUMER of the Rules Committee—I believe at that time—to testify about the filibuster before the Senate Rules Committee because of his unsurpassed knowledge on this subject.

Senator CAPITO knew him well too. She knows how he would pontificate at times with us.

Senator Byrd began by quoting James Madison. He said:

> Madison said that the purpose of the Senate was ''first, to protect the people against their rulers, secondly, to protect the people against the transient impressions into which they themselves may be led,'' and that the Senate serves as a ''necessary fence against such danger.''

Senator Byrd testified that ''the right to filibuster anchors this necessary fence.'' He concluded with, ''We must never, ever, ever, ever tear down the only wall, the necessary fence, that this nation has against the excesses of the executive branch and the resultant haste and tyranny of the majority.''

Eliminating the filibuster would be the easy way out. It wasn't meant to be easy.

I cannot support such a perilous course for this Nation when elected leaders are sent to Washington to unite our country, not to divide our country. We are called the United States, not the Divided States, and putting politics and party aside is what we are supposed to do.

It is time that we do the hard work to forge the difficult compromises that can stand the test of time, and that is why we are here—230 years. Think about it. Wars. Depressions. Think of all the hardships this country has gone through, all the people who have suffered and fought for every right we have. We are not going backwards.

But with that being said, we can do better than what we are doing today. We truly can. We must promise Americans a brighter future. I think we can do that together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, in the last 6 years, Democrats have filibustered 589 bills and nominations—589. That was their right as the minority at the time. That right has been protected. It was their right to demand that their voice be heard, but it seems like that was then; this is now.

Two years ago, when Senator TIM SCOTT brought a serious policing reform bill to the Senate floor to debate at a moment of national debate on supporting law enforcement, Democrats filibustered that bill and would not allow open debate on that bill.

Just last week—just last week—55 Senators voted for sanctions on Russia as they surround the borders of Ukraine. Just last week, 55 Senators voted for that, but that wasn't enough, and the voice of the minority was protected when Democrats blocked sanctions on Russia as they threatened Ukraine. That was their right to do, but it seems like that was then; this is now.

This letter in 2017 was sent. Twenty-seven Democratic Senators wrote a letter to MITCH MCCONNELL and CHUCK SCHUMER asking that there be no changes in the legislative filibuster, including this sentence that they all wrote together:

> We are mindful of the unique role the Senate plays in the legislative process, and we are steadfastly committed to ensuring that this great American institution continues to serve as the world's greatest deliberative body. Therefore, we are asking you to join us in opposing any effort to curtail the existing rights and prerogatives of Senators to engage in full, robust, and extended debate, as we consider legislation before this body and in the future.

That was then; this is now.

Then-Senator KAMALA HARRIS, CHRIS COONS, PATRICK LEAHY, DIANNE FEINSTEIN, AMY KLOBUCHAR, KIRSTEN GILLIBRAND, CORY BOOKER, MICHAEL BENNET, JOE MANCHIN, ANGUS KING, MARK WARNER, BOB CASEY, MARTIN HEINRICH, JEANNE SHAHEEN, SHERROD BROWN, BRIAN SCHATZ, MARIA CANTWELL, MAZIE HIRONO, JON TESTER, TOM CARPER, MAGGIE HASSAN, TAMMY DUCKWORTH, TIM KAINE, JACK REED, ED MARKEY, DEBBIE STABENOW, SHELDON WHITEHOUSE, and BOB MENENDEZ all asked me to join them in opposing any effort to curtail the existing rights and prerogatives of Senators to engage in full, robust, and extended debate.

I will. I would be glad to join you in that because I believe this body is a unique body in the world, just like you did in 2017. I don't know what has changed. Debate is still debate. Difficult issues are still difficult issues. And when my Democratic colleagues filibustered almost 600 times in 6 years, it was their right, as it has been for two centuries.

This is the one place in American Government where the voice of the minority is heard—the one place. This is the one place where minority opinions have to come to the forefront.

A discussion about changing the rules of the Senate with simple 51 votes and to be able to shift this to a body, on legislation, where whoever is ahead on the football game gets to decide the rules for the rest of the game is not really a set of rules at all, and it will fail to protect the voice of the minority in America, this unique thing that we have where even if you lost an election, you know at least your voice can still be heard and you won't be run over.

A conversation that is happening in this body today to say we are going to permanently block out the opinions of the minority in America is a wrong decision, and I will join the 27 Democratic Senators who asked me 4 years ago to join them in opposing that change because it is the wrong direction.

I have enjoyed listening to some of the speeches—and I have listened all day to speeches of my Democratic colleagues—about how broken the Senate has become and about how it needs to be restored to its status as the world's greatest deliberative body. I agree.

Senator MANCHIN, who just spoke before me, made that same challenge to say: Let's do it. Let's actually engage in debate. Let's solve these issues. Let's actually work behind the scenes. Let's not talk at each other through the media; let's actually talk to each other. Let's close the door and actually get a chance to be able to work through things and be off the C–SPAN camera for a moment and not do the show. Let's actually engage in real dialogue. Let's solve the issues.

That is what we are supposed to do. What we are not supposed to do is to say: You know what, I don't want to do that kind of hard work behind the scenes. I will just change the rules, blame it on you, and walk away.

That is not what we are supposed to do as a Senate.

I have been told today that I refuse to stand on the side of democracy. I

was told by President Biden last week that I either stand with the Republican Abraham Lincoln or the Democrat Jefferson Davis and I should make my pick. Well, I would say, for me, personally, as a member of the party of Lincoln, I probably stand with Abraham Lincoln.

I am concerned that my friends on the other side of the aisle—and I do have many friends on the other side of the aisle. I am concerned that somehow they have convinced themselves that when they filibuster, it is righteous, but when I filibuster, it is evil and that this time it is different. And somehow with the filibuster, we can change it a little bit and only be a little bit pregnant, and it will all be fine.

I just don't think it is going to work that way, and I think a century from now writers will look back on this day and will identify what started the crack—when the Senate started to say: We no longer are going to try. We are just going to become the House and run over the minority, and the voice of the minority in America is no longer going to count.

I stand on the side of the filibuster, like Senator SCHUMER did in 2017, when he stood right over there and looked in the eyes of Senator MCCONNELL and said, ''I hope the Republican leader and I can, in the coming months, find a way to build a firewall around the legislative filibuster, which is the most important distinction between the Senate and the House. Without the 60-vote threshold . . . the Senate becomes a majoritarian institution like the House, much more subject to the winds of short-term electoral change. No Senator would like to see that happen so let's find a way to further protect the 60-vote rule for legislation.''

I stand with Senator DURBIN when he said, ''I can tell you [ending the legislative filibuster] would be the end of the Senate as it was originally devised and created going back to our Founding Fathers. We have to acknowledge our respect for the minority, [and] that is what the Senate tries to do in its composition and its procedure.''

Listen, we disagree on some elements on this bill, and I have heard the debate.

I will tell you, I have been outspoken to protect the rights of every individual to vote in our State. I am proud of the voting laws in my State. We have early voting. We have no-excuse absentee voting. We engage people to be able to vote in every community, and we fight very hard to be able to make sure that every place and every precinct has the shortest line possible. That has been a big deal for our State for a long time.

You go back to the 1965 Voting Rights Act and you look across the South and the States that went under preclearance, my State was not one of those because in my State, even at that time with Jim Crow laws, we were protecting the rights of individuals to be able to vote, as it should be.

But my State is being thrown under the bus currently. My State is currently being accused by some of my colleagues as being a State that is on the list of 34 evil States that have passed voter suppression laws in this past year.

Do you know what my State's guilt is? We passed a law this past year that said, if you are going to vote absentee by mail, you have to request it 15 days before the election. We did that because the U.S. Postal Service asked us to do that because the U.S. Postal Service said if a ballot is going to be mailed out to somebody and get mailed back in time and get counted, we need 2 weeks of time to do it, not 7 days.

By the way, my State is on the list of the 34 evil States doing voter suppression, but the State of New York passed the exact same law, and somehow, they are not on the evil list. But they also followed the encouragement of the U.S. Postal Service to give 15 days for the ballot to go out and to come back.

My fellow colleagues, that is not voter suppression, that is making sure every vote counts—but somehow my State is on the list.

We do get a little frustrated when we get accused of being racist when we disagree on some issues in this bill.

We have some disagreements on whether felons, as they walk out, should be able to vote immediately. That has been State-to-State decisions. I understand some States do that, some States do not. My State hasn't voted for folks who are convicted sex offenders and rapists and murderers, the day they walk out of the prison, to have their voting rights returned. By the way, some of the folks on the Democratic side of the aisle, your State has not either. This bill changes that. Can we have an honest conversation about convicted rapists walking out of prison and voting the next week, whether that is something that should be restored right away—by the way, even during their time of parole?

We have disagreements on voter ID. We have disagreements on same-day registration. We apparently have disagreements on whether we should have House candidates for Federal office get to take a salary from Federal tax dollars while they are running for office and get a 6-to-1 match, where the 6 is the Federal dollars and the 1 is the private dollars if you are running for the House of Representatives. No, I don't think I am a racist because I disagree with whether House candidates should be able to take a salary from Federal tax dollars while they are running for office and get a 6-to-1 match, but that is what I am being accused of consistently.

We have a disagreement on automatic registration of voters. Apparently, there are some other disagreements because, even in the bill itself, it gives a waiver for people who are illegally present in the country who ''accidentally'' get registered to vote; that it gives them some immunity in that process.

We have disagreement on how much control unelected folks are going to have on redistricting.

We just have disagreements on these things. Can we not have disagreements and debate these things out and not be called a racist in the process; that you are joining with Jefferson Davis if you disagree whether House Members should be paid while they are running for office out of Federal tax dollars?

I don't think this is about voting rights anymore. I think this has become about power.

I don't have any doubt that we need to protect the voting rights of every single individual. That is why I am grateful the 1965 Voting Rights Act is there. But I want to make sure that we are protecting our Republic and that we stay engaged in what it takes to actually guard, day-to-day, how we vote, how we make decisions, and that we admit there are differences in voting between Alaska, Oklahoma, and New York.

Now, again, we disagree on some things, and there are some things in this bill that even some of the folks in this room, their own States don't agree with. The State of New York doesn't allow same-day registration. In fact, they just voted on that in November and voted it down. The people of New York said: We don't want to do that.

The State of New York doesn't allow no-excuse absentee ballots. My State does. We have done that for years. The State of New York doesn't allow people to bring food and water to people in line. The State of New York requires people to request an absentee ballot to do it 15 days before the election, exactly like my State does.

Listen, let's debate the issues. Let's take the time needed to resolve it, and let's actually resolve it.

We talked a lot about division and things that are hard. If you don't mind me taking a bit of a detour, there are things that we agree and disagree on, some of them profoundly. One of them, I want to mention as well.

You know, this week would have been Betty White's 100th birthday. You talk about America's sweetheart. I can't find a soul who doesn't like Betty White. If you find somebody who doesn't like Betty White, will you let me know who that is because that is one hard heart.

Everyone loves Betty White.

Betty White spent 70-plus years raising money in support of the Humane Society—overwhelming support, millions of dollars that she raised for the Humane Society, and there was broad support for puppies and kittens. So I can just ask the question: Who disagrees with Betty White, puppies, and kittens? See, we have got common ground already.

But it is interesting to me, and I am astounded at times, how we see some things so similar and some things so different—hard issues at times.

Let me give you a Rorschach test. Can I do that? You know a Rorschach

test, the ink blot? Let me give you a Rorschach test.

What do you see in that picture? I see a child when I look at it. That looks a lot like a baby to me. Now, you may look at it and say, ''I don't see it. I see a castle or I see clouds,'' but in this particular Rorschach test, it happens to be a modern sonogram of a child.

Why do I bring this up? Why do I bring this to the floor today?

It is fascinating to me on the debate today that as a Republican I can be accused over and over of not caring about the challenges of voting in America, when I would be willing to ask the question: Does this child get to vote 18 years from now or does she get disposed of? What happens to her?

I do believe every life matters, no matter how old or how young, how small or how big, regardless of race or color or national origin or sex or ability. All people have inherent value. All people have worth and all should be protected in America. This is the United States of America.

And that child matters. Forty-nine years ago, the Roe v. Wade decision was made. It is coming up this Friday, the 49th anniversary, actually. That is why I bring it up.

There will be tens of thousands of students out for the March for Life. It will be an absolutely spectacular and beautiful display of dignity and value of every single human life.

In 1973, just a few months after that decision was handed down, Nellie Gray and some other pro-life leaders like the Knights of Columbus and other groups—they decided that one way they could continue the national dialogue about children was the March for Life until Roe v. Wade was overturned. And I am going to march again with them this year, and it will be freezing cold again this year, like it usually is in late January.

A lot has changed since 1973. Times have changed the conversation on abortion. Where it used to focus on cells and tissue and viability, now science recognizes that babies can feel pain, have a beating heart. That child already has fingerprints, in fact. By that age right there. It already has fingerprints.

By conception, that child has DNA that is different than the mom's and different than the dad's. Every single person in this room was once in your mom's womb, and the only difference between you now and you then is time. That is it.

And I will be very blunt, my greatest hope is that, after 49 years, this will be the last March for Life in a Roe v. Wade America; that this will return back to the States to be able to make decisions.

In my State, we will step up to this Rorschach test, and we will say, ''That looks like a baby to me,'' and we will start protecting the value of every single child.

We have brought bills to this floor that have been filibustered, bills on conscience protection, just giving the rights of a nurse—of a nurse—who told her employer, ''I don't want to perform abortions. I have a conscience issue with that,'' and then was hired, and later, her hospital said, ''You have to participate in this abortion.''

We have laws in America that protect that. They just have no teeth at all. So individuals do get forced into performing abortions against their conscience. We brought that to the floor, but it got filibustered.

We brought to the floor the protections of children in the womb who have Down syndrome; that they couldn't be aborted simply because they have Down syndrome, but guess what. That got filibustered and blocked.

We brought bills to the floor saying that if a child was born alive in a botched abortion, they had to get medical care, but it got filibustered and blocked.

By the way, I wish the people in this room had the opportunity to meet some of the folks whom I have had the opportunity to be able to meet who are abortion survivors because I hear from people all the time: That never happens. That never happens. I would like you to meet some of them who literally survived a botched abortion, that they were delivered alive and someone in the room took them to the hospital in their own vehicle, usually, and they survived.

I wish you had the opportunity to be able to sit down with Dr. Alveda King. The daughter of Dr. King is a great civil rights leader, and, yes, it is the niece of that Dr. King you are thinking of, who is an outspoken proponent for life and speaks often of grace to people.

I wish we had the opportunity to be able to talk more about chemical abortions and what is actually happening in that industry, where people are literally being mailed drugs from all over the world to be able to perform abortions at their homes or in their dorm rooms or hotel rooms, where this child is being delivered into a toilet and flushed; about how we have a much larger incidence of deaths of moms in chemical abortions than there is in surgical abortions; and about the statistics that have been kept, which, by the way, were blocked from being kept and are other than just deaths. From 2007 to 2017, there were 3,800 what they call adverse events from chemical abortions that had occurred.

Why do I bring all of this up?

I bring it up because this week, we are going to remember 49 years of Roe v. Wade, and we are going to start a dialogue in the days ahead about how States are going to handle life and what that Rorschach test is. Is that a baby or a tissue? We will have to face that reality.

I bring it up because it is a rare moment for us to have a real, bipartisan conversation today. As the body knows, it is not often we all sit in our chairs and actually talk to each other. We typically talk to each other through the media rather than talk to each other in here.

I brought it up because the conversation about her has been filibustered over and over and over and over again, and we don't get to have a real debate about her. We just move on.

When do we get to have a conversation about her—that is, a real dialogue—and determine what direction we go as a nation? For her sake, I hope it is soon because she matters.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Mr. President, I disagree with the last speaker's characterization of the issue he was bringing up, but I want to stay focused on voting rights because this is an important moment for the U.S. Senate.

This is our opportunity to debate the need for voting protection and voting rights, but I do want to make one comment.

My colleagues on the other side of the aisle have said that they welcome an opportunity to debate voting rights legislation and talk about ways that we can get this bill to have bipartisan support.

The majority leader, several weeks ago, offered a motion to proceed on voting rights. He filed cloture so that we could get on the bill and have the type of debate that my colleagues now are telling us they want to have, and not a single Republican voted to proceed on voting rights legislation at that time. So I find it a little bit disheartening to hear this newfound desire to start taking up voting rights when we have been negotiating and talking and debating this issue now for this entire Congress. We also have a historic opportunity to vote on voting rights if we take advantage of that opportunity.

I represent the State of Maryland, and I know we have talked about 19 States that are moving in the wrong direction on protecting voting rights. Maryland is not one of those States. In fact, the Maryland Legislature has taken steps to make it easier for voters to be able to register and cast their votes.

The Voting Rights Act was authored by my Congressman, JOHN SARBANES, and I am proud of the work that he has done because Marylanders recognize that we administer elections locally but that we need national standards, and that is why this legislation is under consideration.

After the Civil War and Reconstruction, powerful officials sought to nullify the political outcome of the Civil War. They passed laws and instituted policies that enforced segregation. We all know those laws: the Jim Crow laws, the Black Codes, the institutionalized segregation. They were enabled by Jim Crow laws that were aimed at disenfranchising minority voters with poll taxes and literacy tests and voter intimidation—rationalized in protecting our national security and voter integrity.

Thanks to courageous leaders, we were able to reverse those laws—by Presidents such as Harry Truman, in 1948, in integrating our military; by our courts in the landmark decision in 1954 of Brown v. Board of Education, and Marylanders are proud of Thurgood Marshall, a native son of Maryland's, in the role that he played in arguing that case before the Supreme Court; and by our Congress with its historic action in 1964 to pass the Civil Rights Act, in 1965 to pass the Voting Rights Act, and in 1968 to pass the Fair Housing Act.

Today, we are now seeing a renewed effort for Jim Crow-type laws, aimed at disenfranchising targeted voters. My colleagues have talked about it, and I am not going to repeat it here today because I know that time is running short. We know that these laws are aimed at making it more difficult for minority communities to be able to cast their votes. My colleague from New Jersey talked about students.

Marginal groups are targeted because those who are enacting these laws think it will help them politically. Why now? The answer is pretty simple: the 2020 election. It was an election in which more people voted than ever before, and it was judged to be the most secure election in American history. But because Donald Trump lost, for the first time in the history of this Nation, we had the loser claim that the election was stolen in order to rationalize his loss.

That Big Lie is what motivated legislatures to pass laws to make it more difficult for vulnerable people to be able to vote, to effect election results, presenting a clear danger to our democracy itself on voter integrity and in the confidence of voters that our system is actually working.

Now is the time for the Senate to show courage to debate, as we are doing today, and to vote on two bills.

The Freedom to Vote Act sets minimum Federal standards with State-administered election laws. We have gone through all of the different provisions, so I am not going to go through them again, but we need to have these national standards because of the actions of these 19 States and other reasons, such as the dark money that my colleague from Rhode Island pointed out, voter intimidation issues, and restoring democracy. There are so many issues that are in it that are important in order to restore voter confidence.

We need to pass the John R. Lewis Voting Rights Advancement Act to restore the Voting Rights Act, because of the Supreme Court's decision, and restore precertification.

As has been put out by my colleagues, this has been historically supported by both Democrats and Republicans. Again, we need one Republican to vote to proceed to this, for those who are saying they are willing to debate this issue. Today, Senators will have the opportunity to vote and to be on the right side of history.

The Senate filibuster prevented the passage of civil rights legislation to reverse the Jim Crow laws until, finally, in 1964, the filibuster ended, and the Senate voted.

By invoking cloture, we can vote now to protect the voting rights of Americans. We can do it right now by passing cloture and being on the right side of history. If cloture is denied, we will have the opportunity to restore the Senate to its best traditions—to debate and vote; to require those who want to use rule XIX—and rule XIX is our filibuster rule—to actually be on the floor and debate. No more pocket filibusters.

As for the Senate rules changes that we have all been talking about—and I have been listening to my colleagues—let me just talk a little bit about changing Senate practice—let alone a constitutional issue, such as voting rights, should have priority over any of the procedural issues that we have here on the floor of the Senate and let alone restoring the Senate to a working body should have priority over the interpretations of some of our rules. Let me talk about the rule itself.

If you look at the 20th century, basically, legislation was considered on the floor of the Senate through comity and debate and compromise, and we were able to bring issues to the floor for a vote. Rarely—very rarely—was a filibuster used. Why? Because you had to come to the floor and talk. It was very time-consuming. It took a lot of time off the Senate floor. It was inconvenient for the Member to have to stand up here and talk. So we were able to come together. It wasn't through a cloture vote that it ended; it ended because people didn't want to go through the inconvenience of talking or we were able to resolve it.

We are talking about restoring the Senate to its best traditions. Many have talked about, we are going to change the filibuster rule. No, we are not suggesting changing the filibuster rule. The filibuster rule is coming to the floor to speak. It is the cloture that is the 60 votes. You don't need cloture if you run the clock on the filibuster.

What we need to do is prevent dilatory actions, and that is why the leader's point is going to be important. We are trying to restore the Senate to a body that can work together by requiring that Members come to the floor and speak and vote by how the Framers of the Senate rules intended at the end of the day.

To my friend from West Virginia, this gives us the chance to start to work together. I couldn't agree with him more. We do need to come together in a bipartisan way and let our committees work. We need to look into the Senate rules. But we first need to move on action, and this is a fundamental bill that we need to move forward.

The leader is framing this in a very narrow way so he can get this bill moving and use this as an example to work together, Democrats and Republicans, so the Senate can restore its practices and so we all can be proud Members of a body that debates and votes. That is what we can do while respecting each Member's rights and respecting minority rights.

I urge my colleagues to support cloture and, if cloture fails, to support the leader's point and be on the right side of history.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Arkansas.

Mr. COTTON. Mr. President, inflation is at its highest level in 40 years. Drug overdose deaths and illegal border crossings are at record levels. The murder rate is its highest since the 1990s. Russian troops are massing on Ukraine's border, and the President of the United States just green-lighted Vladimir Putin to invade. China is continuing its aggression.

So what have the Democratic floor leader and Senate Democrats spent the last 2 months doing? Trying to overturn 200 years of Senate rules and customs so that they can do things like ban voter ID nationwide and use your tax dollars to support political campaigns.

They tell us that Americans are living under Jim Crow 2.0, and they cite the recent Georgia election law as proof. Well, let's investigate this so-called voter suppression law.

Under the new law, the State of Georgia will have 17 days of early voting. If this is Jim Crow 2.0, then I have bad news because the Democratic leader's home State of New York and the President's home State of Delaware were engaged in I guess what you would call Jim Crow 3.0 as recently as last year because New York only had 9 days of early voting and Delaware had no days—zero days—of early voting.

Next, I have heard complaints that Georgia has reduced the number of ballot drop boxes in the State, even though they now require every county to have a drop box, as was not the case as recently as 2018, and that Georgia has added new security measures to prevent fraud.

Once again, I hate to break the news that the Democratic floor leader's home State of New York had zero ballot drop boxes and that the President's home State of Delaware allowed for just five last year.

Of course, one of the Democrats' favorite claims is that all of those terrible Republicans down in Georgia have stopped campaign and political workers from giving food and drinks to people who are waiting in line at the polls. Where could Georgia have gotten such an idea? Well, as it turns out, the Democratic floor leader's home State of New York also has a nearly identical law banning such electioneering near polling places.

The Democrats also say that voter ID is a kind of new Jim Crow. That might surprise the 69 percent of Black Americans who support voter ID.

Now, what are they up to? This is an especially good question, given the letter that 28 Democrats, still in the Senate, signed on April 7, 2017, to the leadership around here, urging them to oppose any effort—any effort—to stop the Senate's tradition and custom of extended debate.

Some of those Senators are on the floor with us at this moment. I see the junior Senator from Illinois, the junior Senator from Hawaii, and the junior Senator from Maine, the Presiding Officer, for that matter. Many more were down here earlier.

I would invite, through the Chair, any of those Senators, if they would like to engage in a colloquy, to explain why they have changed their position since they signed that letter on April 7, 2017.

I guess I don't have any takers.

I will point out that out of the 28 Democrats who actually signed that letter—

Mr. KING. Will the Senator yield?

Mr. COTTON. I will certainly yield.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Maine.

Mr. KING. I am one who signed that letter.

First, let's talk about the letter itself. What it says is, ''We are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor.'' I agree with that. The proposal that is going to be put on the floor today is one that will allow extended debate.

There are two points that have caused me to modify the position that I took on this letter. One is the nature of the issue that is before the body. If we were here talking about immigration or gun control or any of the other many issues that we consider, I wouldn't be taking the position that I am.

I believe that the rules of the Senate are important and that extended debate is an important part of the Senate process. However, we are talking about fundamental structural changes—not policy changes but structural changes—that I believe, in spite of your comments, that in many States across the country are compromising the ability of our people to express themselves in our democracy.

I consider that qualitatively different than a policy difference, and that is why I am here today to talk about revising the rules—not blowing up the filibuster but to get back to what the filibuster actually means, and that is extended debate.

I am all for extended debate until we are exhausted, until we have made a deal, until we have come to a compromise. But the problem is, the filibuster, as we define it today, is a distant cousin of the real filibuster.

The radical change in the filibuster isn't what is being discussed today. It was made in 1975 almost by accident. In 1975, they were debating whether it should be two-thirds of Senators present and voting or a lower number. And they compromised on 60 Senators, sworn Members. That was the focus of that discussion.

I have talked to Parliamentarians who were involved in that question. I asked the specific question: Did they really realize what they were doing by creating the mail-in, dial-in, no-effort filibuster? And the answer was no. They didn't discuss it. They didn't think of it.

So what I am talking about here today and what the proposal that will be on the floor later today is to do exactly what this letter says, ''extended debate''—''extended debate.'' And that is why I believe that what we are proposing today is in the deepest tradition of the U.S. Senate. What we are trying to scale back is the cheap, easy, dial-in from your office, 60 votes, de facto, supermajority requirement, which is not in the Constitution, which the Framers expressly did not agree to.

They put in a lot of checks and balances. Two Houses of Congress, two-thirds voting on treaties, two-thirds voting on an amendment, confirmation of the President—the President, the Congress, the independence of the courts, all those were checks and balances. One of them was not a supermajority requirement in the U.S. Senate.

Hamilton and Madison expressly said that that would turn democracy on its head. Democracy ultimately is about majority rule, and there should be minority rights. The minority should have every opportunity to speak, to offer amendments, to discuss—to offer germane amendments, I might add—and discuss and debate but ultimately not have a veto.

That is really what it comes down to here: Do you have a rule that says that the minority actually is in control of the legislative process? That is not what the Framers intended. It is antithetical to what the Framers intended.

In fact, one of the reasons for the Constitutional Convention was the dysfunction of the Articles of Confederation, and one of the reasons cited for that dysfunction was a supermajority requirement.

So, yes, I voted—what I supported 3 years ago, I still support. The language is ''full, robust, and extended debate,'' and that is what is going to be proposed later on.

If you guys will vote for it, this debate can go on, as it should, for weeks and perhaps months because it is that important. But I don't have any apologies to make. If I have to choose between a Senate rule, as it works now—which, as I say, is a distant cousin of the real filibuster—and democracy itself, I am going to take democracy every single time.

Mr. COTTON. Well, I thank the Senator from Maine for explaining the change in position. I was not seeking an apology, merely an explanation, since I haven't heard that much over the last year or so.

I can respond to a few of these points. The Senator from Maine said it was the nature of the issue at stake. Well, first off, I will point out, I have the letter in front of me here. It is very short. It is only two paragraphs long, but there is nothing in there about the nature of the issue at stake, about whether we are talking about immigration or gun control or, in this case, election takeover laws.

The Senator from Maine referred to the cheap and easy filibuster. I don't necessarily agree with that characterization, but I would point out that that is exactly the kind of cheap and easy filibuster that was in place in 2017, when 28 Democrats signed this letter.

I will also point out that I wouldn't necessarily agree with the characterization that the current filibuster was created by accident in 1975. We are going to have a debate, but the rules and customs under debate today go back to the second decade, the second decade of the U.S. Senate. And, perhaps more importantly, every time those rules have been modified—up to and including the most recent changes on the legislative calendar—they have been modified in accordance with the rules, not using the nuclear option, breaking the rules so we can change the rules.

I also note we have had a few other signatories to that letter arrive. We have the senior Senator from Colorado. We have the senior Senator from New Hampshire. We have the senior Senator from Montana. And we have the letter's chief Democratic author, the junior Senator from Delaware.

I asked earlier, through the Chair, if any Senators would like to explain their change in position. Since those Senators have joined us, if they would like to explain their change, as well, I would invite them into colloquy.

Mr. MERKLEY. Would the Senator yield?

Mr. COTTON. I would be happy to yield.

Mr. MERKLEY. Thank you. I am struck by your comment that in all previous situations, the rules have been modified by a change in the rules that has been done through the rules process because—I would encourage you to read up on your Senate history—it is just not the case.

In fact, under Senator Byrd's leadership, nine times this Chamber changed the interpretation of existing rules, and they didn't do it through a formal rules change process. They did it with an interpretation of the Chair being sustained or by reversing the interpretation of the Chair.

And you have been here when a nuclear option modified the rules. Your party led the effort to change the requirement for closing debate on the Supreme Court. And you have been here—or I think you were here; your colleagues were here—when they changed the rule, not by changing the rule formally but by reinterpreting it through a nuclear option, in regard to decreasing the number of hours for debate on district judges.

It also goes back to the fact that your team changed the rules, without going through the formal rule process, on how reconciliation is done in order to be able to do tax cuts for the rich. And then Kent Conrad, on our side, advocated the change back, and your side, in preparation for the Trump tax cuts in 2017, changed the rule again.

So at least let us understand that both sides—Democrats and Republicans—have resorted to reinterpreting the rules on various occasions. Just a point of clarification that your statement was wrong.

Mr. COTTON. I appreciate the comments of the Senator from Oregon. And I want to commend him for principled consistency on this question. He did not sign that letter.

In fact, one of the earliest conversations I had with any Democratic Senator in 2015 was with the Senator from Oregon about some of these very questions. He has had these reservations about the cloture rule, about the rights and customs of extended debate. He has not changed his on this position so I commend him.

I will point out, he mentioned the nuclear option on the Supreme Court. Of course, that simply followed what the former Senate Democratic leader Harry Reid did in 2013 on the Executive Calendar.

I will also point out that that happened in February or March of 2017, if I recall. This letter was written in April of 2017.

But if there is no more extended debate on this question—oh, I would invite the Senator from Virginia, through the Chair.

Mr. KAINE. Mr. President, if I might respond.

The PRESIDENT pro tempore. The Senator from Virginia.

Mr. KAINE. Senator COTTON, what ANGUS said.

And I am so glad that Senator LANKFORD has stayed in the room because you have been saying we changed our position. You just really need to read the letter. And I do appreciate that you put it up because others were referring to the letter without doing that. The operative phrase is exactly what you read: ''We are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor.''

We couldn't even debate this bill. You guys wouldn't let us. You kept using the 60-vote block on the motion to proceed so that we couldn't get on the bill.

In the 5 years since 2017, many of us have come to realize, this is what we want, but the current abuse of Senate rules is blocking us from having discussions about voting rights or about matters that you think are important.

This is still what we want. We want the ability to have extended debate when bills are on the Senate floor. That is what the motion will eventually be about when we vote on it later today, to move to a talking filibuster instead of a secret filibuster.

The way to look at the rule change that we are going to contemplate later is, if you really love the filibuster—and the word ''filibuster'' isn't in this letter at all, but if you really love the filibuster, do you demand that it stay secret or should it be carried out open, publicly, in view of the voters and your Senate colleagues? That is what the vote will be.

We have listened to those of you who have said don't abolish the filibuster, don't nuke the filibuster, don't blow up the filibuster, don't weaken the filibuster, and the only change we propose is that the filibuster be a public filibuster, not a secret one.

So you stood on the floor and asked if we would join you in that operative phrase, ''engage in extended debate when bills are on the Senate floor.'' The combination of the block on the motion to proceed, together with the paper pocket filibuster, where people do not have to show up to speak, much less to vote, we can restore the filibuster, frankly, to what it was during the vast majority of the Senate's history and require that people actually do it and be accountable to their colleagues and to the public. And that is what we propose to do.

Mr. COTTON. Mr. President.

Mr. BENNET. Mr. President.

Mr. COTTON. Mr. President, I invite the Senator from Colorado to engage in colloquy.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. BENNET. Thank you, I appreciate that from the Senator from Arkansas.

Just along the lines of what my colleagues have said, I would also say that I want to be very clear that I don't want this place to turn into the House of Representatives. I think that would be a huge mistake. But it is not behaving the way that the Founders designed it to behave.

And the history, admittedly, is opaque, but it is very clear to me that the modern abuse of the filibuster represents very little in the way of traditional Senate practice or what the Framers were considering.

So I can imagine finding ourselves in a place where we actually have extended debate, where we actually have a public filibuster like we used to have—everybody remembers the movie version of that; they actually did that on the floor of the Senate—versus the secret filibuster that acts as a perpetual veto by the minority on the majority, something that the Framers clearly were trying to avoid and, at the same time, gives the minority the chance to hold the floor, persuade the American people of their point of view, amend legislation in ways that is unimaginable in the House and then, in the end, gives the majority the chance to actually make a decision so we can effectively compete with countries all over the world that aren't held up by the kind of veto we are talking about.

There is not a legislative body in the world that I am aware of, in any of the other countries with which we compete, that has a filibuster.

So I would say that other piece of this, the idea that we are going to seesaw back and forth and back and forth and back and forth—I think the reality is that is not the reality of what happens in other places that don't have the filibuster. And I believe we have the opportunity, if we are actually having a public debate—not sitting in our office or off fundraising but, instead, having a public debate on the floor of this Senate—that the American people can actually begin to hold people here accountable again for their position on healthcare or guns or whatever it is.

We don't ever get the chance to do that here because we never even have a debate in the world's most deliberative body.

So if we have a disagreement tonight about the form of all this, my hope is that, in the wake of this, if we are not successful, we actually do the American people a favor by creating a set of rules that actually will make this place work.

I have been here now for 12 years. It is hard to believe. I can tell you, the Senate doesn't work. It can't get its basic business done, much less make hard decisions. I think we can do better than that, and I hope we will.

Mr. COTTON. Mr. President, the Senator from Oklahoma was directly addressed, and I believe he would like to engage in a brief colloquy.

The PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I thank my friend, through the Chair, the Senator from Virginia, for the engagement. We will continue to be able to engage and be able to talk through this.

Part of our challenge on dealing with this dialogue today is none of our side has actually seen the proposal tonight. It is a secret proposal that is coming out that all the conversation is that this restores the talking filibuster.

We are like: Really? What does it say?

Then, in the next, I guess, couple of hours, there is going to be a proposal pop and say, ''Here it is; we are changing the rules of the Senate with a 51 vote,'' when we haven't even had the opportunity to even see it.

So we talk about trying to be able to bring dialogue and debate on all of these things. That is not dialogue and debate on the rules. That is trying to ram through a change with a straight 51 that none of us have even seen.

And as we go through this, you had mentioned before the letter that is out there. You are correct. I read through the letter. I have definitely read through the whole letter, but I could have also brought a bunch of quotes from folks that I see all around the room that make statements like, ''I will never change the legislative filibuster,'' or, ''I am 100 percent opposed

to changing the legislative filibuster,'' or, ''We should not change the filibuster using the nuclear option.''

So there were lots of other quotes from lots of other interviews because, obviously, around 2017, when the letter came out, there was lots of media that asked point-blank: What do you mean by that?

And so there is a lot of clarification with it. So you are right. I read the letter, and it has the vague language. But I could have read lots of quotes that we have that were very, very specific on it.

At the end of the day, if we are going to solve the issues in the Senate, we are going to have to actually work together to be able to solve the issues. What makes this the greatest deliberative body is not that 51 can do what they want. What will make it the greatest deliberative body is when we have to actually talk to each other.

When I was elected in 2014, most of the phone calls that came to me personally between November and January were some of you who called me and said: My name is . . . . We are going to disagree on a lot of things, but let's start working now on what we will agree on.

If we start doing away with these rules and just move it to a 51 basis, those conversations end and it is not a deliberative body. Suddenly, it is a ''we can get what we want with 51'' body. That is the House. That is why we bring it up.

I yield the floor.

Mr. COTTON. Mr. President, before I move on from this letter, I just have to note that, as I have said several times, 28 Democrats in the Senate today signed that letter. Twenty-seven of them changed their position. There is one signatory who didn't change their position: the Senator from West Virginia. Not only did he not change his position in that letter he signed, he has been consistent from the very beginning.

He was also here in 2013 when we started down this path on the Executive Calendar. And there are differences, to be sure, between the Executive Calendar and the legislative calendar. The Senator from West Virginia is the sole signatory still in the Senate who has been consistent throughout, and I want to commend him for that.

And I want to note for the record the Senator from Arizona—apparently, the only other Democratic Senator who will oppose this maneuver—did not sign the letter in 2017 because she was not in the Senate in 2017.

So, in conclusion, why are we doing all this? Why are we going down this road? Is it because this legislation is so popular, this issue is so important? You would think it was the top issue on the minds of a majority of Americans. But no, according to Gallup, only 1 percent of Americans list elections and Federal election takeovers as their top priority.

Maybe the majority of Americans support the procedural maneuvering here tonight, the overturning of 200 years of Senate rules and customs—nope, wrong again. According to a recent CBS poll, barely a third of Americans support this.

And while we are waiting here for the Democrats' doomed charge to overturn 200 years of Senate rules and customs and federalize our elections, Americans are dealing with very real, concrete, kitchen-table issues. Our people are getting poorer. Inflation rose by 7 percent over the last year, the highest rate in 40 years. Wages are failing to keep up. Inflation might not be so bad for some of the millionaires around here, with their stock portfolios and their real estate, but for most Americans it is crippling, and it is most crippling for those who can least afford it.

I shouldn't have to point out that people are dying in our communities all across the country. Murder was up by its highest record level in the keeping of modern records last year, and it is up again this year, at a time when we also have 100,000 Americans dying of overdoses, the highest number ever reported—another grim record.

Meanwhile, America is being overwhelmed at our southern border. Border Patrol is stopping more than 175,000 illegal immigrants at our southern border each month. We can only guess how many more are getting through.

These are all the real problems that the American people have told us repeatedly they want us to address, but we haven't heard much about those problems. We are not here in session this week to debate those problems. The Democrats apparently don't want to acknowledge these crises because they created these crises and they have no solution for these crises.

I yield the floor.

The PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. HASSAN. Just briefly, Mr. President, I know I was not scheduled to speak, but I do want to respond as one of the signatories of the letter.

I associate myself with everything that the other signatories have talked about in terms of wanting to restore the Senate's tradition of extended debate on issues of grave importance to the American people. But let me be clear about the reason that I now support an adjustment to the longstanding rules of the Senate. It is because I never imagined, when I signed that letter, that not a single Member of the Republican Party would stand up for our democracy since January 6, when we saw an acceleration of State laws that would allow partisans to overturn the impartial count of an election.

We need to address the issues that so many of us have talked about here. The people of New Hampshire, the people all across the country, they need us to address pressing issues like lowering the cost of prescription drugs or making it easy for families to afford childcare.

But if we do not have a functioning democracy where people know that, when they vote, that vote will be impartially counted and upheld and that people who are defeated will accept defeat so that they can have an accountable elected representation in Washington, then there is no democracy.

When I signed that letter, I never imagined that today's Republican Party would fail to stand up for democracy.

I was raised by a veteran of the Battle of the Bulge. He would talk to us at the breakfast table, and the question was, ''What are you going to do for freedom today?'' It was a big question to ask elementary schoolkids, to be sure, but he had a right to ask it, as does every veteran who has fought for this country, including my colleague Senator COTTON.

But the Republican Party and the Democratic Party must unite to stand for freedom and to stand for an accountable democracy because, without that, the rules of this body do not matter.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I can't think of a more important thing to be debating here in these Chambers than the right to vote. We can't even get to that. We can't even get to that because of the use of the filibuster to prevent us from having a vote, a discussion, on the Voting Rights Act.

In America, the path toward justice has always, always been intertwined with the right to vote. Progress and enfranchisement have always been braided together.

Billy clubs, whips, barbed wire, wrapped tubing—that is what awaited John Lewis at the end of that Edmund Pettus Bridge in Selma because it has never been easy—it has never been easy—to fight for enfranchisement or to fight for the right to vote. There has always been a price to pay by those who focus on justice.

Shouted slurs, explosions of tear gas, pained screams, and the crack of clubs against bone—those were the sounds that filled the air as Lewis and hundreds of his fellow Americans tried to march forward as they tried to bring their country forward one step at a time.

Most of us in this room know of those mothers and fathers of the civil rights movement, what they did for us that day. They raised their voice on that bridge so that fellow Americans could raise their voices at the ballot box. Tragically, we also know that many in this Chamber today appear unwilling to do their part to protect the rights those heroes fought for.

More than a half century ago, in this very building, Senators from both sides of the aisle came together to pass the Voting Rights Act, a bill designed to protect Black Americans—to protect all Americans—from the kind of racial discrimination that was so common in State-run elections at that time.

Of course, it is not possible to list out all the changes that have taken

place since that moment. More and more civil rights advocates stood up and sat in. More and more Americans marched through and then laid down in the streets. And the moral arc of the universe that Dr. Martin Luther King spoke of bent a little more toward justice with every hard-earned right they secured and every fight that they won.

But, sadly, damningly, one other change stands out to me as I speak here today. More than 50 years after the Voting Rights Act became law, we can no longer say that a bipartisan majority of the Senate is willing to protect the most basic tenet of our democracy. Heck, we don't even have all of the Senators in the room to discuss this. Every American's right to make their voice heard is so critically important to our democracy. We can't say this because Senate Republicans have spent the past year blocking every Democratic attempt to even begin debate on strengthening voter legislation.

Even as Republicans in States around the country pass more and more restrictive voter suppression laws aimed at silencing the voice of the people, we still struggle and beg to have this debate, and they will not vote to allow us to do so.

Republicans in Georgia made it illegal to peremptorily mail out absentee mail out absentee ballots to registered voters, a law that hurts all groups that rely on voting by mail, from communities of color to Americans living with disabilities.

It also hurts military voters currently serving in harm's way overseas. I myself voted by mail when I was serving our country in Iraq. After all, I was a little busy flying combat missions, so I don't know if I would have had the chance to request an absentee ballot 15 days before the election if my unit had not assisted in that effort. Not every unit may do that. And so not having their ballots mailed to them would make it immeasurably harder for our troops to vote wherever they may be serving.

I can't understand why Republicans would want to make it harder for brave Americans, defending our democracy abroad, to participate in it, but that is what they are doing.

And I can't understand how my Republican colleagues can sit here today and ask paid staffers and pages to bring them water, at exactly the temperature they like, with or without ice, sparkling or not sparkling, as they make their voices heard on the Senate floor and then say nothing—nothing—to stop a law that makes it illegal to give water to Americans waiting hours in line at polling stations as they seek to simply have their voices heard at the ballot box.

Listen, my five-times great-grandfathers, who were likely indentured servants without the right to vote, didn't fight in the Revolutionary War and earn that right to vote just so people claiming to be the leaders of our generation could chip away at the fundamental idea that founded this Nation: that everyone is equal.

And my buddies and I and Senator COTTON didn't sign up to defend our democracy in war zones thousands of miles away only to watch it crumble at the hands of powerful people more focused on their own self-interests than in the foundational component of this extraordinary experiment that we call America; that everyone, regardless of social status, wealth, skin color, sex, has a right to vote.

Page after page in our Nation's history is marred by bigotry, tainted by intolerance, by injustice, but through every chapter—however dark the night—some brave Americans have willed that there would be light.

That march forward has always been to expand access to the polls, not to decrease it—expanded access for those who didn't own land, for Black Americans after the Civil War, for women, for all Americans.

In World War II, Black Americans fought overseas for the same country that forced their families to sit at segregated lunch counters back home. Then they came home and were forced to guess how many jelly beans were in a jar before they, themselves, could vote in a country that they had fought for.

Asian Americans fought to end slavery in the Civil War, sacrificed to preserve this Union, and then had their earned citizenship stripped away. Decades later, their grandsons fought in Europe even as their loved ones were interred in camps on American soil. And we march forward, and we march on, and we expand the right to the ballot box.

In the sixties, White Americans hopped on buses and risked their lives Freedom Riding through the South so those with darker skin could walk into the ballot box without fear of billy clubs.

And Americans of all backgrounds have packed their rucks, laced up their boots, and gone to war in places like Iraq, lost their lives in places like Afghanistan, to defend the most American belief: that we all have a voice and we all have the right to use it, including at the polls, because voting to elect one's own government is the core of that right.

I am not asking anyone to do anything nearly as difficult as putting on a uniform and going to war or crossing a bridge and being met with billy clubs. I am not asking anybody to do anything that difficult today. I am not asking my Republican colleagues to risk their lives on a bus or a bridge, in the heat of the American South or under the scorching Sun of a desert in the Middle East. All I am asking for is the bare minimum. All I am begging them to do is merely to not sit in silence in the face of grave injustice, to not let being partisan keep them from being a patriot.

For the sake of all who have sacrificed for this Nation, I, at least, refuse to remain silent. That is why I am voting for these bills. That is why I am trying to claw back some of the protections that Republicans have spent the last year trying to erode on the back of the Big Lie, including expanded voter purges, increased barriers for voters with disabilities, and harsher voter ID requirements.

That is why I am asking my colleagues who claim to represent the party of Lincoln, as a junior Senator from the ''Land of Lincoln,'' I ask you to act in a way that will further the cause of justice. That is why I am working to restore the Voting Rights Act, to expand early voting and vote-by-mail, to limit special interest money in politics, and to actually try to protect underserved communities and our servicemembers' rights to vote—because not only can our country do better, we have done better. Back when we passed the Voting Rights Act all those decades ago, not only can our Chamber do more, we have done more, including the 16 Republicans who are still in the Senate today who have previously voted to reauthorize the Voting Rights Act.

And we owe more to those heroes who fought these fights before us, those trailblazers who marched those bridges while those in power broke their bones, whose skulls were cracked, whose blood was shed, yet whose will never bent, whose determination never wavered, those heroes who never let what was hard deter them from doing what was right. We owe it to each of them—and to those whose rights are at risk today—to pass this bill.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Montana.

ABORTION

Mr. DAINES. Mr. President, I rise today ahead of the 49th anniversary of the Supreme Court's tragic decision in Roe v. Wade. You might ask: What does that have to do with voting rights? It has a lot to do with voting rights because, after all, you can't have the right to vote without first having the right to life.

Every year, for nearly five decades, thousands of pro-life Americans have faithfully gathered here in DC and across this country to mark this dark day by marching for life and being a voice for the voiceless.

This year's official March for Life comes at a turning point in our Nation's history. On December 1 of last year, the Supreme Court heard oral arguments on the landmark 15-week abortion case out of Mississippi, Dobbs v. Jackson Women's Health Organization.

This is the first case in our generation that presents the Supreme Court of the United States the best opportunity to right its historic injustice and finally overturn Roe v. Wade.

The Roe decision has resulted in the deaths of more than 63 million innocent babies—63 million. In fact, as I stand here and speak today, 2,363

preborn children are being killed in this country—2,363 are killed every single day.

These precious lives were created by God and intended for this world but were violently deprived of their lives because they were deemed unwanted, unfit, or simply inconvenient. And because they are so small, without voices of their own, far too many, for far too long, have ignored their desperate cries. Because of Roe, States have virtually been powerless to stop this tidal wave of bloodshed.

What is more, Roe's extreme abortion regime has made the United States a global outlier on abortion. We are just one of seven nations, including China and North Korea, that allow abortions on demand—just one of seven nations—past the point babies feel pain, all the way up until the moment of birth. It is barbaric.

Because of science and technology today, it is impossible to ignore the humanity of that little baby growing in the womb. Thanks to incredible 4D ultrasound technology, we can watch babies grow. We can hear their hearts beat. We can watch them yawn, even suck their thumbs.

We have come a long way since 1973. It is time our laws catch up with the science. Overturning Roe will not—I repeat, will not—ban abortion nationwide. And I am sad to say that some of my colleagues are not being truthful on what it might mean if Roe v. Wade is overturned. It will not ban abortions nationwide. It will return the power to pass pro-life laws to State and Federal lawmakers.

In fact, according to a recent Marist poll, 80 percent of Americans are opposed to abortions after the first 3 months of pregnancy. That is an overwhelming majority of the American people. But because of Roe, their voices are being silenced. It is time for the Supreme Court to allow State and Federal lawmakers to rightfully represent their constituents and protect the most vulnerable among us.

It is time that we as the United States of America—a nation who is supposed to be the leaders in the world of human rights—recognize what happens to be the theme of this year's March for Life, which is that equality begins in the womb.

The Dobbs case before the Supreme Court gives the Court a chance to finally restore justice and equality of the most vulnerable among us, in the spirit of this Nation's long history of progress in civil rights.

In listening to oral arguments in the Dobbs case, I was struck by something Justice Kavanaugh said.

> If you think about some of the most important cases, the most consequential cases in this court's history, there's a string of them where the cases overruled precedent.

Justice Kavanaugh cited most notably Brown v. Board of Education in 1954, which outlawed a separate but equal, overturning Plessy v. Ferguson decided in 1896. It took 58 years for the Court to recognize the obvious truth that racial segregation was wrong and overturn its grievous error in Plessy. Justice John Marshall Harlan showed tremendous courage as the lone dissenter from the Court decision in Plessy.

Now, it has taken 49 years for the Court to consider the obvious truth that all life must be protected. It has taken 49 years since Roe v. Wade for the Court to reconsider this wrongly decided case.

In the spirit of Justice Harlan, who dissented in Plessy, I would like to share a quote from another great dissenter proved right in the course of history, and that is Justice Byron White. Justice White, with his 1973 dissent, joined by Justice Rehnquist, in Doe v. Bolton, the companion case to Roe v. Wade wrote as follows:

> With all due respect, I dissent. I find nothing in the language or history of the Constitution to support the Court's judgment.
>
> The Court simply fashions and announces a new constitutional right for pregnant mothers and, with scarcely any reason or authority for its action, invests that right in sufficient substance to override most existing state abortion statutes.
>
> The upshot is that the people and the legislatures of the 50 States are constitutionally disentitled to weigh the relative importance of the continued existence and development of the fetus, on the one hand, against a spectrum of possible impacts on the mother, on the other hand.
>
> As an exercise of raw judicial power, the Court perhaps has authority to do what it does today; but, in my view, its judgment is an improvident and extravagant exercise of the power of judicial review that the Constitution extends to this Court.
>
> The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life that she carries. Whether or not I might agree with that marshaling of values, I can in no event join the Court's judgment because I find no constitutional warrant for imposing such an order of priorities on the people and legislatures of the States. In a sensitive area such as this, involving as it does issues over which reasonable men may easily and heatedly differ, I cannot accept the Court's exercise of its clear power of choice by interposing a constitutional barrier to state efforts to protect human life and by investing mothers and doctors with the constitutionally protected right to exterminate it. This issue, for the most part, should be left with the people and to the political processes the people have devised to govern their affairs.

Justice White was correct. I share that belief. The Court's decision in Roe was a travesty of constitutional law and human rights, one that should follow Plessy v. Ferguson to the ash heap of history.

In the Dobbs case, I pray that we see the Supreme Court do precisely this: correct this historic injustice and uphold Mississippi's 15-week abortion law.

For the pro-life movement, overturning Roe is not the end; it is just the beginning. States across the country stand ready to protect life and provide support for pregnant moms facing crisis pregnancies.

I pray this year's March for Life marks the final anniversary of Roe v. Wade and heralds the dawn of a new day, where every life is protected.

I want to thank the thousands of Americans across the country who will be joining this year's March for Life. I would also like to thank the hundreds of Montanans who joined me just last week in Helena for last week's March for Life. I stand with you, and we will continue to fight to protect all life.

H.R. 5746

Mr. President, last year we saw Democrats like Stacey Abrams and President Biden mislead the American people about Georgia's new voting law. In fact, the Washington Post fact checker wrote:

> Biden falsely claims the new Georgia law ends voting hours early.

That was given four Pinocchios by the Washington Post.

However, today, in this Chamber, we have seen several Senate Democrats challenge Montana's commonsense election integrity laws championed by the Montana Legislature; the secretary of state of Montana, Christi Jacobsen; and the Montana Governor, Greg Gianforte.

I want to set the record straight. Montana put in place some commonsense reforms that enjoy the strong support of Montanans, like strengthening voter ID laws and preventing paid ballot harvesting.

There have been some things said here on the floor that are, frankly, not true. Ballot harvesting is still OK in Montana; you just can't pay people to do it.

In fact, there were statements made that somehow student IDs are not allowed anymore to vote, that somehow that is going to be the end of democracy. Well, listen, under current law—first of all, most students have a valid driver's license in Montana, but if you didn't, the requirement is this—and I take this chapter and verse off of the secretary of state's site—you can still use a student ID to vote in Montana; you just have to have a secondary identification. That can be a ski pass, a gym membership, so long as both identification types are presented.

First of all, most students have valid driver's licenses. If you don't, you can still use a student ID. You just have to have a secondary identification type presented, like a ski pass, gym membership, or even a transcript. That does not seem unreasonable, and the vast majority of Montanans believe that just makes sense.

Furthermore, we have seen questions—in fact, Senator SCHUMER made some accusation about Montana shortening the hours for elections. I found that a bit hilarious, frankly, because here is what we did in Montana. All voter registration activities are allowed now up until the night before the election. Up until the day of the election, you are allowed to register to vote, unlike New York, which ends voter registration 25 days before the

election. I don't think that is going to be the end of democracy when Montana has far easier, far better laws here to make it easier to vote in Montana than they do in New York.

In fact, regarding New York, the voters last November rejected same-day voter registration and rejected universal absentee voting. States across this country have been working hard to ensure that we are making it easier to vote but making it more difficult to cheat.

I am grateful for what has been happening in the State of Montana. It is a no-brainer to most Montanans that you need a valid ID, a driver's license, to get a hunting or fishing license, to rent a car, to get onto an airplane, not to mention the fact that in many liberal-run cities now across our country, the Democrats are now enforcing ID checks to get into a coffee shop or sit down for dinner.

So it is no wonder we are left a little confused here by how President Biden, CHUCK SCHUMER, and Senate Democrats want to override the will of Montanans and undermine our State voter ID laws when it comes to maintaining something as foundational as our democracy and maintaining integrity in our elections.

If there is one thing Montanans are about, it is common sense. The fearmongering, the falsehoods, and the misleading statements from the Democrats don't make a whole lot of sense, and Montanans know it.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Montana.

Mr. TESTER. I wasn't going to speak, but I have to speak because I wanted to clear up the record on one thing.

The people in the State of Montana voted for same-day registration. The people of the State of Montana went to the ballot box and voted for same-day registration. The State legislature repealed that. We should ask what the people of Montana really want. They want same-day registration.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I want to start by thanking all the Senators who have come to the floor to make the case for democracy and for voting rights. The right to vote is the heartbeat of our democracy. It is a symbol of the progress that we have made in this Chamber and the promise that we have made to the next generation of Americans.

This legislation will protect the right to vote for all, safeguard against election sabotage, end partisan gerrymandering, and limit the influence of dark money in politics so that billionaires and corporations cannot buy elections. Protecting our democracy should not be partisan; it should be a moral and civic imperative for every one of us.

As a former U.S. Senator from New Mexico, the late Dennis Chavez, who served in this Chamber for 27 years until his passing in 1962, said:

> Either we are all free, or we fail; democracy belongs to all of us.

Our democracy faces clear and present dangers posed by Republican-led State legislatures across the country. Some lawmakers want to curtail the right to vote—not for all Americans but for the most vulnerable and historically disenfranchised. And if we think it is bad now with what has happened in these State legislatures over these last few months, it is about to get a lot worse.

History will not look kindly on inaction at this critical moment, and we must show the American people that we will not flinch when faced with a choice to protect our democracy and let it crumble before our eyes.

There is a pattern of rampant discrimination that is disenfranchising countless Black and Brown voters across this country.

In 2005, Jesus Gonzalez became a naturalized citizen. On the same day he swore an oath to the United States, he sought to register to vote in Arizona. He was rejected, so he tried again after he obtained a license, but again he was rejected. It was then that Mr. Gonzalez, a school janitor, sued the State. His case made its way to the Supreme Court, which in 2013 ruled in his favor and struck down Arizona's law. Mr. Gonzalez was 1 of 31,000 voters in Arizona affected by such a discriminatory law.

Just this past September, the Mexican-American Legal Defense Fund joined other civil rights organizations in suing Texas over its discriminatory voting legislation known as S.B. 1. We have heard a lot about it today. Among other things, S.B. 1 seeks to curb the assistance available to limited English-proficient voters.

In 2006, MALDEF successfully sued Texas after the State legislature sought to dilute the Latino vote. In that case, LULAC v. Perry, the Supreme Court found that Texas violated the Voting Rights Act by denying Latinos the ability to elect a candidate of their choosing.

In 2017, MALDEF again sued Texas after the city of Pasadena sought to weaken the Latino vote by changing the way the city elected city council members.

These are just some of the chapters of a long history of voter suppression.

We also know that voter suppression of Native Americans is real, and it is intentional.

Until 2020, North Dakota voter ID laws required a residential street address. Now, that may sound like common sense to some folks, but for those of us who live in rural communities and for my brothers and sisters who live in Native American communities, we all grew up with rural route boxes. My address growing up was Route 1, Box 102, not because I didn't want a street address named after my grandparents like it is today; that was the address.

Because of that law in North Dakota, many Native Americans, like Richard Brakebill, who is a Navy veteran, have been denied the right to vote because of an expired driver's license and a Tribal ID that—get this—did not have a current residential address. It had the post office box that was his address.

In 2020, the candidacy of Joseph Dedman for county sheriff—a member of the Navajo Nation—was challenged in Arizona because he included post office boxes, which are often the only form of address for rural Native American households—it is the only one they can obtain—on his petition for office.

In 2020, Arizona's Pima County closed the early voting center on Pascua Yaqui lands and spent nearly $200,000 in legal fees rather than reinstate the voting center.

South Dakota provided a fully funded polling place and early voting and registration opportunities to the 12 non-Native American residents in Gann Valley, but—get this—they refused to provide the same services to the 1,200-plus residents in Fort Thompson on Crow Creek Tribal lands.

In 2021, Kimberly Dillon, a citizen of Rosebud Sioux Tribe, joined the Oglala and Rosebud Sioux Tribes in suing South Dakota for requiring voters to register at State agencies and DMVs, which were hours away from Tribal lands. They were making it harder for people to register to vote by saying: Drive 3 or 4 hours away. Those are tough roads to drive on.

Many Native Americans like Kimberly went to great lengths to submit their voter registration applications to those State agencies, but the agencies never sent them to the local election offices even after they traversed and got the job done in making that journey. They just want to submit them to let them get registered to vote. As a result, her right to vote in the 2020 Presidential election was taken away.

Kimberly asked:

> How many other people faced this violation of our basic freedom to vote? We cannot allow voter suppression to continue in South Dakota or anywhere in Native America.

These are American citizens whose rights were taken away from them for partisan advantage. Jesus and Kimberly's voices were taken away from them just like countless other Americans who face the same discrimination.

Nineteen States have passed 34 laws making it easier to sabotage election laws and target voters of color, and not all of them had a supermajority of two-thirds vote.

In 2016, Representative David Lewis, a Republican State lawmaker in North Carolina and member of the general assembly's redistricting committee, said:

> I propose that we draw the maps to give a partisan advantage to 10 Republicans and three Democrats [representatives] . . . because I do not believe it's possible to draw a map with 11 Republicans and two Democrats.

This is not new. This has been going on decade after decade. The only thing that is different now is that in 2013, when the Supreme Court gutted the enforcement provisions of the Voting Rights Act, Republican-led legislatures don't have to hide behind it any longer. Now they just say they are going to draw for partisan advantage. They are going to change the rules to keep certain communities from voting, making it harder for people to get to that ballot box.

This is nothing new, and shame on all of us for not acting when the Supreme Court told us this in 2013. That is on all of us. But we are here today.

We are also seeing an uptick in violence as a result of the lies across the country—the Big Lie. The Department of Homeland Security has seen an increase in calls for violence as a result of these baseless claims of fraud in the 2020 election. We are losing honest election officials and poll workers because of threats against their lives due to conspiracy theories and lies pushed by the former President.

The Freedom to Vote: John R. Lewis Act will protect the vote of working families across the country. Only one archaic parliamentary measure prohibits all this progress.

The filibuster does not increase deliberation in this Chamber. It does not incentivize compromise. So while some claim that amending the filibuster will further the country's division, I disagree. Right now, it is only aiding and abetting obstructionists and opponents of progress when it comes to voting on civil rights legislation.

While the filibuster is not mentioned a single time in the Constitution—

Mr. SCHUMER. Will my colleague stop for a brief interruption?

UNANIMOUS CONSENT AGREEMENT

Mr. President, I ask unanimous consent that the cloture vote on the motion to concur be at 8 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Thank you.

I appreciate the courtesy of my colleague. We had no choice but to do it at 6:30.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. So the importance of us being here today goes right in the face of having this conversation as a debate. I appreciate my Republican colleagues who have come to the floor to engage in some debate, in some colloquy.

I, like Senator KAINE, came to the Senate a bit naive. I thought debate happened here all the time. I came here thinking that I could offer an amendment at any time, that I could offer a unanimous consent at any time. That is not the case. This is not the Senate that our Founders envisioned.

Now, if you feel moved to oppose a piece of legislation, if you are passionate about an issue, you should have the courage to come to the Senate floor in front of your colleagues and the American people.

You should not be allowed to vote it in from behind closed doors. This Chamber has changed, just as the times have changed. So it is the responsibility of every one of us to make sure that the Senate works better, not for us but for the American people.

Now, in closing, in 1805, Vice President Aaron Burr suggested that the Senate remove from its rules the ''previous question motion,'' which allowed the Chamber's simple majority to end debate on a bill. He viewed the rule as completely unnecessary and urged the Senate to clean up its rule book because after everyone had spoken and debated, they would vote.

A year later, the Senate removed the previous question motion, leaving a loophole that allowed the minority to take advantage and use what we now know as the filibuster. Unfortunately, Burr could not foresee the obstructionism of decades to come.

In the following decades, pro-slavery Senators co-opted the filibuster to protect the interests of White southern enslavers. Men such as John Calhoun abused the filibuster to obstruct civil right efforts.

And according to historians, between 1917 and 1994, 30 measures favored by the sitting President and simple majorities in the House and Senate—half of which addressed civil rights—they all died, thanks to the filibuster.

The same procedural tool proved to be even more useful to southern Senators who sought to block civil rights legislation, including antilynching bills. Not until 1964 did the Senate successfully overcome a filibuster to pass important civil rights legislation and subsequent voting rights legislation.

Now, history should act as a teacher to all of us, and history will remind us who voted today on the side of the people. I am proud that this effort includes my Native American Voting Rights Act, which will ensure Tribes and Native Americans and Alaskan Natives and voters on Tribal lands will have equal access to the electoral process. Access to the ballot box is the cornerstone of our democratic system, and without equitable access to it, we cannot stand on the world stage and claim that we are all leaders in the fight for liberty and justice for all.

Now, my Republican colleagues have proven time and again that they are not interested in acting on this issue. Washington Republicans have made the political calculation that they have a partisan advantage here. They are too comfortable shrugging their shoulders and sitting on the sidelines while States chip away at the right to vote.

I know where I stand. All we are asking for today is the opportunity to vote on this critical piece of legislation after everyone here has said their piece.

I urge my colleagues to do the right thing today, to do right by our democracy, and to send the Freedom to Vote: John R. Lewis Act to the President's desk.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. ROSEN. Our democracy is extraordinary because it is built on the bedrock idea that, through free and fair elections, the citizens who make up this great country, well, they have a voice, that each person's vote truly matters, and in America the people have the power.

But at this moment, our democracy is threatened. Republican State legislatures and Governors all over the country are writing laws designed to restrict the right to vote, to make it harder for tens of millions of eligible citizens to cast their ballots, and silence the American people's voice in the process.

Make no mistake, this is an unprecedented, coordinated attack to make voting harder for eligible citizens and make it easier for bad actors to sabotage our future elections.

In my State of Nevada, we have bucked that trend when it comes to voting rights. We have strengthened the right to vote, providing easier access to the ballot box for eligible voters while ensuring fair elections.

These measures that Governor Steve Sisolak signed into law include establishing a permanent vote-by-mail system, expanding the early voting period, and making it more convenient to register and to vote. But while Nevada has moved forward to protect and strengthen voting rights, we are not immune from the attempts to sabotage it.

In Nevada, the leading Republican candidate for our secretary of state stated that he would have refused—I repeat, would have refused—to certify President Biden's victory in our State, even though the results were certified by a Republican secretary of state and unanimously upheld by the Nevada Supreme Court. That same candidate opened the door to certifying alternate—alternate—electors in future Presidential elections in Nevada, contrary to the actual election results.

And in Nevada, the leading Republican candidates for Governor are promising to undo our progress and make it harder for Nevadans to vote because they refused to accept the results of the 2020 election.

They are pushing the former President's false conspiracy theories that fueled the January 6 insurrection. Attacks like these are a growing threat to democracy and exactly—exactly—the reason we need to act urgently. If we fail to do so—if we fail to do so here and now—new State laws will result in hours-long lines at the polls, overturned election results, and masses of disenfranchised voters.

So let's talk about solutions—smart solutions, solutions that give every eligible voter equal access to the ballot box.

The Freedom to Vote Act combined with the John Lewis Voting Right Advancement Act meets this moment. It meets the moment we are in with our

democracy in crisis. It delivers real, meaningful action.

First, this bill makes it easy for people to register to vote. It does this by requiring States to allow eligible Americans to register online and on election day, as well as update our automatic voter registration system.

This bill would also require States to accurately maintain their voter registration list and protect voters against unwarranted purges from the voter rolls. This way, those who should be eligible to vote can do so without hassle or harassment.

The Freedom to Vote Act gives Americans more choices on when and how they can legally vote through national standards for early in-person voting, expanded mail-in voting, and finally, making election day a national holiday, because even if you are a hard-working American who is busy working long hours or looking after your children or caring for a sick relative, you should still have access to the ballot box.

This bill would ensure election security and prevent partisan sabotage by requiring postelection audits and enhancing—enhancing—protections for election records.

The Freedom to Vote Act would also take long-needed steps to end political corruption in our elections. It would accomplish this by protecting U.S. elections from foreign interference, by prohibiting false information designed to dissuade eligible voters, by promoting online ad transparency, and by putting an end—an end—to that dark money in our elections.

To borrow a few words from the late Congressman John Lewis, my former colleague from the House, a legendary civil rights leader and American hero for whom this bill is named, an inspiration to us all and to people all around the world, John Lewis said: ''The right to vote is the most powerful . . . tool . . . in a democracy.''

I'm going to repeat those words from John Lewis. Listen closely: ''The right to vote is the most powerful . . . tool . . . in a democracy.''

Each person's vote is their voice. It is every citizen's opportunity to weigh in on what matters most to them, for their family, for their community, for the country, for the world. It matters. It is fundamental to our democracy, to the very definition of what it means to be an American citizen for each and every one of us to stand up, to stand tall, to get to the ballot box, to be able to vote the way we choose and have the assurance that our vote is counted. It matters. Each person matters.

And so if the Senate cannot move forward on this critically important legislation under the status quo, then it is time to reform the rules, to restore the Senate, to pass this legislation—because only then can we protect our democracy's future and secure the freedom to vote for every eligible American, for this generation and for the generations to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today to oppose the Democrats' Federal election takeover. The President just gave one of his rare press conferences. It was only the second one he actually gave on American soil.

The White House seems to think that the cure for Joe Biden's poll numbers is more communications from Joe Biden. And the press conference went on for 1 hour and 54 minutes.

The White House doesn't have a communications problem. It has an agenda problem. The American people understand exactly what President Biden and Senator SCHUMER and Speaker PELOSI are trying to sell. The American people aren't buying it.

Democrats don't need a message reset. They need a better agenda for the Nation. What we are about to vote on tonight has nothing to do with the priorities of the American people. It has nothing to do with coronavirus. It has nothing to do with 40-year high inflation numbers which are biting into the paychecks of the American people. It has nothing to do with the crisis at the southern border, where 2 million illegal immigrants have crossed the border this year—criminals among them, drug smugglers among them, gang members among them. It has nothing to do with what has driven the President's approval numbers to an all-time low of 40 percent, which it is today in the Gallup poll.

The Democrats' No. 1 goal, which they stated at the beginning of the Congress, is to pass a Federal takeover of elections. An election takeover bill was the first bill they introduced.

Democrats are ignoring what the American people are demanding so that they can do what their radical fringe is demanding. Democrats want elections to be run by Washington, DC, instead of the 50 States.

The Constitution is very clear. It says the States run our elections. Well, why do they want to take over our elections?

Well, Democrats want to do things like banning voter ID laws. Now 80 percent of Americans believe people should have to show a photo ID in order to vote.

Senator SCHUMER has already twice tried to cram an election takeover bill down the throats of the American public. This is the third time. And, so far, he has failed.

So why? Why has this continued to fail? Not simply because Republicans oppose it. It has failed because the American people oppose it.

The American people aren't looking for a Federal Government takeover of elections. A recent Gallup poll asked people what they think is the most important issue facing our country. Voting laws didn't crack the top 20. In fact, voting laws received less than 1 percent of the vote. It was an asterisk in the results.

Democrats' scare tactics on voting laws have utterly failed. Now Democrats are so desperate to change our voting laws to their advantage that they are going to try to break the Senate. That is what they are doing now. The Senate is supposed to be ''the world's greatest deliberative body.'' Some Democrats want deliberations to end forever.

Democrats claim they will change our election laws and then they will stop; one time only; claim they will only rig the game just once. Well, we all know that is not true. If they can't resist the temptation to rig the U.S. Senate once, they won't resist the temptation to rig the rest of the government either.

Once Democrats change the rules, there will be no stopping them from doing everything they have ever dreamed: pack the Supreme Court, add new States to the Union, amnesty for illegal immigrants, try to take away rights guaranteed by the Second Amendment—you name it. If they can do it, sooner or later, they will.

There is a bill in the Senate right now to add four new Justices to the Supreme Court. Forty-six Democrats in the Senate have signed on to a bill for statehood for the District of Columbia. It is almost the entire Democrat caucus. Democrats have also introduced a bill to give statehood to Puerto Rico. If these bills become law, Democrats know they will get four more Democrat Senators permanently.

One change to the Senate rules, and America would have a permanent one-party rule. Don't take my word for it on amnesty either. Just months ago, Democrats tried to pass amnesty for 6.5 million illegal immigrants. That is greater than the population of 32 of our 50 States. Amnesty of this magnitude would permanently remake our electorate. New York City has already granted the right to vote to illegal immigrants. If Democrats break the rules of the Senate in order to change the rules, they will pass amnesty as fast as they can.

Over the past year, they have gone on record. They have sponsored the bills. Yet they know they have failed to persuade the American public to support this agenda. They know they will never have bipartisan support to pass the radical amnesty for illegal immigrants; never have bipartisan support to ban voter identification; never have bipartisan support for taxes and punishing regulations that continue to drive up the cost of energy; never persuade the American people to support their radical, extreme, dangerous, and scary agenda. Yet, rather than change the agenda to comply with what the American people want, the Democrats want to change the rules. So, desperate for this radical agenda, they are willing to destroy the Senate.

Democrats have a long list of partisan bills they would like to pass. All

of these bills have two things in common: They have nothing to do with improving the lives of the American people, as the American people see it today, and they give more power to the Democrat politicians in Washington, DC.

Let me remind my colleagues that there is an election in November. In the last election cycle, seven Democrats ran for President saying they would change the rules of the Senate. They all lost. Democrats who said they would change the rules lost key Senate races in swing States, including Montana, Maine, and Kentucky.

The American people have spoken loud and clear. They don't want to see this Democrat power grab. American people want us to focus on their priorities. It is up to them to tell us what is important to them, and what we are hearing loud and clear from the American public, it is coronavirus, it is inflation, it is national security, it is crime, and it is securing the border—not a bigger power grab for politicians.

The Democrats in this body seem to have forgotten the people they were elected to serve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President and colleagues, as today's debate begins to wind down, I want to rise to join those who have called for the passage of the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

Years ago, when the United States was in the early stages of conflict in Vietnam, I was fortunate to win a Navy ROTC scholarship to attend Ohio State.

During my freshman year there, as spring break approached, our commanding officer urged a bunch of us freshman midshipmen to—he said: I got a deal for you. How would you like an all-expenses-paid trip to Quantico, VA, over spring break?

That is where the marine officers trained after going to college.

We all raised our hands and said: Count us in.

On our way—1 day off—we had 5 days in Quantico and 1 day off. We took a train to Union Station in Washington, DC, just three or four blocks from here, and from there, most of my fellow midshipmen found their way to watering holes in Georgetown. I chose to visit Capitol Hill. It is a place I had never been.

That day, I walked up Delaware Avenue and passed this building, somehow finding my way into the Rayburn House Office Building just a short distance from where we are gathered today. I walked up to a security officer there and asked if there were any hearings underway that I might try to sit in on. He said yep, and he directed me to a long line leading to the House Judiciary Committee room.

After a long wait, I finally had the chance to find a seat and watch in person the debate over what would later become the Voting Rights Act of 1965. I was glued to that seat for hours, mesmerized by what I saw and what I heard.

Later, back on the train to Quantico that evening, my friends asked me what I had found on Capitol Hill on that day, and I told them I thought I may have found my future. As it turned out, I did.

That day and in the days to come, those hearings inspired by the civil rights movement forced a spotlight on the discriminatory State laws that had made it nearly impossible for many Black Americans to vote 100 years after the end of the Civil War.

Years earlier, my sister and I had grown up in Danville, VA, the last capital of the Confederacy. There, we saw racial discrimination up close and personal. Even as children, we knew it was wrong, and we knew it had to change.

Sitting in Rayburn years later, I found the place where I thought just maybe—just maybe—I might be able to help do something to right that wrong.

Nearly 18 years later, since sitting in that hearing room, after I had finished my studies and completed my third deployment to Southeast Asia as a naval flight officer during the Vietnam war, I found myself back on Capitol Hill in these halls, this time serving alongside John Lewis in the House of Representatives.

After years of blatant discrimination and voter suppression specifically targeted at Black Americans, we began to witness change. It came slowly at first and then more quickly.

Thanks to the tireless efforts of people like our friend John Lewis, the Voting Rights Act of 1965 gained increasingly popular bipartisan support over the years. In fact, as we heard earlier, by 2006, the vote to extend the Voting Rights Act was unanimous. Imagine that—98 to 0. Think about it—98 to 0. Today, 16 of the Republican colleagues who voted for it among those 98 are still here—are still here.

Given that history, however, it is almost unbelievable to think that the right to vote is under attack once again in many parts of our country. Today, in States across America, State legislators and some Governors are seeking to enact a wave of voter restrictions, many of them with the sole purpose of making it harder to vote, often specifically targeting Black Americans.

In 2021 alone, 19 States passed some 34 laws restricting the right to vote. How? Well, by allowing partisan observers to intimidate independent poll workers in Texas and by pulling drop boxes and ballot applications out of the hands of voters and imposing penalties for poll workers in Florida who were just trying to do their jobs. In Georgia, it is OK to make the poll lines longer and longer, but you can't bring food or water to the voters who wait in them, sometimes for hours, to vote—hours.

We know that in many parts of America, Black voters have to wait in line for twice as long as White voters to cast their ballots—twice as long—and in some places, for up to 6 hours. That is not just morally wrong, it is an assault on who we are as a people. How can we look at what is happening and not ask, for God's sake, can't we do better than this? Indeed, we must.

Let me leave you with one idea that worked in 1965 and just might work again in 2022. You know, every day across our country, Americans gather in places of worship. Every major religion in the world relies on one common principle that bolsters our connection to each other: the Golden Rule; the idea that we should love our neighbor as ourselves; the idea that we ought to treat people the way we want to be treated.

Most Americans would be surprised to learn that that admonition is repeated almost weekly in multiple Bible studies and prayer breakfasts that are regularly held here on Capitol Hill throughout the year. It is a shared belief across religious, ethnic, and party lines that the person across from us is just as valuable as us, just as deserving of love and dedication as we are and our loved ones are.

In 1965, the Golden Rule was a foundational principle for equality in the Voting Rights Act. Congress was guided by it. In fact, every major religion on this planet embraces it. I don't care if you are a Protestant, Catholic, Jew, Muslim, Hindu, Buddhist, and it goes on, the Golden Rule is in your teachings, in your beliefs.

You hear it here in this body, in this building, week in and week out. Maybe, just maybe, it is about time for us to rely on it once again in this land of the free as we seek to connect our values and our faith to our actions.

Most of us will recall that both Dr. King and the preamble of our Constitution called on us to work to make this a more perfect Union and fulfill the promise of our Founders that all men and women are created equal.

While across our country today, we are seeing a growing wave of voter restrictions, I am reminded of what Martin Luther King said many years ago. He said this:

> Only when it is dark enough can we see the stars.

Think about it. Only when it is dark enough can we see the stars. And sometimes it is only when we are tested as a nation that our true spirit shows itself. I pray—I pray—that this is just one such time.

So while none of us hoped we would ever face these challenges in our democracy to our democracy in the year 2022, perhaps we can take some comfort in knowing that someone else has walked this path before us.

All these years later, we feel that ''fierce urgency of now,'' that ''fierce urgency of now'' that Dr. King spoke of five decades before, providing us with both a moral blueprint and the encouragement to do something with it.

As I close, let me just say, having said all that, let me reiterate that this

is not a time to wait and dawdle. Congress needs to regroup when we leave this building this day, this week, and then act with the same sense of urgency as an earlier Congress did in 1965 and pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act in order to better protect the sacred right to vote and uphold the sanctity of our electoral processes. The legislation before us today seeks to make clear what we as a nation aspire to be. It makes clear that no one who is eligible should be denied the sacred right to vote.

Let me close, colleagues, by observing that in the end, we can quote Dr. King and praise my friend John Lewis until the cows come home, but when Americans' sacred right to vote is on the line, it is our responsibility to uphold our oath to the Constitution and get on with it.

I never knew Dr. King. I knew John Lewis, knew him well, and loved him. But I don't know if Dr. King or John Lewis were fans of Mark Twain. I am. I want to close by paraphrasing the words of Mark Twain, and this is that paraphrase: When in doubt, do what is right. You will amaze your friends and confound your enemies.

Well, friends, time has come to do just that, to do both of those things, and that is why no barrier should stand in the way of our sacred obligation to protect this democracy.

I yield the floor.

(The PRESIDENT pro tempore assumed the Chair.)

The PRESIDING OFFICER (Mr. KING). The Senator from Idaho.

Mr. CRAPO. Mr. President, the current voting rights proposals or so-called voting rights proposals that the Democrats are proposing are not about increasing access to the ballot box. According to the Washington Post, the 2020 election saw the highest voter turnout in 120 years, and 94 percent of the voters said that voting was easy. These bills are really a power grab that would circumvent and federalize our entire elections process, stripping States of their constitutional authorities.

These power grabs would force taxpayers to pay for political campaigns, expand the practice of ballot harvesting, prohibit important voter ID laws, keep deceased people and those who have moved out of the area on voter registration rolls, and federalize election laws, which would violate the U.S. Constitution's clear directive that States administer the elections, to name just a few.

Article I, section 4 of the U.S. Constitution delegates the election processes to the States. This is a Union of 50 States. States are the best equipped to implement and enforce election policies that protect the integrity of all future elections.

Although many who have spoken today would have you believe that States across this Nation are seeking to violate the rights of American citizens and restrict their access to voting, the laws that are being proposed and adopted by the States are doing just the opposite. They are helping to expand voter access and improve security at the polls.

There are a lot of myths and untruths running rampant because the Democrats seem to want the public to think there is this widespread voter suppression in Republican-led States, which there is not.

A couple of myths and the facts:

Myth: Republican State legislatures are enacting laws that will roll back early voting.

The fact is that the States are expanding early voting. Georgia's bill, for example, which has been attacked, allows for and provides for—mandates 17 days of early voting with two additional optional Sundays of early voting. The list goes on. Arizona allows 26 days. Iowa allows 20 days. Texas, another State that has been attacked, allows 17 days. The fact is the States are expanding early voting.

Myth: States are implementing voter ID for vote-by-mail in order to disenfranchise voters.

The fact: As vote-by-mail is increasing in the States, the States are implementing some of the same safeguards—the same safeguards—that are used for in-person voting to ensure a secure election, such as voter ID, which the legislation before us seems to want to prohibit. Recent polls show that 80 percent of the people support being required to show ID in order to vote, including 62 percent of Democrats.

Myth: Prohibiting ballot harvesting and requiring people to vote in their own correct precinct constitutes discrimination outlawed by the Voting Rights Act.

Fact: In a recent Supreme Court case, the Court ruled 6 to 3 against this claim. Arizona law mandates that voters must vote in their assigned precinct, and those who vote early by mail cannot have anyone other than a household member, a family member, a caregiver, a postal worker, or an elections official collect their ballot; in other words, supervised ballot collection. This law effectively bans the practice of ballot harvesting.

The Democrats seem to want to expand, even mandate, ballot harvesting in the legislation we are being asked to support tonight.

Myth: States are improperly purging eligible voters from their voter rolls.

Fact: States are taking reasonable measures to ensure their voter rolls are accurate, which makes elections more efficient and fair. States are simply implementing a time-honored practice of cleaning up voter lists, removing voters who have died or who have moved or who have been declared incompetent by a court or convicted of a felony, a time-honored practice in many of the States across this Nation.

Myth: Recent changes in Georgia to prevent people from giving bottles of water is inhumane and targets minority communities.

Fact: The law allows poll workers to set up self-serve water stations for voters to use. The statute prevents political organizations—political organizations—from giving people in line things like meals, water, or gifts. Once again, this is a longtime honored practice in States. This law of anti-electioneering or anti-vote-buying is standard practice in many States, including many of my colleagues' blue States like New York, New Jersey, and President Biden's home State of Delaware.

So let's get on to the filibuster. The argument is, since the Republicans won't accept these long, directed, so-called reforms of our election laws, that we should eliminate the filibuster in the Senate. That is the last thing that should be done in the Senate. President Biden himself has argued against eliminating the filibuster, and according to a recent report, Democrats used that filibuster over 300 times in 2020.

In 2005, then-Senator Joe Biden gave a passionate floor speech defending the Senate filibuster, saying that this is a key procedural tool and ending it would ''eviscerate the Senate'' and do a ''disservice to the country'' and would ''upset the constitutional design.''

In another floor speech, then-Senator Biden further argued the reason Republicans in Congress were attempting to end the filibuster was because they controlled ''every level of government.'' He went on to point out that the reason to have the filibuster rule was so that ''when one party controls all levers of government, one man or [one] woman can stand on the floor of the Senate and resist the passions of the moment.''

Again, in 2005, Senator CHUCK SCHUMER also said that eliminating the filibuster would be a ''doomsday for democracy'' that would turn our country into, in his words, a ''banana republic.''

Former Senator Robert Byrd wrote about preserving the filibuster. We heard it many times today. He said:

> We must never, ever, tear down the only wall—the necessary fence—this nation has against the excesses of the Executive Branch and the resultant haste and tyranny of the majority.

He went on to say:

> The Senate has been the last fortress of minority rights and freedom of speech in this Republic for more than two centuries. I pray that Senators will pause and reflect before ignoring that history and tradition in favor of the political priority of the moment.

As Leader MCCONNELL quoted on the floor yesterday, ''[T]he smallest majority we have ever seen in our politics is trying to change the rules for how people get elected in every State.''

You may recall, Republicans were asked to do this exact thing when we controlled every lever of government, and we refused to make that change because of the importance of the filibuster to this institution. Eliminating or weakening the legislative filibuster would destroy the intentional design of the Senate to be the world's most deliberative body. It would allow any

small majority in the Senate to strip the voice of millions of Americans considered in the minority.

Removing the ability to filibuster legislation would reduce the incentive for the Senate to forge broad agreements and force further debate and would likely increase divisiveness rather than efficiency.

I urge my colleagues to vote against this Federal takeover of our State's constitutional right to manage their own elections, and I urge my colleagues to reject this unfounded assault on the Senate filibuster.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this has been an interesting day of debate. It actually feels good to hear people really speak on an issue. As President pro tempore, I sat in that chair where my distinguished friend from Maine is sitting now as Presiding Officer. I sat there for hours today and listened to the debate and heard many I found extremely good and then I heard some others. But I appreciate the fact that I had the opportunity, as President pro tempore, to hear so many of the Senators of both parties speak.

You know, I spoke yesterday about protecting everyone's vote on the ballot and how important that is. I know that because in my own State of Vermont, when I first ran, it was a very Republican State. I have been on the ballot, between my time as State's attorney and Senator, between primaries and general elections—I have been on the ballot in Vermont 24 times. I never questioned that the ballots would be counted accurately and honestly, even though, in several of the elections, 80 to 90 percent of the people counting the ballots were the town clerks, and they were Republicans.

So after those 24 times, I think I have some idea of how the Senate works, and I can also say that with seniority comes a bit of experience. This is my 48th year here in the U.S. Senate, having been elected by those same Vermonters whom I praise for the way they protected the sanctity of the ballot 48 times. I am still the only Democrat sent to the U.S. Senate by the voters of Vermont.

I have become the chairman of the Appropriations Committee, the former chairman and ranking member of the Judiciary and Agriculture Committees, and then honored three times to be elected as President pro tempore. So let me just take a couple minutes of your indulgence to talk about what the Senate was, what it has become, and what it can be again.

I think my experience qualifies me to say that. My conscience compels me to say that. We, each of us, stand on the shoulders of giants. The Senators from across the political spectrum and from around this Nation who forged a path for America, they met the moment of the time not with timidity or fear but with action and with decisiveness. Now, was the road taken an easy one? No. Was the struggle short? No. But was it worth the sacrifice, the dedication, the commitment, and, yes, the compromise, to meet it? Of course.

But before the Senate today is the issue that is at the heart of our very government, the right to vote—the one thing we can hold sacred, no matter what party we belong to, the right to vote.

Time and time again, the Constitution has been amended to expand the right to vote, not to restrict it but to expand it. Look at the 15th Amendment, the 19th, the 24th, the 26th. These each gave greater access to the ballot box for Americans; it furthered the shared goals that ours be the most inclusive and most democratic Nation on Earth.

But today, we do have a scourge of laws—no matter what we say on the floor, the facts are we have a scourge of laws making their way through partisan legislatures across the country. They roll back the tides of time, ruining the most fundamental right, all at a time when technology and pure common sense should tell us that voting should be a lot more accessible than it is and coupled with a challenge from the Supreme Court that the Congress affirmatively act. Remember, the Supreme Court said why doesn't Congress step in and act to restore the long bipartisan Voting Rights Act. There is no more important time than now for us to meaningfully address this constitutional right, this foundational right.

Now, there are some honest questions to ask here of ourselves and each other. Do we really want to make it more difficult for Americans to vote legally and safely?

Is that what democracy means to you, to me? Do we really want to allow States to make it more difficult for blue-collar workers or the poor or the disadvantaged to vote, when the great advances of time and technology are there where you can easily make it easier—easier—to vote, not more difficult.

Are we really going to turn back the clock to an era where State and local jurisdictions can blatantly discriminate against certain voters—yes, people of color and minority populations—by simply rigging the systems of voting or counting or changing the map, to erase the progress of generations and make meaningless the fight of lions like John Lewis, Dr. Martin Luther King, Jr., and so many others? Is that really what we stand for in this century? Were we elected by our constituents to flatly obstruct any action in this body simply because our party is not in the majority or were we elected to tacitly agree with a prescribed agenda? The Senate and those who stand in it owe more to our constituents and to this Nation than blind party loyalty. We owe it to the Nation to do what is right. We owe it to our conscience to do what is right. Partisan disagreements, divisions, and stalemates dot the pages of our young Nation's history when you go back and read it, but it is the moments of bipartisanship that punctuate it.

So I would ask a question of our two leaders.

Mr. Majority Leader, should we not have a debate, a real debate, on these issues, with amendments, unbound by deadlines or time limits?

In answer to that, I also ask of the minority leader: Do we not have an obligation to Americans, to your constituents and mine, to at least talk about these issues, offer honest and meaningful proposals, and then vote them up or vote them down?

Are we not intended to be the greatest deliberative body in the world? It probably was when I came here, but these days, we surely are not.

History will remember this moment—a moment when we stood for the foundational right of our democracy—the right to vote—or we stood against it. Long have I said on this floor that the conscience of the Nation rests in the U.S. Senate—or it should. Today, we—each of us who has sworn to uphold the Constitution as a Member of this great body—must examine our own conscience. We must decide whether it will be the politics of exclusion or the justice of inclusion that will be the indelible mark of the 117th Congress, and we must decide if the Senate envisioned by our Founders can be restored.

The giants, the lions of the Senate, are the Members who rise above to meet these moments and who have the courage to do what is right. If our jobs were easy, anyone could do them, but throughout history, fewer than 2,000 Americans have had the honor, the privilege, and the responsibility to hold the title of ''U.S. Senator.''

I have been proud to serve with one out of every five of those Senators—some I agreed with, some I disagreed with. But I can say this: We, the 100 here today, are caretakers of a legacy far greater than our own. We shoulder the responsibility of a nation—a nation founded under the principle that governments are instituted among their people, deriving their just powers from the consent of the governed.

I fear that, if we let this moment—this pivotal moment—pass us by with no debate, no action, and no advancement, we will not only be derelict in our duty, but we will betray the very oath we swore when we stood in front of the desk at which the Presiding Officer is sitting and pledged to defend the Constitution and to continue the endless goal of forming a more perfect Union.

We should pass the Freedom to Vote: John R. Lewis Act, but we should at the very least have the courage to debate it.

I feel such privilege in serving Vermont. I feel such privilege to have been on the ballot 24 times in our State because I can always trust that everybody who wanted to vote could.

Today, we have the technology and the ability to have far more people

vote. Don't we owe it to this country and don't we owe it to our oath of office to do that?

I yield the floor.

The PRESIDING OFFICER. Another Senator from Vermont.

Mr. SANDERS. Mr. President, we are running out of Senators from Vermont. I think that is it.

(Laughter.)

Let me begin by thanking a number of my Senate colleagues who have worked so hard on this issue. Let me thank, among others, Senators MERKLEY, KLOBUCHAR, BOOKER, WARNER, KING, LEAHY, DURBIN, KAINE, and others for their efforts on this important issue.

I will be brief because there is not a whole lot that I can add to the excellent statements that so many other Senators have made. Let me just say this: For some, the issue we are debating today may seem complicated, to be understood only by lawyers, constitutional scholars, and those handfuls of people who actually understand the opaque rules of the U.S. Senate. I just want to say that, if this is what you think, you are wrong. What we are debating today is not complicated; it is really quite simple. Here is what it is about.

Joe Biden won the 2020 Presidential election, period. You may have liked that result or you may not have liked it, but he won. He won in an election that Donald Trump's own Department of Homeland Security determined to be the most secure election in American history.

After the election, Trump and his supporters filed more than 60 lawsuits in State and Federal courts, repeating their false claims and trying to reverse the election results. These lawsuits were rejected time and time again, including with judges whom Trump himself appointed. Nonetheless, the former President continued to claim—and to this day continues to claim despite all of the evidence—that the election was stolen and that he actually won in a landslide.

Not only are his statements and actions delusional, they are worse. In repeating this Big Lie over and over again, he not only cast doubts about the 2020 election, but, in fact, in a disgraceful and unprecedented way for a President, he is undermining the very foundations of American democracy.

Shamefully, Republican leaders all across this country, including Republican Members of the U.S. Senate, either repeated Trump's lies or tried to walk a very, very thin line around them. Trump's one-man dominance over the Republican Party is now so strong that few Republican officials are prepared to state openly what they know in their hearts to be true, and that is that Trump is a pathological liar and a threat to democracy and this country and our very way of life.

In any case, the predictable result of all of this was that Republican Governors and legislatures all over this country saw Trump's Big Lie and fearmongering as an opportunity—a golden opportunity—to solidify their political positions.

Acting under the guise of voter integrity, despite the fact that our Nation has very little voter fraud—thank God—they proceeded to pass election laws in 19 States that make it harder for people to vote, with a special focus on people of color, young people, poor people, and people with disabilities—people who might be inclined to vote against them. In many cases, they also created election districts through extreme gerrymandering that have no rationale other than to make certain that Republicans retain control over State legislatures. In other cases, they are cutting back on the authority of independent election officials and giving that power to partisan legislatures.

Today, in order to address this crisis in American democracy, Members of the Senate will be casting two very important votes.

The first will be on the Freedom to Vote Act. This bill goes a long way to ending voter suppression and, in fact, making it easier, not harder, for American citizens to vote. It establishes automatic voter registration and online voter registration. It celebrates democracy by making election day a national holiday so that people can vote at a time other than after work. It establishes uniform early voting and same-day registration.

This bill also ends partisan gerrymandering and roots out the undue influence of special interest money in buying elections. Imagine that. Imagine that. We would actually know the names of billionaires who put huge amounts of money into super PACs that buy elections. What a terrible thing. We would actually know who these people are.

This bill would also provide increased protection in the voting process to voters with disabilities, the military, overseas voters, and underserved communities, and much, much more.

This is a very significant piece of legislation. Now, why would anybody be opposed to it? Why, in a nation that has a history of denying the vote to African Americans, denying the vote to Native Americans, denying the vote to women, denying the vote to low-income Whites, would any fairminded person be in opposition to making it easier for all citizens to vote?

That is what I understood when I went to elementary school. You know, you play by the rules. You do your best. Sometimes you win, and sometimes you lose. That is the process. But no one ever told me that what politics is about is working overtime to try to prevent people from voting just because they might vote against you.

Our job should be to increase voter turnout and make it easier for people to participate, which is what this legislation does. I want this country to have the highest voter turnout of any nation's on Earth, not one of the lowest.

But let's be clear. This enormously important bill—a bill to protect the foundations of American democracy—will fail. It will fail because, according to Senate rules, it will require 60 votes to pass, and in a 50–50 Senate, not one Republican will vote for it. It will likely get 50 votes, which, with the Vice President casting the tie-breaking vote, would be enough to pass this legislation under majority rule. It will not get 60 votes—all of which brings us to the second vote, which is really the most important vote of the day.

That vote will determine whether anything we discuss today—whether any of the speeches that we give, any of the points that we actually make—will, in fact, become law. That is the vote to change Senate rules and establish a talking filibuster—a process which gives the minority an enormous amount of time to object to legislation and voice their concerns. The minority, whether it is a Democratic minority or a Republican minority, would have days and days and days to slow the process down and to rally the American people around their ideas, but they would not have forever. At the end of the time allotted, a majority vote would prevail, which, in my view, is what a democratic society is all about.

Is changing the Senate rules a radical idea? Oh, my God. For the first time in history, we are about to do it. It has never been done before—well, really, not quite. No. As every Member of the Senate knows, the rules get changed on a fairly regular basis. There is nothing radical about it. Just a few months ago, in order to raise the debt ceiling and prevent our government from defaulting on its loans, the rules were changed so that a 50-vote majority would prevail. We changed the rules appropriately, and we prevented a default in a massive worldwide depression.

Just a few years ago, my Republican colleagues, who are so adamantly against changing rules, well, my goodness, they changed the Senate rules to allow 50 votes to confirm the President's nominees for the Supreme Court—oh, my goodness, how shocking—and they got three conservative Supreme Court Justices as a result.

Rules get changed around here all of the time. And, maybe, just maybe, we might want to change the rules in order to save American democracy.

Now, let me conclude by saying this. And I don't know if any of my other colleagues have made this point, but I will. I regard it as a very sad day for our country—and I mean this very sincerely—that not one Republican in this body is prepared to vote for this bill.

Now, I understand why that is the case. I am in politics. I got it. I know who the leader of their party is. But this, I do not understand. I can understand Republicans, but this, I do not understand. I do not understand why two Democrats, who presumably understand the importance of the Freedom

to Vote Act—and, as I understand it, will vote for the Freedom to Vote Act—are not prepared to change the rules so that that bill could actually become law. That, I do not understand.

If you think this bill makes sense and if you are worried about the future of American democracy and if you are prepared to vote for the bill, then why are you wasting everybody's time and not voting for the rule change that allows us to pass the bill? It is like inviting somebody to lunch, putting out a great spread, and saying you can't eat. If you are going to vote for the bill, vote to change the rules.

If we can change the rules to prevent a default on our national debt, if we can change the rules to confirm Supreme Court Justices, we can certainly change the rules to save American democracy.

Thank you.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. OSSOFF. Mr. President, Abraham Lincoln must be turning in his grave to hear the Senators from the Grand Old Party—the party of abolition and emancipation and reconstruction—echoing the State's rights rhetoric of Dixiecrat segregationists to oppose Federal voting rights legislation, to oppose even the reauthorization of the Voting Rights Act—the Voting Rights Act of 1965.

In 2021, just one Republican Senator had the courage and principle to vote to restore the Voting Rights Act of 1965—the Senator from Alaska, Ms. MURKOWSKI—just one.

For decades, the reauthorization of the Voting Rights Act was bipartisan. Today, only one Republican Senator will stand up for this landmark achievement of the civil rights movement—not Senator CORNYN of Texas, who previously said, ''the Voting Rights Act is simply the most important and most effective civil rights legislation ever passed, bar none''—no longer his position—not my friend the Senator from Maine, Ms. COLLINS, who previously said, ''This bill will ensure that the voting rights afforded to all Americans are protected''; not Senator BURR of North Carolina, who previously said, ''Voting rights for all American citizens regardless of race [are] granted by the 15th Amendment and enforced by the Voting Rights Act''; and not the minority leader, who previously said, ''This is a good piece of legislation which has served an important purpose over many years. . . . And this landmark piece of legislation will continue to make a difference not only in the South but for all [Americans] and for all of us, whether we are African-Americans or not''; not the minority leader, the same minority leader, who said, ''This bill eliminated the barriers to voting so that all Americans could participate in the basic opportunity each of us have,'' who celebrated, ''We have . . . renewed the Voting Rights Act periodically since that time, overwhelmingly, and on a bipartisan basis, year after year . . . because members of Congress realize [that] this is a piece of legislation [that] has worked''—no more, not in 2022. Only one Republican Senator stood up to support the Voting Rights Act of 1965.

When Congressman John Lewis and Hosea Williams and Amelia Boynton and hundreds of others marched across the Edmund Pettus Bridge on Bloody Sunday, when John Lewis had his skull fractured on that bridge for daring to demand the right to vote for Black Americans in the American South, it was the example of their courage and their sacrifice that paved the way for passage of the Voting Rights Act of 1965.

As my colleague, my brother, Senator Reverend WARNOCK has often observed, when Congressman Lewis passed, there were many in this Chamber on both sides who rightly celebrated his towering achievements and his legacy. But I speak for the State of Georgia when I say: Do not invoke Congressman Lewis' name to signal your virtue while you work to erode his legacy and defy his will.

I have heard a lot from our Republican colleagues about the recently passed election law in the State of Georgia. Let's be very clear. There is no one in Georgia on either side of the aisle who doubts or does not understand precisely what its purpose is.

Mr. WARNOCK. That is right. That is right.

Mr. OSSOFF. Forbidding voter registration for run-off elections, driving down the early vote period during divisive runoffs to drive up lines at majority Black precincts.

As he used to say, John Lewis didn't give a little blood on that bridge that day so that Black Georgians would have to wait eight times longer to vote than White Georgians. John Lewis didn't give a little bit of blood on that bridge that day so that State legislatures across this country could pass legislation surgically targeted to make it harder for some people to vote, all for partisan power.

In the State of Georgia, where now partisan election officials can step in and throw out locally elected election boards to change who can vote and where they can vote—this, in the aftermath of a well-known incident when the former President of the United States threatened Georgia's secretary of state with criminal prosecution if he didn't ''find 11,000 votes'' that were never cast for Donald Trump.

The facts of the former President's efforts to seize reelection, despite his defeat, are well-known. He and his lieutenants mounted an unprecedented campaign to retain power based on a torrent of lies that have grievously wounded public confidence in our elections. And it was only thanks to the integrity of our laws and our courts and principled election officials and the will of Congress, the will of this Senate, to ensure the peaceful transition of power in the face of a violent assault on the U.S. Capitol that this conspiracy was defeated.

So now, this faction seeks to dismantle precisely those bulwarks which prevented their onslaught from succeeding. The choice is ours whether we will allow them to do so.

We in the U.S. Congress, Madam Vice President, have the constitutional authority to make the laws with respect to the administration of Federal elections.

We in the U.S. Senate have an obligation to defend the legacy of Congressman John Lewis, to stand up for the sacred franchise, to secure equal access to the ballot for every single American voter so that this country can continue its journey toward full realization of our founding ideals.

I yield the floor.

The VICE PRESIDENT. The Senator from Georgia.

Mr. WARNOCK. Madam Vice President, we have been summoned here by history. This is not just another routine day in the Senate. This is a moral moment in America.

I recall the words of that great American patriot and prophet, Martin Luther King, Jr., whose birthday all of us just observed. As he agonized over the difficulty and complexity of that moral moment, Dr. King said: ''History has thrust something upon me from which I cannot turn away.'' We have been summoned here, all of us. We cannot turn away.

This is no time for politics as usual. The times cry out for moral leadership, for integrity, for empathy, and for care for one another, for deep investment in the covenant that we have with one another as an American people. ''E pluribus unum,'' out of many, one—what a grand doctrine, what a noble idea, which our country has been striving to reach with fits and starts with setbacks and comebacks since the day of its founding.

This is one of those moments. We cannot turn away. We cannot hide from history. And I am truly honored to stand here with all of you, Democrats, Republicans, and Independents, in this moment. And on this, my 365th day as a Member of the U.S. Senate, the most consequential deliberative body on the planet, striving, again, for greatness.

I was elected from Georgia on January 5—what an honor to represent the people of the State of Georgia and what a great Nation, a kid from the Kayton Homes Housing Projects, the first college graduate in my family of 12. My folks are both preachers. They read the Scriptures: ''Be fruitful and multiply.'' But this kid who grew up in poverty is now serving in the U.S. Senate, only the 11th Black Senator in the whole history of our Nation. Also during that same time, Georgia also elected its first Jewish Senator, my brother JON OSSOFF.

I believe that somewhere, in glory, Dr. Martin Luther King, Jr., and Rabbi Abraham Joshua Heschel are smiling because they marched together. Rabbi

Heschel said that when he marched with Dr. King, he felt like his legs were praying.

So what a moment. I won after a hard-fought election, and the next morning, I was feeling pretty good. My mother, who grew up in Waycross, GA, picking cotton as a teenager, had joined with other Georgians in record voter turnout, and the 82-year-old hands that used to pick somebody else's cotton helped to pick her youngest son to be a U.S. Senator. Only in America is my story even possible.

I was on several of the morning shows talking about what the people of Georgia had achieved, and I was feeling pretty good that morning. Man, I was on ''The View'' talking to Whoopi Goldberg. But by lunchtime, the news alerts on my phone began to buzz. Something was happening in the Capitol. And we all know the rest of that sad and tragic story: a violent assault on our Nation's Capitol driven by the Big Lie, ugly words, signs and symbols of racism and anti-Semitism, an effort to stop the legal certification of an election.

In spite of those who want to hide, sadly, January 6 really did happen, and we must face up to it. We cannot hide from history. January 6 happened. But here is the thing: January 5 also happened. Georgia, a State in the old Confederacy, sent a Black man and a Jewish man to the Senate in one fell swoop.

Our Nation has always had a complicated history, and I submit to you that here is where we are. We are swinging from a moral dilemma. We are caught somewhere between January 5 and January 6, between our hopes and our fears, between bigotry and beloved community. In each moment, we the people have to decide which way are we going to go and what we are willing to sacrifice in order to get there.

The question today is, Are we going to give in to a violent attack whose aim is now being pursued through partisan voter suppression laws in State legislatures?

Sadly, Georgia, the same Georgia that sent me and my brother, OSSOFF, to the Senate—not the people of Georgia; partisan State politicians have decided to punish their own citizens for having the audacity to show up.

It isn't just about the restrictions around water and food distribution. The more fundamental question is, Why are the lines so long in the first place, and why is that the case in certain communities?

I know that some Americans listening to me right now don't know what we mean because that is not your experience, but it is the experience of so many of your fellow Americans. We need empathy, compassion, care for one another.

Why are local election officials working in Lincoln County, GA, to close all but one polling location for a county that is bigger than 250 square miles? Why is the second most powerful legislator in the Georgia State Senate working right now to pass legislation to eliminate all ballot drop boxes in Georgia in the middle of a pandemic? Why are State leaders in Georgia right now working to take over the local elections board in Fulton County, where Ebenezer Baptist Church sits?

There is a woman in Cobb County named Irish. She says she has tried repeatedly over the past 10 years to vote but could not because of long lines and changing polling locations—people playing games. She said that she has often had to decide if she will work or vote.

Another woman, Varana, from Cobb County says that she waited in line for 8 hours in the rain at her local library—8 hours—to vote.

I run into constituents all the time who tell me that they waited for hours to vote for me. I am honored that they voted for me, but I am sad that they should have to wait for 8 hours.

A student in Atlanta named Isabella says that she and many of her friends could not vote in the November 2020 election because they did not want to skip class to stand in line.

Why are State leaders in Georgia behaving as if giving voters these awful choices is normal or that voters like these Georgians don't exist?

Those are the facts of the laws that are being passed in Georgia and across our Nation.

So here is the question tonight: America, are we January 5 or are we January 6? Are we going to give in to the forces that seek to divide us by gerrymandering us, suppressing us, and subverting the voices of some of us in pursuit of power at any cost, or are we going to live up to that grand American covenant ''e pluribus unum''—''out of many, one''? I choose what Dr. King called ''beloved community.'' I choose America. I choose a nation that embraces all of us.

We have been summoned here. We cannot turn away. In just a few moments, all 100 of us, blessed with a sacred trust, will let the American people know where we stand on the question of whether the Senate will protect their voices, the voices of the very people who sent us here, or if we will simply surrender to the anti-democratic fervor and polarizing disunity spreading across our Nation.

In the meantime, let me say that I am glad that we are finally actually having a debate on the Senate floor. Imagine that. The Senate—what is that?—the most important deliberative body—is actually having a debate. It took us nearly a year to get to this point, and I want to thank my colleagues who worked with me and others over the last many months to keep this critical issue on the Senate's front burner.

Voting rights are preservative of all other rights. The democracy is the framework in which all other debates take place. We can strengthen our infrastructure and the infrastructure of our democracy at the same time. If we can change the rules to raise the debt ceiling, we can change the rules to raise and repair the ceiling of our democracy. This is our work.

So we have crafted a strong piece of compromise legislation that will address the rampant voter suppression and election subversion laws we are seeing passed in State after State after State—19 so far and counting. The Freedom to Vote: John R. Lewis Act will restore bedrock voting protections established by the Voting Rights Act of 1965—protections that have been eroded by the Supreme Court and are born from an era where Members of this body used to work together to solve the tough issues of our time. It will also set a Federal baseline for voting standards to ensure every eligible voter has access to the ballot, no matter where they live, and to protect elections from subversion by craven politicians.

Voting rights should be bipartisan; used to be bipartisan; passed this body the last time 98 to 0 and signed into law by George W. Bush, a Republican President.

I know that my colleagues and I have worked in good faith this past year, this entire year. We have worked hard to try to find some common ground with our Republican friends on this issue.

I have said to my colleagues: Let us bring these measures to the floor to debate. Let's reason. Let's deliberate.

I had hoped our friends on the other side would have allowed us to have a debate on voting rights legislation, but until today, that is what they have blocked three times in the Senate. They didn't block the bills; they blocked our ability to even have debate on the bills.

As a pastor, I understand the power and the possibility of coming together with those with whom we disagree to have a robust debate on the issues that are important to families and to our country. I share with many of you, I am sure, a vision of the Senate that collaborates and negotiates on the most important issues of our time.

I believe in bipartisanship, but when it comes to something as fundamental as voting rights, I just have to ask: Bipartisanship at what cost? Who is being asked to foot the bill for this bipartisanship? And is liberty itself the cost? I submit that that is a cost too high and a bridge too far.

I am deeply saddened that our Republican colleagues chose not to join us in this effort. Democrats would prefer not to act alone, but, by all means, we have to act. Even if we don't get it done tonight, we have to keep working at it until we get it done.

Dr. King's words are as true now as they were back then: ''History has thrust something upon me from which I cannot turn away.'' He said: ''Justice delayed is justice denied.''

Now, I know that I have been speaking a lot over the course of the last

year about voting rights, and it is one of my—one of my—primary passions. But I am thrilled to work for Georgians to close the Medicaid coverage gap in our State; to create new, good-paying jobs in growing and emerging industries; to strengthen broadband across our State; and more. I am thrilled to fight for these priorities for Georgia because that is what Georgians sent me here to do, but they sent me with their votes.

How can we have productive conversations about the many issues affecting the American people—about lowering healthcare costs, about creating good-paying jobs, about fighting climate change, protecting reproductive healthcare—if politicians in States get to cherry-pick their voters and the people's voices are squeezed out of their democracy? How can we achieve real consensus on the issues that matter most if only some voters can be heard?

Taking action to pass voting rights legislation is not a policy argument; it is about the democracy itself. Voting rights is how we address the deepening divides in our country, by ensuring every eligible voter's voice is heard. We, as elected representatives, have an obligation to protect their voice.

So when it comes to the question of procedure and the filibuster, let me be clear: I believe that voting rights are more important than a procedural rule, and if taking action requires a change in the rules, then it is time to change the rules.

When the times changed, we have always changed the rules—160 times.

And as we consider the filibuster, the name of the Senator from West Virginia, Robert Byrd, inevitably comes up. His is an important perspective, but we shouldn't quote him as if he is Scripture. In fact, he didn't always get it right. He said his greatest regret was filibustering the 1964 civil rights bill. Robert Byrd learned from history. Will we?

As I continue on what may feel like a filibuster, some point to Senate procedure, while others recycle excuses we heard before. But as the pastor of Ebenezer Baptist Church, I also know that all of these arguments against taking the moral action we are called to take are distractions.

Consider this. There are some things you can do in this Chamber with just 51 votes: confirm a Supreme Court nominee, 51; pass trillions of dollars in investments for our communities, 51; pass massive tax cuts, mainly for the richest of the rich, 51; confirm Cabinet nominees, 51; raise the debt ceiling—we found a way to do it the other week—51. But it takes 60 votes to repair the ceiling of our democracy by passing voting rights legislation.

I am left to conclude that if the issue is important enough, the Senate feels compelled to act. Well, let me say that I believe that the democracy is at least as important as the economy. Recently, many of our colleagues have argued that legislation to protect voting rights somehow offends our Federal system of government and amounts, they say, to a Federal takeover of elections.

Some of the same voices, ironically, who have extolled Dr. King's life this week have, at the same time, been working vigorously against the legislation we are debating today to protect the right to vote, and many of them have been channeling old States' rights arguments.

Let the message go out. You cannot remember Martin Luther King, Jr., and dismember his legacy at the same time. You can argue whatever side you want, but you do not get to argue both sides. I will not sit quietly while some make Dr. King a victim of identity theft. You do not get to offer praises and plaudits in memory of Dr. King and then marshal the same kind of States' rights arguments that were used against Dr. King and against the civil rights movement.

Please know that as the pastor of Dr. King's church, this argument evokes, I say really respectfully—it evokes—some of the darkest moments in our country's long struggle for equality.

When the Supreme Court ruled that school segregation was unconstitutional in Brown v. Board of Education, after a century of Jim Crow laws, Arkansas Governor Orval Fabus did not argue that he supported segregation at all costs. He, instead, claimed that obeying the Brown decision amounted to a ''surrender'' of ''all our rights,'' he said, ''as citizens to an all powerful Federal autocracy.''

When Senator Strom Thurmond launched the longest filibuster in the United States, against a bill to protect voting rights, he didn't argue explicitly that Black people didn't deserve to vote. He, instead, claimed that it was ''unlawful and unconstitutional'' for Congress to regulate the elections of the States.

And during the Senate's 60-day debate on the Civil Rights Act of 1964, the closing argument of the bill's opponents—led and articulated by Georgia Senator Richard B. Russell—was that it would ''strike down and destroy many rights and powers which, since the foundation of our government have properly belonged to several States.''

Let's be very clear about this legislation. The States will continue to administer their elections. And, of course, States have certain rights. Do we genuinely believe that States have a right to discriminate, to suppress, or to block access to ballot boxes for so many Americans?

Although we are 50 unique States, we are also united as one Republic, and what happens in one State can affect us all. When we elect our U.S. Senators and our U.S. Representatives, and when we elect the President, we must represent all Americans; we need every vote to count to maintain the integrity of our democracy. And so we must do this work.

I support reforming the Electoral Count Act. That said, reforming the Electoral Count Act will do virtually nothing to address the sweeping voter suppression and election subversion efforts taking place in Georgia and in States and localities nationwide. It doesn't matter if your votes are properly counted if you cannot cast your vote in the first place.

And so, as I close, I want to appeal to all of my colleagues on both sides of the aisle, not just as a colleague but as a pastor and as a man of faith. The American people have sent us here, and history has summoned us to this moment. We cannot hide. Whatever the outcome tonight, I still believe in us. I believe in the U.S. I believe in us. I believe that democracy is the political enactment of a spiritual idea, that we are all children of God and therefore we all ought to have a voice in the direction of our country and our destiny within it. I believe that a vote is a kind of prayer for the world we desire for ourselves and for our children and that our prayers are stronger when we pray together.

A young Martin Luther King, Jr., struggled all those years ago, and he said: ''History has thrust something upon me from which I cannot turn away.'' Those of us who are students of Dr. King—I know I have—often wonder: What would I have done if I were alive during the civil rights movement? I know we would all like to think that we, too, would have had just a small fraction—just a fraction—of the courage that it took for John Lewis to cross that Edmund Pettus Bridge.

Well, for those of us who are fortunate enough to have served in the U.S. Senate in this moment—in this moral moment—we do not have to wonder. My God, he faced troopers on the other side, crossing that bridge. We are talking about a procedural bridge. We don't have to wonder what we would have done. I submit that what we would have done back then we are doing right now. History is watching us. Our children are counting on us. And I hope that we will have the courage to do what is right for our communities and for our country, the courage to cross this bridge, to do the hard work in this defining moral moment in America for the sake of the communities that sent us here in the first place—for the sake of the planet, for the sake of healthcare, for the sake of jobs, for the sake of being able to argue for the things that we care about—the courage to fight for one another.

I am still praying that we will cross that bridge, but, if not tonight, we will come back again and again and again.

I yield the floor.

Mrs. FEINSTEIN. Madam Vice President, I rise today in support of two important voting rights bills the Senate is now considering, the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

The Freedom to Vote Act would protect access to the ballot by permitting

all voters to vote by mail, providing a minimum of 15 days of early in-person voting for Federal elections, and allowing same-day voter registration at polling places. The bill would also protect nonpartisan election officials from interference and intimidation and end partisan gerrymandering of congressional districts.

The John Lewis Voting Rights Advancement Act would restore the Voting Rights Act of 1965 by allowing the Justice Department to prevent discriminatory State voting laws from taking effect.

The need for Federal legislation to protect the sacred and fundamental right to vote is clear. Over the last year, we have witnessed a disturbing increase in efforts by State legislatures across the country to make it harder for eligible voters to access and cast their ballots.

Last year, legislators in 49 States introduced more than 440 bills that would make it harder to vote and easier for improper, partisan interference in our election processes. At least 34 of these restrictive bills have become law in 19 States.

For example, one new law in Georgia gives the partisan State election board—composed of members appointed by the majority party of the State legislature—the authority to take over election administration from the existing nonpartisan county boards of elections that have historically been responsible for conducting elections.

Another example is a new law in Iowa that makes it harder for Americans with disabilities to vote by restricting access to absentee ballots and restricting who is allowed to help voters with disabilities return their ballots.

And across the country in red and blue States alike, State legislators are engaging in partisan gerrymandering, strategically redrawing congressional and State legislative maps to prevent some voters from fully participating in the political process by diluting the power of their votes.

This partisan gerrymandering, in effect, allows elected officials to choose their voters rather than allowing voters to choose their elected officials. This allows one party to design maps that give it a disproportionate edge in State legislatures and delegations in the House of Representatives. It also has an outsized impact on minority communities, who all too often see their votes diluted when maps are drawn to minimize their voting clout.

The right to vote is a cornerstone of our democracy, enshrined in our Constitution. And the Constitution also makes clear that it is the duty of Congress to ensure that the fundamental right to vote is protected.

Sadly, this legislation has become a partisan issue, even though voting rights has traditionally passed the Senate by a strong bipartisan majority and been signed into law by Presidents of both parties. In today's Senate, it has become all too easy for either party to block action on important legislation. Blocking debate or preventing votes is as easy as denying requests for unanimous consent; Senators don't even have to enter into debate or explain their opposition to a measure.

Having been in the Senate since 1992 and seen important legislation pass this body, I have resisted calls to change the Senate rules and to limit the rights of the minority. But the Senate filibuster, which was intended to be a tool to promote bipartisanship, has become a tool to stop almost any major legislation.

When Americans thinks about the filibuster, many recall the image of Jimmy Stewart in ''Mr. Smith Goes to Washington,'' speaking on the Senate floor, actively debating a piece of legislation and explaining their support or opposition. It is time that we return to that tradition of debate and not use the filibuster to prevent us from even talking about a bill.

If my Republican colleagues want to block this voting rights legislation, I believe they should have to stand on the Senate floor and explain to the American people why that is the case, even as the right to vote is under attack in statehouses across the country.

As representatives of the American people, we should be fighting to protect the fundamental right to vote, not standing in the way of it. It should never be a legislator's goal to make it harder for eligible voters to cast their ballots.

We cannot wait any longer. It is time for Congress to do the job the Constitution gave us: To ensure that the right to vote is protected.

Mr. REED. Madam Vice President, the right to vote is sacred, the heart of any democracy. And in a proud, though painful tradition, successive generations of Americans have fought to expand and protect that right and ensure that we as a country live up to our democratic ideals. Many risked their safety and even gave their lives in the fight for the right to vote. From Frederick Douglass to Lucy Burns, from Dr. Martin Luther King, Jr., to John Lewis, and countless other unnamed and unknown patriots, Americans have long taken it upon themselves to make their Union more perfect.

It is because of the sacrifice and unyielding activism of those brave Americans that the 14th, 15th, 19th, 23rd, 24th, and 26th Amendments were ratified; the Indian Citizenship Act was passed; the Chinese Exclusion Act was repealed; and in 1965, the landmark legislation of the Voting Rights Act was enacted. That transformative law, along with its bipartisan renewals over the following decades, helped set us on a path to representation across the Nation that better reflected the diversity of the American people and better ensured the right to vote.

We cannot allow these hard-earned advances to be reversed.

Yet, as we speak, instead of preserving the right to vote, Republicans are finding new and insidious ways to make it harder to cast ballots. Why else would they oppose secure, effective, verifiable mail-in ballots? What other reason is there for curtailing early voting and weekend voting? These regressive new laws sprouting up across the country are clearly meant to discourage voters, particularly people of color, young people, people with disabilities, and the working class. That is not just malicious; it is an assault on America's ideals.

In this moment of crisis, only Congress can step in to repair the breach by passing the Freedom to Vote: John R. Lewis Act. We cannot wait for others to act. Chief Justice Roberts ruled that Congress needs to change the Voting Rights Act to preserve its protections for millions of Americans.

At the State level, at least 19 States passed laws restricting access to voting in 2021, and a number of States have begun to allow partisan actors to interfere with election processes or even reject election results entirely. Blatant gerrymandering is diluting the voice of minorities and election procedures are being tampered with as nonpartisan safeguards fall to the wayside.

In the face of this dire onslaught against our democracy, the Constitution is clear that Congress has both the power and the responsibility to restore the protections of the Voting Rights Act and to ensure greater election integrity in our country.

And this isn't a case of so-called red States and blue States. Every State needs to do more to preserve access to the ballot box, and the bill before us ensures that Federal elections in every State will be more secure and more accessible to voters. It sets standards that every State can meet and provides the resources for them to do so.

Considering the magnitude and urgency of the need for election reforms, I am dismayed by Republicans who have spent months blockading a discussion of these bills on the Senate floor while also refusing to negotiate over any specifics.

Sadly, we have been here before. In 1890, then-Representative Henry Cabot Lodge introduced a Federal elections bill that would reinforce the 15th Amendment and combat the wave of laws disenfranchising Black voters in the South. Though it passed the House, a weeklong Senate filibuster by Southern Democrats and some Western Republicans led to the defeat of the legislation in 1891. Imagine—where would we be if voting rights legislation had existed in the 1890s instead of having to wait until 1965? How many thousands of lynchings that took place in those 75 years may have been avoided if Black voters could have had a voice in who was their sheriff, their judge, their mayor, their Representative, their Senator, their President? How many generations of Black children would have had running water, proper books, and qualified teachers in their schoolhouses?

I hope and believe that history will not repeat itself in such a gruesome fashion. But I do believe that the impact of the current disenfranchisement will be felt acutely in minority communities, by seniors and those with disabilities, and among young people. Without a voice, their legitimate claims for opportunity and equality will be muted, and huge discrepancies in income, education, and opportunity will be perpetuated.

We have tried negotiating with the other side. We have offered an open debate to the other side. We have held hearings and taken to the floor to outline the dangers of these State voting changes to our democracy, but the other side continues to say ''no'' to a debate and ''no'' to a vote.

While many of my colleagues on the other side voted to certify the 2020 election and some even voted to impeach the former President for his role in the January 6 assault on the Capitol, by blocking this bill, they are abetting the former President and his unelected media allies in spreading the lie that an election that brought more Republicans to the House of Representatives was somehow ''stolen.'' That claim was false then, and it is false now.

In allowing falsehoods about the election results of 2020 to proliferate, in celebrating and minimizing the horrors of January 6, Republicans have chosen a path of seeking short-term wins, not realizing that when democracy loses, we all lose.

I have a deep respect for Senate rules and precedent, and I have a strong skepticism when I hear suggestions of changing those rules. I know that what goes around can come around, so what may seem beneficial in the moment can become deeply detrimental in the future.

The filibuster has its place, but at a certain point, the right of every eligible American to exercise their right to vote takes precedence because you cannot have a democracy if your citizens cannot vote. It is that simple.

For that existential reason, I will vote to change the rules for the purposes of this bill and enforce rule XIX so that Senators must actually take to the floor and make their case to the American people rather than hide behind procedure when it comes to voting rights.

Our future as a democracy depends on the willingness of this body to do the right thing and protect voting rights by passing the Freedom to Vote: John R. Lewis Act. I implore my colleagues: Let's do the right thing, and let's do it now.

Ms. SMITH. Madam Vice President, I rise today with my Democratic colleagues in support of one fundamental idea, the cornerstone of our democracy: that every eligible citizen of this country has the right to vote and have their vote counted.

Cut to the chase, and that is what this about.

Passing the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act would mean saying yes to basic, commonsense standards for free and fair elections; safeguarding our constitutional right to choose our own representatives; and going after dark money in our politics.

Failing to pass these bills means we will continue to allow Republican State legislatures to undermine our democracy by suppressing some people's access to their constitutional right to vote, based on who they are, where they live, and whether they are likely to vote Republican.

Today on the Senate floor, not a single Republican Senator is willing to join us Democrats in support of the Freedom to Vote Act and these commonsense standards for free and fair elections. This is a tragedy.

I have been listening to their arguments, and to be honest, they just don't hold water. Republicans argue that the Freedom to Vote Act is a ''Federal takeover of elections,'' or a power grab. This is ridiculous.

The Freedom to Vote Act preserves States' constitutional right to prescribe the ''times, places, and manner of holding elections,'' while ensuring that elections must meet basic standards that allow Americans to exercise their right to vote and to have their votes counted, free from discrimination.

Congress shares the constitutional responsibility for preserving our free and fair elections; article I, section 4, says that, ''Congress may at any time by Law make or alter such Regulations.'' Furthermore, the 15th, 19th, and 26th Amendments require that we ensure that the right of our citizens to vote shall not be denied or abridged on account of race, color, sex, or age.

These State laws that Republican legislatures are passing are clearly discriminatory to young voters, Black and Latino voters, and Native voters. Countless studies have shown that these folks are more likely than White voters to be affected by voter purges, polling place closures, the restriction of early voting, and strict photo ID requirements. This isn't an accident or a coincidence. It is the point.

Our job, our constitutional responsibility, is to protect against discrimination just like this. Passing this bill isn't Federal overreach; it is our job.

Now, Republicans also argue that their voter suppression techniques aren't actually oppressive or discriminatory; they are designed to root out voter fraud. This is not only factually inaccurate—there is no evidence of widespread voter fraud—it is offensive.

In Ohio, voters in Democratic-leaning neighborhoods were purged from the voter rolls at twice the rate as in Republican neighborhoods. In Georgia, a 2018 voter roll purge removed over 50,000 voters. Over 80 percent of them were people of color. Other States, like Texas, have instituted draconian voter ID laws that disproportionately burden Black and Latino voters. This is a real problem, not a fake problem.

Colleagues, our voting laws reflect what we believe about who should have a voice in this country. They tell us who we are.

When Republican State legislatures limit voting hours, close polling places in Black neighborhoods, and restrict early and absentee voting, they seek to silence some voices: young people, voters of color, and voters in poor neighborhoods. When Republicans narrow the window when people can vote, they make it harder for some folks to exercise their right to vote—people with multiple jobs or irregular schedules, people with childcare or transportation challenges, seniors, people with disabilities, and anyone who can't afford to wait in an hours-long line at their polling place.

We cannot ignore—or pretend not to see—the line connecting these discriminatory State laws and the dark history of Jim Crow, our country's legacy of denying some people, as my colleague Reverend WARNOCK says, their constitutional rights.

If we want to make more voices heard, we know what to do. My home State of Minnesota consistently has the highest voter turnout in the Nation. This happens because we have strong voting laws that empower people to make their voices heard while keeping our elections safe and secure. We have online and same-day voter registration, vote-by-mail and early voting, and voters have the right to take time off of work to vote in all State and Federal elections. We have paper ballots to ensure election integrity. These policies work to expand ballot access and improve voter turnout. The Freedom to Vote Act would implement many of them as minimum national standards.

So why are Republicans united in their opposition to this bill? The simplest answer is they believe they can't win if more people's voices are heard and counted.

In Georgia in 2020, when Senate Democrats saw voters waiting up to 10 hours to cast their votes and Black voters waiting much longer than White voters, we wrote a bill that would expand access to early voting, vote-by-mail, and make election day a Federal holiday. Republican State legislators in Georgia saw the same thing and passed a law to make it a crime to give food or water to voters waiting in line, remove drop boxes, and restrict voting by mail. For the past several years, Republicans have engaged in a coordinated strategy of voter suppression. According to the Brennan Center, in 2021 alone, 19 States passed over 30 laws restricting voting rights.

Today in the Senate, every single Democrat is united in our effort to protect people's right to vote. And today, all 50 Republicans will block passage of this voting rights legislation.

We may lose this battle today, which is heartbreaking. It is maddening that a majority of U.S. Senators, representing 41 million more people than

our Republican colleagues, cannot pass a bill to make critical election reforms that are supported by strong majorities of Americans, all because of an arcane Senate rule. That is just not right, and it is long past time to fix it. In a democracy, after the debate is done, a majority of the people decide. That is how it works in township meetings, in city halls and county board meetings, in State legislatures, and that is how it should work in the U.S. Senate.

But this fight won't be over today. I have faith that, eventually, we will win. I have faith, not because I believe in the inevitability of progress, but because I have faith in the righteousness of this fight, and I have faith in our democracy.

Dr. King taught us that progress is not a straight line. The story of change in this country, more often than not, is a story of people practicing their civic faith through defeat, people doing the work despite not having the votes, people who keep putting one foot in front of the other because they believe they will reach their destination, even if they can't quite see the path to get there. I am honored to walk that path with the thousands of organizers, activists, and voters who share that civic faith.

I urge my colleagues to vote yes on the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

The VICE PRESIDENT. The majority leader.

Mr. SCHUMER. Madam President, just for a minute, I want to first salute the amazing speeches by our two Senators from Georgia—Georgia, which has been the crucible in our fight for voting rights, where the attempts to curtail voting rights seem most pernicious. To both of you, your erudition, your eloquence, your passion were amazing.

And I want to salute our Republican colleagues who listened to the speeches, and hope that those who weren't here will get a chance to review those speeches as well.

UNANIMOUS CONSENT AGREEMENT

Madam President, now, I ask unanimous consent that the mandatory quorum call with respect to the pending cloture motion be waived.

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

Mr. SCHUMER. I ask unanimous consent that the following Senators be permitted to complete their remarks prior to the scheduled vote: Senator BLUNT, Senator KLOBUCHAR, Senator SCHUMER.

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

The Senator from Missouri.

Mr. BLUNT. Madam President, I have been on the floor most of the day today, and I think I heard virtually every speech given. I was reminded again, as the day went on, of really the broad-based talent of people in the Senate.

I spent some time, a couple of years ago, over the course of about 6 months, kind of watching individual Senators and trying to figure out how they got here. And with only a couple of exceptions, I could figure it out: that unique ability to communicate or to explain things in a way that people understood them or to appear to just know more than other people knew about things that people knew Senators need to know about. And I was reminded again of the tragedy of how little we use that collective talent.

There is absolutely no telling what we could do if we would decide, as 100 people who figured out how to get to the U.S. Senate, how we would work together and solve big problems.

And I think we all know where we are today. But I do hope, as Senator SCHUMER mentioned, that we listen to each other as people express different views. Certainly, the Senate would be a better place if we spent more time on the floor listening to each other and talking to each other.

Now, on this bill, I think we all know where we are headed. In my view, having watched election legislation for a long time, it seems to me this is just another version of an election bill introduced by Democrats. There is not much new in this bill. Both the Rules Committee, where I serve, and the Senate have already rejected this Federal takeover of elections several times this year.

Now, many of my friends on the other side said: Well, why wouldn't Republicans just want to debate this bill?

I don't think anybody said: Why wouldn't the Republicans want to amend this bill—because there was no opportunity to do that.

We have been on the bill now for several days. We got on the bill. It was a fairly crafty way to get on the bill, with a 51-vote vote. It is fine with me to be on the bill. But our friends on the other side decided there would be no amendments on this bill. And I think Republicans, from the very start, sensed that this would be a bill where we would get a ''yes'' or ''no'' vote on a bill that really would dramatically change how we pursue elections.

Now, while it has a new name—it is more than 700 pages—it is nearly identical to the Freedom to Vote Act. It is substantially the same as the two versions that couldn't get 50 on that side, S. 1; very similar to the Senate bill, H.R. 1; and very similar, frankly, to the election bills that I have been watching for 20 years. And there has always been a different reason to do about the same Democrat-sponsored bill in the House and Senate. After 2020, the reason was, well, the equipment is too faulty, and we have got to have more Federal control of what happens in the States. After 2016, the reason to have a massive election bill was, well, there is just not enough security in State elections, and the Federal Government has to intervene in some major way. After 2020, even though the Federal Government didn't intervene in a major way, suddenly the elections were the most secure in the history of the world. Both parties alleged that at one point.

Now, we need to have this bill because some States are passing legislation that in most cases looks at the real outreach that they appropriately did for the pandemic, and thinking in 2021 that the pandemic was over, thinking, what do we want to keep from what we did in that outreach, and what do we want to decide we should only do during a pandemic?

I haven't found very many places, if any, that couldn't be easily explained, like postal regulations and other things, where the States have made changes and rolled back their pandemic outreach, where they don't have more opportunities to vote now than they had in 2018, the last election before they should have done extraordinary things.

Actually, one lesson we probably taught State legislators here is, don't do anything to try to amend an immediate moment because if you try to undo it when that moment has passed, you will get on what Senator LANKFORD described as the ''bad list.'' He also did a pretty good job explaining that a lot of States that weren't on the bad list don't have nearly the opportunities to vote as the States that are on the bad list.

I was an election official for about 20 years, including the secretary of state for a good part of that time, and I always thought that the diversity of the system was one of the strengths of the system. I thought, as President Obama did in 2016, that the diversity of the system made it really hard for outsiders or insiders to figure out how they could rig a national election. I still think that.

This bill undermines, really, a lot of State voter laws that are pretty popular with voters, and we have seen that expressed even in recent elections in like New York City. Prohibiting voter identification for mail-in ballots would be one of the things that you wouldn't want to do. If you wanted to have mail-in ballots, you would want to be sure where those came from. Frankly, you would want to have an objective standard, like your voter ID number or some other number that was uniquely yours, rather than a subjective standard, like how you signed your name when you were 18 as opposed to how you are signing your name when you are 68. That was one of the changes, by the way, in the Georgia law, which should have helped more people than not.

This bill retains S. 1's mandate on ballot drop boxes and federalizes rules for redistricting. I think it chills free speech and requires felon voting. Now, why would anybody want to be against any of those things? There are reasons, frankly, to be against all of those things, but States make that decision for themselves, and in some States, it may work very well, and in others, it might not.

Of the top sweeping election administration changes in this bill, the S. 1

policies in this bill disrupt State efforts to maintain accurate voter rolls. Now, accurate voter rolls were seen as one of the great progressive moves forward so you would have some sense that the people who voted on election day were actually people who were supposed to vote, and it is also important to vote in that district. If you just vote anywhere, and your legislative district where you should have voted was decided by four or five votes and you were one of those four or five, suddenly, that is a bit of a disservice to everybody else.

The bill would send Federal money to campaign coffers at the rate of 6 Federal dollars for every dollar raised. It even goes so far as to add a second public financing program that would give people $25 in Federal funds to contribute to House candidates. Now, this 6-to-1 match is only for House candidates. That may not be what the final bill would say if we passed this bill, but it is only for House candidates now. And, of course, this Federal money would be eligible to be matched by 6 to 1 other Federal dollars. That is a pretty good deal. You give somebody 25 Federal dollars, and it could be matched with 6 to 1 other Federal dollars.

This bill sets up a framework that would result in, I think, every congressional district map likely to be drawn by Federal courts. How many maps have we seen this time that were drawn by new improvements that the States made that didn't turn out to be, one, any better than the old maps and, two, wound up being drawn by judges?

The John Lewis Voting Rights Act—he was a friend of mine. I served with him. I traveled with him. I laughed with him. I liked him a lot. I admired him a lot. The Voting Rights Act was 12 pages when it was introduced in 1965. The John Lewis Voting Rights provisions here have a great name, but they are 120 pages. I voted to extend the Voting Rights Act, and I would do it again, and I would be proud to do it if it was named for John Lewis. But 735 pages, and saying that if we don't vote for that 735 pages, somehow we are opposed to the Voting Rights Act or opposed to the heroism of John Lewis? I don't think so.

Since it doesn't have the support to pass under the current Senate rules, the next thing we will do is attempt to really gut the legislative filibuster to force it through.

My Republican colleagues have spoken at length about the consequences of doing that, as have Senator MANCHIN and Senator SINEMA just the other day. The justification rests on really a narrow basis that somehow the protection of the minority no longer matters.

The danger of overturning 200 years of election administration by the States—I am going to resist doing any of the quotes this late in the day that you have heard over and over again of our Democratic friends who just a couple of years ago were saying—or less than a handful of years ago—how critically important it was that those rules never be changed.

You know, if Democrats eliminate the 60-vote rule for election legislation, there will soon be no filibuster left.

Today, it would be a carve-out for the election administration. Three or four weeks ago, it was a carve-out for raising the debt limit. The next carve-out would be for whatever seems to be important that day.

The carve-out won't work. I don't think anybody here believes that any longer. This would be the first step in just eliminating an important distinction that makes the Senate a place where we have to think about what we do. It eliminates some of the chaos that occurs when you have a party change.

In the past two decades, a single party has controlled both Chambers of the Congress and the Presidency four times, alternating between Democrats and Republicans. The Senate is what has kept the country from wildly going from one direction back to the other. We don't want to lose that. It would be a disaster for our citizens, a disaster for our economy. Having that sense of having to think about this just a little bit before you head in another direction is what the Senate is all about.

I certainly hope my colleagues today will not pass this Federal takeover of election laws and will also resist the temptation to change the rules of the Senate.

I yield the floor.

The VICE PRESIDENT. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam Vice President, I rise today after hearing from my friend Senator BLUNT. I remember on January 6, as all of you do that day, when he and I and Vice President Pence and two young women with the mahogany box filled with the last of the ballots—up to Wyoming—took that long walk through the shattered glass, the spray-painted statues, and we did our jobs. I will be forever grateful for what he did that night and what so many people in this Chamber did.

But, for me, it didn't end that night because, sadly, what wasn't accomplished by the people who rifled through these desks and got up on that dais, Madam Vice President; what wasn't accomplished with bear spray; what wasn't accomplished with the bayonets—and I still remember the blood on the officers' faces—sadly has continued on.

The votes that we took that night were important, but the votes that the people of this country take in every election are just as important. That is why, when you look at the Freedom to Vote: John R. Lewis Act, you have to understand what it is grounded in, and that is our belief in our democracy.

I want to thank every single Member of the Democratic caucus who has worked so hard to agree on this bill. I will say the voting rights groups, the Rules Committee—and I do differ from Senator BLUNT on this. We spent a lot of time making changes to that bill over the year. We have made many changes in response to concerns from secretaries of state and local election officials all across this country.

I also thank the Vice President and the President for your leadership.

Since this country's founding when brave patriots rose up and ultimately established a country in the name of ''we the people,'' America has been a shining beacon for the world, a touchstone for democracy.

We travel the world as Senators, as Senators SHAHEEN and PORTMAN and I and several of our Democratic and Republican colleagues did just this weekend. When we went to decry dictators and bullies who attempt to undermine democracies, as Vladimir Putin is doing in Ukraine, we were proud on that trip to wear lapel pins with the Ukrainian flag on one side and the U.S. flag on the other. We are proud of our democracy, and that democracy is fundamentally based on the freedom to vote.

Over the years, we made improvements to address wrongs that kept too many Americans from joining in the rights on which our Nation was founded. But for generation after generation, Americans have believed truly in our country's founding promise. They fought for it, and they died for it.

We are here today against that backdrop of history, at a time when our democracy is facing a new wave of threat, a flood that has surged up since the 2020 elections, when more Americans cast a ballot than ever before as a pandemic raged. It is up to us to turn back that tide and to preserve the right that lies at the bedrock of our system of government.

Again, I disagree with Senator BLUNT about what has been going on. I look at the law that was passed in Montana that Senator TESTER described. That was set in place for 15 years for same-day registration in the State of Montana—15 years. In the last election, 8,000 people took advantage of it on election day, either newly registering to vote or changing their address because they moved. It was just taken away from them with what one court described for another law years ago in North Carolina as ''surgical precision.''

You look at what our friends Senator OSSOFF and Senator WARNOCK have described has happened in Georgia, where 70,000 people registered during that last week of the election in the runoff period—70,000 people in the last election. That has been stripped away, passed into law that that cannot happen again.

The Founding Fathers knew that our democracy would face obstacles. A lot of people have been quoting them. I will quote this one from Samuel Adams. He said this:

> The liberties of our country . . . are worth defending [at] all hazards. And it is our duty to defend them against all attacks.

When you have had over 9,000 threats against Members of Congress in just

the last year—double, triple what we have seen before—I don't see that walk we took, that really important walk—that it all ended that day. When you have local election officials across this country being threatened and the names of their kids and their homes put out on the internet, like the Republican local election official in Senator CASEY's home State of Pennsylvania—his house, his kids, with a threat that said: ''Tell the Truth Or Your Three Kids Will Be Fatally Shot''—it is on all of us to uphold and protect this democracy.

The Freedom to Vote: John R. Lewis Act meets the challenges before us by establishing basic Federal standards for our election, restoring and strengthening the Voting Rights Act, countering the power of secret money in our politics, and taking on new threats to our elections to ensure that every vote is properly counted.

And, again, let me read from the Constitution from article I, section 4. That clause empowers Congress to ''make or alter'' rules for Federal elections ''at any time''—at any time.

As Senator KAINE noted, that is the only time that ''any time'' is used in the Constitution, ''at any time.''

The word ''filibuster'' isn't in this document. The word ''cloture'' isn't in this document. But it was anticipated that Congress could and should be involved in Federal elections when necessary.

What brought us to the point today? We are here in the midst of a concerted effort to stop people from exercising the most fundamental right in our democracy. Because, as Reverend Warnock has put so well, ''some people don't want some people to vote.''

We are here because the people of this country know what is going on. I am talking about a veteran in Georgia who didn't have to stand in line to serve his country, but he had to—I met him myself. He had to stand in line hours and hours and hours in the hot Sun just to cast a ballot.

We are here because of those voters in Wisconsin who stood in the rain, in homemade masks and garbage bags in the beginning of a pandemic, just to exercise their right to vote. We are here because of a voter in a wheelchair in Texas who traveled 3 hours on four buses just to vote; a woman in Montana who had open-heart surgery, uncertain about how to return her mail ballot; a former election official from a rural county was ousted by Republicans in the Georgia Legislature after a decade of service; and a 92-year-old woman who was purged from the rolls after voting in every election for decades, since 1968.

We are here because after a record number of voters voted to make their voices heard, there are people, sadly, who are working in every State capitol to make sure it never happens again.

And I note that for every one of these laws that have passed in 19 different States, it has been with a simple majority, State by State by State—a simple majority.

And then, as was noted by several of my colleagues, after this Chamber has established over 160 carve-outs, 160 processes in law to allow for a final vote without a 60-vote threshold—whether it is for the debt ceiling, whether it is for the Bush tax cuts, whether it is for the Trump tax cuts, whether it is for Justice Amy Coney Barrett—51 votes—now we hear, at this very moment, that we must embrace this archaic rule that is not in the Constitution and did not exist when the Senate was founded.

And we are not even talking about getting rid of this rule. We are simply talking about restoring the Senate to what it once was so we can have debates, and we can actually vote on bills when those debates have concluded and when the speeches are exhausted.

We are here because we took an oath to defend the Constitution as we did that night on January 6. We are here because we know that the eyes of the world are on us, watching to see if America will stand up and take on the challenges of our time.

To paraphrase Dr. King, whose legacy has been honored many, many times today, while there may be finite disappointment in this country for so many people every day, we must never lose infinite hope.

We are not losing it. That, my friends, is why we on the Democratic side of the aisle are supporting this bill. With history's eyes on us and with so much at stake, we must and we will fight on.

I yield the floor.

The VICE PRESIDENT. The majority leader.

Mr. SCHUMER. Madam Vice President, what kind of democracy shall endure here in the United States long after our times in this Chamber come to an end? Shall American democracy in the 21st century be called a true heir to our Framers' vision—a nation where the people choose their own leaders, forge their own destiny, and add to the great legacies of those who expanded the franchise before us or shall we see American democracy backslide in our time, grow feeble in the jaws of its adversaries, and ultimately succumb to the cancer of voter suppression?

The answer, in a large sense, could depend on how we move forward this evening. As we have clearly laid out in over the past 2 days, the laws passed in legislatures throughout the country do nothing less than to discourage and prevent certain kinds of Americans—Black and Brown Americans, young Americans, elderly Americans, low-income Americans—from participating in the democratic process.

My colleagues, my colleagues, we can begin to put a stop to these attacks tonight by voting to proceed to the final passage of the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act. These are good bills; these are effective bills; and they should be passed by this Chamber as soon as possible.

And if cloture is not invoked, we must change the rules of the Senate so we can pass these bills into law. As we cast our votes, I urge every one of us, Democrat and Republican, not to discount our place in history. The story of American democracy is full of contradictions and halting progress.

At the time of our Constitution's ratification, you had to be in many States a White, male, Protestant landowner to vote. But ever since the early days of this grand Republic, Americans launched mighty movements, fought a bloody civil war, and, yes, passed Federal election laws to expand the franchise until there were no more boundaries.

Today's vote is the next step in that long march. Are we going to let our democracy backslide in the 21st century? Are we going to be dragged back into the abyss of voter suppression?

I urge every one of my colleagues, left, right, and middle, for the sake of our democracy, unite, take a stand today.

To every Member of this body who treasures our precious experiment in self-rule, to every Member horrified by the muck of voter suppression, and to everyone who believes this Chamber is still capable of defending democracy in its hour of great need, I urge a ''yes'' vote.

I yield the floor.

CLOTURE MOTION

The VICE PRESIDENT. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 5746, a bill to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

Charles E. Schumer, Jacky Rosen, Cory A. Booker, Richard J. Durbin, Jack Reed, Amy Klobuchar, Jeff Merkley, Tammy Duckworth, Robert Menendez, Chris Van Hollen, Richard Blumenthal, Sheldon Whitehouse, Patty Murray, Benjamin L. Cardin, Elizabeth Warren, Christopher Murphy, Ben Ray Luján.

The VICE PRESIDENT. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 5746, a bill to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

[Rollcall Vote No. 9 Leg.]

YEAS—49

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Shaheen
Cantwell	Klobuchar	Sinema
Cardin	Leahy	Smith
Carper	Luján	Stabenow
Casey	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

NAYS—51

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Schumer
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Murkowski	Wicker
Fischer	Paul	Young

The yeas and nays resulted—yeas 49, nays 51, as follows:

(Mr. OSSOFF assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 49, the nays are 51.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Madam Vice President, I enter a motion to reconsider the failed cloture vote.

The VICE PRESIDENT. The motion is entered.

The Senator from Connecticut.

(Mr. OSSOFF assumed the Chair.)

Mr. MURPHY. Mr. President, as we head toward the final hour of debate, I want to just bring us back about 20 feet to talk about the stakes that we are laboring under tonight.

I want to talk a little bit about the big picture of why this matters.

I know we have changed the rules 160 times in the history of the Senate, but I will submit that it is still an extraordinary endeavor to ask our colleagues to change the rules and traditions of this body.

And so here is what I want to say: It is really important to remember that democracy, this idea that every member of our country, every member of the community gets an equal say in the rules that govern us, it is unnatural.

Why do I know this? Because I want you to think of every organization in your life that matters. Your workplace; it doesn't give equal votes to every employee as to the direction of the company. Think about your favorite sports team. There is not a vote from all the players about the lineups or the strategy of the team. The Sunday sermon at your church isn't chosen by an online poll of the congregation.

I love my kids, but they don't get an equal say with me and my wife about the rules of our house.

When you look out over the long stretch of human history, it is no wonder that 99.9 percent of humans have lived under governments that were monarchies or sultanates or autocracies.

Since the beginning of time, human beings have preferred, have been naturally drawn to or maybe have been trapped in hierarchal systems where the strong and the powerful make the decisions for everyone else.

The idea that humans, both the weak and the powerful, the rich and the poor, should decide together, each person having equal weight, the course of their Nation—this idea is revolutionary.

There have been experiments over the course of world history, but no nation has sustained this idea longer than this one. In historical context, our democracy should be perceived as a tiny, fragile port in the middle of a raging storm, and none of us should be surprised that once in a while some Americans, drawn to the old system of control by the strong and powerful, decide that it is time to give up and submit to the battering winds.

That is the moment we are in today. Just in the last few days, former President Donald Trump, the leader of the Republican Party and their likely candidate for President in 2024, once again, made clear his intent.

He said last week:

> We have to be a lot sharper the next time when it comes to counting the votes. . . . Sometimes the vote counter is more important than the candidate.

The leader of the Republican Party isn't even trying to hide his agenda any longer. State after State is changing the rules of who counts the votes so that only the allies of Donald Trump can decide which votes count and which votes don't.

Now, much of the focus today, understandably, has been on the unconscionable rules that limit the ability of poor people or people of color to vote, and it is heinous that Black voters have to wait in lines that are two times or ten times longer than a White voter. But democracy may actually collapse when Trump's plan to rig the next count succeeds in plain view for everybody to see. He broadcasts that in the next election the vote counting will be more important than the quality of the candidates.

Why? Because the plan is to install Donald Trump as President, whether or not he actually wins the election, just like he tried to do after the 2020 election.

Can anybody really deny that this is the agenda?

Of course, that is what he is doing, because it is what he tried to do transparently, unapologetically in 2020, and that is what he is telling us he is going to do in 2024. At some point, we just have to believe what we see and what we hear.

And I appreciate Senator THUNE coming to the floor earlier today and telling us that he believed Joe Biden won the election and that when he faced a close election, he submitted to the will of the voters. But Senator THUNE is not the mainstream of the Republican Party today. In fact, those that believe Joe Biden won the election in the Republican Party are the dead limbs of an otherwise perfectly healthy tree. The trunk of that tree is Donald Trump and MARJORIE TAYLOR GREENE and all those who believe that Joe Biden is an illegitimate President. That is what 70 percent of Republicans believe today.

If mainstream Republicans in this body came to Connecticut and held a rally, a dozen people would show up. MARJORIE TAYLOR GREENE came to my State and 3,000 Republicans came—more than I have ever seen show up for a Republican, because that is the mainstream of the Republican Party.

Today, we are voting on a proposal to change our rules so that we can protect our democracy and the rules that have stood for generations to assure that both parties continue to have a role in counting the votes. And while it feels astonishing that not a single Republican is going to join us today—not the Trump cheerleaders nor the sometimes critics of the former President—maybe it shouldn't be that shocking, because of that natural state that billions of humans have defaulted to over the millennium, the unelected rich and powerful being in charge of everything and setting the rules for everyone else.

It might square perfectly with Republicans' agenda. For the last decade, the entire legislative agenda here, when Republicans have been in charge, has been about giving more power, more money, more influence to the rich and powerful. They oppose President Biden's agenda to give tax breaks to the poor and the middle class or to cut profits for the drug companies, because it empowers that agenda, often the weak and the powerless.

Maybe Republicans aren't fighting to protect democracy like Democrats are because a reversion to a world where just the rich and powerful run the country just isn't as scary to that side of this body as it is to this side.

I wish it weren't up to us. I wish it didn't have to come to this. I wish it was not only Democrats that see the miracle of our fragile democracy, because the idea that a worker making $12 an hour has just as much say in the future of their country as the CEO making $12 million a year, it is revolutionary. It is unnatural. And it matters more than anything, even the traditions and the rules of the Senate.

I yield the floor.

The PRESIDENT pro tempore. Who seeks recognition?

The Senator from Maine.

Mr. KING. Mr. President, I came here 9 years ago opposed to modifying the rules of the filibuster. Indeed, I signed a letter a couple of years ago saying the same thing. I understand that it can and probably will boomerang, that an elimination of the filibuster—what is today's annoying obstruction could be tomorrow's priceless shield. I get that.

I understand that it can also be a spur to bipartisanship. We all saw that several years ago in the CARES Act. The Republican leader submitted a bill. It was voted down on a filibuster initially, and then there ensued a series of negotiations that improved the bill and made it a bipartisan bill that passed this body unanimously.

The problem is, if it is being used as a spur to bipartisan discussions, that works. We saw it work with the CARES Act. But if it is used simply to stop something, in other words, if one side or the other just doesn't even want to talk about the subject, what you are talking about is stone cold obstruction, and that is where we are today.

Unfortunately, part of this body just doesn't want to talk about the issue of voting rights. How do I know that? Because we brought up a motion to proceed three times, and it was voted down three times—a motion to proceed to have a discussion about this issue. The only reason we are having this debate today is that the majority leader found a rule that, frankly, I never heard of that enabled us to bring this to the floor. It wasn't because the other side said: Oh, let's discuss voting rights.

What we have now is not a filibuster. It is a second cousin once removed of a filibuster. It doesn't require any effort. It doesn't require any speeches. It doesn't require to hold the floor. All it is is a dial-in, no-work filibuster. Strom Thurmond would have loved this filibuster. He wouldn't have had to stand here for 24 hours. And I venture to say that if we had the rules that we have today, we wouldn't have the Voting Rights Act and the Civil Rights Act, because it was too easy to stop anything.

That is the problem. We don't really have a filibuster. The real radical change in the filibuster rule was in 1975, when they wanted to go from two-thirds of those present voting to 60 votes, but, inadvertently, we created the no-effort filibuster, and that is what we have now.

I would submit that a talking filibuster, which is what we are going to be proposing in a few minutes, would be the real spur to bipartisanship because everybody would want to get it over with. The minority would want to get it over with, and the majority would want to get it over with, and get to a point where there would be discussion. And I believe, listening to the debate today, based upon the discussion today, that I think there may be some areas where we can find agreement.

The real spur to bipartisanship would be to return to the old filibuster. This is what we are going to be voting on today.

And, by the way, on bipartisanship, I came here to seek bipartisanship. I am all about bipartisanship. But it strikes me as one of the deep ironies of this discussion that we are elevating bipartisanship in this body to this exalted position while these laws are being passed entirely on a partisan basis in all these States across the country. I guess bipartisanship is an important principle in Washington, but in Atlanta and Austin, not so much. I don't get that. I think that is one of the real ironies of this situation.

So, ANGUS, if you came here opposed 9 years ago, why are you changing now? Because what we are talking about today isn't policy; it is structure. It is our democracy itself.

Policy can change. If they don't like the policy we pass, they can kick us out and vote other people in. If we change the structure that diminishes the right of people to vote, it is not self-correcting anymore. The system itself is being compromised. That is what we have to talk about.

And we are not only talking. All of the discussion or most of the discussion today has been about voter suppression. There is also what I call voter subversion—purging the officials in charge of elections.

This democracy, I would argue, was damn near saved by a guy named Brad Raffensperger in Georgia. They purged him—or they are going to. They have already purged him out of the system, and they are going to try to purge him out of his job. That is happening. And we talk about giving people in the legislature—a partisan legislature—the ability to dismiss voting boards because they don't like what they did? We are going to see more and more voting boards, voting commissioners, certification officials being purged because they don't want to get the results that they don't agree with.

The other problem here that really worries me about our democracy is that the former President's efforts to undermine confidence in our elections have already convinced two-thirds of one of our great political parties that the elections were illegitimate and were rigged. Two-thirds of one of our great political parties now believes that.

If these laws that are happening across the country—and they are going to continue happening. By the way, if we give them a pass today, it is Katy, bar the door, over the next 6 months. Then you are going to disillusion and anger and loss of trust among two-thirds of the Democratic Party and Independents, and you are going to have widespread distrust of elections as the way we solve our problems in this country. And if you can't trust elections, what do you do?

I would submit that we saw it on January 6. Those people had been told that something was stolen from them, and they couldn't trust elections. They couldn't trust the courts. They couldn't trust the media. So they took the law into their own hands. And, sadly, if this continues, we will have a broad widespread loss of trust in our electoral process, and that is when democracy starts to fall apart.

Finally—my wife says I say ''finally'' too much and it gets people's hopes up.

Finally, there are some deeper constitutional issues here. The Framers knew fractions. They said it takes two-thirds to pass a treaty. It takes two-thirds to impeach a President. It takes two-thirds to pass a constitutional amendment. It takes three-quarters of the States to pass a constitutional amendment. They knew fractions. They didn't apply any fractions when they talked about the passage of legislation. Why not? Because they knew it would be a disaster to have a supermajority requirement in one of the Houses of the national legislature.

How do I know that? Because Madison and Hamilton said it explicitly in Federalist 22 by Hamilton, Federalist 58 by Madison. Madison said:

> The fundamental principle of free government [if you have a supermajority requirement] would be reversed. It would be no longer the majority that would rule: the power would be transferred to the minority.

You can't have it both ways. It is either majority rule or its minority rule, and the filibuster was not part of the Constitution. In fact, they expressly and explicitly rejected that idea of a supermajority requirement. It flips democracy on its head.

I think we are at a hinge of history, Mr. President. I think we are at a hinge of history where our fragile experiment—and Senator MURPHY is right, we are an anomaly in world history. The norm is pharaohs and Kings and dictators, and now we call them Presidents for life.

And once people seize power, look at what—and this isn't an academic discussion. This has happened in Hungary, in Turkey, and Venezuela—in Russia. It has happened right in our personal experiences. It can happen here, and it starts with undermining free and fair elections.

In the winter of 1891, the House passed a protection act for Black voters in the South. The bill was to deal with the egregious voter suppression that was then sweeping the South in the wake of the Civil War. The bill came here and died due to a filibuster. That filibuster echoed in this country for 75 years. It took 75 years to correct the mistake that this body made with that filibuster in the winter of 1891.

We are not talking about abolishing the filibuster. We are not talking about a carve-out. We are talking about allowing this body—requiring this body—to debate, to argue, to make their arguments as long as it takes, and then, at the end, when the debate is exhausted, when all of us have had the opportunity to speak twice, then we have a vote, and we pass legislation on the same basis that it has always been

passed—by a majority. Cloture has nothing to do with the passage of legislation. It has always been by a majority.

I pray that we don't look back on this day and realize the level of the mistake that they made in 1891.

Abraham Lincoln's words ring today as they did when he came to this body in December of 1862.

He said:

> Fellow-citizens, 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 another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation.

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

I yield the floor.

The PRESIDENT pro tempore. The Senator from Virginia.

Mr. KAINE. Mr. President, I am glad that a number of my Republican colleagues are in the Chamber because I am going to speak very briefly just to reassure you that I am not so immodest that I believe I am going to persuade you, but I do want to try to reassure you.

We are going to take up a rules reform proposal that will not blow up the Senate. We are going to take up a rules reform proposal that will not abolish the filibuster, that will not weaken the filibuster. We are going to take up a proposal that will show you, even if you are not persuaded, that we have been listening to you, that we have been listening to all of our colleagues, as we try to come up with a rules reform proposal to let us address the voting rights issue.

I am glad to see Senator COLLINS and Senator COONS here on the floor. They helped put together the 2017 letter that many of us signed. It is very carefully worded, and it is two paragraphs. What they got us to join together as bipartisan Senators to express was our united determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor—extended debate when bills are on the Senate floor—and that is what our rules reform proposal will do.

The simplest way to understand it—and Senator MERKLEY is going to go into more detail—is that it switches the current secret filibuster into a public filibuster and makes both parties have to work on the floor. The majority has to work and the minority has to work on the floor to get the kind of extended public debate that we joined together to seek in the letter in 2017.

Let's face it. We don't really do this. The current rules are an obstacle to extended debate because you just vote down the motion to proceed, and you can't even get on a bill. Then, if you do get on a bill, the 60-vote cloture threshold is used, with confidence, by a filibustering minority. You don't even have to show up to debate because there is an awareness that you can't get 60 votes to terminate debate. So, instead of trying to change the rule about terminating debate—which, as my colleague Senator MANCHIN pointed out, to terminate debate has always required more than a simple majority—we are going to restore actually having debate, and when debate is finished, the rules of this Senate have always been, when debate is finished, even after a long time, passage is by a simple majority.

Our proposal is to restore a talking filibuster, which has been the history of this Senate over the vast majority of our history, and to make a simple change to make it public rather than secret so that our colleagues and the American public can understand and then hold us accountable for our actions.

With that, I yield the floor.

The PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, first, let me say that I appreciate the sincerity of the Senator from Virginia—my friend Senator KAINE—and his comments about the filibuster. I am not going to repeat the speech that I gave last week on the vital safeguards that the filibuster provides to the minority party in the U.S. Senate and why it makes us the greatest deliberative body in the world.

Instead, since I have already talked on that issue, I feel compelled to respond to comments that were made by Senator OSSOFF, the Senator from Georgia, earlier this evening, in which he singled out four Republican Senators—Senator MCCONNELL, Senator CORNYN, Senator BURR, and myself—and our position on the Voting Rights Act of 1965, a seminal law that was so important in the civil rights movement in guaranteeing the right to vote for all Americans.

Well, I was not in the Senate in 1965. I was 13. I am not sure that the Senator from Georgia was even born in 1965, but that is not really my point.

My point is that, of me, the Senator from Georgia, Mr. OSSOFF, said: Senator COLLINS previously said that this bill will ensure that voting rights afforded to all Americans are protected but not anymore.

I voted, enthusiastically, and did say that about the Voting Rights Act reauthorization in 2006. Surely, my colleague is not confusing that bill, which was 5 pages long—5 pages—with the bill that is before the Senate tonight, which is 735-pages long. Surely, he is not confusing those two bills. If he is, I would like to sit down and talk with him about the enormous differences between the two bills, but, frankly, the number of pages says it all.

I do support the reauthorization of the Voting Rights Act of 1965, and I did so, as did every other Senator, in 2006, but to equate that to the legislation that is before us now is simply not worthy. Had I been on the floor at that time, I might well have thought of reminding the Senator that we have a rule in the Senate, rule XIX, which prohibits the impunity, the integrity, or the motives of other Senators—and not just one Senator in this case but four Senators.

So let there be no mistake about it, I do support the Voting Rights Act of 1965. I supported the Voting Rights Act of 2006, as did every one of my colleagues who was mentioned by Senator OSSOFF this evening, and I think it is sad that he implied otherwise about our support for such important civil rights legislation.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Georgia.

Mr. OSSOFF. Mr. President, briefly, in responding to the comments from Senator COLLINS from Maine—a Senator for whom I have great respect and whose reputation for bipartisanship, for substance, and for a thoughtful statespersonlike and patriotic approach to legislation precedes her—what I was referring to, Senator COLLINS, was the legislation that the Senate took up earlier this year, which, in response to the Supreme Court's invitation to Congress after the Shelby County v. Holder decision, would have updated the preclearance formulas that govern section 4 and section 5 of the Voting Rights Act of 1965 such that the Department of Justice could continue to carry out its vital work of preclearing changes to voting procedures in States and jurisdictions that exhibit a history or a pattern of voter suppression.

That is an obligation that I believe this Congress has. The Supreme Court, in fact, invited us to carry out that obligation, and the Committee on the Judiciary, under Senator DURBIN's leadership, carefully crafted legislation that we believed responded to the Supreme Court's invitation to do just that.

Respectfully, Senator COLLINS, in representing the State of Georgia, where, as I mentioned earlier, we faced a wave of bills and now law, which everybody in my State knows are intended deliberately and to disproportionately impact certain communities—laws that prior to the Shelby County decision would have been subjected to Department of Justice preclearance—I believe more strongly than ever that preclearance is necessary.

What I was respectfully noting, Senator COLLINS, without any implications with respect to your motives or integrity, was what I believed to be an inconsistency, an inconsistency between voting consistently to reauthorize the Voting Rights Act of 1965 and lauding it as a signature civil rights achievement, but then voting not even to allow debate in this body on the legislation that was created to respond to the Supreme Court's invitation to uphold its preclearance provision.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, let me just note that the Federal Department of Justice, under section 2 of the Voting Rights Act, has challenged the law of the State of Georgia and the State of Texas. So the idea that somehow the Justice Department no longer has authority to challenge laws with which it disagrees or regulations or practices is simply not accurate. Section 2 of the Voting Rights Act provides that authority. It is in effect, and the Department of Justice, rightly or wrongly, has invoked it.

The PRESIDENT pro tempore. The Senator from Georgia.

Mr. OSSOFF. Mr. President, I know we have other business to attend to and an important debate on a procedure that is ongoing, but I want to note, with respect to my colleague from Maine, that section 2 of the Voting Rights Act is not the entirety of the Voting Rights Act.

Section 4 and section 5, which provide for the preclearance of changes to voting laws in jurisdictions with a history or a pattern of voter suppression, are vital precisely because the post-facto litigation that the DOJ must embark upon to challenge State policies, once they have already been enacted, can be far too time-consuming to allow for a remedy to emerge in the courts. This is precisely why section 4 and section 5 were enacted at the time—to give the Department of Justice the power it needs to preclear these changes in places with a history of segregation and voter suppression. In my State, despite all of the protestations to the contrary, we are, right now, witnessing a significant wave of voter suppression policies.

The Department of Justice should have the authority to preclear those changes to law to ensure they don't disproportionately impact minority communities.

So section 2 of the Voting Rights Act is important, but if section 4 and section 5 were also vital when we voted to reauthorize them in 2006, why aren't they vital today?

The PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I promise my colleagues this will be my last comment.

This is entirely different from the debate on a 735-page bill. I would invite my colleague from Georgia to review exactly what he said earlier this evening.

Thank you.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I compliment my colleagues from Maine and Georgia for engaging in perhaps the most substantive exchange I have ever witnessed in 13 years here in the Senate.

(Applause.)

Earlier this evening, one of my colleagues from across the aisle said: Why are we going down this road? And there have been similar questions: Why is this so important? Why is this bill so important?

I will answer simply this: that dark money corrupts elections. If you and I donate more than $200 to a campaign, we record it, but if extraordinarily wealthy individuals donate hundreds of millions of dollars, they can do it with no attribution, corrupting the elections across this country.

Gerrymandering corrupts the system of equal representation. From the earliest debates in this Chamber, it was recognized that each of us has a stake in the integrity of the elections in other States so that the people of the United States experience equal representation. We do not have equal representation in the House today, and the gerrymandering going on now will increase that corruption.

Third and most importantly, the power to vote is the most significant right, guaranteeing each citizen a voice in the direction of our democracy. It is the soul of what it means to be a democratic republic. That power to vote is also the most important check in our system of checks and balances.

With rigged elections, leaders leaning toward autocracy can keep themselves in power, but with fair elections, undergirded by a free press, the people can vote out those autocratic leaders who ignore laws and undermine our institutions. It is the most important check in maintaining the integrity of our beloved Republic.

Let's go back in time. The rules of the Senate were forged in the Confederation Congress experience. Our Founders were engaged, during the time they were writing our Constitution, in participating in the Confederation Congress that required a vote of 9 out of 13—two-thirds plus a bit—in order to pass any law. It prevented them from being able to pay the pensions of our veterans, and it prevented them from raising money for Shays' Rebellion.

Our Founders who participated in that process said: This supermajority has paralyzed our ability to act. With that in mind, they wrote our Constitution so that legislation would be passed by a simple majority; that at the end of the debate, when all perspectives were duly considered, the perspective favored by the larger number would be accepted rather than the perspective favored by the smaller number.

So our Founders, leaving nothing to chance, warned us in their writings: Never adopt a supermajority.

They said—and I will quote James Madison—that when ''the general good might require new laws . . . the principle of free government would be reversed. It would be no longer the majority that would rule: [It would be] the power transferred to the minority.'' He went on to say the result would be ''particular emergencies, to extort unreasonable indulgences.''

Hamilton said many similar things. ''If a pertinacious minority can control the opinion of the majority,'' the result will be ''tedious delays; continual negotiation and intrigue; contemptible . . . compromises.'' He noted that the ''[supermajority's] real operation is to embarrass the administration, to destroy the energy of the government.'' Anyone who has seen the energy drained out of this Chamber by nothing happening day after day after day when we have important issues to face can understand just how right the Founders were.

So in writing up the guidelines and the vision for the initial Senate, our leaders came up with a Senate code, and that Senate code was, hear all perspectives—in fact, guaranteeing in rule IV of the original rules that every Senator would have the right to speak twice to a question.

In addition, they put into the rules a previous question just in case they couldn't get the debate to wrap up so they could get to that all-important vote to determine where the greater number stood.

Thomas Jefferson put into the rule book, the manual for the rules in 1801: ''No one is to speak impertinently or beside the question, superfluously or tediously.''

Hear the debate, consider all perspectives, and take the option the greater number favored.

That Senate code endured in a powerful fashion for a very long time. In 1806, Aaron Burr was rewriting the rules, and he said: You know, we have never needed to use the previous question rule in the book because we hear every one, we hear those perspectives, we take a vote, and we go forward. So we don't need the previous question. And it was dropped from the rule book.

When I hear the folks say the Senate never had a simple majority to close debate—they had the Senate code, and they had a rule, and then they said: We don't need the rule because we have the Senate code.

That code continued to endure, and the full understanding of the Members of this Chamber was they had no right to prevent the Senate from getting to a final vote.

That code was so powerful that in the mid-1800s, when Senators started to speak at length in order to make it very difficult to get to a final vote, the press called it piracy.

You may wonder, where did the term ''filibuster'' come from? That term is a corruption of the term ''freebooter,'' the term for ''piracy.'' The piracy was Senators breaking the Senate code. That was the piracy. But, still, it happened on rare occasion, and the code was stretched but not really broken through the 1800s, except on civil rights.

What happened in our history on civil rights? Well, you had John C. Calhoun leading the nullification movement that said: Hey, States don't have to accept any given Federal law. They can choose and pick which ones they want.

Initially, that nullification movement was in order to block laws that put tariffs on imported products that strengthened the North and cost more funds to the South, increased the prices of goods, but then it turned to the question of protecting slavery. Nullification continued and even went so far as to say States should have the right to secede if they don't like those Federal laws. Then we had a civil war over that question, and that was the end of nullification, but it was not the end of attacks on civil rights.

So what did we see after the Civil War? We saw a group of States make it harder for individuals to register to vote. We saw a group of States make it hard for Black Americans to get public accommodations. We saw a group of States make it easier to reenslave Black Americans under the Black code, utilizing the slavery clause of the 13th Amendment.

Congress responded, the House responded, this Senate responded and said: No. We are here to defend the Constitution, that every person is created equal, and every person's rights must be protected.

That is what this Chamber, the Senate, did in 1875.

The House passed the Civil Rights Act on public accommodations, guaranteeing access to all public accommodations for all Americans. The House voted 152 to 99. It came to the Senate, and the Senate voted 38 to 26, a simple majority.

Although there were Senators here who desperately hated public accommodation bills because it would end discrimination in the South, they did not filibuster because the Senate code said that after all views are heard, you can hold a simple majority vote.

The Senate code held, but it didn't hold in 1891. In 1890, Henry Cabot Lodge, down the hall in the House, introduced what became known as the Lodge bill. It said: In order to protect the foundation of our Nation, there can be Federal supervision upon request to make sure registration is fair, to make sure the voting process is fair, and to make sure the counting process is fair.

The bill came here to the Senate, and a bipartisan group filibustered that bill, southern Democrats and western Senators known as the Silver Senators. They were anxious to get onto a bill about silver coinage to support the silver mining in the West. That bill was eventually tabled.

In 1891, the Senate code was broken on civil rights and continued to be broken through 1965. In 1922, the Dyer Anti-Lynching Act was filibustered. In 1934, the Costigan-Wagner anti-lynching act was filibustered. In 1942, the anti-poll tax bill that put a price on being able to access the ballot box—it was filibustered. And on and on.

With the exception of a 1-week delay in a bill for arming commercial ships in 1917, virtually every filibuster denied Black Americans the right to vote because in lieu of nullification, there had to be a strategy for certain Senators to make sure that Black Americans didn't get their civil rights. That is the sorry chapter of that part of our American history. Three generations through it, 1965 paid the price of denying opportunities.

The Senate code on every other issue essentially survived until 1971, within our lifetimes. In 1971, we started to see the filibuster go to not just 1 or 2 filibusters a year but to 12, a dozen—imagine that—and in 1974 to 32. That was just so outrageous because each one takes up a week, and so this Senate said: That is unacceptable, so we must reform the rules. It led to the March 1975 rule reform where they went from two-thirds of those voting to 60 Members voting.

Well, the result is, that law backfired. To quickly look at it, cloture on amendments—each one taking up a week—expanded from some 6 times in the entire decade of the 1960s to 143 times in the 2010s.

For a motion to proceed, which is the ability to prevent debate from ever happening—the filibuster to promote debate was used to kill debate on the motion to proceed. It was used 10 times in the 1960s and 175 times in the 2010s. And, on nominations, it went from once in the 1960s to 545 times in the 2010s.

How did it happen that it expanded in the 2010s? Well, it happened because a Republican minority decided that they were going to obstruct as many of President Obama's nominations as possible. And the Democrats did the same thing to President Trump.

Each one of these takes up a week, an intervening day, 30 hours of debate, another hour of debate for every other Senator who wants to speak who didn't get to—every single one. So when you have over 100 of these a year, it is impossible to have a Senate that works. The Senate has been broken.

And perhaps the top champion of breaking the Senate is the minority leader, who has engaged in the tactic of delay and obstruction, arguing he wanted to make sure—his top priority was making sure President Obama was never reelected, and stopping him from having an agenda and stopping him from putting people into office was the strategy. And Democrats took much the same approach to President Trump. So we have both done it, but the Senate is blown up now.

In that original Congress, the Senate, the first term, it said there were about four Cabinet members to confirm, plus Ambassadors and some judges—four. We have over a thousand positions now. It is completely out of sync. The gears don't match.

And every time there is a filibuster on a nomination, it is another week lost. So the Senate is now paralyzed because here is the interesting prospect and the unfortunate reality of 60 votes. The interesting prospect is that a majority of less than 60 has to reach out to the minority to get something done. And that sounds like it is going to increase cooperation and negotiation, but the unfortunate reality, in our tribal, partisan politics, is the minority looks at that and says: If we can hold 41 Senators from agreeing to close debate, we can paralyze the majority. The overwhelming impact is paralysis and accentuation of partisanship of our current filibuster.

Today's debate, it is not about filibuster versus no filibuster; it is about fixing a broken Senate. It is about the difference, as my colleague from Virginia has said, from the secret, no-show filibuster to the public, talking filibuster.

Before 1975, people who wanted to extend debate had to actually debate. What a notion. They had to show up. And that is painful and difficult to maintain continuous debate, and so there is an incentive to negotiate. But when there is a no-show, no-effort filibuster, where those who say they want to debate are off on vacation because 60 votes is required with or without them, there is no incentive to negotiate.

So if you believe the Senate should be a place that encourages negotiation, we need a public filibuster, not a secret, silent filibuster. If you believe that the public should be able to participate in our process, we need not a secret, silent filibuster but a public, talking filibuster. We are here, day after day, week after week. We are debating the issue. We are raising amendments. We are considering amendments. And what is the result? The citizens weigh in. They say: Finally, they are considering it. Finally, they are debating it. Finally, they are going to take a vote. Now we can weigh in effectively in this moment.

So this is about restoring, reinvigorating debate, restoring the public role, creating an incentive to negotiate, creating an incentive for both sides to work to reach an accommodation.

Now, my Republican friends have made much today of Democrats signing a letter saying that they are determined to ''preserve the ability of Members to engage in extended debate''—interesting—''preserve the ability of Members to engage in extended debate.'' To preserve the ability to engage in extended debate means we need the talking, public filibuster, not the secret, silent filibuster which requires no debate at all. So, to my Republican colleagues who signed this letter, this is your opportunity to do what you said. Vote for the principle that the majority leader is going to be laying out forthwith.

So, colleagues, if you believe in the Founders' vision of this Senate, of hearing everyone and hearing everyone well but eventually getting to a final bill; if you believe in the Senate code, which stood up for so long, not even needing a rule to enforce it, except for civil rights it held up through 1971; if you want more debate and you want people who want a debate to have to show up to debate, support the talking filibuster.

If you believe there should be an incentive for both the majority and minority to negotiate, support the talking filibuster. If you believe the public should have the ability to see us debating issues, then support the talking filibuster.

My colleagues have said: We must defend the minority leverage. Amen to that. That is why, in 2011, I put forward in this Chamber the talking filibuster and said we need to defend the minority's right to participate.

Today, we have another opportunity to defend the minority's participation, to speak at length for at least twice on any given question, on through a complex bill. But that, colleagues, depends upon ending the era of the secret, silent source of partisanship and paralysis that we currently have and replacing it with the talking, public filibuster.

I encourage you all to stand today for the Senate to work and for the Senate, most importantly, to defend the fundamental rights of every American to access the ballot box.

Mr. MANCHIN. Mr. President, if my colleague will yield for one second, sir.

The PRESIDENT pro tempore. The Senator from West Virginia.

Mr. MANCHIN. Is it possible we can enter into a talking filibuster now without a rules change? Could we start a talking filibuster right now without a rules change?

Mr. MERKLEY. To my colleague from West Virginia, the challenge that we have today is that, in the course of Senate debate, it is never possible to get to a debate on the final question. And the proposal that the majority leader is putting forward is saying it is time to get to that final debate, and on that final debate every Senator can speak twice.

I can tell you, leadership on both sides probably is nervous about the idea of 100 Senators speaking twice, at length, but the single innovation of the talking filibuster is to say that there will be a period of debate in which we will consider final passage with all four of the mechanisms that currently exist, three that were created at the foundation—and that is the break in debate and that is the two-speech rule and that is unanimous consent and the 60 votes that was created in 1975.

Mr. MANCHIN. I understand. The way this rule reads right now, sir: during which all amendments, motions, and points of order are not in order, and any appeal shall be determined without debate. That doesn't allow any amendments whatsoever.

Mr. MERKLEY. The vision, the vision of this——

Mr. MANCHIN. That is the way this reads, what we are voting on right now.

Mr. MERKLEY. Excuse me. Go ahead.

Mr. MANCHIN. I am saying, that is what we are voting on right now.

Mr. MERKLEY. What we are voting on now is to go to final passage with continuous debate, and the majority leader's team has crafted this to ensure continuous debate.

Mr. MANCHIN. No amendments. No amendments.

Mr. MERKLEY. That would be—had we gotten to the bill and been able to engage in——

Mr. MANCHIN. We didn't have amendments on the bill. No amendments, no motions, no points of order.

Mr. MERKLEY. To my colleague from West Virginia, your question is, What are the characteristics that define continuous debate on final passage? And it is defined as without interruptions that take us in other directions than the question of final passage of the bill.

Mr. MANCHIN. Thank you.

The PRESIDENT pro tempore. The distinguished Republican leader.

Mr. MCCONNELL. Mr. President, well, I think we can all agree on one thing: It has been a long day. Almost everybody has had something to say, and the reason for that is this is an important day in the history of the Senate. It could be argued it is the most important day in the history of the Senate as an institution. This very day that we are just wrapping up is, in all likelihood, the most important day in the history of the Senate as an institution.

This evening, fewer than 60 Senators voted to advance a piece of legislation so it didn't move forward. It is pretty common around here. It happens frequently. In fact, it happened less than a week ago, as we know, when our Democratic colleagues used the 60-vote threshold to block sanctions against Putin's pipeline.

In 2020, the Democrats used the filibuster multiple times to delay the CARES Act, kill Senator TIM SCOTT's police reform bill, block bipartisan protections for unborn children.

Senate minorities can apply the brakes to small majorities. Senate minorities can apply the brakes to small majorities. This institution makes major changes earn major buy-in. This institution requires that major changes receive major buy-in. For decades, Americans on all sides acknowledged this.

Believe it or not, 15 years ago—several of us were here 15 years ago—there were 180 civil rights organizations—180 civil rights organizations—that weighed in in support of the filibuster because, at that particular point, the filibuster was being used to stop judges appointed by Bush 43. So over 100 civil rights organizations wrote us a letter saying the filibuster is indispensable. It served their purpose at that particular time.

For decades—literally, decades—Senators on both sides agreed. We have quoted each other back and forth here, eloquent filibuster defenses from colleagues across the aisle when it benefited them to make those speeches.

But, colleagues, a leader's true colors are not revealed when long-term principles and short-term power line up together. That is easy, when what you are trying to achieve lines up with the tactics. The measure of a leader is not what he or she chooses; it is what they choose when those two paths diverge, go in a different direction.

Now, half of us, on this side of the aisle, just spent 4 years—4 years—when we were in the majority and we had a President of our party asking us to do what they are trying to do tonight, and we had a one-word answer: No. No. We are not going to fracture the institution to achieve some short-term advantage.

And actually, astonishingly enough—GRASSLEY was here then—in 1994, the best Republican off-year election, arguably, in American history took the House for the first time in 40 years, got the majority back in the Senate.

Tom Harkin—CHUCK GRASSLEY's colleague from Iowa, the Democrat—on day one of that session, through the regular order, offered a rule change to lower the threshold to 51. So who would have benefited from that? This brand-new, enthusiastic majority just having swept the country would have been the principal beneficiary of lowering the threshold to 51. Not one single Republican in the new majority voted to give themselves an advantage that would break the Senate—not one. So we have been consistent on this side of the aisle in support of this institution as long as I have been here.

They face the same decision now. They have a choice. They could break the institution to achieve what they want or defend the institution. And so they pivoted. And that is why so many of them look so foolish because they have been on the opposite side of this, not a long time ago but quite recently. And so they tried to carve out a special category here that somehow this issue is different from all the other issues and should be treated differently.

Well, on the merits, as we have discussed ad nauseam here, this is something they have been trying to do for a long time. The rationale for it has changed periodically, depending upon what seemed to make sense. But dial it up any way you choose to, this is a plot to break the Senate—a plot to break the Senate. Over the issue they have chosen, one-half of 1 percent of the American people say election law is their most pressing concern—one-half of 1 percent of the American people.

Actually, Americans, as a number of you have said during the course of this long day, believe voting laws are actually too loose, rather than too strict, and as you have said over and over and over again, Georgia's new law is arguably more progressive than New York or Delaware. All of you have said that all day long.

And this? This is the basis upon which the President of the United States calls people like us racists, traitors? Over this? Over how many days of early voting you are going to have? Really? This is the basis on which 40-plus Senate Democrats want to not

only break their word but break the Senate.

Now, the so-called talking filibuster proposal is smoke and mirrors, just smoke and mirrors. There is really only one question we are dealing with here, just one. It is not complicated. Will it take 60 votes to pass massive changes or a simple majority to ram them through? That is what is at stake here, nothing else. Will slender majorities need to build coalitions across the aisle or not? Will huge chunks of Federal law reverse themselves whenever gavels change hands? We have talked about this all day long. That is what this is about.

But, colleagues, something even more fundamental is at stake tonight. Everyone in this Chamber knows that factional fires are burning hot all across our country. As I look around, I don't know if this many of us have actually gathered in this Chamber since January 6 of last year. We were all in here then. I stood up that day, and I said self-government requires shared respect for basic ground rules. I said we couldn't keep drifting into two tribes and delegitimizing the few institutions we still share.

Yes, the divisions run deep. Compromise is certainly challenging. But it would not serve a divided country if two factions take turns ruling over one another with an iron fist.

Here is a solution for a divided country: Thoughtful compromise everywhere we can agree, and, when we can't agree, it just doesn't happen.

The American people are closely divided. We are reflected here with a 50–50 Senate, for the longest time in American history.

There is not a mandate to fundamentally transform America into something it has never been. It is not what the voters voted for. We have a narrow majority trying to jam through, one after another, proposals to fundamentally turn us into something we have never been.

Well, here is the good news: The Framers custom built—custom built—the Senate to stop this kind of thing. That is why this institution was constructed in the first place. We are sitting in the place designed to stop this kind of thing, and we have an opportunity to do it here tonight.

This is the first time in history that a Senate majority leader, who is supposed to safeguard this institution, has convinced—convinced—nearly all of his party to attack the institution. That hasn't happened before.

Tonight, for the first time in history, almost an entire political party will write in permanent ink that they would shatter the soul of Senate for short-term power—shatter the soul of the Senate for short-term power. But the brave bipartisan majority of this party is about to stop them—about to stop them. We will stop the Democratic leader from silencing the voices of millions upon millions of Americans who have a right to be heard in this Chamber, many of them represented by us who come from small States. They derisively look down on us as a flyover territory, a place nobody wants to stop.

The Senate was designed to represent those people. Every State gets two Senators. Some States have only one House Member but two Senators. We are here to protect middle America, and the supermajority threshold in the Senate makes that even more possible. So they can't run roughshod over us. They can't run roughshod over us and the people we represent.

When our country needs leaders to fight the fires of factualism, almost half the Senate over here wants to literally dump more gasoline right on top of it.

When our institutions needed defending, a sitting President and a majority leader have made smashing the Senate an unofficial part of their party's platform. The President of the United States and the majority leader of the Senate have made breaking the Senate a central part of their plan for America.

Thanks to the courageous position of at least a few of their Members, they will not succeed. This country will be shielded from their radicalism tonight. And make no mistake about it, this is radicalism designed to fundamentally change America in every conceivable way, to the disadvantage of virtually all of the constituents represented by people on this side of the aisle—and theirs as well, if they were willing to admit it.

So the Senate will be safe tonight. The Senate will be safe tonight. America can breathe a sigh of relief. This radicalism will have been stopped, and it is a good day for America.

I yield the floor.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, ''a denial of this sacred right [to vote] is a tragic betrayal of the highest mandates of our democratic tradition''—''a tragic betrayal of the highest mandates of our democratic tradition.''

Those were the words of Dr. Martin Luther King, Jr., in his speech where he implored the Federal Government—and especially Congress—to take action on a simple request: ''Give us the ballot.''

Today, the American people are saying the same thing: Give us the ballot. Let us not sink into the abyss of voter suppression. Give us the ballot.

A few hours ago, this Chamber, with the eyes of the Nation upon it and with the evidence of voter suppression laid bare before it, with very little refutation from the other side—they don't discuss the issues going on in the States—took a vote to move to final passage on the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act. It received 50 votes, and with the Vice President, we would have had the majority. Unfortunately, under the current rules of the Senate, the door is closed to moving forward on these laws—so much part of the core values of our country.

But make no mistake, on voting rights, inaction is not an option. Inaction is not an option. And now, the Senate must rise to the occasion. The only way to achieve our goal of passing voting rights, ending dark money, and ending partisan gerrymandering is by changing the rules because our colleagues from the other side of the aisle don't want to join us in these noble endeavors. This evening, we have proposed a modest, one-time change of Senate rules to establish a talking filibuster for this voting rights legislation. It fundamentally says: If you want to block something as sacred as voting rights, you must do it out in the open. You must debate it and show the American people where you stand. You can't sit in your office and block everything.

In short, every Senator will be allowed to speak twice on final passage of voting rights legislation. They can speak as long as they want—days, if they can muster it—but all other dilatory tactics, any dilatory amendments, motions, and points of order, shall be deemed out of order, and any appeal shall be determined without debate. After each Member has had their say, it will be time to vote, and only 50 votes will be required for passage.

Mr. President, this is a very simple, limited proposal, and it only applies to the voting rights bill before us today.

Now, look, there is no denying that Members of this body have divergent views about whether the filibuster in the 21st century is a good thing or a bad thing. Some have argued that it actually helps bring us together—something I don't agree with and which I have not seen evidence of, as the eloquent statement by the Senator of Oregon has—we have just seen. But even for those who feel that the filibuster is a good thing and helps bring us together, I would ask this question: Isn't protecting voting rights, the most fundamental wellspring of this democracy, more important than a rule in this Chamber?

Let me say that again. Even if you think the filibuster is a good thing, isn't protecting voting rights and preventing their diminution more important, particularly when this rule was not always in existence and was not envisioned by the Founders? That is the key question we should each ask ourselves.

To be clear, minority rights are a vital feature of this Chamber, but the Senate was never envisioned to allow an absolute minority party veto—never. In fact, the Founders expressly rejected the inclusion of a supermajority requirement for the Senate. Hamilton called the idea ''poison.''

If there is anything undermining the spirit of the Senate today, it is, frankly, the way things work right now. It is time for the Senate to adapt, to meet the challenge of the modern age. Robert Byrd himself recognized this truth,

that Senate rules must sometimes change. And our proposal today is a limited, carefully tailored step we can take to make the rules of the Senate achieve this body's original purpose.

Finally, there are some who fear the consequences of passing this bill with no support from the other party. I would certainly prefer that Republicans work with us on this issue, and voting rights has always been a bipartisan issue in the past. But we must be honest. We have made many earnest efforts to draft and debate bipartisan legislation that deals with voter suppression, dark money, and partisan gerrymandering, but those efforts by many Members of our caucus have come up with no takers.

The old GOP worked with Democrats on voting rights for decades, but, unfortunately, that is not the case today. In the words of the late Senator Wagner, whose seat I hold, delivered on this floor nearly 80 years ago:

> Unity in a democracy is not achieved by side-stepping and ignoring issues. That is false unity. That is only the illusion of unity.
>
> Unity in a democracy is the unity which is achieved by facing issues, by threshing out our differences, and by standing upon the decision of the majority.

Again:

> Unity in a democracy is not achieved by side-stepping . . . issues.

Fittingly, he spoke those words in the face of a filibuster on the anti-poll tax legislation.

Tonight, let us sidestep voting rights no more.

The question before the Senate is, How will we find a path forward on protecting our freedoms in this turbulent 21st century? The only choice to move forward on these vital issues is to change the rules in the modest way we have proposed.

My colleagues—my colleagues—history is watching us. Let us choose in favor of our democracy. Let us stand up and defend the precious right to vote.

MOTION TO PROCEED TO MOTION TO RECONSIDER

Mr. President, I move to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to concur in the House amendment to the Senate amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act.

The PRESIDENT pro tempore. The question is on agreeing to the motion to proceed to the motion to reconsider.

POINT OF ORDER

Mr. SCHUMER. Mr. President, I make a point of order that for this message from the House, with respect to H.R. 5746, the only debate in order during consideration of the message be on the question of adoption of the motion to concur in the amendment of the House; further, that no further amendments, motions, or points of order be in order and that any appeals be determined without debate.

The PRESIDENT pro tempore. Following the rules of the Senate, the point of order is not sustained as it is a compound motion that would require consent.

APPEALING THE RULING OF THE CHAIR

Mr. SCHUMER. Mr. President, I appeal the ruling of the Chair.

The PRESIDENT pro tempore. The question is, Shall the ruling of the Chair stand as the decision of the Senate?

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—52

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Collins	Lankford	Sinema
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Manchin	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Graham	Portman	

NAYS—48

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Smith
Casey	Luján	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

The PRESIDENT pro tempore. On this vote, the yeas are 52, the nays are 48.

The decision of the Chair stands as the judgment of the Senate.

The majority leader.

MOTION WITHDRAWN

Mr. SCHUMER. Mr. President, I withdraw the motion to proceed to the motion to reconsider the failed cloture vote.

The PRESIDENT pro tempore. The motion is withdrawn.

Mr. SCHUMER. Now, for the information of the Senate, there will be no further rollcall votes tonight. Senators should expect a rollcall vote at noon tomorrow on the confirmation of Holly Thomas to be the U.S. circuit judge for the Ninth Circuit.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

H.R. 5746

Mr. SCHUMER. Madam President, before I close the Senate and do that kind of paperwork, I want to just make a few remarks about tonight's vote.

So while tonight's vote was disappointing, it will not deter Senate Democrats from continuing our fight against voter suppression, dark money, and partisan gerrymandering.

With no support from Senate Republicans, many of whom deny the very existence of voter suppression, we faced an uphill battle, but because of this fight, and the fact that each Senator had to show where they stand, we are closer to achieving our goal of passing vital voter protection legislation.

We take inspiration from Dr. Martin Luther King, Jr. He kept fighting for voting rights through every obstacle, and we will do the same. We will not quit.

Now that every Senator has gone on record, the American people have seen who is on the side of protecting voting rights, and it will only strengthen our resolve as we work to ensure that our democracy does not backslide.

This vote is another step forward in the long march for universal voting rights. The Democratic caucus pledges to keep working until voting rights are protected for every American.

UNANIMOUS CONSENT AGREEMENT—H.R. 5746

Mr. SCHUMER. Madam President, I ask unanimous consent that the House message to accompany H.R. 5746 no longer be the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

TRIBUTE TO JENNIFER BARBER

Mr. MCCONNELL. Madam President, very few people find the time to lead their city's largest law firm, serve on a university's board of trustees, represent their country at the United Nations, and remain active in civic life in their hometown. Even fewer can accomplish these things before the age of 40. But Jennifer Barber of Louisville, KY, has managed to do all this—and more. Today, I ask my colleagues to join me in honoring Jennifer for her recent career milestone and for her years of service to the Commonwealth of Kentucky.

Jennifer, the daughter of Chinese immigrants, grew up working alongside her parents in the family's restaurant, learning to value sacrifice, ambition, and effort. She became the first member of her family to graduate college, earning both her bachelor's degree and juris doctorate from the University of Kentucky. From there, she developed a specialty in tax law, taking her expertise to Frost Brown Todd in 2013 and working her way up the corporate ladder.