

Very high earners should pay more in taxes. And as a former small business owner, I know this will not hurt small businesses—very, very few of us make over \$250,000 a year . . . I know the gap between the rich and everyone is the greatest it's been since the Gilded Age. Smart, brave politicians helped give the middle class a chance—and we need that from you now.

She wrote that to my office. I support her, and I think she and the President are right. I am waiting for Speaker BOEHNER to finally break out of this back-and-forth as to whether the wealthy in America should pay a little bit more in taxes. For goodness' sake, that is obvious to everybody in America but the Speaker.

Mr. Speaker, get back to Ohio and ask some of those families about whether middle-income families should pay higher taxes come January 1. The answer is clear: They should not. It is within the power of Speaker BOEHNER to bring to the floor of the House today a measure that passed the Senate in July that will protect families making \$250,000 a year or less.

What I hear from the Speaker is, We won't protect middle-income families until you agree to raise the eligibility age for Medicare.

I have said to all who have asked, I believe in entitlement reform. I believe Medicare going broke in 12 years is a serious challenge to all of us, but I am loathe to see us make a policy change in Medicare in the closing days of this month that we have to live with and cannot explain.

Here is the part we cannot explain: If we increase the eligibility age for Medicare from 65 to 67, what is a person to do who retires at 63 or 64 with a medical condition? Where are they going to go for health insurance, the insurance exchanges created by health care reform? Remember the Republicans and their blood oath to kill that the first chance they got? Is that going to be the only rescue, the only option for a senior waiting for Medicare eligibility? Are the Republicans prepared to say they will now stand behind the insurance exchanges and make sure there is an affordable, accessible health insurance plan that covers seniors until they are Medicare eligible? That is the key question. Until they answer that, I basically think the proposal of raising that Medicare retirement age is one that cannot be supported in good conscience.

Let's get down to business. Let's protect the middle-income families in America. Let's do it now. Let's do it before January 1. Let's make sure they have the confidence of knowing their income taxes are not going up. One person has the power to do it, and that is Speaker JOHN BOEHNER. If he calls the bill that passed the Senate, as he is being urged to even by Members of his own party, we can give a good holiday gift—if not a gift, at least a holiday reference—to families all across America who are looking for some help not only in this holiday season but beyond.

#### VOTING RIGHTS

Mr. DURBIN. Madam President, after a prolonged debate, a lot of television commercials, robo-calls, and literally tons of political literature, the 2012 campaign is finally over. America can breathe a sigh of political relief. When it was all said and done, more than 120 million Americans participated.

As we know, the American people have returned a divided government to Washington. We have a Democratic Senate with an increased majority, a Democratic President, and a Republican House of Representatives. Yet by a margin of 3.4 million popular votes and 126 electoral votes, President Obama was reelected.

Now that the dust has settled, we begin the time-honored tradition of inaugurating the President, swearing in new Members of Congress, and beginning a new session. The peaceful transfer of power and start of a new legislative session are what we are all about in a democracy. We don't anticipate any new obstacles with new Members of Congress assuming power. However, we can't say the same about many citizens who tried to vote in this election. Unfortunately, we know there were far too many voters who ran into obstacles and obstruction and unreasonable delays at the polls.

In his address to the Nation on the night of the election, President Obama said: "We have to fix that." He is right. As we move forward, we must look back and thoroughly examine the problems so many Americans have encountered when they tried to exercise their legal, constitutional right to vote. Many of these problems were traceable to new voting laws enacted by Republican-controlled legislatures across the country who were trying to make it harder for Americans to vote.

The ALEC, American Legislative Exchange Council, is a group of businesses that put millions of dollars together to create obstacles and obstructions for people to vote. Their idea was to diminish the vote among the poor, minorities, and the elderly because they believed those groups leaned Democratic. So if they could keep them away from the polls and discourage them from voting, it would help the Republican candidates.

It didn't work, but they sure tried, and they made life miserable on election day for millions of Americans who were just trying to do their civic duty. Too many people stood in long lines. Too many people were unable to vote because they could not wait in long lines.

For example, in Florida published reports indicate some voters waited in line for as long as 7 hours. They could not cast their ballots until 2:30 in the morning. Why would a voter hang in there? Some of them were just mad. They were mad that the State of Florida and this Republican-inspired organization, ALEC, were doing everything they could to deny their right to vote. They were darned determined to vote

even if it meant staying there 7 hours to vote.

Too many people were required to cast provisional ballots when they were, in fact, eligible and should have received a regular ballot. For example, Pennsylvania issued double the number of provisional ballots than it did in 2008. The provisional ballot is given to a voter when there is some question as to their eligibility. In many cases that question was raised because voters showed up at their polling place only to find their name missing from the registration books.

In Arizona more than 174,000 provisional ballots were cast. That is 7.4 percent of all ballots. That is higher than any previous election. According to a recent analysis by a leading Arizona paper, minority precincts—those with African Americans and Hispanics—submitted a disproportionately high number of provisional ballots. Arizona has declared war on those minorities who were voting, and they saw it when many of them could not get their ballot counted on election day. It was put in a separate box to be looked at later.

Across the States with new voter ID requirements, hundreds of thousands of people could not vote because they didn't have or could not obtain the required ID.

In Pennsylvania, South Carolina, and Wisconsin many voters were confused by these new ID requirements and the extent they were enforced on election day.

In Pennsylvania, for example, even though a court ruled that the State's voter ID law could not be enforced during this election, some voters were still asked for an ID, and in some cases they were denied the right to vote.

Too many eligible voters were unable to register. On election day too many voters who thought they were registered learned that their names were not actually on the voter rolls. For example, Florida imposed owners' requirements on third-party groups, such as the League of Women Voters and individuals who traditionally have conducted voter registration drives. Those penalties were so awful, the League of Women Voters in Florida stopped registering voters for the first time in more than 70 years.

High school teachers faced fines of \$1,000 under the law if they helped their students to register for the first time and didn't follow the exact letter of their new statutory law. As a result, new voter registration in Florida actually dropped 14 percent. That is bad news. Overall voter turnout was down compared to 2008.

If this is going to be a healthy, growing, vibrant democracy, people who are eligible to vote should be given that opportunity, not penalized and denied. These problems—and other problems—encountered by voters at the polls were not limited to one State or region. These problems were experienced by voters across the country. Many of the problems that voters encountered on

election day were foreseeable and could have been prevented.

Last year I started raising concerns about these new State voting laws and what they were going to do. As chairman of the Judiciary Subcommittee on Constitution, Civil Rights, and Human Rights, I chaired the first hearing to examine the potential impact of these laws in both Florida and Ohio. In both States we heard from experts and election administrators who warned that these new State laws would result in fewer registered voters, long delays on election day, confusion about ID requirements, and an increase in provisional ballots. This is just plain wrong.

In a country where we want every eligible American to get out and vote and we want higher percentages of participation, we have State legislatures inspired by ALEC dreaming up obstacles and ways to discourage voters. It is sickening to think of how many lives have been lost by patriotic Americans to protect our right to vote, and then to have these lobbyists, for their own political purposes, denying that right over and over to thousands of eligible American voters.

One of the strongest tools we have to ensure the right to vote and to make sure it is not denied on account of a voter's race, sex, or any other discriminatory basis is the Voting Rights Act. As we work to continue to perfect our Union, the importance of this law cannot be overstated. That is why the Voting Rights Act enjoys a broad spectrum of support.

In 2006 the Senate voted unanimously, 98 to 0, to reauthorize it. Just this year the Department of Justice used its authority under section 5 of the Voting Rights Act to object to new voter identification laws that threaten to disenfranchise hundreds of thousands of voters.

In Texas, according to the State's own data, more than 795,000 registered voters did not have the ID required under their brand-new law. In South Carolina the State's data indicated 240,000 registered voters were without the required ID and would not be able to vote under the State's law. In those two States alone, over 1 million people were going to be denied the right to vote, even though they were registered voters, because they didn't possess the newly defined voter ID in each of those States. That is more than 1 million registered voters, I repeat, who would have been turned away. Well, thanks to the Justice Department and court decisions, that didn't happen, but it would have. That was the plan.

Since the civil rights movement, women's suffrage movement, and other historic fights to expand the right to vote are now in the history books, some people think our generation's responsibility to protect the right to vote is over. They are just plain wrong. When groups such as the ALEC, with businesses, corporations, and conservative groups behind them, have an all-out effort to deny and discourage the

right to vote, we have a job ahead of us. We shouldn't be surprised that people all across America are angry about what happened in this election. These State legislatures, instead of encouraging people to exercise their civic duty, were doing their best to discourage them. It is time for us to get serious about this. So next Congress, after the first of the year, I am going to hold additional hearings on voting rights in my Judiciary subcommittee.

I am committed to thoroughly examining this issue. There is no excuse in America for standing in line 7 hours to vote, for goodness sake. Other countries that do this by paper ballot don't make people stand in lines that long and they calculate the results the same night. We should be embarrassed by what is going on, and the States should grow up and pay attention to what they are doing to this great democracy in America. They are undermining the right to vote just as surely as if they attacked it openly, by using these new obstacles they are creating—these IDs, limiting the early voting.

Listen, States such as Oregon and others have figured out people can vote by mail without fraud, people can have opportunities to vote extended through early voting and absentee voting and give people their voice in this democracy. If we want to restore the confidence of the American people in our government, we have to give them their voice on election day. Standing in line 7 hours is an embarrassment in every State where it happened, and we have to make sure it doesn't occur when it applies to Federal elections.

I know the tradition. State laws determine election standards. That is the way it goes. But when it comes to Federal elections, we have a voice in the process and we have to make sure we come together on a bipartisan basis to deal with it. I am pleased Chairman LEAHY and I are going to be able to work together to hold a hearing of the full Judiciary Committee next Wednesday, December 19, to continue to explore this issue, and then into the new Congress we will be proposing specific legislation to deal with this issue. Although another election season may have ended, our work to protect our Union and preserve our democracy has not.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

#### RECOGNIZING THE LIFE OF RANDY ATKINSON

Mr. UDALL of Colorado. Madam President, I rise today to first recognize the life of a very unique and remarkable Coloradan, and then I will speak to a cause that is near and dear to me, as it is I think to the Presiding Officer as well, and that is our wind energy industry and the threat it faces.

I wish to speak about a man by the name of Randy Atkinson whom we lost this year on October 9, 2012, at the way-

too-young age of 60. He was a firefighter. He dedicated himself to serving his community and, as he put it, brothers and sisters in Colorado's fire departments.

Randy was an example to all of us because he dedicated his entire adult life to helping others. He started at the age of 19, in 1972, by joining the Denver Fire Department and Denver Firefighters Local 858. Not long after that, he took a more active role in representing his fellow firefighters as an advocate and a legislative consultant for the Colorado Professional Firefighters and Denver Local 858. He was held in high esteem not just by his fellow firefighters but by Colorado legislators on both sides of the aisle. Why was that? He was intelligent. He was caring. He had a great sense of humor. We all appreciated that when we came into contact with him, whether we were Democrats or Republicans.

He was a leader and because of that he kept rising through the ranks. In 1995, he was elected president of the Colorado Professional Firefighters. In 2007, he was elected as vice president for the International Association of Firefighters in the 9th District. When he died, he was serving in both of those positions.

I know the Presiding Officer has a phenomenal crew of firefighters in her home State. We know what they did on 9/11 and what they do every day. Randy was a man who served in that spirit. While he represented firefighters, he always was fighting for fair pay and making sure those who stand up for us in times of hazard and emergency have the best possible safety equipment to carry out their dangerous and often unsung responsibilities. While at times Randy had to be pretty hard-nosed when it came to negotiating and standing up for firefighters, he always had a positive relationship with policymakers, even when he was tangling with them. I have to say I am glad we agreed more often than we disagreed.

Randy Atkinson was truly an admired figure. As I think about him, I wish we had more people such as Randy right here in Washington, DC. We would certainly get more done and we would have stronger relationships with one another.

Late this fall more than 500 of us gathered to celebrate his life, including family members, friends, and work associates. We laughed and we cried and showed our appreciation for his life and service. I was honored that day to be a part of that celebration.

I want to extend my sincerest condolences to his family, including his son Randy, Jr., and his two daughters, Brenda and Denisa. We all loved him, as I have said. I hope the viewers all understand how much I admired him, how hard he worked, and how grateful we are to have known him. I am honored to be able to stand here on the floor of the Senate, remembering Randy smiling, to recognize his life and his accomplishments and, above all, his