

unsolicited mail ballot applications to voters. What is wrong with sending that? What is wrong with encouraging people to vote? The participation in elections is much higher in many Western countries than in ours.

Again, Texas didn't just prohibit nonpartisan election workers from sending mail ballots out to voters. They made it a felony—a felony. These States have effectively made it a crime—a crime—for election workers to proactively help people to vote. Where is the justification?

Where is the evidence of this massive fraud that Donald Trump talks about? No one gives any. Yet they predicate their policy moves here in the Senate on that.

To date, I have heard no explanation from the other side why States like Texas, Iowa, and Montana have reduced polling locations and hours. In Iowa, early voting of any kind has been cut by 9 days. How does that make the election more secure? Why is that in the grand tradition of making it easier for Americans to vote?

In Georgia, according to the Atlanta Journal-Constitution, the leading newspaper of Atlanta, the number of absentee drop boxes in four large counties in Atlanta, in the Atlanta area, will drop from 111 to 23—111 to 23. One of the justifications is that these boxes are no longer helpful, but this ignores the fact that over 300,000 voters used them in the last election—the last successful election, according to my friend from Texas. Republicans know that most of the people who used those drop boxes, of course, were Democrats. They tend to use them more, and that is why they are cutting them off.

The examples go on and on, unfortunately. This is not just a one-off or in one State or another. This is a massive campaign, which, if we do nothing, will continue and get worse.

States like Texas, Florida, Kansas, Iowa, New Hampshire, and Montana have passed laws making it harder—harder—to register to vote.

States like Alabama, Iowa, and Texas have passed laws that increase the potential for people with disabilities.

And, again, in Georgia, one rural county, Lincoln County, is trying to limit their polling places to just one in the whole county—just one place to vote for an entire county—causing people to potentially drive as many as 23 miles to cast a ballot. This wouldn't make voting easier. It turns it into a burden.

The truth is, our Republicans can't defend these laws. They are not going to mention them here today. Let's hear some Republicans defend these laws and point to evidence of the massive fraud that they say motivates them to do it. It is bunk—bunk.

The policies they have put forward have one purpose—one purpose only: making it harder for younger, poorer, non-White, and typically Democratic voters to access the ballot, to give Republicans a partisan advantage at the

polls by making it harder for democratic-leaning voters to vote.

Again, in a democracy, when you lose an election, you figure out why and try to win over the voters you lost. You don't stop the voters you lost from voting. That is what happens in autocracies, in places like Hungary, where Donald Trump just endorsed Orban, who is whittling away at democracy in Hungary.

It is cynical—cynical—for our Republican colleagues to argue that just because these voter suppression laws don't spell their intentions out in the open, that there is nothing sinister at play. But these laws have real impact, potentially divisive.

In Arizona, Mr. President, your State, the secretary of state has concluded that new laws could purge as many as 200,000 voters from their early voting list. And as you know better than me, Arizona has a long tradition of early and mail-in voting that, I think, was set up by Republicans, if I am not wrong.

In Georgia, over 1.3 million voters used absentee ballots in the last election, which could now be affected by the restriction.

Senate Democrats in Iowa argue that if today's voter suppression laws had been in effect in 2020, over 6,500 absentee ballots would not have been counted in the last election.

This isn't all that difficult to comprehend. When you pass laws that raise barriers to voting, fewer people end up voting. That is a fact. So as the President will say later, we are approaching a decisive moment for the country.

Voting rights, defending democracy have long been bipartisan issues in this Chamber. The Voting Rights Act of 1964 is one of the crowning achievements not only of the civil rights era but of the history of this Chamber. It is in no way a power grab to say the Senate will pass laws that make it easier, simpler, and safer for American citizens to exercise their most fundamental right. That has been part of the grand tradition of this country—usually, as I mentioned several times before, bipartisan.

I will add: As we proceed, we cannot hang our hats on the false hopes of inadequate or sometimes chimerical solutions.

Substituting the Electoral Count Act for the much needed reforms that we have in the Freedom to Vote and John Lewis Voting Rights Act is insufficient, unacceptable. Obviously, it doesn't affect the House and Senate. Obviously, it is not immediately urgent because it affects 2024. But most importantly, scorekeeping matters little if the game is rigged, and the game is in danger of being rigged if State Republicans empower themselves to arbitrate the results of future elections instead of it being arbitrated by what traditionally has happened in America by nonpartisan election workers.

So we need to work in this Chamber to pass real solutions that go to the

heart of the problem. We need to proceed with the John Lewis Voting Rights Act. We need to proceed with the Freedom to Vote Act.

All of us in this Chamber must make a choice about how we will do our part to preserve our democratic Republic. We can't be satisfied in thinking that democracy will win out in the end if we are not willing to put in the work to defend it.

So we need to pass these bills so our democracy can long endure after this present danger. To continue blocking these efforts is to offer an implicit endorsement of Donald Trump's Big Lie, which, unfortunately, is alive and well in 2022.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I ask unanimous consent to complete my remarks before the scheduled recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILIBUSTER

Mr. TUBERVILLE. Mr. President, last year ended with the best Christmas present that this Congress could have given to the American people—the Democrats' failing to pass President Biden's reckless tax-and-spending spree. But, sadly, the Democrats' failure doesn't seem to have made them realize the reality they are operating in: a 50-50 Senate, where they have to actually work with both sides of the aisle to deliver bipartisan wins for the American people.

They have now pivoted from a reckless tax-and-spend spree that would break the piggy banks of Americans to wanting to break the longstanding rules of the U.S. Senate. They have set their sights on changing the very core of this institution by eliminating the legislative filibuster.

Some Americans may not even know what the filibuster is. The Senate follows many rules and procedures to pass legislation, and the filibuster is an important tool that gives the minority party the ability to voice concerns and help shape any bill the majority party may bring up.

The filibuster serves as a check against the majority party wishing to act without input from the minority. Basically, with the filibuster, the majority has to work with the minority. That is the bottom line.

Voting to end debate on a bill is commonly referred to as "ending a filibuster." It simply means that the Senate agrees that there has been enough debate, including amendments, and it is now time to take a vote. And as one of the Senate rules, it requires 60 votes to end debate and move to passing the bill.

Even if you aren't familiar with complicated Senate procedures, just know that the filibuster is important because it protects the deliberative nature of the Senate.

It ensures we function as an institution rooted in compromise, common

ground, and a sense of unity. We represent all Americans, not just a few.

Looking back on the history, you will see it has been utilized as a standard Senate practice by Republicans, Democrats, and Independents alike.

It is so important that in 2005, Senator SCHUMER, whom you just heard speak, said: “The ideologues in the Senate want to turn what the Founding Fathers called ‘the cooling saucer of Democracy’ into the rubber stamp of dictatorship.”

Yes, he said that doing away with the filibuster would effectively create a dictatorship.

More recently, in 2017, Senator SCHUMER doubled down on the need to keep the filibuster in a letter to Leader MCCONNELL. In his letter, Senator SCHUMER argued for the protection of “existing rules, practices and traditions as they pertain to the right of members to engage in extended debate on legislation before the United States Senate.”

To sum that up, he said no way should we cancel the filibuster.

That letter was signed by 33 Democrats, many of whom are still serving in this Senate as we speak. One of the signers who served at that time who signed this document is now the Vice President of the United States.

And it is not just the Vice President who has warned against ending the filibuster. In 2005, on this very floor, Senator Joe Biden warned that if the ability to filibuster were abolished, done away with, the Senate would become the House of Representatives.

I recognize that both sides of the aisle have, at some point, diminished the filibuster on nomination votes. In 2013, then-Senator Harry Reid lowered the vote threshold for Presidential appointments, other than Supreme Court nominees, to 51. In 2017, the Republicans turned around and lowered the standard to 51 for Supreme Court nominees.

Based on that, the left may call our opposition now hypocritical. But there is a big difference between legislation and nominations, including policy and our budget and nominees.

Debating legislation should include input from all Senators and be subject to compromise through the amendment process in order to be made better.

A nominee’s qualifications are not subject to input or change. Voting on a nominee is a take-it-or-leave-it vote. You can’t change their background or qualifications with more debate or more amendments. That is why they moved the vote to 50.

But the filibuster on legislation forces the majority to take into account the minority’s position and to make the changes necessary to earn their support.

So now that the Democrats seem to be changing their tune on the legislative filibuster, it might be worth asking what has caused the Democrats to flip-flop and why now?

Well, there is one notable reason. Between 2017 and 2022, who is in control of the White House and Congress now?

Back in 2017, when the Democrats were in the minority, they understood the value of the minority’s vote. But now they are in the majority, and all bets are off. They want to race through their party’s Big Government socialist agenda with as little or no debate or opposition as possible. And Senate Democrats have embraced a radical, win-at-all-cost game plan for passing their progressive agenda, and they intend to and will break the Senate if they do it.

Democrats say their war on the filibuster has to do with strengthening voting rights, and they want to make it easier to vote and harder to cheat. If that were true, Democrats wouldn’t have any problem passing this on a bipartisan level.

We all want to safeguard our elections so that all Americans have confidence in the integrity of our country’s election process. But if access to the ballot box were an issue, it might come as a surprise that the 2020 election saw the largest voter turnout in over a century.

The Democrats are simply operating under a false idea. The States should run our election system, not the Federal Government.

What is more is, they will tell you they are embarking on this crusade to “save our democracy.” But the problem is, they want to do it by blowing up our democracy, blowing up this room.

Ending the filibuster means we would govern only by majority rule, stifling the voice of all minority and millions and millions of people who voted for the people who are in here in the minority.

Instead of saving it, this one-party rule would be the end of our democracy as we know it.

Instead of including the minority’s voice in legislation that should serve all Americans, we would have radical swings back and forth every time the majority changed hands in this room.

Right now, there are few Democratic Senators who have stood up for the filibuster. They understand the important role of the minority’s voice. This is not the House of Representatives. They understand the importance of making sure we listen to the voices of the millions of Americans who voted for the minority party, whoever it is. They know what even a small “exemption,” or what they call a “carve-out,” could lead to—devastation to this room.

So I ask the rest of my colleagues on the other side of the aisle: Why not join us and save the filibuster? That is what makes us the voice of all Americans. Why not focus on what you can do to lead in the face of many crises actually facing the American people?

In a recent poll, nearly 50 percent of Americans disapproved of President Biden’s handling of COVID. The disapproval ratings were even higher when it came to the economy, taxes, crime, government spending, and immigration. It is clear that, right now,

Americans need more adults in this room and more leadership, and I can guarantee that the American people do not want leadership that resorts to changing the rules to get their way, to notch a win. The American people want leaders who actually address the problems they face, like COVID and inflation.

We cannot allow the failed leadership of Big Government socialists to be a scapegoat for eliminating the filibuster and fundamentally changing our country for the worse.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:46 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

EXECUTIVE CALENDAR—Continued
The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF ALAN DAVIDSON

Ms. CANTWELL. Madam President, I rise to speak in support of our next vote, the nominee to head the National Telecommunications and Information Administration at the Department of Commerce, Alan Davidson.

My colleagues know now, in an information age, how important access to broadband is. They know because of COVID-19 how important it is for healthcare, how important it is for education, and how important it is for people to have the flexibility in all parts of the United States to have access to the ability to connect and to connect with people around the world.

We have long talked about the need for an NTIA Administrator who understands the public sector and understands the private sector. Mr. Davidson does that. He comes to us with a wealth of experience in both sectors, and he is coming at a time when my colleagues have been asking for more leadership from the administration on broadband issues. That is to say, many of my colleagues, like Senator WICKER, Senator KLOBUCHAR, and many others, have asked for coordination between various programs that exist within the Department of Commerce, the Department of Agriculture, and the issues in coordination with the FCC and oversight of their programs to better maximize the delivery of broadband.

The Presiding Officer knows how much money is now on the table for broadband. We all know that this implementation is going to take a very skilled hand at trying to address both the issues of affordability and access. But more importantly, we will be getting with Mr. Davidson somebody who understands these issues well and will help us strive to get America better connected as quickly as possible.