

regarding local election officials while pushing national legislation with almost identical language on that issue.

The President implied that things like wildly popular ID laws are—listen to this—“totalitarian.” Totalitarian? Ironically, on the same day, Washington, DC’s Democratic mayor told citizens to bring both a photo ID and a vaccine card anytime they leave the house.

The President repeatedly invoked the January 6 riot, while himself using irresponsible, delegitimizing rhetoric that undermines our democracy.

The sitting President of the United States compared American States to “totalitarian states.” He said our country will be an “autocracy” if he does not get his way—if he does not get his way.

So the world saw our Commander in Chief propagandize against his own country—his own country—to a degree that would have made Pravda blush. There was no consistent standard behind anything the President said. He trampled through some of the most sensitive and sacred parts of our Nation’s past. He invoked times when activists bled and when soldiers died, all to demagogue voting laws that are more expansive than what Democrats have on the books in his own home State.

Georgia has more days of early voting than Delaware or New York. Georgia has no-excuse absentee voting, which Delaware and New York do not have. If Georgia or Texas presents Jim Crow emergencies, then so do a whole lot of Democratic-run States.

The Senate Democratic leader has gone on cable TV saying Georgia “is greatly restricting or eliminating early voting.” That is a lie, provably false. Georgia has more early voting than New York. The Democratic leader has tried to fearmonger about one rural Georgia county that condensed multiple voting locations into one—one rural Georgia county. Well, the county is overwhelmingly red. They were clearly not involved in trying to suppress Democratic votes—70 percent Republican in that one county in 2020.

So take a step back for a minute. President Biden’s story is that democracy is on death’s door, but he spent 9 months chasing a reckless taxing-and-spending spree before addressing it. It must not be that much of an emergency. Citizens are meant to believe a return of Jim Crow is on the table, but this was only President Biden’s sixth priority after he was blocked from spending \$5 trillion on windmills and welfare. Democrats’ own behavior refutes their false hysteria.

Twelve months ago, the President said that “politics need not be a raging fire destroying everything in its path.” That was just 12 months ago, but yesterday, he poured a giant can of gasoline on the fire.

Twelve months ago, the President said every disagreement doesn’t have to be a cause for total war, but yesterday,

he said anyone who opposes smashing the Senate—smashing the Senate—and letting Democrats rewrite election law is a domestic “enemy” and—listen to this—a traitor like Jefferson Davis.

One week ago, President Biden gave a January 6 lecture about not stoking political violence—1 week ago. Yesterday, with the world’s largest megaphone, he invoked the literal Civil War and said we are on the doorstep of “autocracy.” He talked about domestic “enemies”—rhetoric unbecoming of a President of the United States.

In less than a year, “restoring the soul of America” has become this: Agree with me or you are a bigot. Agree with me or you are a bigot—from lowering the temperature to invoking totalitarian States and the Civil War.

This inflammatory rhetoric was not an attempt to persuade skeptical Democrat or Republican Senators. This whole display—this whole display—in fact, you could not invent a better advertisement for the legislative filibuster than a President abandoning rational persuasion for pure demagoguery. You could not invent a better advertisement for the legislative filibuster than what we have just seen: a President abandoning rational persuasion for pure—pure—demagoguery.

A President shouting that 52 Senators and millions of Americans are racist unless he gets whatever he wants is proving exactly why the Framers built the Senate to check his power.

This whole display is the best possible argument for preserving—preserving—the Senate rules that extend deliberation, force bipartisan compromise, and let cooler heads prevail. Nothing proves it better than this episode. It offers a perfect case study in why Senator Biden was right about the filibuster and President Biden is wrong.

One respected scholar explained it this way:

The smallest majority we’ve ever seen in our politics is trying to change the rules for how people get elected in every [single] state. . . . That’s just about the best argument for the filibuster you could possibly imagine.

The citizens of the greatest country in the world deserve for their elected officials to treat them like grownups. The adults of America deserve to hear from the adults in Washington, DC.

I will close with some basic truths.

Obviously, our country is more divided than it should be, no doubt.

In recent years, I have vocally criticized people across the political spectrum who have sought to legitimize elections when they win and delegitimize democracy when they are polling badly or when they lose.

I criticized the top Democrats’ hysteria after 2016, when their rhetoric had 66 percent of Democrats across America falsely convinced that Russia had hacked our voting machines and changed the tallies. Sixty-six percent of Democrats thought that after 2016. I

criticized Speaker PELOSI and House Democrats who spent the runup to 2020 hyping conspiracy theories and suggesting the election would presumptively be illegitimate if their side lost.

In December 2020 and January of last year, our side of the aisle defended our constitutional process despite political pressure, and we had, of course, a literal mob. But now it is President Biden and Leader SCHUMER and other Washington Democrats who don’t like their poll numbers. So they are reversing their tune yet again. The people who spent November 2020 through January 2021 preaching sermons about the strength and the sanctity of our democracy are now undertaking to delegitimize the next election in case they lose it.

We have a sitting President—a sitting President—invoking the Civil War, shouting about totalitarianism and labeling millions of Americans his domestic enemies.

We have a Senate Democratic leader who now frequently calls American elections “a rigged game.”

Look, this will not be repaired with more lies, more outrage, and more rulebreaking.

Unfortunately, President Biden has rejected the better angels of our nature. So it is the Senate’s responsibility to protect the country. This institution was constructed as a firewall against exactly—exactly—the kind of rage and false hysteria we saw on full display yesterday. It falls to the Senate to put America on a better track. It falls to us. So this institution cannot give in to dishonorable tactics. We cannot surrender to this recklessness. We have to stand up, stand strong, protect the Senate, and defend the country.

The PRESIDING OFFICER. The Senator from Texas.

FILIBUSTER

Mr. CORNYN. Mr. President, I want to applaud the Republican leader, the Senator from Kentucky, for saying what needed to be said. If there is a unique role for the U.S. Senate in our system of government, it is to be the place where debate and deliberation, common sense and compromise, prevail over demagoguery.

And, unfortunately, what we heard from President Biden yesterday was sheer demagoguery. And I agree that it was not only unbecoming of the President of the United States; it was, frankly, embarrassing. Many of us were embarrassed for him that he would resort to that sort of rhetoric, particularly when Members of his own political party are not on board asking him to do what he wants to do, which is to break the rules of the U.S. Senate.

So until this debate began, many Americans probably didn’t think twice about something called the filibuster. And as we have all tried to explain why it is important and what role the filibuster plays in our system of government, I think it is perhaps best described as a mechanism to force us to

do what doesn't come naturally, and that is to build consensus, to work together in the best interest of the country, and to pass laws that will endure, not those that will be reversed with the new majority, with the next election.

When you think about a country like ours, with 330 million people, as diverse as it is, it just makes sense for us to have fulsome debate and deliberation, because the risk of making mistakes, of unintended consequences, is great, and there is no body in America that can fix mistakes made by the U.S. Congress.

So deliberation is an important function, and that is why forcing us to do what doesn't come naturally, which means to work together and build consensus to get 60 votes to cut off debate, is such a critical role.

Well, unfortunately, our colleagues have—according to the Democratic leader and the majority leader—our colleagues have chosen to leave bipartisanship and tradition at the door in order to grow their own political power.

Make no mistake, they face an uphill battle. Two of our Democratic colleagues have stated their outright opposition, and I imagine others who hold the same view who have not wanted to catch the slings and arrows that have made their way toward the Senator from Arizona and the Senator from West Virginia.

There are many other Democratic Senators who hold the same concerns in private. Still, the majority leader is determined to light the Senate rule book on fire.

As this Chamber considers such an extreme move, I want to share some wise words from one of our former colleagues. That would be former Senator Joe Biden. The current President served in the Senate for three and a half decades and held a deep reverence for the rules and the traditions and the norms that govern this body—at least, he did. Back in 2005, the Senate was weighing whether or not to eliminate the 60-vote requirement for certain judicial nominees. At that time we had a Republican majority and a Democratic minority. The shoe was on the other foot. But Senator Biden—or then-Senator Biden—was absolutely clear about his feelings on the matter. He said: Eliminating the filibuster—the so-called nuclear option—is “an example of the arrogance of power”—“the arrogance of power.”

Now, that is not an ambiguous statement. That is not a qualified statement. That is not a contingent statement. That is a declarative statement about what eliminating the filibuster is—an arrogance of power.

Back in 2005, then-Senator Biden believed that changing the rules to benefit yourself or your political party is an example of that arrogance of power. And he called it “a fundamental power grab by the majority party.” But now President Biden obviously holds the exact opposite view. In other words, he has done a spectacular flip-flop.

Now that his party is the one in power, he is not only OK with the idea of this arrogance of power, this power grab, he endorses it. He advocates for it.

He is willing to use some of the strongest rhetoric I have ever heard come from a President of the United States to condemn it, to condemn the filibuster and endorse its destruction. In Georgia, yesterday, President Biden made his new position on the filibuster crystal clear. He said: “Let the majority prevail.”

The move he once called “a fundamental power grab” is now his new legislative strategy. And President Biden isn't the only one to have done a complete flip-flop when it comes to the filibuster, when it is opportunistic, when it is convenient, when it is expedient.

Senator DURBIN, the Democratic majority whip, also used to have a deep respect for the traditions of the Senate. He said that, if the filibuster were eliminated, “that would be the end of the Senate as it was originally devised and created going back to our Founding Fathers.” But his respect for these traditions, these norms, these rules dissipated when it became a political inconvenience.

Last year, Senator DURBIN, the Senator from Illinois, said the filibuster “has become the death grip of democracy.”

I am not sure if he is proud of it now, but Senator SCHUMER was also an advocate for the filibuster in the not-so-distant past. Just a few years ago—again, when the shoe was on the other foot and Democrats were a minority, and Republicans were a majority—he said we should “build a fire wall around the legislative filibuster” to protect the Senate from “the winds of short-term electoral change.”

Well, today, for sure, the winds have shifted. The Senator who once supported the filibuster now finds himself as the majority leader, trying to appease the most radical elements in his political base.

Where does he stand on the filibuster today? Well, he is whipping votes to eliminate it. Democrats who once hailed the filibuster as a vital stabilizing force in our government now call it a weapon of mass destruction, a mockery of American democracy, and even a Jim Crow relic.

Let's not forget that, just about a year and a half ago, Democrats used this Jim Crow relic to block an anti-lynching bill. That is right. I was here on the Senate floor when the now-Vice President of the United States, KAMALA HARRIS, and CORY BOOKER from New Jersey, our colleague from New Jersey, participated in a filibuster to block a motion to proceed to a police reform bill that contained their own anti-lynching bill in it. Shocking to me. They didn't even want to begin discussion of the bill—their own anti-lynching bill.

Well, now that Democrats control all levers of government, they have tossed

their previous convictions in the trash. Their agenda, securing a result that will result in a permanent partisan advantage, that is their sole focus. Our colleagues seem to have been blinded by the possibility of short-term victories, and they are ignoring the longer term repercussions, because, in the Senate, what goes around comes around.

Let's say that Democrats muster enough support to take a wrecking ball to the Senate rules. They blow up the rules and pass this so-called election bill with only 50 votes plus the tie-breaking vote of the Vice President. They would likely spend the rest of the year checking other items off of their radical wish list. This idea about a carve-out for one kind of bill is just malarkey, to use the President's term.

They would clearly use this to craft new laws to curb Second Amendment rights, expand access to abortion, and decimate important industries in the United States like the oil and gas industry. At the same time, the President is asking for Vladimir Putin and OPEC to pump more oil because the price of gasoline has gone through the roof.

Well, our colleagues like the sound of that—eliminating the filibuster—but they aren't prepared for what inevitably would come next.

The great genius of our system and of our country is that power is not absolute, and, ultimately, all power lies in the hands of we the people, and we are all directly accountable to the people we represent.

If voters reject Democrats' power grab and hand Republicans the Senate majority, Democrats would, if they were successful today or tomorrow, have zero impact on the legislative process. You could just ignore Democrats and plow your way to a certain result. They would have no way of stopping legislation they absolutely abhor from becoming law, and the States they represent, represented by Democratic Senators, those Senators would be irrelevant. Think about that.

All of us worked hard to get here. All of us are proud of the fact that our voters elected us to represent them in this most august body known on the planet, but if you happen to be in the minority, under the current position taken by the President and the majority leader and our Senate Democratic friends—almost all of them—those Senators elected in blue States would have zero impact. They might as well not even show up.

If voters reject the Democrats' power grab and hand Republicans the majority, they would have no say in the legislative process, if they are successful.

A Republican-controlled Senate could pass new laws to protect the right to life, secure the border, expand and enhance Second Amendment rights under the Constitution, and much, much more.

If that were to happen, would Democrats stand by the rules change that they are debating and advocating for

today? Would they stand by their decision to silence the minority party and minority Senators? Would they agree with President Biden's statement, "Let the majority prevail"?

Well, we don't have to wonder because we have seen this movie before. Our colleagues have already expressed regrets over the previous filibuster carve-out.

Contrary to the strong statement Democrats made in 2005 advocating for the filibuster to be maintained, they started chipping away at it just 8 years later.

In 2013, Democrats eliminated the 60-vote threshold for judicial nominees, and the move has haunted them for nearly a decade and resulted in the confirmation of three Supreme Court Justices during President Trump's term of office.

Back then, when they invoked the nuclear option, Leader MCCONNELL said:

You will regret this, and you may regret this a lot sooner than you think.

Reflecting on that moment a few years ago, Senator BENNET, one of our Colorado colleagues, was clear. He said Senator MCCONNELL was right.

Under the previous administration, the Republican-led Senate confirmed more than 230 conservative judges, all thanks to the Democrats' elimination of the filibuster when it comes to nominations.

The senior Senator from Colorado isn't the only one who has shown remorse after ending up on the losing side of that rules change. Senator TESTER, our colleague from Montana, said voting on that rule change was "probably the biggest mistake [he] ever made."

Senator SHAHEEN, our colleague from New Hampshire, concluded that "it has not served us well."

Even Senator SCHUMER, the majority leader, has said that "I wish it hadn't happened."

And as a reminder, this is only in reference to Federal judges. These individuals hold tremendous power, no mistake about it.

But now we are talking about rule changes that stipulate how laws are made, not how nominations are considered. This is the so-called legislative calendar, and what happens in the wake of this change would impact every single family across the country.

When Republicans, inevitably, at some point, take the majority again, it would be a simple thing, with 51 votes, to dismantle all of the laws that our Democratic colleagues have passed if they were to eliminate the filibuster. Then, of course, when Democrats take control again, the reverse would happen.

You know, I think that the 60-vote requirement is forcing us to do something that doesn't come natural, and that is to force us to work together to build consensus. I think that is what the American people want us to do, to work together. And the filibuster, that

60-vote requirement to close off debate, forces us to do just that. It eliminates the possibility that we can, with a mere majority of 51 votes, have our way, only to see it reversed after the next election. That is not good for the country. That is not good for our constituents. That doesn't create the sort of predictable, enduring laws that the American people should be able to rely on.

Well, when it comes to eliminating the filibuster, Senator Biden's line about "the arrogance of power" is exactly that. At some point, the shoe will be on the other foot—it always happens—which is why no party, neither party, has been so shortsighted, until now, to try to eliminate the legislative filibuster. No party has ever been so power hungry and so shortsighted as to shatter the norms and traditions of this institution.

I would like to close with one more quote from then-Senator Biden back in 2005. He said:

What shortsightedness, and what a price history will exact on those who support this radical move.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

VOTING RIGHTS

Mr. RUBIO. Mr. President, last week, the Vice President of the United States told us that a riot that happened here in the U.S. Capitol last year was the equivalent of the day in which Japan attacked us at Pearl Harbor and the United States was pulled into a world war that took the lives of over 3 percent of the world's population.

And yesterday, we were treated to the President telling us that election laws that are being passed by various States across the country over the last year are basically the same, the equivalent, of the segregation that existed in this country in the 1950s and 1960s and before.

Now, look, if your daily routine is to wake up in the morning and turn on MSNBC as you ride your Peloton and then you go on Twitter as you are drinking your caramel macchiato and then you are reading the New York Times as you are eating your avocado toast, I imagine all this makes perfect sense to you. After all, for these people, they believe this ridiculous narrative that every Republican—every Republican—is an insurrectionist, probably a racist, wants to overthrow the U.S. Government, and wants to destroy democracy.

The good news is that the overwhelming majority of Americans happen to live back here on planet Earth. And what they are worried about, to the extent they even pay attention to any of this stuff that has been said over the last 2 weeks—what they are really worried about is the fact that everything costs more; you go to the grocery store and the shelves are empty; they have a small business and they hire someone on Monday who just disappears on Thursday and never

comes back; you have got, every day, thousands of people illegally entering the United States across an open border; and, by the way, we have a surge in violent crime and lawlessness across the country. That is probably what they are worried about—in fact, I know it is—on a daily basis.

But to the extent they have paid attention to any of this, let me tell you something. First of all, I think almost everyone would tell you that what happened on January 6 here was a terrible thing; it should never have happened; and it should never happen again.

But I don't care how many candlelight vigils and musical performances you have from the cast of "Hamilton," you are not going to convince, at least most normal and sane people, that our government last year was almost overthrown by a guy wearing a Viking hat and Speedos. OK?

And I don't care, you know, how many of these speeches the President gives in which he shouts out this hyperbole and all this melodrama, you are not going to convince people that having a State pass a law that says, for example, that you have to produce an identification is the same as segregation.

Nevertheless, despite the fact that that is what most people in this country are worried about—inflation and all these other things—that is not what we are working on here. That is not what we will spend this week on. That is not what the priority of this administration has been. That is not what the President is giving speeches about. You may care about inflation back home. They care about the fact—their crisis is that there are some laws in this country, for example, some States in this country, that do not automatically force everyone to register to vote. They just automatically register them. Well, that is the crisis.

They don't care that store shelves are empty. In fact, they have denied that the store shelves are actually empty.

For them, the real problem is that States have laws, for example, that don't allow these roving gangs of activists to bully people into turning over their ballot so they can show up at 6:59 p.m. on election day and just dump it on an elections official.

And by the way, they don't seem overly concerned that there are Americans that will be fired or not allowed into a restaurant unless they can produce their papers, their vaccine card.

The real problem is how dare you ask them to produce a voter ID—a photo ID in order to vote. That is their real problem.

So how can this be? I mean, how can there be such an enormous disconnect between what real people in the real world care about and are talking about on a daily basis and what we are going to spend our time talking about here and these speeches that have been given over the last week?