

for 12 years, where I regularly used the fact that we needed 60 votes in the Senate to force colleagues on both sides of the aisle to come together and find a way to pass legislation in a bipartisan manner. When I was in the executive branch in two Cabinet-level jobs in the Bush 43 administration and as Director of the Office of Legislative Affairs for Bush 41, that 60-vote necessity in the Senate calmed the passions within the administration and forced us to find common ground to work in a more bipartisan manner, resulting in more effective results that last the test of time. I know the benefits to our country of requiring more than a bare Senate majority that shifts back and forth because I have lived it in the House, in the Senate, and in the White House.

And it is not just me or other Republicans now saying that the legislative filibuster is good for our Federal system. Less than 5 years ago, 32 Senate Democrats, including then-Senator and now-Vice President Kamala Harris, joined with me and other Republicans in signing an open letter insisting the legislative filibuster should not change. This was at a time when there was a Democrat in the White House, but Republicans controlled the Senate. It appears that those 32 Democrats were happy to defend the filibuster as good for the country when they were in the minority but not now when the country is even further divided, and they have a majority. All but a couple of those Members have shifted their views.

I would encourage my Democratic colleagues to reread their own letter, which makes such a compelling case that this is about the country, not about one political party or another.

Back in 2005, Senator SCHUMER called abolishing the filibuster “a temper tantrum by those on the hard, hard right” who “want . . . their way every single time.” That was in 2005. Now he is majority leader, and he has changed his tune.

This seems shortsighted to me, since the history of the Senate is to change the majority regularly. We don’t know who is going to be in the majority in the next Senate.

Could the Senate rules be improved to allow more debate and more progress on legislation? Absolutely. There is bipartisan interest in this, and we should turn it to something constructive. After this political exercise we are going through right now, we should turn to the issue of reforming the rules around here. Let’s have each leader choose a few interested Members. Let’s hammer out a bipartisan proposal that allows more amendments and makes it easier to get legislation passed. It is not that hard. But eliminating the one tool that forces us to come together makes it harder to address those many challenges we face. It makes it harder to pass legislation, broadly supported and sustainable, to actually help the people we represent. That is what we were elected to do.

That is our job—not inflame the passions of our most committed and hard-line supporters but achieve results. And as I said at the outset, between inflation, and COVID, our southern border, and more, we have got plenty to do.

I urge my Democratic colleagues to step back from the brink, to think twice before trying to destroy what has made the U.S. Senate such a unique and valuable part of the world’s longest lasting and most successful democracy. And I urge my colleagues on both sides of the aisle to support sensible rules changes and recommit to use the 60-vote margin responsibly to generate consensus and find that elusive common ground that will best serve those we represent and that will keep our great Republic the envy of the world.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 6:15 p.m.

Thereupon, the Senate, at 5:30 p.m., recessed until 6:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PETERS).

MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

H.R. 5746

Mr. BLUMENTHAL. Mr. President, I have just come back from a trip to Ukraine with six of my colleagues, a bipartisan group organized very ably by Senator PORTMAN and Senator SHAHEEN, to express our solidarity with the people of Ukraine in their fight for freedom and democracy against Russian aggression.

They need us to stand with them as they stand strong for their country’s independence against Vladimir Putin’s effort to intimidate them, potentially to invade their country, but, assuredly, in a hybrid war consisting of misinformation, cyber attack, and military action that is designed very simply to destabilize, demoralize, and degrade their country’s governance.

And as we stood with them, meeting with the President, Mr. Zelensky, and the top leadership, I couldn’t help but think of this country and how grateful we should be for our strength, our freedom, our democracy.

All of us, when we return from travel abroad, I think, express our gratitude to be Americans, to live in a country where these freedoms and our independence are assured but where we, too, need to be strong and ever vigilant and vigorous in protecting those freedoms.

We are the greatest Nation in the history of the world, the strongest and most freedom-loving on the planet. We are still an imperfect nation, still

struggling to do better and a work in progress, but we are proud to confront our imperfection and move forward in a way that demonstrates that we can broaden access to opportunity and to the right of people to determine their own destiny.

No freedom or right is more important than the right to vote. That is why we are here today and why I am so proud to have helped to lead the John Lewis Voting Rights Advancement Act and to support the Freedom to Vote Act, which are designed to safeguard Americans’ right to vote and secure the sanctity of our elections.

And, today, just as Ukraine faces a threat to its independence and freedom, we too, in America, face a threat, not from Vladimir Putin directly, although he has sought to destabilize and degrade our democracy and continues to do so through cyber attacks and misinformation. Certainly, 2016’s interference in our elections is a warning bell, an alarm, that we need to be stronger against foreign interference.

But within, the threat is equally, if not more, alarming because what we are seeing across this great country in State after State are efforts to suppress the vote and restrict the franchise. Last year, more than 440 restriction bills were introduced in 49 States, and 19 of those States successfully enacted 34 laws that made it harder for people to vote. These laws make mail-in voting and early voting more difficult. They manipulate the boundaries of districts to reduce minority representation and have led to a purge of 3.1 million voters from the rolls in areas that were once covered by the Voting Rights Act preclearance requirement. We are seeing a tidal wave of voter suppression that continues even as we speak today on this floor.

The vote today comes in a week where we celebrate the legacy of Reverend Dr. Martin Luther King, Jr. For the first time in my memory, I was out of the country on that day. But it was ever present in my mind and heart, and it should animate us today, that memory and legacy which were so powerfully expressed on August 6, 1965, when President Lyndon Johnson signed the Voting Rights Act into law. He called it “a triumph for freedom as huge as any victory that has ever been won on any battlefield”—a triumph for freedom.

And it followed a mere 7 months after Dr. King launched a Southern Christian Leadership Conference campaign based in Selma, AL, with the aim of supporting voting rights legislation. It was a great day for America. It is one that has, rightly, received a paramount place in our history. It is taught to our children.

The Voting Rights Act represents the best of America, and its commitment to guaranteeing that members of every racial group would have equal voting opportunities stands as one of the best days in this country. But it was no layup for the civil rights movement. It

culminated a hard-fought campaign, and it was a hard-won victory of civil rights leaders like Dr. King and John Lewis, who committed themselves—literally, committed their bodies, their physical well-being—to advance the rights of others in the face of violent opposition. They were beaten, sometimes near death.

And, for decades, the Voting Rights Act remained a crucial bulwark. It was retained and defended against insidious efforts to roll back the clock until—until—the U.S. Supreme Court did that work for opponents. In 2013, in *Shelby County*, the U.S. Supreme Court gutted the highly effective preclearance regime, thereby jeopardizing the progress that the Voting Rights Act made over the course of half a century in protecting against those voter suppression efforts throughout the country.

Justice Ginsburg said it best in her powerful dissent in *Shelby County* when she wrote that Congress enacted the Voting Rights Act preclearance requirement “to cope with this vile infection” of racial discrimination which “resembled battling the Hydra. Whenever one form of voting discrimination was identified and prohibited, others sprang up in its place.”

And the time to protect those voting rights is before they are restricted, and that is why preclearance was so important and why the John Lewis Voting Rights Advancement Act now must be enacted into law.

We come here after a year that has seen the most destructive legislative session for voting rights in generations, with States and localities returning to the “conniving methods,” as Dr. King called them—“conniving methods” of voter suppression that block people from getting to the polls and making their votes count—and undermines our democracy because, as the Founders sought to do, representative government means representing the people who are affected by these policies enacted by the Federal Government. And that means representation that enables every person to vote and to have that vote count.

There are no guarantees that rights will be protected in this country. The fight for voting equality has faced continuous, often violent resistance and enormous opposition, including from within this Congress, and now by a rule, a filibuster that will prevent the majority from protecting those rights.

The effort to change the filibuster is very simply an effort to convert it from a secret to a public debate mechanism—secret to public. We will vote tomorrow on a rules change that provides for a means to make majority rule count—not to abolish the filibuster but to make it public instead of secret.

As my distinguished colleague Senator WARNOCK posed the question in this Chamber last month, we want it to be bipartisan but, as he said, “bipartisanship at whose expense?” And as he also said, clearly in this country, “some people don’t want some people

to vote.” And the filibuster is a handy means of preventing reforms that secure the right to vote.

Historic denials of individual basic liberties and political freedoms have long garnered bipartisan support and have required courage and conviction to overcome, and that is why we must change the rules tomorrow.

Dr. King never quit. He never stopped fighting. As he said—I think I am quoting him correctly—disappointment is finite, but hope is infinite. And so, even if we are defeated tomorrow, we will continue this effort to eliminate dark money, to provide for disclosure, to stop State legislatures from eliminating districts in a way that knocks Representatives out of their seats and results in gerrymandering that is anti-democratic.

For decades, Members of this Chamber have deployed the filibuster to delay and block legislation that would have promoted voting rights by ending poll taxes and literacy tests, safeguarded against workplace discrimination, and advanced civil rights in this country. The filibuster has been used to block those kinds of efforts to promote voting rights.

The longest filibusters in this Chamber’s history were deployed to stop the Civil Rights Act of 1957 and 1964, a testament to this tool’s history as a weapon against the advancement of civil rights. And Dr. King himself lamented that “tragedy [of] . . . a Senate that has a minority of misguided Senators who will use this filibuster to keep the majority of people from even voting.”

We cannot continue to allow these kinds of procedural tactics to stand in the way of defending against a new era of hostility toward voting rights of people in this country. We must protect the right to vote. It should not be a partisan issue.

In fact, voting rights are widely supported throughout American society. Those civil rights measures were supported by bipartisan majorities in those years of 1957 and 1964 and in the renewal since then. Photographs showing Members of both parties at bill signing attest powerfully to the bipartisan support this cause has enjoyed throughout its history.

Since the original inception of the Voting Rights Act in 1965, overwhelming, bipartisan majorities of both Houses of Congress have reauthorized the Voting Rights Act five times.

For nearly a century after the Civil War and before the Voting Rights Act, the scourge of racial discrimination in voting challenged our Nation’s core commitment, our basic value as a country.

From that century of sacrificing and suffering, so embodied by Dr. King, came the Voting Rights Act and its extraordinary commitment to realizing our Nation’s highest ideals, the best in America. For decades, it worked. In one decision and its progeny, the U.S. Supreme Court undercut and undermined those rights, and now we face

this tsunami of voter suppression bills crashing against America.

We must defend America. We must secure those rights and liberties, just as we come to the aid of countries like Ukraine that resist attack on their independence. We must renew our Nation’s commitment to protecting voting rights in this country. And tomorrow, we will do it. Tomorrow, we will vote. Members will be held accountable. We will be on record. And I hope my colleagues will do the right thing for America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

H.R. 5746

Mr. CASEY. Mr. President, I rise tonight to speak about the voting legislation that we are debating on the floor. Like so many of my Democratic colleagues, I rise along with those Democratic colleagues in calling for comprehensive Federal legislation to turn back the avalanche of voter suppression legislation in various States, all of it—all of it—animated by the Big Lie about the 2020 election. We will talk more about that in a moment.

It is clear to me that Republican politicians across the Nation in State capitals and even here in Washington are attempting to make it harder for tens of millions of Americans to register to vote, to cast their vote, and they are even making it harder, of course, for every vote to count.

This is a subversive threat. It is a subversive threat to our democratic institutions. I believe it is a clear and present danger to our elections and also a clear and present danger to our stability as a nation, and, of course, it is a clear and present danger and a direct threat to our democracy itself.

Just by way of a significant example, consider what happened in just one State in the last couple of years, in Pennsylvania. I will start with a historical backdrop.

Pennsylvania, like a lot of States, had a high-water mark of voting in 1960 in the election between John F. Kennedy and Richard M. Nixon, and then in 1964, the numbers were very high as well. So in 1960, about right at—almost exactly 70 percent of the voting-age population voted, but after 1960 and 1964, you had a precipitous drop that occurred every 4 years. Some years, it would go up a little higher; other years, it would go back down. But we never got, in 60 years, to that level again.

For example, just the most recent two elections before 2020 in Pennsylvania—in the 2012 election, 5.74 million