

should have known she was not allowed to vote. The state had sent her a letter telling her so back in 2012, shortly after she had been sentenced in the tax fraud case. The letter was delivered to her home even though she had already begun serving her sentence behind bars. "They sent it to the one place they knew she was not going to be," said Allison Grinter, Ms. Mason's lawyer.

The prosecutors also pointed out that when she cast her ballot in 2016, she signed an affidavit [saying] that she had completed all the terms of her sentence.

Ms. Mason said she had not read the fine print; she was focused on writing down her address in exactly the form it appeared on her driver's license. She was convicted after a one-day trial and sentenced to five years behind bars for casting a ballot that was never counted.

"It's a surreal experience to be in a courtroom for these trials," said Christopher Uggen, a professor of law and sociology at the University of Minnesota who has studied the impact of felon disenfranchisement for decades, and has testified as an expert in prosecutions of people charged with illegal voting.

"You've got the judges, you've got the lawyers. You've got somebody who often is a model probationer called in, and what's at issue is whether they voted. I have overriding sense of, gosh, don't we have other crimes to prosecute? It really should be a consensus issue in a democracy that we don't incarcerate people for voting."

Mr. Uggen said that there is a stronger case for criminal punishment of certain election-law offenses like campaign-finance violations or sabotaging voting machines, that can do more widespread damage to our election system. But in his own work he has found that the people who get punished are more likely to fit Ms. Mason's description: female, low-level offenders who are doing relatively well in the community. "These are not typically folks who represent some great threat to public safety," he said.

You wouldn't get that sense from how Ms. Mason has been treated. After her voting conviction, a federal judge found she had violated the terms of her supervised release, and sentenced her to 10 extra months behind bars. That punishment, which she began serving in December 2018, earned her no credit toward her five-year state sentence.

Ms. Mason has continued to fight her case, but so far she has lost at every step. In March 2020, a three-judge panel on a state appellate court rejected her challenge to her sentence. The court reasoned that she broke the law simply by trying to vote while knowing she was on supervised release. It didn't matter whether she knew that Texas prohibits voting by people in that circumstance.

This appears to be a clear misapplication of Texas election law, which criminalizes voting only by people who actually know they are not eligible, not those who, like Ms. Mason, mistakenly believe that they are. It's as though Ms. Mason had asked a police officer what the local speed limit was, and he responded: "Beat's me. Why don't you start driving and see if we pull you over?"

Last week, the Texas Court of Criminal Appeals, the state's highest court for criminal cases, agreed to rule on Ms. Mason's appeal. It's her last chance to avoid prison for voting. Tossing her conviction would bring a small measure of justice to a woman whose punishment should have been limited to, at most, not being able to cast a ballot.

But it wouldn't give her back the last four years of fear and uncertainty she has endured for no good reason. Ms. Mason's first grandchild was born a few months ago, another reminder of how much she would miss if she were to lose the appeal and end up

back behind bars. "This is very overwhelming, waking up every day knowing that prison is on the line, trying to maintain a smile on your face in front of your kids and you don't know the outcome," Ms. Mason told *The Times* in an interview. "Your future is in someone else's hands because of a simple error."

Identifying errors like these is the whole point of offering provisional ballots: The crazy quilt of voting rules and regulations that Americans face from state to state can trip up even the best-informed voters, and honest mistakes are common. By prosecuting Ms. Mason, just one of more than 44,000 Texans whose provisional ballot in 2016 was found to be ineligible, the state is saying that you attempt to participate in democracy at your own risk.

That risk is almost always higher for people of color. Texas' attorney general, Ken Paxton, likes to brag about the 155 people his office has successfully prosecuted for election fraud in the last 16 years—an average of fewer than 10 per year. What he doesn't say out loud is what the A.C.L.U. of Texas found in an analysis of the cases he has prosecuted: almost three-quarters [of those cases] involved Black or Latino defendants, and nearly half involved woman of color, like Ms. Mason.

At this point you might be wondering why Ms. Mason was ineligible to vote in the first place. She had been released from prison, after all, and was trying to work her way back into society. As more states are coming to understand, there is no good argument for denying the vote to people with a criminal record, and that's before you consider the practice's explicitly racist roots. There is even a strong case to be made for letting those in prison vote, as Maine, Vermont and most Western European countries do. And yet today, more than five million Americans, including Ms. Mason, are unable to vote because of a criminal conviction. That has a far greater impact on state and national elections than any voter fraud that has ever been uncovered.

Given the disproportionate number of Black and brown people caught up in the criminal justice system, it's not hard to see a connection between cases like Ms. Mason's and the broader Republican war on voting, which so often targets people who look like her. The nation's tolerance of prosecutions for the act of casting a ballot reveals complacency about the right to vote. Mr. Uggen said, and a troubling degree of comfort with voting restrictions generally. "There's a slippery slope: If you start exempting individuals from the franchise, it's easy to exempt other individuals by defining them outside the citizenry," he said. "What is shocking to me is that people view this as acceptable in a political system that calls itself a democracy."

Mr. President, these efforts to subvert our democracy cannot be allowed to stand. Congress must pass the Freedom to Vote: John R. Lewis Act immediately to protect free and fair elections across this Nation. And if Senate Republicans will not join us, then we must reform the filibuster. We must pass this vital legislation. Our democracy depends on it.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Massachusetts.

MEASURES PLACED ON THE CAL-
ENDAR—S. 3452, S. 3453, S. 3454, S. 3455, S. 3456, S. 3457, S. 3458, S. 3459, S. 3460, S. 3461, S. 3462, S. 3463, S. 3464, S. 3465, S. 3466, S. 3467, S. 3468, S. 3469, S. 3480, and S. 3488

Ms. WARREN. Mr. President, I understand that there are 20 bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 3452) to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

A bill (S. 3453) to prohibit the payment of certain legal settlements to individuals who unlawfully entered the United States.

A bill (S. 3454) to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act.

A bill (S. 3455) to prohibit the implementation of new requirements to report bank account deposits and withdrawals.

A bill (S. 3456) to enact the definition of "waters of the United States" into law, and for other purposes.

A bill (S. 3457) to codify the temporary scheduling order for fentanyl-related substances by adding fentanyl-related substances to schedule I of the Controlled Substances Act.

A bill (S. 3458) to amend Title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America's public safety officers.

A bill (S. 3459) to prohibit a Federal agency from promulgating any rule or guidance that bans hydraulic fracturing in the United States, and for other purposes.

A bill (S. 3460) to prohibit local educational agencies from obligating certain Federal funds when schools are not providing full time in-person instruction.

A bill (S. 3461) to provide that the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing: Emergency Temporary Standard" shall have no force or effect, and for other purposes.

A bill (S. 3462) to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

A bill (S. 3463) to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID-19 at suspect laboratories in Wuhan.

A bill (S. 3464) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

A bill (S. 3465) to clarify the treatment of 2 or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938.

A bill (S. 3466) to prohibit the use of Federal funds for the production of programs by United States companies that alter political content for screening in the People's Republic of China, and for other purposes.

A bill (S. 3467) to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

A bill (S. 3468) to provide for a limitation on the removal of the Government of Cuba from the state sponsors of terrorism list.

A bill (S. 3469) to establish a review of United States multilateral aid.

A bill (S. 3480) to prohibit the use of funds to reduce the nuclear forces of the United States.

A bill (S. 3488) to counter the aggression of the Russian Federation against Ukraine and Eastern European allies, to expedite security assistance to Ukraine to bolster Ukraine's defense capabilities, and to impose sanctions relating to the actions of the Russian Federation with respect to Ukraine, and for other purposes.

Ms. WARREN. In order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceeding en bloc.

The PRESIDING OFFICER. Objection is heard. The items will be placed on the calendar under rule XIV.

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the motion to lay before the Senate the House Message to accompany H.R. 5746.

S. 2972

Mr. GRAHAM. Mr. President, on Friday I was made aware that due to an administrative error, Senator WARREN was mistakenly added as a cosponsor to S. 2972, my bill to repeal section 230 of the Communications Act of 1934. The error was made through no fault of Senator WARREN or her staff. I am working with the cloakroom to ensure her name is removed from the bill as soon as possible.

RECOGNIZING 20 YEARS OF THE VILLAGE MOVEMENT

Mr. WYDEN. Mr. President, I wish to honor a dedicated and creative organization serving communities throughout Oregon and the Nation, celebrating 20 years of allowing senior citizens to stay in their homes while providing access to affordable care and community. The Village Movement is founded on the principle of neighborliness and provides comfort, care, and affordability while maintaining dignity.

This wonderful movement started in 2002 with a group of community-dedicated friends who did not want to leave their community in retirement. Intent upon staying, the friends launched the Beacon Hill Village in Massachusetts to provide residents who were 50 and older practical support and confidence to stay in their homes and live their lives independently.

This idea soon caught on, with similar villages springing up all over the country, including in Oregon. There are now 14 villages throughout Oregon bringing services to senior citizens in the comfort of their own homes. The Movement supports what is often called "aging in place" by developing a nurturing network of volunteers and access to services and social opportunities that are both sustainable and community-based.

Every village is member-driven and self-governing, allowing them to respond to the needs of each community. The Movement has also expanded to include adults of all ages living with disabilities, preserving the humanity and dignity that is so important in every stage of life.

I have long viewed aging in place as a bedrock principle for improving quality of life for seniors and those with disabilities. Years ago, I started the Independence at Home Program, which helped primary care providers visit frail seniors in their homes. This helped them avoid unnecessary and potentially dangerous travel and remain in their homes longer than they would have otherwise.

I have also been proud to lead legislation as a part of the Build Back Better agenda that would put home care on a more even playing field with institutional care. These important efforts can build on one another, alongside organizations like the Village Movement, to create a rich tapestry of health and social supports for Americans as they age.

Without a doubt, the Village Movement has set a fine example of how communities can help support their neighbors. It is an honor to recognize the Village Movement for its service to the United States—and Oregon in particular.

TRIBUTE TO ANDY BRUNELLE

Mr. CRAPO. Mr. President, along with my colleagues Senator Jim Risch, Representative MIKE SIMPSON and Representative RUSS FULCHER, I congratulate Andy Brunelle on his remarkable career in government service. Andy is retiring on January 31, 2022, after 27 years with the U.S. Forest Service.

For more than 20 years, Andy has worked with our offices in his position as the Capitol City Coordinator for the U.S. Forest Service. In this position, he has represented both the U.S. Forest Service Region 1 and Region 4 and the seven National Forests in Idaho as he has served as a liaison working with State and local government officials, Agency directors, Idaho's congressional delegation, and interest groups in Idaho on issues of statewide concern. Given the importance of the natural resources and species habitat on the more than 20 million acres of Federal forested land in Idaho he has acted on behalf of, Andy has worked on many challenging issues over the years. This includes working closely with our delegation concerning improving and extending the Secure Rural Schools Program, a vital resource for Idahoans. We thank him for his thoughtful, helpful, and pragmatic work for the betterment of our great State and country.

Andy began working for the U.S. Forest Service in 1995 after serving as special assistant for natural resources in the Office of Idaho Governor Cecil D. Andrus. From 1988 to 1995, he was the Governor's key staff person on a wide

variety of natural resource issues, including challenging issues such as water quality, Federal lands management, and protection of Snake River salmon. Additionally, he served on the Northwest Power Planning Council, Boise City Planning and Zoning Commission, and City of Boise advisory committees. Andy also dedicates considerable time to serving on boards of nonprofit organizations, including the Boise WaterShed Exhibits Environmental Education Center, Idaho Environmental Forum, Ted Trueblood Chapter of Trout Unlimited, and Harris Ranch Wildlife Mitigation Association.

As we wish Andy well in his well-earned retirement, we express our deep gratitude for dedicating so much of his time and talents to enhancing, sustaining, and conserving such an essential part of our State's treasures. Thank you, Andy, for your decades of dedicated work and skilled problem-solving on behalf of Idahoans, and congratulations on your retirement.

TRIBUTE TO LINDSAY NOTHERN

Mr. CRAPO. Mr. President, I congratulate Lindsay Nothern, a cherished member of my staff who is retiring from Senate service.

In Ralph Waldo Emerson's famous poem about how to measure success, he concludes, "to know that even one life has breathed easier because you have lived. This is to have succeeded." I am among the many who have breathed easier because of Lindsay. He has represented me, spoken for me, written for me, and provided outstanding counsel. He has aptly communicated the needs of Idahoans and kept Idahoans informed about the happenings in Congress. For example, this includes him taking a direct interest and involvement in advocating for Idaho domestic violence victims and Idahoans affected by Cold War era above-ground nuclear testing, often referred to as "downwinders." He has taken on each challenge with great compassion and persistent optimism.

Prior to joining my staff, Lindsay was a journalist and worked in news management. He also served as press secretary for former Idaho Governor Phil Batt and campaign press secretary for Representative MIKE SIMPSON. Lindsay has been with me since I began my Senate service in 1999. I am so grateful my then communications director insisted on waiting until Lindsay was available to bring onto the staff. Lindsay has been with me ever since, moving from press secretary to communications director in 2011. Throughout, Lindsay has been patient, kind, empathetic, a great listener, and a trusted adviser.

Thank you, Lindsay, for your service to this extraordinary branch of our government, and, most importantly, your service on behalf of the great people of Idaho. I understand you have said you have had two of your three wish-list jobs—bartender, radio disc