

Raphael G. Warnock, Ben Ray Lujan, Gary C. Peters, Elizabeth Warren, Christopher Murphy, Tammy Duckworth, Patrick J. Leahy, Sheldon Whitehouse, Michael F. Bennet, Tim Kaine, Tammy Baldwin, Cory A. Booker, Sherrod Brown.

The VICE PRESIDENT. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed on S. 2747, a bill to expand Americans' access to the ballot box and reduce the influence of big money in politics, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 49, nays 51, as follows:

[Rollcall Vote No. 420 Ex.]

YEAS—49

| | | |
|--------------|--------------|------------|
| Baldwin | Hickenlooper | Reed |
| Bennet | Hirono | Rosen |
| Blumenthal | Kaine | Sanders |
| Booker | Kelly | Schatz |
| Brown | King | Shaheen |
| Cantwell | Klobuchar | Sinema |
| Cardin | Leahy | Smith |
| Carper | Lujan | Stabenow |
| Casey | Manchin | Tester |
| Coons | Markey | Van Hollen |
| Cortez Masto | Menendez | Warner |
| Duckworth | Merkley | Warnock |
| Durbin | Murphy | Warren |
| Feinstein | Murray | Whitehouse |
| Gillibrand | Ossoff | Wyden |
| Hassan | Padilla | |
| Heinrich | Peters | |

NAYS—51

| | | |
|-----------|------------|------------|
| Barrasso | Graham | Portman |
| Blackburn | Grassley | Risch |
| Blunt | Hagerty | Romney |
| Boozman | Hawley | Rounds |
| Braun | Hoeven | Rubio |
| Burr | Hyde-Smith | Sasse |
| Capito | Inhofe | Schumer |
| Cassidy | Johnson | Scott (FL) |
| Collins | Kennedy | Scott (SC) |
| Cornyn | Lankford | Shelby |
| Cotton | Lee | Sullivan |
| Cramer | Lummis | Thune |
| Crapo | Marshall | Tillis |
| Cruz | McConnell | Toomey |
| Daines | Moran | Tuberville |
| Ernst | Murkowski | Wicker |
| Fischer | Paul | Young |

Mr. SCHUMER. I change my vote to no.

The VICE PRESIDENT. On this vote, the yeas are 49, the nays are 51.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

MOTION TO RECONSIDER

Mr. SCHUMER. Madam President, I enter a motion to reconsider the failed cloture vote.

The VICE PRESIDENT. The motion is entered.

Mr. SCHUMER. Now, Madam President, I want to be clear about what just happened on the floor of the Senate. Every single Republican Senator just blocked this Chamber from having a debate—simply a debate—on protecting Americans' right to vote in free and fair elections.

A little over a year ago, our country held the safest, most accessible, most

on-the-level elections in modern history. Our former President could not accept defeat with grace. He refused to show fidelity to the democratic process.

Instead, he told a Big Lie—a Big Lie that has now poisoned—poisoned—the roots of our democracy. Capitalizing on this malicious lie, his acolytes in conservative-controlled legislatures are now passing laws across the country making it harder for younger, poorer, urban, and non-White Americans to participate in our elections.

These laws are a direct attack on our fundamental liberties as American citizens. If there is anything—anything—worthy of the Senate's attention, it is unquestionably this.

And yet, given the chance to respond to an obvious problem, given the chance to merely debate these latest threats against the franchise, Senate Republicans voted unanimously—unanimously—to block any opportunity for action.

Let there be no mistake, Senate Republicans blocking debate today is an implicit endorsement of the horrid new voter suppression and election subversion laws pushed in conservative States across the country. By preventing the Senate from functioning as it was intended, Republicans in this body are permitting States to criminalize giving food and water to voters at the polls. Republicans are saying it's OK to limit polling places and voting hours and shut the doors to more expansive vote by mail.

I mean, my God. Why aren't all of my colleagues outraged by these laws?

Frankly, we haven't heard a clear explanation from Republicans at all because they refused for this Chamber to even hold a debate. It is ludicrous—ludicrous—for them to simply state that the Federal Government has no role to play here. They should read the Constitution of these United States of America. It precisely empowers Congress to regulate the “times, places, and manners” of holding elections. The Congress—us. Sometimes the Federal Government has been the only recourse when States conspire to shut voters out.

Madam President, the fight to protect our democracy is far from over in the United States Senate. Senate Democrats have made clear that voting rights is not like other issues we deal with in this Chamber. This isn't about regular old politics. It is not just about even regular old policy. It is about protecting the very soul of this Nation, about preserving our identity as a free people who are masters of our own destiny.

Republican obstruction is not a cause for throwing in the towel. As soon as next week, I am prepared to bring the John Lewis Voting Rights Advancement Act here to the floor.

What we saw from Republicans today is not how the Senate is supposed to work. This is supposedly the world's greatest deliberative body, where we

debate, forge compromise, amend, and pass legislation to help the American people. That is the legacy of this great Chamber. The Senate needs to be restored to its rightful status as the world's greatest deliberative body.

Now, in the aftermath of the Civil War, and as the Nation began the colossal work of Reconstruction, America was more divided than at any point in history. It was hard to imagine that a single nation could endure after the bloody conflict of the four previous years.

At the time, the Republican Congress set to work on granting newly freed slaves the basic freedoms that had long been denied to them. These freedoms were eventually enshrined in the 14th and 15th Amendments, granting due process and the right to vote to all citizens, regardless of color or race.

Today, these amendments rank as some of the greatest and most revered accomplishments in congressional history. They are proof that our country is capable of living up to its founding promise, if we are willing to put in the work.

But at the time, the minority party in both Chambers refused to offer a single vote for any of the civil rights legislation put forward during Reconstruction. Not one vote. Not one vote. They argued these bills represented nothing more than the partisan interests of the majority—a power grab, they said, from vengeful northerners.

But that didn't stop the majority. If expanding basic freedoms meant going it alone, that was something they were willing to do. Today, we feel the same way.

To the patriots after the Civil War, this wasn't partisan; it was patriotic. And American democracy is better off today because the patriots in this Chamber at that time were undeterred by minority obstruction. Again, today, we feel the same way.

Today, the question before the Senate is how we will find a path forward on protecting our freedoms in the 21st century.

Members of this body now face a choice. They can follow in the footsteps of our patriotic predecessors in this Chamber, or they can sit by as the fabric of our democracy unravels before our very eyes.

EXECUTIVE CALENDAR

Mr. SCHUMER. I ask unanimous consent that the Senate resume consideration of the Lin nomination.

The VICE PRESIDENT. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Tana Lin, of Washington, to be United States District Judge for the Western District of Washington.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from Oklahoma.

Mr. LANKFORD. Madam President, I do have to make a quick comment before I jump into a unanimous consent request.

I did appreciate hearing the majority leader talk about how the minority and the majority stood up around Reconstruction. And I found it interesting that he continued to talk about the majority and the minority standing up for the rights of slaves and the rights of individuals, conveniently leaving out it was the Republicans at that time that were the majority that were actually standing up for the rights of all individuals of all races to be able to vote and to be able to be engaged, and it was the Democrats at that time that were working very hard to be able to block the rights of individuals to be able to vote.

So I did have to find it personally humorous when he seems to not be very shy about saying Republican and Democrat on this floor, at that moment he used majority and minority. But I digress. On to other issues.

UNANIMOUS CONSENT REQUEST—S. 2879

Madam President, the reason I came to the floor today is because, on September 9, the President of the United States took to the microphone and told the American people his patience was wearing thin—was the comment he made to the American people: My patience is wearing thin; therefore, I am going to start mandating that individuals across the country have to receive a vaccine.

To which he then put out an Executive order across to Federal workers, in particular, and told Federal workers they would have to have a vaccine by the end of this year, to be fully vaccinated, complete.

The deadlines he put in place for the Moderna vaccine, they would have had to have had the first shot by last week; by the Pfizer vaccine, they would have already have had to have the shot by this week; and then the J&J vaccine, they would have to have it by a couple weeks to be fully complete.

And he laid down this statement to say everybody needs to get vaccinated, and then walked away.

Office of Personnel Management and Office of Management and Budget didn't try to start engaging to start catching up on this because there was no rule that was in place. It was an Executive action.

I quickly started getting phone calls from individuals in my State who were exceptionally concerned about that. There are Federal workers who have worked for the Federal Government for decades, who had questions about religious accommodation or for medical exceptions, or, quite frankly, they had already had COVID and recovered from it and they were concerned about the vaccine coming in that they would have some kind of relapse at some point.

It is exceptionally rare, but if it is them and they walk back through it, it is their prerogative.

So I started asking questions immediately. I went to the CDC to ask if they had studied the 44 million Americans who have already had COVID and recovered, would their recommendation be those individuals don't have to have the vaccine if they can show they already have the antibodies in the their system.

And the answer I got back from CDC is: We have not studied it yet.

A year and a half in, and we have not studied it yet.

I went to the Office of Management and Budget to be able to visit with them. I heard one set of issues from them. Twenty-four hours later, I met with the Office of Personnel Management, and I heard a different set of issues that came from them. They were literally in conflict with each other 24 hours apart. They put out guidance. They put out a second set of guidance. Each set of guidance they put out becomes more chaotic in the process.

People who have worked remotely throughout this entire time of COVID and still continue to work remotely are a little confused as to why they are now being suddenly mandated to have a vaccine.

Individuals who have already had COVID, as I mentioned before, and have recovered are a little confused why they are being mandated to do this.

Individuals with medical accommodations who have asked for those, who literally are showing up with paperwork from their physician saying "This person is currently under cancer treatment, and they do not need to have the vaccine at this point during their moment of treatment," are being told by some people "No, that doesn't count. The CDC has said it is OK. Your doctor's note doesn't count," and by others, they are being told "No, that does count; you can delay it."

There is one set of rules from one Agency and one set of rules from another. In fact, even within the same Agency, from department to department, there is a different set of rules. Some Agencies have said that the volunteer advisory boards are also included. Other Agencies are saying: No, volunteer advisory boards are not included in this mandate.

Some are receiving word in State agencies in my State that because your agency takes Federal funds, everyone in your State agency also has to be vaccinated or we will cut off the Federal funds to your State. Some agencies are not calling with that same request.

The contractors who work with the Federal Government were told they were also included in this Executive order mandate and that everyone in their company needs to also be vaccinated, except the contractors are asking very simple questions: Is it everyone in our company or is it everyone who actually works on the contract for the Federal Government? They can't get a straight answer on that.

As simple as it is, even for those contractors who have asked—they have said: No, wait a minute, we have a contract already. Are you as the President trying to write in an additional stipulation into our contract that we didn't agree to based on an Executive action? You don't have legal authority to be able to do that. Is this about the current contract or is this about future contracting?

They have not been able to get an answer on that.

Quite frankly, we as a body—I am still fighting to make sure contractors don't have human trafficking in their contracting and get suspension for this, but apparently, with this Executive order, companies can still have human trafficking and not be suspended, but if they are not 100 percent vaccinated, they will be.

This is a bizarre world we are living in currently right now. This mandate came out for Federal workers, Federal contractors, maybe volunteer advisory boards, maybe State agencies, 6 weeks ago, and everyone is still asking questions—what in the world? In the meantime, real families in real-life situations are dealing with the consequences of the debris field behind this.

One of the Social Security agencies in my State, the folks who take care of those folks at the Social Security office—get their cards to them, get questions from them about Social Security—there are eight employees in that little agency, that little spot. Four of the folks are talking about leaving because they are concerned about the vaccine mandate, and they are not getting their questions answered. If that happens, the folks in that part of my State will not be able to get access to Social Security cards and will not be able to get their answers.

So what is happening? People are struggling with a long-term career, deciding whether they are going to leave, literally if they are going to follow their doctor's orders or if they are going to follow somebody from the CDC they have never met before and their orders that are coming down.

Federal contractors are trying to figure out how they can complete a contract because the President of the United States inserted a new element into their contract.

Oh, by the way, many Federal union workers are contacting my office, saying: What in the world? This was not part of our collective bargaining agreement. Literally, the President is adding a new element to our collective bargaining agreement after the fact and saying: I know you are a union member, but your local unions are not going to represent you.

And they haven't. They are going to their stewards and they are going to others and saying "Hey, I need somebody to represent me here in this," and they are telling them, "No. The President just inserted something into our collective bargaining agreement, and