

After a day of debate, the voting rights bill is blocked in the Senate.



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Carl Hulse

WASHINGTON — Senate Democrats made an impassioned case on Wednesday for legislation to counter an onslaught of new voting restrictions around the country, but they failed to overcome a Republican blockade or unite their own members behind a change in filibuster rules to pass it.

Though the twin defeats were never in doubt, Democrats pushed forward in an effort to highlight what they called a crisis in voting rights and to underscore the refusal of Republicans to confront it. They did succeed in forcing the Senate for the first time to debate the bill, leading to hours of raw and emotional arguments on the floor over civil rights, racism and how elections are conducted.

“The people of this country will not tolerate silencing,” said Senator Amy Klobuchar, Democrat of Minnesota and a chief author of the voting bill. “I think by voting this down, by not allowing us even to debate this, to get to the conclusion of a vote, that is silencing the people of America, all in the name of an archaic Senate rule that isn’t even in the Constitution. That’s just wrong.”

After Republicans stymied action on the legislation on Wednesday night, Democrats made a last-ditch bid to alter the Senate’s filibuster rules and allow the voting rights measure to move forward with a simple majority. But that effort also fell flat because they lacked the support in their own ranks to change the rules.

“This party-line push has never been about securing citizens’ rights,” said Senator Mitch McConnell, Republican of Kentucky and the minority leader. “It’s about expanding politicians’ power.”

The back-to-back losses amounted to a major setback for President Biden, who used a White House news conference during the Senate debate to lament Republicans’ success at thwarting his domestic agenda, including the voting rights measure. And it was a disheartening moment for Senate Democrats, who put the full force of their majority behind the issue despite the long odds of success.

Republicans aggressively fought both the voting measure and the attempt to weaken the filibuster. They accused Democrats of manufacturing a crisis by exaggerating the impact of new state laws in an effort to realize a longstanding goal of gaining more control over state elections — and risking the uniqueness of the Senate to do so.



Senator Mitch McConnell and fellow Republicans aggressively fought both the voting measure and the attempt to weaken the filibuster. Sarahbeth Maney/The New York Times

In a day of sharp exchanges, one of the most dramatic was between two of the Senate's three Black members, who clashed over charges by Democrats that the Republicans' opposition to the legislation was a throwback to the Jim Crow days of denying Black Americans the vote.

Senator Tim Scott of South Carolina, a conservative Republican raised by a single mother who worked 16-hour days as a nurse's aide, hotly rejected the comparison. He noted that in the Jim Crow South, African Americans could be lynched, lose their jobs or be subjected to literacy tests if they dared to vote — a far cry from today.

"As a person who was born in 1965, with a mama who understands racism, discrimination and separate and not equal, the grandfather who I took to vote and helped him cast his vote because he was unable to read, to have a conversation in a narrative that is blatantly false is offensive," Mr. Scott said. "Not just to me or Southern Americans, but offensive to millions of Americans who fought, bled and died for the right to vote."

That prompted an emotional comeback from Senator Cory Booker of New Jersey, a liberal Democrat and the Ivy League-educated son of parents who were among the first Black executives at IBM. Mr. Booker insisted that the racial discrimination of the past persisted today.

"Don't lecture me about Jim Crow," Mr. Booker said, his voice rising. "I know this is not 1965. And that's what makes me so outraged. It is 2022 and they are blatantly removing more polling places from the counties where Blacks and Latinos are overrepresented."

Even as they stared down a setback, Democrats predicted that Americans would ultimately rally to their side when they realized that extensive efforts were underway by Republicans in states around the nation to make it more difficult for some people, particularly people of color, to vote after Democrats won the White House and Congress in 2020.

"Nothing less than the very future of our democracy is at stake, and we must act or risk losing what so many Americans have fought for — and have died for — for nearly 250 years," said Senator Gary Peters, Democrat of Michigan.

At issue was legislation that combined two bills that Republicans had previously blocked four times with a filibuster, the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

Vice President Kamala Harris presided as the Senate voted on whether to allow the bill to move forward. Sarahbeth Maney/The New York Times

The legislation would establish nationwide standards for ballot access that aim to nullify new restrictions Republicans have imposed in states around the country following the 2020 elections. Among them are a minimum of 15 consecutive days of early voting and a requirement that all voters be able to request to vote by mail. The measure would also establish new automatic voter registration programs and make Election Day a national holiday.

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And it would restore elements of the landmark Voting Rights Act that was gutted by the Supreme Court in a series of decisions, including a requirement that jurisdictions with a history of discrimination have voting changes approved by the Justice Department or federal courts before they can be put in place.

The debate on the Senate floor, which is usually empty, was a throwback to an earlier time. Dozens of Democrats sat rapt at their desks throughout the morning and afternoon, remaining after their own speeches to take in those of their colleagues. Members of the Congressional Black Caucus from the House sat in a corner of the chamber, observing the debate on legislation they had helped steer to passage on the other side of the Capitol.

Later, as the Senate voted on whether to allow the bill to move forward, members of both parties were seated at their desks and rose in turn to register their positions, with Vice President Kamala Harris presiding from the dais — customs normally reserved for special occasions.

Members of the Congressional Black Caucus spoke about voting rights at the Capitol on Wednesday. Sarahbeth Maney/The New York Times

During the floor debate, Republicans did not shy away from the argument, alternating with Democrats as the two sides clashed over the impact of scores of new voting restrictions being imposed around the country, the nature of the Senate and how far the rights of the minority should extend to thwart the majority. Though the outcome was set, dozens of lawmakers engaged in a robust exchange of views.

Republicans bristled at suggestions that they were engaging in a contemporary version of endorsing Jim Crow-like laws, a comparison made by Mr. Biden and other Democrats.

“I am not a racist,” said Senator John Thune of South Dakota, the No. 2 Senate Republican. “Nor are the people who I know in the state of South Dakota.”

Understand the Battle Over U.S. Voting Rights

Why are voting rights an issue now? In 2020, as a result of the pandemic, millions embraced voting early in person or by mail, especially among Democrats. Spurred on by Donald Trump’s false claims about mail ballots in hopes of overturning the election, the G.O.P. has pursued a host of new voting restrictions.

The debate, which stretched for more than 10 hours, well beyond its scheduled close, was illustrative of the “talking filibuster” Democrats said they wanted to revive, forcing lawmakers to take the floor and expound before heading toward a final vote. In recent decades, lawmakers have needed only to lodge their objections to stop legislation in its tracks unless its backers can round up 60 votes in favor.

Though all 50 Democrats supported the voting rights bill, all 50 Republicans held together in opposition, leaving Democrats 10 votes short of the 60 needed to break the filibuster. The final vote was 51 to 49, with Senator Chuck Schumer, Democrat of New York and the majority leader, voting with opponents in a maneuver aimed at allowing the measure to be reconsidered later.

Democrats also fell short of the votes needed to unilaterally change Senate rules to override the blockade and allow the voting rights measure to pass with just 51 votes rather than 60. All Republicans opposed changing the rules, as did two Democrats, Senators Joe Manchin III of West Virginia and Kyrsten Sinema of Arizona.

The effort to change the rules was defeated 52 to 48.

Senator Joe Manchin III said he supported the voting rights legislation but would oppose any change to the Senate's filibuster rules to pass the bill. Sarahbeth Maney/The New York Times

Earlier, Mr. Manchin, who spoke on the Senate floor as Mr. Biden held forth at the White House, said he wholeheartedly supported the voting rights legislation, which he helped shape. But he said he would not support changing the Senate's rules to enact the bill and would oppose any change imposed by Democrats on a partisan basis.

"We'll make up new rules as we go along, invite ourselves and future majorities to disregard the rule book at will," Mr. Manchin said. "Let this change happen this way and the Senate will be a body without rules."

Republicans were also firm in their opposition, saying it was the Democratic Party that was seeking partisan gain.

Mr. McConnell led his colleagues in assailing Democrats, noting that many of them had defended the filibuster vociferously in the past and calling the procedural weapon the "indispensable feature of our institution."

"It makes the Senate serve its founding purpose: forging compromise, cooling passions and ensuring that new laws earn broad support from a cross-section of our country," Mr. McConnell said.

Other Republicans noted that states represented by Democrats had stiffer voting requirements than those Democrats were attacking as infringements on the right to vote. And they said that Democrats were trying to distract from other domestic problems and the struggles of the Biden administration by staging an unnecessary voting rights fight.

"Democrats apparently want people to forget about the fact that they can't keep their refrigerators or pantries stocked or their kids are out of school because of the pandemic," said Senator John Cornyn, Republican of Texas.

Senator Bob Menendez, Democrat of New Jersey, invoked Mr. Lewis, the former congressman who was badly beaten in a civil rights march in Selma in 1965 and who died in 2020, in urging approval of the legislation to secure the ability to vote.

"Surely we in the Senate can muster a shred of his courage to protect that right," Mr. Menendez said. "There are no other rights without the right to vote."