

**[Mr./Madam]** President, it is the privilege of a lifetime to represent the people of Wyoming in this great deliberative body. I genuinely look forward to joining each of you to make a difference for the American people and to uphold my solemn oath to support and defend the Constitution.

Let me be clear: an attack on our Capitol is an attack on our Constitution and democracy itself. I strongly condemn the violence that occurred today, which did more to thwart the democratic process than to protect it. Today, many members of the Senate were trying to peacefully use our democratic process to ensure each and every American's vote counts. In the best tradition of the United States Senate, we will fulfill our Constitutional duty and complete the Electoral Count tonight.

In 1833, Senator Daniel Webster said that "duty binds ... the conscience of the individual member" in counting the votes for President and Vice President. Each of us has a solemn duty to ensure that the slate of presidential electors we certify is beyond reproach, respecting the people's voice and upholding the Constitution.

Congress will not overturn the people's voice. A president will be inaugurated on January 20th. Congress cannot and shall not dictate the results of a presidential election to our states. That would be the death of our Republic.

In the coming months, Congress must take a fresh look at troubling concerns from the election that simply don't add up. After the 2000 presidential election, millions of voters in Florida felt disenfranchised, and now 74 million Americans deserve the assurance and the dignity that their votes count the same as every other American. We owe our first duty to the American people, following procedures--like the Electoral Count Act--used for nearly 150 years.

It's my fervent hope that our state legislatures will consider meaningful election reform to ensure that our election laws are applied uniformly, to ensure the technology we use is accurate and secure, and most importantly, to ensure that all Americans treasure our precious right to vote and feel their voices are heard. States are at the very center of elections in our country and will remain so.

Many ask why Congress should be involved in election matters that have been considered by the courts. Some argue that Congress' role in certifying our presidential elections is merely ministerial. Under our constitutional separation of powers, it is too often forgotten that Congress has the right and duty to interpret the Constitution, especially on matters which by the Constitution have been delegated to Congress, like the Electoral Count. Congress interpreted the Twelfth Amendment

in passing the Electoral Count Act in 1887, and continues to breathe new life into these provisions by its actions today. Our Founders understood Congress would play a key role in debating constitutional issues as a co-equal branch of government. Thomas Jefferson commented in an 1819 letter that “each of the three departments [of government] has equally the right to decide for itself what is its duty under the Constitution.”

I remain deeply concerned that the electoral votes of the Commonwealth of Pennsylvania were not “regularly given” under Pennsylvania law, as required by the Electoral Count Act. Serious concerns have been raised about the constitutionality of Pennsylvania’s vote-by-mail statute. Also, Pennsylvania election law may have been applied unevenly by state officials, including signature verification and voter identification requirements.

In 2005, Sen. Barbara Boxer and the late Representative Stephanie Tubbs Jones objected to the slate of electors from Ohio. They rightfully drew attention to the fact that many African-Americans and other communities suffered disproportionate wait times at the polls, broken voting machines and high ballot rejection rates. Raising this objection led to some of these issues being remedied and more Americans

having the precious opportunity to vote. That's a legacy our Senate and every American should value today.

Thank you.