

Mr. GRASSLEY. Mr. President, I would like to speak for 30 seconds before I yield.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I regret that there was objection because fixing the Biden border crisis begins with regaining operational control and security at the border. This responsibility ultimately falls to President Biden, as head of the executive branch, to enforce the border and immigration laws already on the books. In other words, I would ask President Biden to honor his oath, where he said, in upholding the Constitution, he would take care to faithfully execute the laws.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUEST—H.R. 2494

Mr. BUDD. Mr. President, in order to be a strong nation, we have to have strong borders, and right now we don't have that. We haven't had that for 3½ years. In fact, we are in the middle of the worst border crisis in American history.

This is a crisis of President Biden's own making. Starting on his first day in office, he has intentionally and repeatedly undermined security at the southern border. During his first 100 days in office, President Biden took 94 Executive actions to open the border, and, 3½ years later, nearly 10 million illegal aliens have entered our country.

Now, those 10 million include an unknown number of dangerous individuals, hundreds on the Terrorism Watch List, countless transnational cartel members, drug smugglers, and human traffickers. It is a laundry list of evil. And perhaps the worst consequences that we have seen over the past 3½ years are the tragedies: the innocent men and women taken from their families by an illegal alien who should have never been here in the first place.

So imagine being a mother or a father. You send your daughter off to college. You are beaming with pride, but you are also a little heartsick that they are going to be out there on their own. Then, a few months later, you get the worst call in your life. And that is the reality for the family of Laken Riley.

Or another situation: Let's imagine that your uncle is a sheriff's deputy. You couldn't be prouder of him. You know he gets up and he goes to work every day to defend and protect his community. One day, you see his name on the news as a victim of a pack of il-

legal alien gang members who brutally murdered him while he was on duty. That is the reality for the family of Wake County, NC, Deputy Sheriff Ned Byrd.

Now, I recognize that the debate around illegal immigration is full of passion and sometimes antagonism, but I believe we can all agree that if an illegal alien commits the crime of assaulting a police officer, he or she must be subject to immediate deportation.

And that is why I stand here today to propose that the Senate pass the POLICE Act. It is a straightforward bill. The POLICE Act simply states that an illegal alien can be deported for assaulting a police officer, firefighter, or other first responder. The bill has already passed the House, and it can be sent to the President's desk by passing it right now. Any Senator who claims to support the police should have no problem supporting this bill. So let's help remove dangerous individuals before another tragedy strikes.

Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate resume legislative session and that the Committee on the Judiciary be discharged from further consideration of H.R. 2494 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. MURPHY. Mr. President, reserving the right to object, this is an interesting bill to be offered for unanimous consent because it actually does nothing. It does nothing.

Why? Because individuals are already subject to deportation for assault—whether they assault a police officer, whether they assault a milkman, whether they assault your family member. People who are convicted of serious assaults of law enforcement are already deported. They already can face both State and Federal criminal allegations.

Under current law, if an individual is convicted of any crime of violence and sentenced to a year or more in prison—that is an aggravated felony—that person is deportable. Even more so, any crime of "moral turpitude," where the crime is punishable by imprisonment of 1 or more years, is subject to deportation.

Additionally, any noncitizens that are convicted of any aggravated felony, including misdemeanor offenses—including misdemeanor offenses—are subject to deportation.

This bill doesn't do anything. If you are here waiting for an asylum claim or on a green card and you assault a police officer, you are subject to deportation under existing law.

So why are we considering taking this up under UC? Well, I think Senator BUDD referenced it in his underlying remarks. It is part of an effort to try to make Americans believe that there is a specific dangerous threat posed to you by immigrants; that you should be afraid of immigrants; that

there is a crime wave sweeping this country caused by people who are coming to this country to seek a better life.

Listen, I spent 5 months negotiating a bipartisan border deal because I believe that we need to come together in a bipartisan way to bring greater order to the southwest border. So I won't take a backseat to anybody when it comes to making the tough decisions necessary to bring some border security to this country.

But the Senator offering this motion voted against that bipartisan bill. So did almost every other of his Republican colleagues. We had an opportunity to do something about bipartisan border security, and Republicans rejected it.

Why? Because President Trump said: No. Let's keep the border chaotic. Let's keep this an open political issue. Do nothing until the election.

We had a chance to come together, in a thoughtful way, on a bipartisan border bill, and we did not.

The facts are this. Whether you choose to want to believe the facts or not, that is not my decision; it is your decision.

But immigrants commit crimes in this country at a rate lower than natural-born citizens. You may not believe that if you watch FOX News every night, but I hate to tell you, it is the truth. So if you want a safe town or a safe neighborhood, you are better off—you are statistically safer—if you have immigrants because they commit crimes of violence at a rate lower than people who are born in the United States.

I don't know why we are being asked to vote on this bill because it doesn't do anything other than feed this idea, this false narrative, that this country has something to fear from families that are coming to the United States fleeing either economic desperation or violence or terror or torture for a better life.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Carolina.

Mr. BUDD. Mr. President, it is such an honor to serve the people in North Carolina, all 100 counties, all from different backgrounds. I don't profess to know what it is like in Connecticut, but I thank my colleague for his remarks.

But it is disheartening to hear that a simple piece of legislation, the Police Act, which states that an alien—illegal alien—could be deported for assaulting a police officer, firefighter, or first responder is nothing. I don't profess to understand that. Perhaps it is different in Connecticut than North Carolina. I don't know.

I don't want to put words in the mouth of the family of Laken Riley or the family of Deputy Sheriff Byrd, but I don't believe it is nothing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 4292

Mr. LEE. Mr. President, as in legislative session, notwithstanding rule XXII, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of S. 4292 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. PADILLA. Reserving the right to object.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Mr. President, I read the measure that is being attempted to be brought up by this motion. I want to make one thing perfectly clear. It is already a Federal crime for noncitizens to vote in Federal elections. Every Member of the Senate should know that. In fact, any noncitizen convicted of even registering to vote could face up to 5 years in prison.

Every single State has a law prohibiting noncitizens from voting in Federal elections. The consequences for noncitizens go beyond prison time. Claiming to be a U.S. citizen, under penalty of perjury, while registering to vote or while actually voting are deportable offenses. So it is already against the law with significant consequences for violations.

And, in fact, experts have found that voting by noncitizens is exceedingly rare. A study of the 2016 election, for example, found that noncitizen votes accounted for—let me get this right—0.0001 percent. Doing the math, that is about 30 incidents of suspected—not even proven, suspected—noncitizens voting out of 23.5 million votes cast.

What does that tell us? It tells us that our current laws are working. Don't just take my word for it. The Cato Institute agrees. In November of 2020, the Cato Institute found that "noncitizens don't illegally vote in detectable numbers."

So, colleagues, plain and simple, this bill is a solution in search of a problem. What it attempts to do is, once again, make it harder for eligible Americans to vote or to discourage people from voting, particularly American citizens who happen to be experiencing homelessness, for U.S. citizens of color, for U.S. citizens without driver's licenses. Do they have any less of a right to vote than any of us or less of a claim to our country?

I speak today, Mr. President, as both a former California secretary of state as well as being a Member of this body. I have always believed that our democracy works best when as many eligible people participate. That is why I, along with several of our Democratic colleagues, introduced the Freedom to Vote Act. Now, the Freedom to Vote Act does not extend registration or voting rights to noncitizens. What does the Freedom to Vote Act do? It in-

cludes pro-voter policies for eligible Americans, like early voting, vote-by-mail. Imagine that, making it easier for eligible U.S. citizens to exercise their franchise. That is the American way. Whereas, this bill would only serve as yet another barrier to participation by imposing not just extremely burdensome but unnecessary requirements on registering to vote.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, it is unfortunate that it didn't have the chance to pass this today. I would have loved to have passed it. The reason I would love to have passed it is because, as my friend and distinguished colleague, the Senator from California, just noted, it is illegal for a noncitizen to vote. Because it is illegal for a noncitizen to vote, we need to make sure that it doesn't happen.

The fact that it is prohibited by a law with Federal criminal penalties attached to it doesn't mean that it doesn't happen. It doesn't mean that it couldn't happen. It doesn't mean that it is not more likely to happen when we bring a whole lot more noncitizens into the country. There are now an estimated 30 million or so noncitizens inside the United States.

My friend and colleague from California cites a couple of studies. One of those studies is from the Cato Institute from 2020. This was about 12 million noncitizens ago. Under this administration, we let in an additional 12 million or so noncitizens into the United States. That rapid of an influx can cause problems.

He also cites another study from 2016. That 2016 study was probably 15 or 16 million noncitizens ago. Things do change.

Now, the Cato study, the one from 2020 that he mentioned, says that there is no evidence that noncitizens are voting in detectable numbers. It doesn't mean it is not happening. It may mean that they are difficult to detect. But the more noncitizens we have, the more time that elapses when the National Voter Registration Act, or NVRA, remains intact, the more predictable, foreseeable, and, indeed, likely it becomes that many people, some of them perhaps maliciously, knowingly intend to violate the law. Others who might be in sort of a gray area, not quite realizing what they are doing or the fact that it is illegal, might end up registering to vote.

Let's remember, in 1993, Congress passed the so-called motor voter law, the National Voter Registration Act.

It made it very easy to register to vote in Federal elections. All you have to do is check a box and sign your name. It is all on the honor system. If you do that, you are registered to vote.

Now fast-forward two decades. The Supreme Court of the United States decides a case interpreting the National Voter Registration Act as prohibiting

the States—preempting the field in such a way that States may not request any proof, any evidence of citizenship when registering someone to vote such that they would be eligible to cast a vote in a Federal election.

Meanwhile, we have a change in trend. Decades ago when the NVRA was passed, No. 1, we had far fewer illegal aliens in the country, and we also, No. 2, had a lot of States that wouldn't issue a driver's license or were reluctant to do so to someone who was illegally in the United States. It is now the case that at least 19 States issue driver's licenses to individuals who are unlawfully, illegally in the United States. All 50 States plus the District of Columbia issue driver's licenses to noncitizens generally.

What that means is that somewhere in the neighborhood of 30 million people, or at least the adult segment—that portion of the nearly 30 million people who are noncitizens inside the United States today—all they have to do is go get a driver's license, which most of them, if they have any interaction with other members of society, are likely to do, to go get a driver's license—you need a driver's license for all kinds of things. Once they do that, if they check that box and sign their name, all on the honor system, they are registered to vote. Not only does the State not necessarily know that they are noncitizens and ineligible to vote, the State is legally constrained, legally prohibited from asking for any evidence establishing whether or not they are citizens.

So this really is concerning. We shouldn't treat it lightly. And the fact that it is difficult to detect makes it more important, not less, to require evidence supporting citizenship.

Look, we have to do this in other contexts. Anyone that travels abroad or might at some point in the future travel abroad will have to apply for a U.S. passport. To do that, you are going to have to produce some sort of evidence of U.S. citizenship.

When you start a new job in the United States, you have to fill out an I-9 form. Under the I-9 form, if you are a noncitizen, you have to produce evidence of your visa and your eligibility under your visa program to work. If you are not here on a visa and you are an American, then you have to produce evidence that you are, in fact, a citizen of the United States.

So if you have to produce that stuff to get a passport, if you have to produce that stuff whenever you start a new job, why would it not make sense to require proof of citizenship upon registering to vote in a Federal election? How else are we supposed to protect our elections, our sacred elections within our constitutional Republic, from foreign interference?

Look, one person, one vote. One citizen, one vote. This is how it is supposed to work. This is a foundational principle, and it is under unprecedented threat today. It is under threat