

concerns that have led me to oppose their partisan nominees and policies considered in this Chamber, particularly between now and the election. The Biden-Harris administration forfeited that courtesy when they decided that they wanted to govern more like a banana republic than the United States of America.

Now, after these two assassination attempts that we have seen so far on Donald Trump, continued lawfare by Democrats at both State and national levels and unacceptable rhetoric from Vice President HARRIS, who has brought foreign leaders to campaign for her in a key battleground State, it is clear that they have changed their tune. And so I am not going to change my tune.

We have to remember that the President of the United States, at any given moment, for constitutional purposes, is the executive branch, is the living embodiment of the executive branch. This is an office that really ought to be filled at least with Members being allowed to take into account the outcome of a coming Presidential election. With that Presidential election just weeks away, there is no reason this has to be done today. In fact, there are very, very good reasons for us not to do it today.

Let's take this up after the Presidential election. That is the appropriate time to raise this. If Mr. Huitema is willing to further clarify his position and the next sitting President appoints him to fill the position, I am happy to revisit this question. Until then, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Michigan.

#### UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, shortly, I will ask for unanimous consent to confirm Rahkel Bouchet and John Truong to be associate judges for the District of Columbia Superior Court. The DC Superior Court functions as the State-level trial court in the Nation's Capital. Vacancies on the superior court bench have been straining the court, delaying justice for individuals and families all across the District.

Judge Bouchet and Mr. Truong each have the expertise and the temperament needed to serve on the superior court and are committed to serving the people of the District of Columbia.

Judge Bouchet has served as a magistrate judge for the District of Columbia's Superior Court since 2016 and is currently the deputy presiding magistrate judge. Prior to joining the bench, Judge Bouchet served as a clinical law professor and spent over 15 years in private practice, focusing on family and criminal law.

Mr. Truong is currently a Deputy Chief in the Civil Division of the U.S. Attorney's Office for the District of Columbia, where he has served since 2013. He previously served as assistant U.S. attorney in the office's Criminal Divi-

sion, where he prosecuted misdemeanor and felony crimes in the DC Superior Court.

Mr. President, these are not controversial nominees. They were vetted and recommended to the President by an independent local commission and received bipartisan support in my committee. In fact, former President Trump has also nominated Judge Bouchet and Mr. Truong to serve on the DC Superior Court.

The people of the District deserve to have the empty seats on the superior court filled by qualified judges, and I urge my colleagues to join me in supporting these nominees.

Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 770, Rahkel Bouchet, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Michigan.

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 771, John Cuong Truong, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I object. Reserving the right to object, this summer, several of us made clear that, given the unprecedented lawfare by the Biden-Harris administration against President Trump, we will not consent to fast-tracking any judicial nominees before the coming election, and we are keeping our word on that.

If Democrats truly want these nominees confirmed, Senator SCHUMER can schedule them for votes. The truth is, they don't care enough about these nominations to do that so they are trying to confirm them this way, with the fast-track process.

Look, I have firsthand experience with this process. In 2017, Senate Democrats forced floor votes and 30 hours of postcloture time on my confirmation to be U.S. Ambassador to Japan under President Trump. So I am not standing in the way of confirma-

tion. As promised, though, I will not fast-track judicial confirmations before the election, when the American people will get a chance to reject the politicized administration of justice that is occurring here in America right now. We clearly stated this position, and now we are following through on it. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Michigan.

#### EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, shortly, I will ask for unanimous consent to confirm Ann Fisher and Ashley Poling to serve as Commissioners on the Postal Regulatory Commission, or the PRC.

The PRC is an independent Agency that serves as the Postal Services regulator, providing oversight as well as accountability. This bipartisan Commission is most effective with a full complement of Commissioners who have diverse perspectives but who are all committed to ensuring the transparency and accountability of the Postal Service.

Ann Fisher and Ashley Poling have both served as PRC Commissioners since 2019, and they have both demonstrated their commitment to robust oversight of the Postal Service. These are not controversial nominees. They are both dedicated public servants with deep expertise of the Postal Service. Both were previously nominated to the PRC by former President Trump, and they were unanimously confirmed by the Senate. They also received strong bipartisan support in my committee for their renominations, and I would urge my colleagues to join me in confirming these well-qualified nominees.

Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc for the Postal Regulatory Commission: Calendar No. 772, Ann C. Fisher, and Calendar No. 773, Ashley Jay Elizabeth Poling; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the nominations of Ann C. Fisher, of South Dakota, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2030 (Reappointment), and Ashley Jay Elizabeth Poling, of North Carolina, to be a Commissioner of the Postal Regulatory Commission for a term expiring November 22, 2030 (Reappointment)?

The nominations were confirmed en bloc.

The PRESIDING OFFICER. The Senator from Utah.

#### UNANIMOUS CONSENT REQUEST—H.R. 8281

Mr. LEE. Mr. President, the Democrats' talking points against the SAVE

Act are being proven wrong day after day after day.

We heard them say repeatedly: Noncitizens, including illegal aliens, don't vote because they can't vote. That is to say, they don't vote because they are not allowed to vote because Federal law prohibits noncitizens from voting in U.S. elections. But they do. They have. And existing laws make it, unfortunately, far too easy for them to do so.

In fact, Oregon officials, to cite just one example, admitted just recently an error of the State's automatic voter enrollment problem. And they acknowledged that it was much more significant an error than they previously thought, having registered 1,259 possible noncitizens just since 2021 alone. Some of the mistakenly enrolled noncitizens, thereafter, went on to cast a ballot, according to Oregon's secretary of state.

This enrollment error in Oregon was first unearthed earlier this month with officials admitting to wrongly registering around 300 voters through an Oregon DMV program that registers legal citizens when they obtain a driver's license or a State ID. But this week, the DMV and the secretary of state's office said a complete review showed 1,259 people who didn't provide proof of U.S. citizenship were added to Oregon's voter rolls, a number four times the previously acknowledged and reported figure.

Unfortunately, Oregon is not unique in this regard. There are other States that have acknowledged problems—a long list of them—including States like Texas and Virginia, each clearing thousands of noncitizens from their existing voter registration rolls.

Yet Democrats say this isn't happening. They continue to dismiss the need for the SAVE Act, citing an existing law under which noncitizens are, in fact, already barred from voting in Federal elections, as well they should be. They are barred; but the fact that they are barred doesn't mean that a combination of circumstances based on existing law makes it far, far too easy for noncitizens to vote. As I said a moment ago, they do, even though they are prohibited from doing it; and in many circumstances, they have.

But we are seeing it happen in realtime.

This is our final chance to address this issue before what I think most of us would acknowledge is going to be one of the most consequential elections of our lifetimes. If Democrats truly believe, as most Americans do, that voting in U.S. elections should be reserved for American citizens, then they must agree to pass the SAVE Act.

This is not too heavy a lift. This is something that just makes it possible for us to enforce existing law—existing law that, to my knowledge, nobody in this Chamber or the other legislative Chamber down the hall has suggested we change. That is all this does. That is all the SAVE Act is about.

This is, in fact, the last chance to prove that they care about election integrity in order for it to matter in enough time that it can make a difference between now and the November general election. After all, since the Biden-Harris inauguration, over 10 million undocumented immigrants entered the United States illegally. This figure—just that figure of 10 million who came into the country illegally in the last 3½ years alone—that figure exceeds the population of most of our States—36, in fact. A supermajority of all of our States have populations smaller than the population of illegal immigrants that have come through unlawfully under the Biden-Harris watch.

With millions of unauthorized people on U.S. soil—a total of 30 million noncitizens living in the United States—the potential for election fraud through ineligible voting is not a hypothetical risk. This means the foundational principles that underpinned our republic—or any republic, for that matter—are under attack. It is under attack because President Biden, Secretary Mayorkas, and “Border Czar” Vice President KAMALA HARRIS refuse to enforce the law.

With the influx of illegal aliens under this administration, if even a fraction—let's just say, 1 in 100—were to vote, this could translate into hundreds of thousands of votes. Depending on where they are located and concentrated, this could be far more than enough to sway many of our most tightly-contested elections and alter their outcomes, especially in the case of the Presidential election.

So make no mistake: This matters. It has consequences. And what we do or choose not to do will make a difference.

This is concerning considering a recent study. And in that study, we found that noncitizens have ample openings and significant opportunities, repeatedly, to vote unlawfully. This study found that anywhere from 10 to 27 percent of noncitizens in the U.S. are, in fact, today registered to vote. And anywhere from 5 percent to 13 percent of noncitizens in the United States currently do vote in Presidential elections.

So, no, don't tell me this doesn't happen. Don't tell me it is already unlawful so we don't need to do anything about it. We know that existing law, while it prohibits noncitizen voting in Federal elections, existing law makes it far too easy to do. And that is what we want to do in America with our elections. We want to make it easy to vote; hard to cheat. The last thing we want to do is make it easy to vote for those who will cheat—who do cheat by virtue of their voting because they are not entitled to do it.

It is what it means to be a citizen in a republic. It is what it means to be a country and to have a vote. You are stealing other people's votes. You are diluting their votes. You are, in fact,

disenfranchising legitimate votes when you participate unlawfully, fraudulently, feloniously, but in a way that current law makes far too possible.

Across the Nation, instances abound where States have inadvertently, apparently, facilitated this crisis. Who knows to what degree of inadvertence this was, but it is always referred to as an inadvertent error. And unless or until we can prove otherwise, we have to deal with it.

But regardless of the degree of awareness and intentionality that went into it, these things did, in fact, happen, everything from unsolicited voter registration forms being mailed directly to the addresses of noncitizens and driver's licenses being issued without adequate checks, relying merely on the honesty of illegal aliens as they complete forms. All of these practices have opened up the floodgates to voter fraud.

Now, there is no law in place telling the States, as they process voter registration forms under the 1993 National Voter Registration Act, or NVRA—this is the so-called Motor Voter law. It is a law that allows people, when they apply for a driver's license, to simultaneously register to vote in Federal elections simply by checking a box and signing their name. Nothing in the NVRA or in any other current provision of Federal law tells the States exactly how or what they must do in order to verify the citizenship of voters who plan to participate in Federal elections.

Regrettably, a few years ago, the Supreme Court of the United States interpreted the NVRA, based on the fact that it doesn't instruct the States on how to verify citizenship, as somehow precluding, prohibiting the States from asking for proof of identification verifying citizenship at the time someone registers to vote under the NVRA in a Federal election.

This really was wrong, in my opinion. It was a majority opinion of the Supreme Court, and I believe they got it wrong. It is the Court's ruling, nonetheless, and it stands. It was issued over the strong dissent of Justice Alito, who pointed out the reasons why it shouldn't have been interpreted that way, but that ruling stands nonetheless, and the States have to abide by that order.

So, to be clear, under the law as it now stands, somebody going into a State and applying for a driver's license—as you are allowed to do, by the way, as a noncitizen, in all 50 States. You can apply for a driver's license in all 50 States and the District of Columbia. If you check the box on the attached NVRA form saying you want to register to vote and then sign your name saying “Yeah, I am eligible to do this,” that is it. The State isn't even allowed to ask you for any kind of identification. That is the end of the matter. A mere check of a box and a signature is all it takes, with little to no risk of being caught. In fact, noncitizens are being encouraged to vote

and not warned of the consequences of doing so.

The fact that the Supreme Court wrongly interpreted Federal law to ban States from requiring proof of citizenship when registering voters via Federal forms makes it all the more urgent and important for us to do this. This signals loudly and clearly that this is how you get around this thing. We have to fill this gap.

An increasing number of localities permit noncitizens to vote in local elections. Now, that is their decision. I think it is a terrible decision on their part, but it is a decision over which we as Congress, we as the lawmaking branch of the U.S. Government, have no control. But what we do have control over is who may vote in Federal elections. That part is our business.

Prominent Democrats have openly discussed these tactics as beneficial to their agenda—"these tactics" meaning deliberately bringing about the registration to vote in Federal elections by noncitizens and participating in Federal elections and casting ballots unlawfully as noncitizens.

Only months ago, every Senate Democrat voted to count illegal aliens in the census to help them shore up more seats in Congress and more votes in the electoral college. This cannot continue.

It is one thing to do that in the context of the decennial apportionment count—the part of the census that is used to distribute seats in Congress and in the House of Representatives and in the electoral college; it is quite another thing to let them actually vote. No sane republic would or should do that—certainly not this Republic.

The American people agree overwhelmingly on this. If you are an American citizen, you can vote in Federal elections; if you are not, you can't, and you shouldn't be able to.

It is our responsibility, it is our imperative to close these gates—these gates that have been left wide open as a result of a combination of circumstances, including the NVRA, the wrong interpretation of it by the Supreme Court a few years ago, and then the 10 million-plus illegal aliens coming in in the last 3½ years alone and the total of 30 million-plus noncitizens living in the United States today, coupled with the fact that it has never been easier to apply for a driver's license in all 50 States and the District of Columbia even if you are a noncitizen.

My bill, called the Safeguard American Voter Eligibility Act, or the SAVE Act, would be a vital step in securing the electoral process, ensuring that every vote cast must be legitimate, that every vote cast must be cast by a U.S. citizen, and that every voter be duly and lawfully registered.

The SAVE Act amends the National Voter Registration Act so that States can ensure that only U.S. citizens may participate in Federal elections. The SAVE Act requires States to obtain

concrete documentary proof of citizenship at the time of voter registration. It specifies that acceptable documentation must be provided, and it explains what kind of documentation. It also requires States to establish alternative verification processes for those rare cases where standard documents might be unavailable.

In that respect, the SAVE Act is far easier to comply with than other examples we can identify under existing Federal law where Americans routinely can be and are required to produce proof of citizenship in order to do a certain thing.

The most common of these instances of Federal law requiring proof of citizenship involve the submission of the form known as the I-9. If you are not familiar with that, I can guarantee, if you are a U.S. citizen and you have ever had a job, you filled one out.

The I-9 is the form that you have to present whenever you start new employment. If you are starting as an employee, you have to fill out the I-9. Attached to the I-9 has to be proof of citizenship. Typically, it is most easily satisfied if you have a U.S. passport. If you don't have a U.S. passport, you have to show a U.S. birth certificate and then, I think, a couple of forms, a government-issued photo ID, to prove that you are the person identified on that birth certificate, and then you are good.

The SAVE Act is even more flexible than that. That is not too onerous by itself, but recognizing that the right to vote is at stake and that some people might not have or might have lost some of these documents, it provides myriad other avenues by which they may prove their citizenship. This is not too onerous.

It also requires the States that set up these verification processes to make sure that they can get this done. It provides incredibly expansive ways to prove citizenship, and if you don't have any documented proof, you can do it.

This will in no way make it hard for any U.S. citizens to vote, not even the poorest or the least fastidious about recordkeeping among us. Every one of them will be able to vote if they are U.S. citizens. Indeed, it will prevent their votes from being canceled by foreign actors trying to bring about what really amounts to foreign interference with U.S. elections, which is something we all claim to care about and be opposed to aggressively.

Furthermore, the SAVE Act compels States to proactively remove noncitizens from voter rolls and introduces severe Federal penalties for those individuals who knowingly register noncitizens to vote.

The bill echoes the sentiments of the American people themselves, from coast to coast, from north to southeast to west. It transcends political affiliations and speaks directly to the core of what makes our country great: fair, free, and secure elections.

There is a lot that divides us here, that sets Democrats against Repub-

licans and that can result in us disagreeing on the basis of a genuine disagreement among our voters, among our constituents. Republicans and Democrats, voters and Senators alike, often just disagree depending on our political alignment. But in this particular instance, it is the Senators who are opposed to each other, not reflected in the way the American people feel. Among the American people, this is like an 80-percent issue. Like 80 percent of Americans believe that we should be doing this. In fact, they feel like it is absolutely crazy to not do it.

This is about transcending those political affiliations and going back to what is so important about being a U.S. citizen and casting our vote. Your vote doesn't mean much if it can be canceled out by somebody else who is not entitled to be here.

There is not a corporation in America that would allow nonshareholders to participate in a shareholder election. They wouldn't let a nonshareholder vote if the whole point of the vote was to let shareholders vote.

If I were to wander into the Senate Democratic caucus as they are holding their leadership elections or any other important deliberation where they have to vote, they wouldn't in a million years let me vote in there because I am not a Senate Democrat.

When I arrived in the U.S. Senate, each of the three times I have been sworn in as a U.S. Senator, I had to produce documentary proof that I had, in fact, been elected in Utah. I had to produce an election certificate issued by the chief election official in the State of Utah, the Lieutenant Governor, who indicated that I won my elections—first in 2010, then in 2016, then in 2022. Without being able to prove that I was entitled to be here and to cast a vote here, I would never have been allowed to vote, nor should I be. It is no less true with U.S. elections. We cannot let those who are not entitled under the law to do it because they are not citizens, to vote in our elections.

This is about protecting our elections from foreign interference—something my Democratic colleagues claim to care immensely about. Every day that we delay, the foundation of our electoral processes erodes a little more. We can't wait for this administration to enforce the law.

This bill will make it harder to cheat in elections and ensure the integrity of every single ballot that gets cast. There is really no valid argument against it, so heretofore people opposed to it have just been throwing out red herrings like "It is already illegal," which, for reasons I explained a minute ago, means nothing if there is no way to enforce the law, and existing law makes it far too easy to cheat without getting caught or, alternatively, just ignoring it altogether. But there is no valid argument against this bill. That is why you don't hear any valid argument against this bill—it doesn't exist.

The only reason to oppose this bill would be if you need or are counting on

illegal votes to win elections, if you want to rely on them—perhaps in the first instance or as backup; I don't know. But there is no valid, legitimate reason to oppose it.

By passing the SAVE Act, we would send a clear message that in the United States, voting is not just a privilege of citizenship but also a protected and cherished right, one that we need to protect.

As debates about election integrity rage, the SAVE Act stands out by guaranteeing that only American citizens will have a say in our elections. American elections must be decided by Americans, by American citizens. Without that, without them, we have no right to be here. We have no right to pass laws on behalf of the people without those people being citizens. So we have to make sure that those people determining who is here, who is in the Chamber down the hall, and who sits in the White House, are, in fact, U.S. citizens.

I acknowledge the presence of my friend and colleague, the distinguished Senator from Kansas.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Kansas.

Mr. MARSHALL. Madam President, I sure am honored to be here on the Senate floor fighting to defend our democratic process with my friend and colleague from the great State of Utah.

Free, safe, secure, and fair elections are integral to the survival of our Republic. Without election integrity, the voice of American citizens—the foundation of our Republic—is at risk of being silenced.

Unfortunately, millions of Americans have lost confidence in the security of our elections. They question whether their vote truly matters or if their vote is being diluted by noncitizens. We must ensure that the outcome of our elections is determined by our own citizens, uninfluenced by illegal ballots. The heart of our democracy depends upon this.

Ensuring that only U.S. citizens vote in our elections isn't just necessary, it is common sense. I am proud to support the SAVE Act, which will protect our elections by requiring proof of citizenship to register to vote and an ID at the time of voting.

This shouldn't be a divisive issue. Nearly 80 percent of Americans—Democrats, Republicans, Independents—all agree on this simple requirement—80 percent.

Now, again, this is common sense. You need an ID to drive. You need an ID to board a plane. You need an ID to get a fishing license. But voting is a sacred right with an even higher value than those other examples. Voting should demand the same standard. Protecting this right isn't controversial. It is common sense.

Right now, due to the crisis of our open southern border, at least 11 million illegal immigrants are in the United States today. That number alone could replace the population of 36

States, almost 4 times the population of Kansas. Imagine what that could do to our electoral process if left unchecked.

You know, friends back home—I just did a telephone townhall. They asked me the same question: Why do my colleagues across the aisle refuse to support a policy that 80 percent of Americans agree upon; that would make our elections freer, safer, more secure?

Well, let me tell you why. It is because they spent years courting illegal immigrants, ushering them into our country, ushering in over 12 million, hoping to tip the scales in key States. But we cannot let them highjack our elections.

Now, look, noncitizen voting is real. This isn't hypothetical. In Texas, Virginia, and Oregon, noncitizens have been found on the voting rosters. Additionally, California, Maryland, Vermont, and Washington, DC, already allow noncitizens to vote in local elections.

This is an immediate threat to the future of our democracy, and it demands action. This is a nonpartisan American issue. It is about protecting our country. Just as we reject foreign interference in our elections, we must reject noncitizen voting with equal seriousness.

And this is why Congress must act, and they can act today. This has already been passed in the House. We could pass this today. The President could sign it tomorrow, and away we go.

With the SAVE Act, we can restore faith in our elections. We are only 40 days away from the most consequential election in our lifetime. Time is running out. Our Republic depends on it. So let's act.

I would like to yield the floor back to my colleague from Utah.

Mr. LEE. I recognize the presence of my friend and colleague the senior Senator from Tennessee.

Mrs. BLACKBURN. I thank my colleague from Utah.

Madam President, thank you for the time and recognition.

I want to say thank you to him for bringing this issue forward.

As I am out and about in Tennessee, I hear a lot about this. People are concerned about what would happen if those who are illegally in the country get a vote, if they exercise the rights of citizenship, because so many people in Tennessee talk about that, in America, there is nothing more fundamental than guarding our God-given freedoms, approaching the ballot boxes as equal citizens for fair and open elections.

And they are quite disturbed because, for the last more than 3 years, what they have seen is that the Biden-Harris administration has waged a war on this sacred institution by working overtime to make illegal immigration legal.

Now, you have heard reference to the numbers of illegal aliens—and, by the way, that is the statutory term that is used—and about the numbers that have

come into this country. We know it is north of 10 million illegal aliens. The Senator from Kansas referenced this. And the size is larger—the number, the population number—larger than 36 of our States, and the impact that that can have.

And as my colleague from Utah pointed out, when someone comes here illegally, and they go into a State like Minnesota that gives those that are illegally in the country a driver's license, and then that individual goes to another State, through the motor voter law, they can check that box, and they can register to vote. They can get that driver's license. They can register to vote. And we know that this has occurred, and we have seen it occur in voter rolls all across this country—from Massachusetts to Arizona and everywhere in between.

Now, recently, the State of Virginia went through their voter rolls, and they discovered that they had more than 6,000 that were on their voter rolls who had entered the country illegally.

And this becomes such a problem when you look at the number of States that do not require voter ID when they vote. We have got 14 States across this country where you do not have to show an ID when you go to vote at the polls. You show up, and you vote.

Now, one thing is clear. While it is against the law for illegal aliens to vote in Federal elections, many States and jurisdictions lack the proper safeguards to enforce this law. It is already illegal. It is already illegal. But they broke the law coming into the country illegally. They have broken the law by checking that box and registering to vote.

And the risk is higher than ever because of what has transpired at the open border, but the SAVE Act, which the gentleman from Utah has brought to the floor today, would solve this problem because it would require proof of U.S. citizenship to vote in an election, and you would have to provide that proof in person.

I will tell you, there are many people that are surprised that we don't require that proof—that you prove that you are who you say you are.

The SAVE Act also has provisions to restore our election integrity. It would require States to establish a program to remove those that are illegally in the country from the voter rolls, and it would also allow citizens to sue election officials who fail to uphold requirements for proof of citizenship.

Now, the House did pass this in July, and it had been sitting over here for the last couple of months. And so I would ask my Democratic colleagues: What in this bill do you oppose? What do you oppose? Why is it that you would want to open the door to allow individuals that have illegally entered the country to actually vote in a Federal election? Do you want to encourage them to vote in our elections?

This is why we need to protect the integrity of each citizen, each person—one person, one vote.

Now, my colleague from North Carolina has also come to the floor, and I want to say a word about his Promoting Free and Fair Elections Act, which would also be helpful. His bill, which I support, would block President Biden's Executive order that forces—not allows, but commands—it forces Federal Agencies to work with outside partisan groups to mobilize voters.

And guess what. The taxpayers got to pay for this. Talk about wanting to federalize elections. Talk about the Federal Government wanting to throw their weight. This is it.

And, of course, the Executive order excludes any information about how the Biden-Harris administration would go about approving or selecting groups.

So I commend my colleague from North Carolina for the Promoting Free and Fair Elections Act. I commend my colleague from Utah for the SAVE Act.

I yield the floor to my colleague from Utah.

Mr. LEE. Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 439, H.R. 8281, the SAVE Act; 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?

The Senator from California.

Mr. PADILLA. Madam President, reserving the right to object, today marks the third time that I have come down to the floor to object to this bill—not the first time, not the second time, three times.

Madam President, in this particular case, the third time is not the charm. But I grant my colleague one thing. He says that things have changed since the last time he tried to bring this bill up for a vote or approval on unanimous consent.

What has changed, you might ask? Well, this bill actually failed to pass the Republican-controlled House of Representatives just last week. Republicans attached this bill to a must-pass government funding bill, and they still couldn't find the votes, not even with the votes that they have on their side of the aisle.

So it does beg the question: What the heck are we doing here?

This is not a serious attempt to protect our elections. The only thing that this bill does—and the discussion of it does—is stoking fear that our elections may not be secure, and it creates mistrust in the outcome of elections.

So I feel compelled to take a moment to, once again, reassure all Americans that are listening today: There is no credible evidence of massive voter fraud or a massive number of noncitizens voting in our elections—no evidence, none. Let me be clear: no evidence, none.

In fact, it is already illegal for noncitizens to vote in Federal elections, no matter what State they live in.

In some of the conversation from some of the Senators, over the last several minutes, there has been reference to what the Federal Government may be doing to federalize elections. I will make specific reference to the motor voter law that was approved by Congress on a bipartisan basis; that, yes, directs States to do what they can to encourage civic participation and to utilize their department of motor vehicles to engage eligible voters. Since they are already interfacing with government, let's take that moment of their time—as they are already sharing name, address, date of birth, other personal information—and in addition to applying for a driver's license or a State ID, if they are eligible, to register them to vote in the process or update their registration.

And, yes, there are States in the country that do allow a noncitizen or undocumented immigrant, even, to obtain a driver's license. But I can tell you, as a former chief elections officer for the State of California—not just on behalf of California but of my colleagues across the country that I have worked with—protocols are in place. If you are a noncitizen applying for a special type of driver's license or an undocumented immigrant applying for a special type of driver's license, you go through one process. If you are a citizen, you go through another that includes that opportunity to register to vote.

Let me come back to the bottom line here again: no evidence of massive voter fraud—no evidence the last time this bill came up, no evidence today. And I doubt there will be any evidence between now and November 5—or even after November 5—because of the integrity of elections administration in the country.

Now, I have to speak to the timing. We stand here today, 41 days before this November's election. The election is already happening. For those who are familiar, ballots have already been mailed out to members of the military and other overseas voters.

In many States, the vote-by-mail ballot process has already begun. In some States, early voting is beginning. The election is happening.

But again, I sense the real motive for bringing this bill up today is an attempt to continue to inject fear and uncertainty in the minds of voters at a time where, frankly, we need calm; we need understanding; we need truth.

So, as I have in the previous objections, I will extend my invitation again today: Let's work together in a thoughtful, responsible, bipartisan manner to ensure more eligible Americans can easily register to vote, stay registered to vote, and cast their ballots. But until I am taken up on that offer, I object.

The PRESIDING OFFICER. Objection is heard.

The senior Senator from Utah.

Mr. LEE. Madam President, my distinguished friend and colleague the

Senator from California makes an impassioned plea that we not pass this bill. I appreciate his thoughtfulness and care and consideration that he routinely gives to matters pending before the Senate. I wish I could say that always translates into accurate statements.

Today, it didn't. He made several statements that are just not accurate. First and foremost, he suggested—not just suggested, he said that this bill—the SAVE Act, which I am trying to pass right here, right now—failed to pass in the House of Representatives; that even in the Republican-controlled House of Representatives it couldn't get the votes to pass.

That is not true. It is 100 percent false. In fact, this has passed the House of Representatives. It passed the House of Representatives not only with the Republicans voting for it but they picked up five Democrats along the way. So they passed it. They passed it with a bipartisan vote.

Now, he may be referring to the fact that there was another vote—another vote cast last week in which they attached the SAVE Act to a spending bill. It was the spending bill that caused the combined measure to fail. But, in fact, the SAVE Act has been passed by the House of Representatives.

It was passed with a bipartisan vote because even these Democrats, who joined with all the Republicans over in the House of Representatives, acknowledged that this is a problem. The problem has been created by a combination of Federal laws that have grown too loose, that have been further loosened by the Supreme Court of the United States in its interpretation of it, and that the need for it has, in fact, escalated.

Point No. 2 that he makes—this is the third time—sounding, I think, a little frustrated by the fact that we tried to do this multiple times. Well, forgive me, but the case for it has continued to build. It has continued to build steadily, even at the same time that the House of Representatives has now passed it.

This does matter. So he is mistaken here in that nothing has changed.

He says that there is no evidence of this. That is not true. That is news to me, given that the world learned yesterday of this evidence that just came out from the secretary of state's office in Oregon showing that complete review revealed 1,259 people in that State who didn't provide proof of U.S. citizenship, and they had been added to Oregon's voter registration rolls a number of—four times the previously reported figure.

That is also news to States like Texas and Virginia, just to state a couple. There are more that have been going through their voter registration rolls and discovered a lot of noncitizens. I mean, you add them all up, and we are talking about thousands of noncitizens registering to vote.

Then he pivots a little bit, and he says that there is no evidence of massive voter fraud. If thousands of illegally registered voters—people who illegally register to vote in Federal elections—if that is not massive, I don't know what is.

Now, as to the next point that he makes: Ballots have already been mailed out. I don't dispute that. I am absolutely certain that that is the case. That is in no way, shape, or form an argument against the SAVE Act, nor is it an argument against passing this now.

In fact, there is no reason not to pass this now. There is good reason to pass it now, given that in fully 22 States in the United States of America—fully 22 States allow voter registration up to and including the day of the Presidential election. So in addition to the thousands of persons who are noncitizens and therefore may not lawfully register to vote or vote in a Federal election who have already registered to vote, many of whom have been shown in past elections to have voted illegally—we don't even know what the total number is. We don't even know what the total number of people is who might register to vote and then vote unlawfully between now and the 5th of November when the election is held. Yet in addition to the 22 States where you can register to vote, up to and including the day of the Presidential election, there are a whole lot of others who allow it, to varying degrees, at some point between now and election day.

Then he goes back to the fact that this is not a serious proposal. I don't know what that means, other than Democrats don't like it. And I understand that they don't like it. It is serious. I assure you, Madam President, and I assure my colleagues, this is a very serious matter when people register to vote and vote illegally. That disenfranchises actual U.S. citizens.

Finally, I do take exception to something. I take exception to the suggestion as to motive, suggesting that the reason I am here to do this is to disingenuously plow what he refers to as "fear and uncertainty" as to the legitimacy of our elections.

Not only is this kind of speech uncalled for and prohibited under rule XIX of the Senate rules where you are not supposed to characterize somebody's motive as something devious like this, if I were out here deliberately trying, just for kicks and giggles, to undermine the legitimacy in the outcome of the election, that would be inappropriate. That is not accurate. There is not a scintilla of proof for that. And there is a mountain of proof that we have darned good reason to bring this about.

I am deeply disappointed that we can't pass this. This is not a heavy lift. It is not too much to ask that we put something in place, putting teeth into existing law that has been on the books for decades that Americans overwhelm-

ingly agree with and says you can't vote in a U.S. election unless you are a U.S. citizen.

The House passed it; we could pass it today. This could make a difference. We should pass it. It is inexcusable that we are not.

The PRESIDING OFFICER. The junior Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—S. 1398

Mr. BUDD. Madam President, Americans should be able to trust our electoral process. But the Biden-Harris administration is undermining the system. And this is rightly causing millions of Americans to doubt the integrity of their vote.

That is why my colleague from Utah Senator LEE has worked so hard to pass the SAVE Act. It is a common-sense bill to make sure that only American citizens vote in American elections.

Now, this would address one of the most pressing threats to the electoral system. But there is also another serious threat to the integrity of our elections: the use of taxpayer dollars for partisan political activity.

During the first 100 days of the Biden-Harris administration, President Biden signed an Executive order directing the head of every Federal Agency—every Federal Agency—to submit a plan for their Agency to "promote voter registration and voter participation."

Now, on the surface, this seems like a harmless order simply designed to increase the number of Americans who vote. And I believe—we probably all believe—that is a laudable goal.

The problem is that the order also mandates that all Federal Agencies partner with approved third-party organizations to provide these services on Federal Agency property and using your taxpayer dollars.

So big questions remain, less than 2 months before a general election: Which third-party organizations are approved; who approves them; and what criteria are required?

All of this information is conveniently missing from this order.

Now, Congress has attempted to provide some and conduct some oversight on this, and citizens have rightly filed the Freedom of Information Act lawsuits.

The Biden-Harris administration has released only a tiny fraction of these Agency plans. Now, in at least one instance, the administration redacted every single paragraph of an Agency plan, leaving only vague headers.

I have one of these. I have 8 pages of redaction. That is how they responded to what American citizens are entitled to in regard of Freedom of Information. That is how the Biden-Harris—KAMALA HARRIS—administration responded.

So it begs the question: What does the Biden-Harris administration have to hide? I am concerned that this administration is writing their own rules and using taxpayer money to partner with liberal get-out-the-vote organiza-

tions. For example, a few months after this order was issued, the Biden-Harris administration hosted a listening session to discuss the implementation of this order.

Now, about 50 leftwing organizations attended this meeting, and every representative attending was either registered as a Democrat or donated to Democrats, with the exception of one member of the Green Party.

According to notes from a Department of Justice attorney documenting this meeting, their talking points focused on expanding Democrat voter blocs and espousing extreme liberal views. Remember, this is everyone's taxpayer dollars doing this.

Now, as a matter of principle, I don't believe the Federal Government should be using those taxpayer resources to advance their partisan politics and policies. That is a principle that should be commonly shared across the aisle.

But more than that, the prospect of a blanket Federal Agency mandate to engage in electioneering on the taxpayers' dime raises serious ethical and legal concerns.

Now, I don't think you can draw any conclusion other than to say that this Executive order is another example of the weaponization of Federal Government.

Congress should shut down this ethically and legally dubious scheme to help restore faith in our elections. That is why I stand here today to propose that the Senate pass the Promoting Free and Fair Elections Act. The bill is simple and straightforward. It would prohibit Federal Agencies from using your taxpayer dollars to enter agreements with partisan organizations that conduct voter mobilization activities.

The Biden-Harris administration's sweeping directive is inherently political and directed primarily at groups expected to vote for one party over another. And when the American people ask for information on it, this is what they get. This order must not be allowed to stand.

Madam President, as if in legislative session, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of S. 1398 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 senior Senator from California.

Mr. PADILLA. Madam President, I rise today in opposition to a bill introduced by my colleague from North Carolina. Let me start by saying this: The Senator from North Carolina says the Federal Government should not use official taxpayer resources—no taxpayer dollars—to advance partisan politics.