As I am standing here, 3,000 soldiers from the 82nd Airborne are on their way to Iran. These are elite paratroopers who are trained to jump into enemy-held territory. They will join 5,000 marines who are being sent from Japan and California.

How did we get here?

On February 28, President Trump launched this war—something he is now calling an ''excursion''—with a massive display of U.S. military power and dominance. It was stunning. In the opening days, more than 8,000 targets were struck in Iran. More than 120 Iranian vessels were damaged or destroyed, nearly eliminating Iran's ability to launch drones and missiles. Iran's military and civilian leadership was decapitated, and that includes the then-Ayatollah, who was the leader, now replaced by his son. It was an incredible demonstration of military power and execution of military might, just like Midnight Hammer was in June.

Things are different today. We face something completely unpredictable, and we have had no discussion or debate about it. We face what has happened in Iraq and what has happened in Afghanistan, and that is that a country with limited power has asymmetric power. It is confronting us with the limits of what can be accomplished with military power.

Iran has closed the Strait of Hormuz, and to the shock of most Americans, there appears to have been very little, if any, planning on the part of the folks who pushed us into the war about what would happen when the strait was closed. The Iranians really don't need massive military power to keep the strait closed. A drone strike or a mine that hits a vessel that is going through, whether escorted or not, means that Iran has a vote: They can attack.

It also means international shippers have a vote: Do they want to risk their cargo and their crew when that is an active military combat zone?

They have answered that: No. There are hundreds of oil-carrying cargo vessels on both sides of the strait that won't proceed through.

The President has to make a major decision. We have to make a major decision. His decision appears to be that he will escalate this war. He will put his faith that there is a military solution to resolving an outcome. That is despite the experience we have had in which we have consistently been shown the limitations of what can be accomplished with our extraordinary military.

By all indications, the President has chosen a path of escalation: the marines I mentioned, the paratroopers I mentioned, the massing of our military assets in the region, the attacks I outlined, and the $200 billion request that is coming our way. That is an extraordinary request of the American taxpayer. It is $60 billion more than President Bush requested in his supplemental to fund the opening months of the Iraq invasion in 2003.

Escalation at this point—and that is the decision that is upon us—is going to be irresistible. That is in the context of the President's getting intelligence assessments from our intelligence community, as well as from the Israeli intelligence community, that the hope for the collapse of the Iranian regime will not occur. It is intact. They have lost many of their leaders, and they have replaced all of those leaders whom they have lost.

So do we expect that this paratrooper expedition and this marine expedition can change that? That is a question that this body must debate.

One of the weaknesses of our position right now is that the President did bypass Congress in making his decision to go on this ''expedition.'' The President also bypassed the American people by not addressing them and outlining with clarity the goals that he seeks to accomplish, the means by which he hopes to accomplish them, and the expectation of the sacrifices that American citizens will have to make in order to achieve his goals.

In a democracy, this is not just something that is done because it is nice to do. In a democracy, having public backing for a war is not optional; it is a strategic necessity for success. There has been no effort to engage the public, and, indeed, public opinion of the wisdom of this shows that barely 40 percent of Americans support this war and that more than 60 percent think our military action in Iran has been excessive.

This reservation that we are seeing on the part of the American people about this war is understandable. There has been no explanation of the goals and the expectation about an outcome. There has been no candor about what this war will cost. And $200 billion as a supplemental is a downpayment on more to come; $200 billion is literally a $1,400 tax on every single American household.

The average American family is also going to pay an extra $2,000 at the pump with the increase in gas prices. Families in Vermont are going to pay $1,000 more to heat their homes.

Our small farmers in Vermont and in the Presiding Officer's State are going to pay about 35 percent more for fertilizer just as planting season begins.

We owe candor to the American people when it comes to what is going to be required for this war.

The other essential obligation we have in making a decision about going to war is to the men and women we will ask to go to war because of our decision or because of our indecision.

When I was first in Congress, I attended the funeral of a young Vermont marine. He died at the age of 21 in the siege of Fallujah. He died on Thanksgiving day. We all honor him as a hero, just like the other Vermonters who fell in post-9/11 wars.

In Vermont, at that point, we had the highest casualty rate on a per-capita population basis of any State in the Nation.

We are so proud of the commitment of service that our young Vermonters give to our country.

They step up because they believe in us. They believe that, in a democracy, they serve us by volunteering, and they subjected themselves to the authority of the Commander in Chief, a civilian. And they will show up, and they will serve at the call of the Commander in Chief.

We, in Congress, have a role to play, and it is to weigh in on the decisions of where and when we will send young men and women into harm's way. They do their job; we are not doing our job.

We have had no hearings. We have had no debate. We have had no discussion. It is just happening. We are sleepwalking passively into a war that could be yet another war in the Middle East.

Yes, it is true: The Iranian regime is dangerous. Saddam's regime was dangerous. The Taliban was dangerous. In the cases of Iraq and Afghanistan, we did escalate, and we stayed. You couldn't get out because we didn't make a decision. We were there and justified staying because we were there in the first place.

We are at that moment with what is occurring in Iran. And, yes, it is an evil regime. Yes, we want them not to have a nuclear weapon. But is diplomacy to be abandoned? Is unilateral action to be chosen? Is that to be done where we have literally no debate and no discussion?

It is the wrong decision, and we face very soon a question of whether we will support a $200 billion expenditure for that war. The President calls it an excursion, but we all know better. We must make a decision, and I have made a decision. I will not support $200 billion for a military ''excursion'' in Iran.

The burden of war is borne by those who fight it, the young men and the young women who put themselves in harm's way because we sent them there. They are the ones who suffer the loss of life, devastation in their families, lifelong injuries, PTSD. But the true burden of war is borne by those who fight, not by those who decide. Is it not our responsibility—our minimal responsibility—to decide? We are not doing that. We are passively backing into a war with no debate, no discussion, no profound appreciation of what we are asking the young men and women of this country to subject themselves to. We owe them more than that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

SAVE AMERICA ACT

Mr. LEE. Mr. President, we are fortunate. We are blessed to inhabit a country where freedom is the norm, where popular sovereignty is the objective, and has been since the dawn of our Republic. We are celebrating this year the 250th anniversary of this country,

which, itself, was founded upon the idea that all human beings are created equal; that we have certain inalienable rights, among these, life, liberty, and the pursuit of happiness; and that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

The consent of the governed—that is the key part. That is what differentiates a tyrannical government—which is to say most governments that have ever existed—versus a government in which men and women are allowed to be free, in which government exists for the specific purpose of serving the people. That is part of what was recognized in the document whose 250th anniversary we will be celebrating on July 4, that governments are indeed instituted among men, deriving their just powers from the consent of the governed.

So what does that mean to provide your consent? Well, among many other things, it means the ability to participate in selecting who may operate your government, who will wield the levers of government power.

Government power is something that is easily misunderstood. These things don't necessarily occur to us automatically. To remember what government is, sometimes we are inclined to attribute to government qualities that it does not have and can never have, qualities that government can never have specifically because the government is not a person; the government consists of official power, the power to act in the name of an entire country or other body politic, in order to establish rules carrying the force of generally applicable law, enforceable with the immense power of government.

Ultimately, it is, then, about power, and that is one of the many reasons why, even though we need to respect government and respect the authority of government—especially when it is a government of the people, by the people, and for the people—we should never lose sight of the fact that government is best understood as wielding authority that is dangerous.

In other words, like other things that we rely on, that we need, that are necessary in some cases to sustain life, or in other cases to make life manageable or enjoyable, government is one of those many things that, while a key indispensable part of our lives, it is, at its core, dangerous because it is ultimately about force.

And what differentiates government from other entities or other people—endeavors that can bring about force. Government has the ability to use force to enforce law, to enforce compliance with rules that we call laws because they are enforceable by force, with the degree of official sanction and impunity that goes along with being a government.

And that is why—I believe it was George Washington who pointed out that, like fire, government is necessary, but it has to be carefully contained and constrained, less it take over and destroy those very same things that it is there to serve.

James Madison explained it really well in Federalist No. 51, when he explained that if human beings were angels, we wouldn't need government because if we were angels, we would be naturally benevolent, kind, virtuous, and respectful of the law, respectful of order, respectful of each other. And that is not to say that human beings are not that way; I believe that human beings are fundamentally, generally good. But not all human beings are that way, and no human being is that way all of the time.

So getting back to Madison's point, if all human beings were angels, we wouldn't need a government because we wouldn't harm each other; we wouldn't physically injure each other; we wouldn't try to take other people's possessions, things that don't belong to us; we would live in harmony. That is not the condition that we inhabit because, alas, we ourselves are not angels.

So he said: If men and women were angels, they wouldn't need government. He also said: If we had access to angels to run our government, we wouldn't have a problem with government that would require us to subject government to rules.

And that is where this document comes in, the document that was written 11 years after the Declaration of Independence. The Declaration of Independence, remember, in many respects, sort of helped kick off the Revolutionary War. It was sort of already underway a little bit anyway, but it made it really official.

But after the Declaration of Independence was put in place, it took years for us to win that war. By most accounts, 6 or 7 years. I believe it was about 7 years before it was deemed officially won and we defeated the world's last standing superpower at the time.

Now, this was a conflict as if between David and Goliath. Now the original conflict between literally David and Goliath was not a conflict in which the smart money would have been on David. David was a small shepherd boy. David was no match for Goliath. Had the Vegas oddsmakers been in business then, there is no chance that they would have given David good odds at all facing Goliath—this huge individual, armed to the gills, fiercely trained warrior; he was a professional killer. Nobody would have bet on David. Unless they were really, really thrill-seeking, risk-oriented gamblers, they would not have placed bets on David. Now had they done so, I am sure they would have made a fortune because nobody else would have believed that it was possible for David to win, but he did.

So too with the American Revolution. We were David in that battle, and England was Goliath—the world's last-standing military and economic superpower. We chose to take them on. And despite all odds being against us, we won. Took us about 7 years to get through that, but we won, and we reflexively, instinctively put in place a weak system of national government under the Articles of Confederation, which ultimately failed, in large part because in our reflexive instinct to resist that which we had endured under British colonial rule. We had come to fear large, distant national governments—because, in many respects, that is what the American Revolution was about.

It is not as though our American forbearers sat there one day and said: You know, we are tired of flying the Union Jack, or we are tired of having a Monarch. That didn't really explain what happened nor was it about them being tired of singing ''God Save the King'' or tired of the pronunciation they had over there.

Actually, I have no idea whether, or to what extent, the pronunciations differed as much then as they do now, depending on which side of the Atlantic you found yourself on.

It really had to do with this: We were subject to a large, distant, omnipresent, brooding, intrusive, heavily taxing, aggressively regulating national government, one that was so far from the people that it was slow to respond to their needs, even their urgent pleas. It became overly aggressive, and it knew no boundaries around its authority. That is really what the American Revolution was about.

During the seasons, the decades—really, the nearly two centuries—in which we were in this pattern of being British Colonies, we went through cycles. There were seasons when the national government of Great Britain would withdraw and let us sort of govern ourselves. It was during those seasons, in particular, when our local self-rule—our Colonial governments—blossomed, and Americans learned the art of local self-government.

Then there would be other seasons, often during or in the aftermath of a large conflict, a large-scale expensive war. The Crown and Parliament needed to raise funds for a war or to pay off war debts, and very often that is when they would send forth their swarms of regulators and tax collectors to the Colonies, and they would start to hold the Colonies with a tighter grip.

And it was after several cycles of this drama—several cycles of this bipolar, passive aggressive pattern—that we faced from the Crown and Parliament that, in 1776, we decided we had had enough.

So back to the early 1780s, we won the war. We instinctively put together a government that would not resemble the system that we lived under previously. And so we reflexively created this quite weak, anemic national government, and that too proved problematic.

Within just a few years, it became apparent that we couldn't survive unless we had a national government that

was capable of functioning as such; and that our national government couldn't function effectively as a national government unless it had a few powers—including the power to coordinate and regulate commerce between the States and with foreign nations, including the power to raise taxes to, among other things, fund war efforts, fund national defense, assemble armies, and so forth.

And so it was against that backdrop that our Founding Fathers came together in that hot summer of 1787 in Philadelphia. They tried the previous year in 1786. They assembled in Annapolis to deal with the same inadequacies of the Articles of Confederation. They tried to convene, but they failed because they failed to achieve a quorum.

And they assembled in the late spring of 1787. It was still, ostensibly, with the mindset of amending the Articles of Confederation. It was not officially their objective to write an entirely new document and ordain an entirely new structure and framework for our government to operate, and yet that is what they came up with.

I happen to believe that those men were special. They were unusually gifted, unusually well educated, both as compared to their day and ours, in every respect. I believe they were wise men raised up by almighty God to that very purpose, because it is my belief that this is a land that God has preordained for liberty, that he did not intend the sons and daughters of the United States of America to live in captivity under the oppressive yoke of any tyrant, foreign or domestic.

And that is why we are so blessed with those uniquely inspired and inspiring and gifted and well-educated individuals who understood liberty. They understood power. They understood its dark side, and they understood the potential for greatness of any society that can live under the rule of law with this system of laws that attempts to treat people equally.

We may not be equal in our capacity, in our possessions, in our stations in life, but we are all treated equally in terms of the fact that we are all equally subject to a just system of laws. That, from the American Republic's very beginning, has been the objective. While we don't always live up to that to the degree that we should, that is the aspiration; and, in that respect, it is something that differentiates us from so many other nations and certainly did at the time.

What they came up with in the end was a system of government that fairly allocated powers between the States and the Federal sovereign. And it acknowledged that it is just as important for the Federal Government to have power, to be exclusive in its domain over the Federal sovereign, as it is for the States to retain all other powers not granted to the Federal sovereign. It is no less bad for the Federal Government to intrude upon the sovereignty of the States than it is for the States to intrude upon and undermine the sovereignty of the Federal Government.

And that is why the Founding Fathers were inclined to devote so much time, attention, and brain power to this difficult task of assigning to each level of government what its responsibilities would be, and then separately assigning to each branch of the Federal Government—the U.S. Government—which powers could be exercised by and within each branch.

These things were relatively foreign to our English counterparts. They were even relatively new concepts here in some respects. In others, there were patterns that emerged in which you can see a close resemblance between the British system and ours—you know, like a bicameral legislative body, as there was in Parliament; a chief Executive, as there was in England, with a President and a Parliament.

There was some separation of powers, yes, but it wasn't complete. It was nothing like ours was. And then, as now, the dual sovereignty system did not exist in the United Kingdom. It was very rare in the entire world. It was a relatively new creature here.

There were a couple of antecedents. I will mention two of them briefly.

One of them was the Swiss cantons, which had survived for centuries based on an allocation of power. The Swiss Confederacy, as it was known, consisted of a consortium of regional governments called cantons, and they came together for certain national purposes—including, and especially, national defense.

So, too, was a more local, homegrown, familiar example known as the Iroquois Confederacy. The Iroquois Confederacy had existed and lived for centuries with Tribes that came together, maintained their right, their authority to govern themselves locally at a local level as to internal matters. But they came together and were one when it came to external affairs, especially military matters.

It was in the 1740s that one of our Founding Fathers, Benjamin Franklin—many decades before we would become an independent Nation and many decades before we would have a Constitution—Benjamin Franklin attended a conference of sorts in Albany, NY. Other attendees at that conference included a chief from the Onondaga Tribe named Canassatego. Canassatego and Benjamin Franklin became friends, or at least allies, as Canassatego explained to Benjamin Franklin the secrets of the Iroquois Confederacy's longevity, its durability, its ability to defend itself—showing him that if you take one arrow and you want to break it, it is easy to break a wooden arrow. But if you take a bundle of five or six of those thin, wooden arrows and you bow them together, you can't just break them like you can easily break an arrow.

Canassatego explained to Benjamin Franklin that this is the secret of the Iroquois Confederacy. If we were just one Tribe—his Tribe, the Onondaga Tribe—if just the Onondaga Tribe had to defend itself, it would be much easier for an enemy Tribe to break. But when we are part of the Iroquois Confederacy—as they had been for centuries—we come together as a confederacy and defend ourselves when we are under common attack, when we need to defend ourselves, and that worked.

In many respects, it was really much more the Iroquois Confederacy than the Swiss cantons that were an inspiration. After all, this was right here on the American continent. Individuals were able to meet and interact with them far more so than they would have ever had the opportunity to interact with government officials from the Swiss Confederacy. And in many respects, the U.S. Government closely resembles at least that spirit, at least that general concept, embraced by the Iroquois Confederacy.

So they wisely came together, and I believe it is fortunate. I believe it was providential and the product of a lot of divine inspiration and intervention that in that hot, sweltering summer of 1778, in Philadelphia, having convened ostensibly for the purpose of amending the Articles of Confederation to cover a couple of major deficits in the Articles of Confederation—they were just going to amend them.

The concept was: We will get together. We will figure out how to deal with the interstate and foreign commerce problem, and with the ability to raise funds, the ability to raise an army and wage war, when necessary, and a few things like that. And then we were going to move on, but they didn't do that. And I think that was another part of the pattern of divine providence intervening on behalf of American people with these wise men raised up by almighty God unto that very purpose to bring about the result that they did.

Finally, in the midsummer of 1787, they signed that document—that document that has now persisted, that has now endured close to two-and-a-half centuries and helped foster the development of the greatest civilization the world has ever known.

Without each of these ingredients, this combination of local self-rule and national government, each remaining in its lane—this concept that we sometimes refer to as federalism—the American experiment would have failed.

So too—and that, by the way, is what I refer to as the vertical, structural protection in the Constitution. We have a lot of protections. The whole thing is a protection. The whole Constitution is a protection in that its purpose for existence is itself restraining government power. In literally every instance, with one possible exception, that is what the Constitution does: It restrains government power.

So it restrains it on these two axes, the one I just described—the allocation of power between the States and the Federal Government is the one we call

federalism. The horizontal protection is the one that I alluded to briefly earlier—the separation of powers. We have got three separate branches of government. I prefer to refer to them coordinate rather than coequal branches. People use different terms to describe them.

I never call them just equal because they really are not equal. They don't wield equal power. They are not equal in terms of their danger.

Many people mistakenly refer to the judicial branch as the most dangerous branch. I think that is a huge mistake. It is just not true. Now, sure, when mistakes happen over there, they do have consequences. They can be bad, especially because it is the least democratic of the three branches. It is the least accountable to the people—by design, because its job is not to curry favor with the people. It is, rather, to decide cases and controversies. And having been appointed by the President and confirmed by the Senate, the Justices who hold the highest judicial office in this country, on the highest Court of the land, the Supreme Court of the United States—the only Court that is itself established by the Constitution, with the rest of the courts being the creations of Congress, pursuant to our constitutional authority under article III of the Constitution—they are the least accountable to the government because they are there to just decide case and controversies.

The executive branch, run by the President—and, by way, as far as the Constitution is concerned, the President, and to a degree the Vice President, acting together, but primarily the President, is vested with the power of the executive branch.

Insofar as we follow the Constitution correctly, if we were following it to its full capacity, we would continue to recognize today, as the Constitution itself does and has from the beginning, that all executive power is vested in the President of the United States.

Yes, the Vice President is also elected and serves with him. The Vice President serves two principle functions under our Constitution. Function one is to serve as a spare, as a backup, as the person who steps into the role of the President in the event of a death, resignation, impeachment, and removal of the President of the United States.

The second function is to serve as the President of this institution, the U.S. Senate. But beyond that twofold role that I described of the Vice President, the entirety of the executive power is vested in the President of the United States.

This is significant power, to be sure; and yet that power and the power of the Courts is still ancillary to—it is still less than—the power vested in this branch of government, where we work—the executive branch of the U.S. Government, the Congress of the United States.

How do we know it is the most powerful? We know it is the most powerful because we make the law. The other two branches perform ancillary functions to the lawmaking. We make the law. We decide what the law should be, what the penalty for not obeying the law should be. We prescribe these rules of action in the abstract, and it is then up to the executive branch—meaning the President and those who serve under the President—to execute, implement, and enforce the law; in other words, to carry out what it is that we decide. If you want to give it a corporate model analogy, it is as though we are the board of directors and the President is the CEO.

The other way that we know that it is the most powerful and the most dangerous—beyond the fact that we make the laws that the executive implements and enforces and executes and that the judicial branch interprets where people disagree as to its meaning—again, both ancillary functions. Executing and interpreting are both ancillary to lawmaking. The other reason we know that the lawmaking function—and, therefore, the lawmaking organ—the Congress, the legislative branch, is the most dangerous and the most powerful is because they entrusted that power only to the branch of government that they made most accountable to the people at the most regular intervals.

Presidents stand for election only every 4 years. By contrast, every Member of the U.S. House of Representatives, by constitutional design, stands for election every 2 years, every 24 months. In many respects, this feels like a nanosecond in the legislative timeline. It is very frequent. So every Member of the House is up for reelection every 2 years. In the Senate, one-third of our Members are up for reelection every 2 years. That is why we are never very far from an election cycle that will reorder things, that will send in new personnel, send some back home, bring others back in.

This wasn't just because the Founding Fathers decided in the abstract or for optical reasons that this would be fun to try. They did it because they knew that this was the most dangerous power, the most abusable power within the Federal Government and that it shouldn't be entrusted to those who are detached from the people. You need to make them accountable to the people at very regular intervals, and that is precisely what they did.

So when we look at that government today and what it does, it is, in many respects, far more powerful than the Founding Fathers could have imagined, and that is not just because the United States of America has grown from this sort of outpost of ragtag rebels who rebelled against their mother country to being the world's greatest economic and military and educational superpower, not just in existence today but perhaps that human history has ever recorded.

So they would have been surprised by that, but that is not what I am really referring to here. They would have been surprised by the extent to which this government, our national government, our Federal Government, based in this city, has become as powerful as it is within this country, separate and apart from the prominence that this country has acquired through economic growth, military prowess, and so forth. In other words, this government performs a lot more functions than the Founding Fathers ever envisioned, ever ordained, or ever authorized it to perform.

If you read through the Constitution—and you can do it in a few minutes, it is around 5,000 words, it doesn't take that long—most of the powers of the Federal Government are those powers enumerated or listed and given to Congress in one part of the Constitution. There are a few others that you can find throughout the document. Most of them can be found in article I, section 8, with 18 separate clauses. And its powers include primarily the power to establish a uniform system of laws governing immigration and naturalization: who can come into the country, who becomes a citizen, and so forth; the power to collect taxes, to raise money, and to spend that money in pursuit of Federal purposes as ordained by the Constitution—those are both deficits in the Articles of Confederation that they filled—the power to regulate trade, or commerce, between the States with foreign nations and with the Indian Tribes; the power to establish a uniform system of weights and measures and the power to set up a system of postal roads; the power to establish a system of what we now call intellectual property laws: trademarks, copyrights, and patents, basically. They used slightly different language then, but the idea was to protect the right of authors and inventors to protect their art, so to speak, whether that was a design or an invention, a poem, a book—whatever it is. These intellectual property rights would be distinctively national and Federal.

And what, might you ask, do these things have in common? Well, they tend to be the sorts of things that need to be done at the national level. Basically, that seemed to be their standard: Let's figure out what has to be done at the national level lest there be chaos, and let's leave everything else to the States and localities.

There are a few others. Bankruptcy laws come to mind and, of course, the power to provide for our national defense: to assemble an Army and a Navy, the power to declare war. Then there is perhaps my favorite power of Congress that often goes unutilized and inert, almost rendered vestigial but shouldn't be: the power to grant letters of marque and reprisal.

I am referring there, of course, to letters of marque. That is spelled M-A-R-Q-U-E. This is basically a hall pass issued by Congress in the name of the United States that allows the person holding it to engage in state-sponsored acts of piracy on the high seas with

utter impunity, backed by the full faith and credit of the United States. If that is not awesome, I don't know what is. Now, it has been a couple hundred years since we have used those with any regularity. And perhaps it is time we do it again. It is a way of involving privateers in our dirty work, in our military work without the U.S. Government itself having to put American sweat, blood, and treasure on the line.

If individuals want to sign up to do so, they may do so with the hope and expectation that they will reap a liberal, rich reward if they succeed in taking things away from our enemies and being able to bring those things back into our country. It is part of how we have won wars, particularly at a time when we didn't have a whole lot of money. We haven't used those in a long time. Perhaps we ought to look at doing those again.

But my point in reciting all of these—and there are a few others, but this is the lion's share, where the bulk of the power is. There is one other I will mention here that is not found in article I, section 8. There is one that is found in article I, section 4, clause 1 that gives Congress the power to establish rules and regulations not governing elections generally, but governing the election of Federal officials, principally U.S. Senators and U.S. Representatives. They understood and, in fact, openly provided in article I, section 4, clause 1 that those elections would be conducted not by a Federal election official—we don't want that, the Founding Fathers didn't want that then, we don't want that now, and we should never in the future want that—but that the States will conduct those elections and that the States could come up with basic rules to govern the time, place, and manner of those elections. And in the very same clause, they said: But Congress may alter or add to those basic rules and regulations, specifically concerning—exclusively concerning—the election of U.S. Representatives and U.S. Senators.

Why? Well, because that is a Federal power. Congress is the Federal policymaking body. Congress would necessarily have that power. But my point is this: In all of those 18 clauses of article I, section 8, and then in all the other miscellaneous powers of the Federal Government almost always described in the Constitution as powers of Congress—because, again, it is our job to set the policy. The two other branches perform ancillary—important but ancillary—functions of either executing and implementing the laws we make or interpreting the laws we make.

The Constitution, in giving this power, never once gave the Federal Government power to just legislate generally. They instead gave the U.S. Government the power to do these limited things, to exercise these limited enumerated powers that James Madison described collectively in Federalist No. 45 as few and defined, while by contrast to those powers reserved to the States as numerous and indefinite.

There is no power in there that says you can make good law generally, do good things for good people. That was not what it was about. State legislatures, except as constrained by their State constitutions or as prohibited by the U.S. Constitution, may have some limitations, but except as those limitations are found either in their State constitution or in the U.S. Constitution.

State governments are free in our system to legislate on whatever they want just because it might be good policy, but not all good policy is constitutional within the Federal system because there are a whole lot of things that are not within our power. Among those things are things that tend to happen in one State at one time that aren't crossing across State lines, that don't trigger any of the issues that I mentioned a few minutes ago—national defense, weights and measures, bankruptcy laws, intellectual property laws, and so forth.

Things like labor, manufacturing, agriculture, mining, health, safety, and welfare historically, except as they touch one of the Federal powers, were the province of States and localities. This was always how it was supposed to be.

Now, we have deviated from that substantially, particularly since the 1930s in the New Deal era and particularly since one date that often goes overlooked in American history: April 12, 1937. It is a date when the Constitution was changed but not by constitutional amendment. Had the change in the Constitution that was wrought that day been implemented, been adopted as a constitutional amendment, it would have been one of the most significant constitutional amendments ever adopted, but they didn't do it that way. It was done by the Supreme Court.

The Supreme Court, I believe, exceeded its authority and, by so doing, authorized the U.S. Congress to exceed its authority by interpreting one provision—clause 3 of article I, section 8, the commerce clause—to give Congress the open-ended power to regulate not just what it had theretofore been able to regulate as interstate commerce—meaning, up until that time, the commerce clause had always been understood—historically and according to its text, the text, the original understanding—it had always been understood and accepted as authorizing Congress to do a few things: No. 1, we could regulate things or persons moving in interstate commerce; meaning moving across State lines; meaning, if you had interstate commercial transactions. Let's say if you had a farmer in Virginia growing tobacco and he was selling his raw tobacco to a cigar manufacturer in Maryland, that was an interstate commercial transaction. That is part of why the commerce clause was put in there, because neither the laws of Virginia nor the laws of Maryland would be competent to address all the issues that could come up in that commercial transaction occurring across two different States.

You had to have at least some government power that was capable of resolving disputes where one State claimed all of the authority to regulate that transaction and the other State did likewise. Just one of many examples of how and why the commerce clause was designed and originally understood: among other things, to authorize Congress to regulate interstate commercial transactions—things and persons moving in commerce across State lines.

(The ACTING PRESIDENT pro tempore assumed the Chair.)

It was also understood historically as authorizing Congress to regulate channels and instrumentalities of interstate commerce, the conduits and processes and means by which persons and things typically move interstate in a stream of commerce. And by this we mean interstate roadways, waterways, canals. Today we would add airways, airwaves, and so forth. These are channels and instrumentalities of interstate commerce. There are a lot of these.

To give you an example of one: our telephone system or the internet. These are networks of wires that themselves are all connected, and those wires stretch across States—across every State. If you pick up a telephone here and you make a phone call in Washington, DC—or if you are in Utah—if you pick up a telephone in Provo, UT, my hometown, and you call someone else in Provo, UT—it hasn't crossed interstate lines—that is still subject to Federal regulation because you have touched a channel or an instrumentality of interstate commerce.

By the same token if you board an aircraft in Salt Lake City, UT, and you fly to southern Utah, land in St. George, UT, that is an interstate flight. You have not crossed State lines. And yet that is properly regulated as a Federal thing because you are traveling in interstate airways.

These are channels and instrumentalities of interstate commerce. So what changed on April 12, 1937? Well, it was that the Supreme Court of the United States interpreted the commerce clause giving Congress the power to regulate not only that, not only channels and instrumentalities and interstate commercial transactions but also anything and everything that when measured in the aggregate, even if it takes place in one State at one time, as long as it substantially affected interstate commerce when measured in the aggregate one could regulate it Federally.

Now, does that sound like legalese? Yes, because it is. Does it sound confusing? Yes, it is probably intended to be so. Let me just put this in perspective.

This radically transformed our government the U.S. Government that was originally established and ordained as

a government of powers that James Madison described in Federalist No. 45 as ''few and defined'' while describing the powers reserved for the States as ''numerous and indefinite.''

It almost flipped the equation.

Because of the supremacy clause where we do act, where we have the authority to act, our law governs, our law trumps the inconsistent State law that might conflict with it.

And so, yes, that matters. And that mattered immensely because all of a sudden we went from being a Federal Government with few and defined powers to a government with numerous and indefinite powers because almost everything—almost every aspect of human existence—in one way or another can sort of be characterized as something that when measured in the aggregate substantially affects interstate commerce.

Let me give you an example of this carried to its logical conclusion where it went: NLRB v. Jones & Laughlin Steel was the decision the Supreme Court made on April 12, 1937. It did so in the context of labor regulations.

They said: Yeah, labor, even when we are talking—as we usually are—about somebody who is working in a job in one State at one time not across interstate lines, not in a channel or instrumentality of interstate commerce, not in the District of Columbia, an Indian Reservation, or some other Federal enclave, but just garden variety labor in a particular State.

Because other people work in other States and people sometimes move from one State to another and money is frequently transacted from one State to another, that means Congress can regulate labor—or that is what they concluded at the time.

Within 5 years, this culminated into a really illustrative flashpoint. In a case called Wickard v. Filburn the Supreme Court of the United States reviewed a case involving the plight of a wheat farmer named Roscoe Filburn. He was a wheat farmer in Ohio, and he got in trouble with the U.S. Government. He was fined many thousands of dollars.

I don't remember what the exact sum was, but as I recall, it was the present-day equivalent of what would have been many tens or perhaps even hundreds of thousands of dollars for a grave offense against the United States.

What, you might ask, was his grave offense? Did he kill somebody? Did he rob a bank? Did he remove too many mattress tags that you are not supposed to remove?

No, they didn't have those then.

No. This was his offense: He grew too much wheat. He grew more wheat than Congress in its infinite wisdom felt was appropriate. Technically speaking, it wasn't Congress' judgment, and this is part of the problem.

Congress, in 1937, perhaps egged on by NLRB v. Jones & Laughlin Steel—Congress passed the Agricultural Adjustment Act of 1937. In the Agricultural Adjustment Act of 1937, Congress decided to ordain and establish the U.S. Department of Agriculture as the omniscient, omnipresent arbiter of who may grow what crops and in what quantity, because after all we can't have people growing whatever crops they want in whatever quantities or that would be chaos—dogs and cats living together in the streets, Book of Revelation-style chaos.

We could not have that. We have got to have Congress controlling prices. So we delegated out to the Secretary of Agriculture the power to make his own set of laws, thus violating at once both the vertical protection of federalism because all of the sudden we cannibalized a lot of the State power and made it Federal. We had taken it over from them.

And then we simultaneously disrupted the horizontal protection of separation of powers because we are supposed to make the laws—and we kind of still do—but ever since 1937, we have also kind of just been delegating it out to other people. That is what Congress did with the Agricultural Adjustment Act of 1937.

So they said: Secretary of Agriculture, you may—in fact, you must establish production quotas for a whole host of agricultural products.

Why? Well, because we can't have farmers deciding how much wheat or hay or rice or beef to raise. That would be chaos because then we won't be able to control prices. And if Congress can't control prices, it will be chaos. Dogs and cats living together in the streets, Book of Revelation-style apocalyptic nightmares. That was their warning.

So they handed that power over to the Secretary of Agriculture. And what did he do? Well, he sent out to every farmer—we will start at least with every grain farmer in America—these little cards.

I have one of them framed. My son John gave it to me for Christmas a couple years ago. It is a little card just like the one that Roscoe Filburn the wheat farmer would have received, telling him how much wheat—how many bushels of wheat he could grow based on the number of acres he farmed to grow wheat. And they said: You may not exceed X number of bushels.

So we had just exercised the power that was always historically considered a State and local power—if they exercise that power. It would have been a State power because a wheat farmer typically grows wheat—at least in those days they would have and most farmers still today—they were typically operating in one State at one time. They are not growing wheat while on a conveyor belt or a bus that moves interstate or something. So it would have been subject to State and local power.

No. We made it Federal. Once it was Federal, then we messed up the vertical protection of federalism. We then outsourced the lawmaking to the executive branch—not to the President directly, but to the Secretary of Agriculture—and we said: OK. You can now make a bunch of other laws, and those laws will decide how much wheat per acre a wheat farmer may grow and then the same thing for a whole host of other agricultural products.

Back to Roscoe Filburn. He got in trouble. He got fined a ton of money, many thousands of dollars, which is lot more then than it is now.

But, you know, this farmer Roscoe Filburn, he was no simple-minded human. And Roscoe Filburn had what every American should have; he had a darn good lawyer. So when he got to the Supreme Court of the United States he said: You know what? I shouldn't be in trouble at all for this because, yes—yes—it is true. I grew more wheat than Secretary Wickard—the Secretary of Agriculture at the time—told me I could grow. I did it. But I shouldn't get in trouble for that because the wheat—the amount of wheat that I grew in excess of my Federal grain production quota—my limit—never entered interstate commerce.

And that, after all, was the hook, the Federal hook that allowed the U.S. Government authority over Roscoe Filburn's wheat and the wheat grown by every other farmer in America.

So he said that: The amount of wheat that I grew in excess of my quota never entered interstate commerce. Why? Because it never entered commerce at all because it never even left my farm. I took that wheat, the wheat I grew on top of my grain production quota, and I kept it on my farm to use as food for my family and for my animals and to reserve the balance to use as seed in subsequent growing seasons.

That is a darn good argument. It should have been the end of the matter. It wasn't. The Supreme Court wasn't finished with its verbal legal and mental gymnastics.

They said: Ah, but by not complying strictly with your grain production quota and with growing even a small amount of wheat in excess of your grain production limit as granted to you by the Secretary of Agriculture, that means that you bought less wheat than you would have had to buy on the open market; because had you not retained that for use on your own farm, you would have to have bought it somewhere else. And that, in turn, when replicated by other Roscoe Filburns all over the country would itself have in the aggregate a substantial effect on interstate commerce.

It is really quite disgusting if you think about it. We went from a government of few and defined powers to a government of powers that can be described as numerous and indefinite, all without altering or amending the Constitution, which was made deliberately difficult—to amend the Constitution—because it is a law of laws.

It is not supposed to be something you can just change like changing a

pair of socks. You have got to amend the Constitution, and amending the Constitution was made deliberately difficult. There are two mechanisms by which you can do it. We have only ever used one, and that is the mechanism by which two-thirds of both Chambers of Congress propose a constitutional amendment, and that amendment becomes effective only after it has been ratified by three-fourths of the States.

We didn't use that. And had they tried to amend the Constitution like that, it would have never succeeded. It would have failed miserably because they would have known.

It is kind of a problem because ever since then, we have just accepted this premise that the U.S. Government is really powerful, that it can exercise pretty much whatever power it wants because it is only a mental step or two removed from saying: well, this or that affects interstate commerce.

Once we have all this power vested in this government, it became far too easy and far too tempting—far too alluring for Federal lawmakers, U.S. Senators and U.S. Representatives, to cease to be the lawmakers and instead to make other lawmakers to delegate the lawmaking power, to pass laws that read sort of like this: We hereby declare as Congress of the United States that we shall have fair labor standards in the United States and we hereby delegate to the National Labor Relations Board the power to make and interpret and enforce their own rules carrying the force of generally applicable Federal law to make sure that we have fair labor standards.

We hereby declare that we shall have fair trade practices in the United States and hereby give the FTC the power to make its own laws that govern what fair trade practices are, and they can make the law now.

You do this with Agency after Agency after Agency, and so now the people who were once closely connected or at least only one step removed from those who made even their Federal laws, now they are several steps removed from it. And you have got people making their laws who were neither elected by the people nor accountable to them.

Now, lest you think this is a de minimis problem, let me give you this example. I have got two visual aids in my office in addition to the Agricultural Adjustment Act grain production quota just like the one Roscoe Filburn had.

I keep these two stacks of documents. One is a short stack. It is about that tall. It is usually a few thousands pages long, consists of the laws passed by Congress last year. Some would say that is too big, too many pages. Maybe they are right. Regardless, it is about that big.

The other stack is 13 feet tall. In a typical year, it is about 100,000 pages long, stacked—with each of these documents stacked on top of each other. It is 13 feet tall, 100,000 pages long. That consists of the Federal Register.

The Federal Register is the annual cumulative index of Federal regulations as they are first announced, released for notice and comment, creating the illusion of a democratic process—it is just the illusion, the notice and comment process in what is known as modern administrative law in the United States.

It is a fraud. It is a farce, at least as far as any kind of democratic input goes. They do whatever they want. They don't really care that much. I mean, they try to go through the notice and comment period, receive the comments, and make some nominal changes, perhaps if they see something they haven't thought of before.

But for the most part, they are going to do whatever they want because they don't care. They don't work for the American people. They can't be fired by the American people. They don't ever stand for election. Most of them don't even work for anyone who him or herself can be fired.

It is almost government on autopilot, which is a type of government that can't be removed, which is not just something that has the potential for tyranny, it is the literal definition of tyranny.

In fact, some of the leading political philosophers, some of the political philosophers that have the greatest imprint on the thinking of our Founding Fathers, noted that the consolidation of the power to make law with the power to enforce law—if that power is wielded whenever, if ever it is wielded by the same people, it is not just the case that that can lead to tyranny; it is tyranny. It is what tyranny is. So that is a problem.

These are all areas in which we have strayed in one way or another, and it explains how it is that we started from this simple system that was established from the beginning on popular sovereignty and started also from the premise that we wanted local self-rule, local government to be the norm except, where necessary, to wield Federal power, and where Federal power was appropriate, it should be distributed between these three branches of government—one making the laws, one executing and enforcing them, and one interpreting them. We went from that system to a system in which consolidation of power has become the norm rather than distribution of power, which was the entire objective of the Constitution.

Why, then, am I speaking of this today? Over the 2½ centuries of our country's existence and the soon-to-be 240 years of our operation as a constitutional Republic under the U.S. Constitution of 1787, we have seen these structural protections granted to the American people as part of their freedom, as part of what it means to have popular sovereignty. We have seen them whittled. We have seen them diminished, oftentimes in small increments, other times in giant leaps. But these offenses to the structural Constitution shouldn't be overlooked, they can't be overlooked, and when they are overlooked, it causes other problems. It also makes that much more severe what can happen whenever any other constitutional insult or injury or offense or deviation comes into existence.

Let's take for example—let's suppose that even though most Presidents operating the executive branch of government would pledge while running to faithfully execute the laws of the United States as our Chief Executive Officer—in fact, that is kind of part of the job, part of the oath of office that they take. Insofar as they stray from that and they either exercise power that is not theirs or they refuse to execute power that they are charged with enforcing, that creates its own set of problems.

One of many points in our history that I can point to where that became a problem is during the years January 20, 2021, to January 20, 2025. The President of the United States decided that the borders of the United States and the laws designed to protect the borders of the United States and the laws designed to decide who may enter this country and who may not were sort of optional, and that, after all, it really just needed to be much more about letting people who wanted to be here into our borders and live among us—in many respects, as one of us.

During that 4-year period alone, as stunning as it may seem, 10 to 15 million people entered our country unlawfully with the President of the United States and those serving under him basically—not just basically but genuinely beckoning them on, saying: Come on in. May we get you a cold beverage? Is there anything we can do to make you more comfortable?

Ten to fifteen million—now, this is problematic on so many levels. Congress, over many decades, has enacted laws deciding who may enter and who may not. Congress has, over many decades, decided the terms and conditions by which that may happen, who may enter, and for what period of time, who may work and in what capacity, subject to what restrictions.

These were all just overlooked for the most part as that President—the one serving from 2021 to 2025—just said: Let's just bring them all in.

He paid lipservice to a couple of laws that appeared to grant fairly broad authority to allow people in for humanitarian purposes, but he didn't follow those. He did not follow the restrictions that those laws put in place; he just said: Come on in.

Realizing that, you know, it was going to be very difficult to stop him from allowing that to happen—and it was. Ten to fifteen million people entered the United States unlawfully during that time period. That by itself is a type of insult, a type of injury to the constitutional structure in that if you have a President who refuses to enforce

the law and, in fact, facilitates the violation of our law, that is itself a type of injury to the Constitution.

It is a type of injury that is often difficult in many respects for the courts to enforce. In some cases, the courts have the chance to do so, and they don't enforce it. But there are a number of constitutional injuries that are very, very difficult for the courts to enforce, and the problem continues.

This by itself was an injury, but the injury compounded. As you might imagine, people were fleeing countries in numbers that large, that many millions of people, all at once. Some of them were running from something. They were all running from something, and some of those people who were running from something had no doubt led a life of criminal activity in their home countries.

Nearly every one of those people, nearly every one of the 10 to 15 million people—maybe more—paid an exorbitant sum. At the low end, we are talking $3,000, $4,000 a head. At the high end, for the higher risk ones—the people who had to travel from farther distances or who had bounties on their heads or warrants out for their arrest on Interpol or whatever—those people were paying many tens of thousands of dollars a head. To whom? Well, not to the U.S. Government—to international drug cartels, which ended up making tens of billions of dollars a year, year after year, during that 4-year reign of terror in which Joe Biden refused to enforce our border.

Meanwhile, if we back up a few years, back up 30 years or so, when Congress passed another law—a law that I am going to reconnect with what happened between 2021 and 2025 in just a moment.

In 1993, Congress enacted a law called the NVRA, the National Voter Registration Act, also known as the motor voter law. It was designed for a purpose—it was meant to make it easier for American citizens to vote. It said this: For any State that agrees to participate in this, they get an amount of Federal funding for cooperating in the Federal program. Nearly every State agreed to participate in it and participates in it to this day.

The program works like this: Under the NVRA, an American citizen in any participating State, which is nearly all of them, can go into a DMV—a department of motor vehicles or whatever you call it in your State—and apply for a driver's license. When they apply for a driver's license, they are free to check a box saying: I would like, while applying for my driver's license, simultaneously to register to vote.

It is kind of a good idea in some ways, I suppose, because when you go to a DMV and you are applying for a driver's license, you typically have to establish who you are. They are going to take your picture. This is going to become an official document. It is sort of like when you register to vote. So why not do both of them at once? It made a lot of sense, I suppose.

But the way it works out is all you have to do is check a box saying: I want to register to vote as I am applying for a driver's license. Then here comes the kicker. All you have to do is sign your name at the bottom saying ''I certify that I am a citizen and otherwise allowed to vote,'' meaning ''I haven't lost my right to vote by virtue of a criminal conviction or something like that or for renouncing my citizenship'' or whatever else could end up doing that. There isn't much else that would have that effect. But that is all it requires. There is no proof. There are no details. Nothing.

Well, back in 1993, even though it wasn't that long ago, the world was a little bit of a different place. We didn't have 30 million-plus noncitizens residing in this country then. We do now. And it wasn't commonplace in those days for the noncitizens who were here to need to have and, in fact, to have a driver's license. So many of them didn't apply for them. Many States didn't offer them if you weren't a citizen.

That has changed, too, since 1993. Nearly every State today will give you a driver's license—no problem—if you are not a citizen. In 19 States plus the District of Columbia, you may freely apply for and receive a driver's license even if you are by your own admission an illegal alien. Even if you are a known illegal alien, you may do so.

So what is to stop them from going in to apply for a driver's license and checking the box saying ''I want to register to vote too''—especially when all they have to do is sign their name at the bottom? No further questions asked. That is it. It seems risky, right? It seems dangerous.

Well, a couple decades ago, some States started to wrestle with this. Some States started to consider, well, maybe we ought to ask a few questions. Maybe we ought to ask for some type of documentation as to their citizenship.

That issue was raised by the State of Arizona, and in 2013, two decades after the NVRA was passed, the Supreme Court of the United States decided a case called Arizona v. Inter Tribal Council of Arizona. In that case, the Supreme Court said: We have looked at the NVRA, and we conclude that the NVRA prohibits Arizona or any other State—when registering voters using an NVRA form at a DMV, we conclude that the NVRA prohibits those States from requesting any proof of citizenship or asking further questions with regard to citizenship because this is a Federal matter and any discretion about the requirements of the NVRA have been preempted by Federal law such that the States have no authority to act in that area.

So since 2013, no State is even allowed to inquire into somebody's citizenship when they do this.

It didn't get that much attention at the time. In fact, this is a case that until fairly recently—I introduced this bill in the Senate. My partner on this bill in the House of Representatives is Congressman CHIP ROY from Texas. He and I started piecing this puzzle together about 2½ or 3 years ago. When we put it all together, we realized this really is a problem, and it became an especially acute problem during the Biden Presidency when 10 to 15 million illegal aliens came into this country. We realized the extent to which this could be abused—perhaps is already being abused.

But our greater concern has from the beginning been based on what could occur in the future as people realize the extent to which voting in U.S. elections is really easy if you are not a citizen. That is why we wrote, that is why we introduced what was originally called the SAVE Act, which is a very simple approach. The SAVE Act simply said that when you apply to register to vote using an NVRA form or otherwise register to vote, you have to prove you are a citizen if you want to vote in Federal elections.

Now, the States are free to do whatever they want with regard to their elections. State and local elections are the province of State and local governments. And they themselves may decide, consistent with the terms of their own State constitutions, who may vote in what election.

Until a few years ago, I would have considered it an absurd suggestion if anyone even hinted at the possibility that some States might legalize noncitizen voting. Well, some States have at least for purposes of some local elections.

There are three or four States, plus DC, that at least in some local elections openly allow noncitizen voters. Now that means that they are registering noncitizens to vote in those elections.

As Federal authorities have inquired into how it is they go about separating out those voter registration files and making sure that those noncitizen voters registered to vote in those States are precluded from voting in Federal elections, they go mute. They refuse to answer. They won't say anything.

That is chilling. They are registering noncitizens to vote. We asked them: How do you keep them from voting in Federal elections? And they won't answer. That is not the worst of it.

About half of the States, particularly those with Democrat legislatures and Democrat Governors, refuse to answer any questions about whether, to what extent, in what way they are taking any steps to review their voter registration files to make sure that no noncitizens are not found among them. They refuse to answer. They refuse to share data.

We have established, within the Department of Homeland Security, a database, a database known as the SAVE database, hence the term SAVE Act. I will get in a minute to the name change that happened more recently with the SAVE Act.

It is this database called the SAVE database that was established and designed for this very purpose—to help States to review their voter registration files and take their voter registration data. It is one of the great miracles of modern technology. We have this huge country, some 350 million people who are still living here, most of whom are citizens. But we have got more noncitizens living here than ever before.

But through the miracle of modern technology, it is relatively easy to take these huge files, these huge databases of voter registrations in the 50 States and the District of Columbia, run them through the SAVE database. And it will fairly quickly kick out a report, showing these individuals appear not to be citizens of the United States.

To their credit, a lot of States have taken advantage of this. Interestingly enough, it is basically most, nearly all States with Republican legislatures and Governors have done that or at least have started the process of doing that. In the process, they have discovered many thousands of noncitizens who have, in fact, registered to vote—many thousands.

That is just in the States that have decided to clean up their files and decided to run them through the SAVE database. Those are the conscientious ones. What about the nonconscientious ones or the ones that are conscientiously, if they might want to call it that, refusing to comply, refusing to even figure out whether they are violating the law?

Remember, it is a Federal offense—it is a Federal felony offense to vote in a U.S. Federal election. It is, likewise, a Federal felony offense to knowingly facilitate and arrange for someone who is not a citizen, knowing that they are not a citizen, to vote in U.S. Federal elections.

And yet these States are just refusing to comply. It is like don't ask, don't tell. Do not tell me where the noncitizens who are voting in our State might be found because we don't want to remove them.

What other legitimate reason could there be to turn a blind eye to this? Knowing all that we know, about 30 million noncitizens living in the United States, 10 to 15 million who just arrived in the last few years alone—how easy it is in almost every State to walk into any DMV and by signing your name and checking a box, registering to vote, including in Federal elections, with four of those States and the District of Columbia openly allowing noncitizens to vote in some local election, and then refusing to tell us what, if anything, they are doing to prevent those noncitizens from voting in Federal elections.

That is why we introduced the SAVE Act. And then in the last couple of months, at the request of President Trump and Majority Leader THUNE, we changed the SAVE Act to the SAVE America Act. We had the name change. It is descriptive. It is what we do. We save America by passing this.

And we also added the voter ID provision. This was kind of part of the plan from the beginning. We had originally wanted to introduce it with the voter ID provision of the bill. But we were advised at the time to keep it simple so that we have a simple message about citizenship.

But as time has moved on, we have realized that there is actually great symmetry. And we have come up with this mantra that the SAVE America Act is about making it easy to vote and hard to cheat. It is equally important to accomplish both of those objectives.

Without both of them, you mess things up. If you leave off either of them, you are in trouble. So if you make it easy to vote but also easy to cheat, you are going to have problems. It is going to be chaos.

If you make it hard to vote and hard to cheat, that is going to cause its own set of problems. You don't want to make it hard to vote. You want it to be easy because exercising that constitutionally protected right, that is the fundamental incident, the fundamental blessing. The core element of what it means to be a U.S. citizen should not be difficult to exercise.

And so we wrote a bill that, when passed into law, will make it easy to vote and hard to cheat. If you cheat either one of those, if you give short shrift to either objective, you will have a problem.

Now, how do we do that? Well, we achieve it through two principle means: The SAVE America Act requires voter ID at the time of voting, government-issued photo ID showing that you are who you claim to be and that you are the same person listed under your voter registration file. Very simple.

A whole lot of our States, including, I believe, 22 States represented by at least one, if not two, Democratic Senators, have photo ID laws. So if a whole bunch of Democratic Senators come from States that have voter ID laws, you don't hear them complaining about the voter ID law.

If they don't complain about their own States' voter ID laws, why should they be concerned about ours? Why should their State and local elections be any different than ours when we have the clearest and the strictest penalty against noncitizen voting?

Well, there shouldn't—there isn't a legitimate defense against this. There isn't a legitimate reason to not have a voter ID law in place in the Federal Government, just as so many of the States have.

The second element involves citizenship, citizenship verification. We achieve this citizenship verification in two different ways: One, it is the citizen's responsibility. When a voter shows up to register to vote, he or she must provide some type of proof of citizenship.

Now, ideally, we would like that to be the same type of proof of citizenship that is used in other areas of the Federal Government, most notably, most commonly, the type of proof of U.S. citizenship that every American citizen has for decades and still to this day has to provide when starting a new job, whenever you begin a new job as a new employee.

In fact, everyone in this room, everyone in this building, everyone in the entire Capitol Complex, nearly every—essentially, every employee in the United States of America has had to provide this documentation whenever he or she starts a new job as an employee.

You have to fill out a form called the I–9, where, in addition to stating your name and date of birth and basic information like that, you are also required to provide documentation of your U.S. citizenship. And that is to make sure that those working in the United States, those employed in the United States are either citizens or, if they are not citizens, that they are here on a visa that allows them to work.

Not all visas allow employment; and those visas that allow some employment usually have pretty significant restrictions attached to them, defining the nature and the duration of the work they may carry out here while being paid.

That documentation typically consists of a birth certificate and a government-issued photo ID. Sometimes an original copy of the Social Security card can also suffice to buttress, to supplement the birth certificate. It has got to be an original copy of the birth certificate. Not hard to get. Easier today to get than ever before.

In most States—I believe in every State today, in fact—you can order one of these online if you can't find yours. And for a few dollars, you can order a copy and have it mailed to you within just a few days.

It used to be a little bit harder. You know, in the days before the internet, you would have to write out a letter, put it in the mail, stamp it, wait for it to come back. Maybe they would get it. Maybe they didn't. But it is a lot easier today.

These documents are so common that every American has to provide a set of documents every single time they start a new job. I myself have had to do this a number of times. Since becoming an adult, every single job I have started, I have had to fill out an I–9; and I had to provide that documentation.

I had to do that even here when starting as a U.S. Senator. I had to provide that documentation, and that wasn't the only documentation I had to provide. I also had to provide my election certificate that showed that the people of Utah had, in fact, elected me to the U.S. Senate.

Had I not done so, I couldn't have started this job, just as I couldn't have started any previous job without proving who I was and that I was a U.S. citizen and that I was entitled to be here.

So it requires you to prove your citizenship. The preferred form is the birth certificate, coupled with a government-issued photo ID.

But when we wrote the law, when we wrote this bill, we really wanted to make sure that we didn't make it too hard because, again, we want to make it easy to vote and hard to cheat. If you cheat either one of those, if you pay too little attention to either one of those elements, you are going to mess up the equation.

And so we said: Look, there may be some people who have incomplete documentation. Maybe they have got a government-issued photo ID but no birth certificate. Maybe they have the birth certificate but no government-issued photo ID.

Or maybe some people will be missing something else. Maybe they have had a name change. Maybe they have—you know, a woman who has gotten married and decided to take her husband's last name has her birth certificate. The birth certificate doesn't have her husband's last name on it because, you know, obviously, her parents would have had no idea what her husband's name would be or who she would marry. So it wouldn't be on there.

If she can't find her marriage certificate or some other proof of a name change, we don't want that to become a problem. And, in fact, we don't even want it to even become a problem if a voter registering to vote can't find any of his or her documentation. Most of us have those, and we can find them without too much trouble. And if we can't find them, most of us can order one—order a copy and get what we need.

But even if you can't find one of the necessary documents, or you can't find any of them, or because your house burned down, or because your dog ate them or something else—I don't know—we still wanted to make that easy.

And so we provided text in there that is now found in the legislation now pending before the Senate. It starts on page 12, line 22 of this legislation.

And it says that if you can't find any of the other documents, I mean, any of them or all of them, it is OK. You can fill out an affidavit. It is just like filling out a form. You just have to provide a little bit more information.

And then you allow the State to confirm or refute that information that can establish the critical elements of your citizenship.

So, for example, the affidavit would look something like this. If you are a natural-born citizen of the United States, meaning you were a citizen as of the moment of your birth, by virtue of the circumstances surrounding your birth, then you are a natural-born citizen.

And if you are a natural-born citizen, then your affidavit would look something like this: I, John Smith—or whatever your name is—was born on such and such a date in this or that city. Here were my parents' names. Maybe you need that; maybe you don't. And I was a citizen as of the moment of my birth.

It is about all you would need if you had the birthplace, the birth date, and especially your parents' names. It would be very easy for the State to document that. Then, once you fill out that affidavit under penalty of perjury—it is a sworn statement. Once you fill that out, the burden shifts to the State, and unless the State concludes that you have been lying—and if you were to lie about it, there would be consequences because you will have signed it under penalty of perjury—then you are good. There is no further responsibility, and there is no cost. If you are lying, then, yes, there would be problems, but I don't think most people are going to do that. Most people have sense enough, by the time they have to sign something under penalty of perjury in the form of an affidavit—providing that level of detail—that it is going to be less likely.

In any event, that is a risk that we take on in this legislation. Why? Well, because we want to make it easy to vote and hard to cheat. We don't want to skimp on either one of those elements.

You can also prove your citizenship with one document if you have got it. That document is a U.S. passport. Not everybody has one of those. A lot of Americans do. It is useful to have, especially—if you are ever going to engage in any international travel, you are going to need one. If you don't ever travel internationally, you probably don't want to go through the hassle and expense of getting one as they cost a couple of hundred dollars; but if you do have one, you can use it.

So here we are. It is very simple legislation requiring that which we already require in other laws. It is requiring people to do what they do all the time. Every day in America, a whole lot of people are starting a new job. In fact, I would dare say that, of the working-aged adults in the workforce today—I don't know what the average is, but I would imagine that the average American employee probably changes jobs, changes employers, at least every—I don't know—5 or 6 years. Maybe it is more than that. This is not an uncommon thing. And every time you do that, you have got to pony up the documentation for the I–9 to prove you are an American citizen or you can't start the job. So we know people are doing this because we know most adults in this country—at least those who are able to work—do, in fact, have jobs. So this is no mystery.

We also know that—I don't know—I think it is, maybe, 160, 170 million people have passports. To get a passport, you have got to provide—obviously, you can't provide a passport to get a passport unless you have already got one that hasn't yet expired. Then it will serve as proof. If you have never had one or if you have one that has expired, you are going to have to come up with the original documentation: a birth certificate, a government-issued photo ID, a Social Security card, whatever.

But a lot of people go through this—and not just a lot—we are talking hundreds of millions of Americans do this all the time. It is not that difficult. Yet you would never guess this based on the hue and cry we hear from our colleagues across the aisle.

This law has taken on a life and a flavor all its own. This proposed law, this bill, is really, really popular as 90 or 95 percent of all Republican voters support it, and between 70 and 75 percent of Democratic voters support it.

Do you know how hard it is to find any bill or any set of policies that will garner that much support in every racial and age and geographic demographic imaginable? in every party affiliation demographic? It is really uncommon. This thing seems to be growing more popular every single day. In fact, it is controversial only in the halls of this building, the U.S. Capitol. The U.S. Congress is the only place where it is controversial. Only Senate and House Democrats don't like it. The American people overwhelmingly do. Sure, you will find a few people out in the country who don't, but they are vastly outnumbered.

So why would the Democrats here oppose it? Well, let me go through some of the arguments that we hear most frequently against it.

The first argument that we often hear is not necessarily the most common, but it is one that almost always comes up, so I will list it first, which is stunning to me.

The argument goes like this: We can't do this because States are in charge of elections, not the Federal Government. This is a violation of the vertical protection of federalism for the U.S. Government to impose this mandate on the States, which are constitutionally responsible and exclusively responsible for conducting elections.

This is a lie. This is just a baldfaced lie. It is incompatible with any reading of article I, section 4, clause 1. It is, moreover, the height of hypocrisy for people who continue to support a whole litany of laws already enacted by this Congress, pursuant to the very same provision of article I, section 4, clause 1—under the very same provision—yet they don't oppose those.

In fact, the only reason that this law even became necessary—what first got us thinking about it—has to do with this expansive, absurdly incorrect interpretation of the NVRA made by the Supreme Court back in 2013. I say it was absurdly incorrect and it was and it remains that today. It, nonetheless, remains conclusive over the dissent of my former boss Justice Alito, who wrote a masterful dissent explaining why that interpretation was wrong. The majority of the Court persisted with what was an unconscionably bad ruling and not supported by the text.

What irritates me, what astounds me, and what leaves me almost speechless is that not one of our Democratic colleagues—nearly all of whom are raising this trumped up, baseless federalism argument against the SAVE America Act—not one of them has ever breathed a word about the NVRA. Not one of them has ever even hinted at the possibility that we might need to repeal the NVRA. They are not saying that, and I am not arguing that. But taken to its logical conclusion, their own argument leads inexorably to the conclusion that the NVRA itself is unconstitutional, which it is not, but that is where it goes. That is where the hypocrisy starts and does not end.

Shame on them to make a federalism argument here when the plain text of the Constitution says that this is a Federal responsibility and when our existing law that they do not oppose; that they wholeheartedly support; and that some of them were even here and voted for and supported and aggressively advocated to pass—they say nothing about. Yet it is the same law. If this is unconstitutional, that one was way more unconstitutional. Neither one of them is. They know it, and they persist in making these arguments.

Argument No. 2: This argument was made just a little while ago by my friend and colleague the distinguished Senator from Vermont—the last speaker in this Chamber before I started speaking this evening and a good friend of mine. I really do like him, but he is wrong on this. He is not just wrong, but somebody has badly deceived him. He is making the argument that this disenfranchises women. He even read a letter from a constituent, from a woman, in his home State of Vermont who was, understandably, expressing outrage because she believes that she and other women around the State of Vermont and throughout the country are about to be disenfranchised should this bill become law. She will not.

Now, her argument and his argument, in building on her argument raised in her letter and sending alarm bells, should have been something that he as a U.S. Senator would have wanted to correct. After all, we don't want our constituents panicking, especially needlessly, and this one is a needless panic. She wrote to him in a panic, understandably concerned that she and other women across the State of Vermont and throughout the United States of America would be unable to vote because, if after getting married they take their husband's name and their birth certificate doesn't contain their married name—unless you happen to marry somebody with the same last name that you were born with, which very rarely happens—then all of a sudden, you would be unable to vote.

What? This has never been the case. This has never been a problem. It is not a problem when you fill out the I–9 when you start a new job. Yet you use a birth certificate for that. It is not a problem when you apply for a passport. You use a birth certificate for that. It is also not a problem when you register to vote under the SAVE America Act. We make it very simple and clear: If you have got a marriage certificate, that can suffice for establishing the name change. If you have got a name change that occurred for other reasons having to do with adoption or you just wanted to change your name, you can provide the court order approving the name change and recording it. People do change their names, and sometimes there are interesting stories about this.

Years ago, when I was a young missionary in the Lower Rio Grande Valley of the State of Texas, I met a family who told a story of a family friend who decided, one day, that he wanted to change his name to Squirrel. He went to a local courthouse and appeared before the judge.

The judge said: Do you want to change your name?

Yes, sir.

To what do you want to change your name?

And he said: Squirrel.

The judge said: Squirrel? ''Squirrel'' what?

And he said: Squirrel—period—meaning that is it. He just wanted to be ''Squirrel,'' sort of like—I don't know—Cher, Bono, Sting. ''Squirrel—period.''

Well, the court reporter, apparently, recorded that as an answer, so his name is now ''Squirrel Period,'' with the last name spelled P-E-R-I-O-D. That is what it is. So, from now on, unless he has changed his name since then, Squirrel Period has had to establish his identity as Squirrel Period. I hope he has changed his name since then because that doesn't seem like a great last name and rather confusing.

In any event, Squirrel Period, if he were to newly register to vote under this law—and keep in mind, it is only if Squirrel Period decided to move or otherwise had to newly register to vote—this law wouldn't require anything new in terms of his voter registration, meaning, if he is already registered to vote—and there is nothing that requires him to reregister as this law does not—he is not going to have to go in and redo his voter registration. That doesn't change unless or until he moves. Nobody's status quo changes under the citizen provisions of the SAVE America Act unless or until you move.

So, assuming Squirrel Period moved, Squirrel Period would need to, in the first instance, either provide a—if he had a U.S. passport, that would be the easiest way to do it because you can use one document. So he comes forward with his passport. If his passport says ''Squirrel Period,'' then he can register to vote with that. If he doesn't have one of those, then he would get his birth certificate. I have no idea what this individual's name was at the time of his birth. Let's say his name was John Smith. He would provide the birth certificate that says ''John Smith'' and then a copy of the court recording, with the court seal, saying that John Smith had changed his name to Squirrel Period.

But even if Squirrel Period couldn't find any of those documents—not his birth certificate, not the court documentation of his name change from John Smith to Squirrel Period—he could still square out an affidavit establishing those essential elements: I was born John Smith in Harlingen, TX, in 1954. My parents were James and Emma Smith, and I changed my name 25 years later in the general district court of Harlingen, TX, from ''John Smith'' to ''Squirrel Period.'' I am a natural-born citizen.

That would be the end of it.

They hand that over to the State election officials, and it is up to the State election officials to do the rest. Even if he doesn't have a single document to his name at that point, he could still register to vote.

What is wrong with that? There is not a darned thing wrong with that. This is just good government. This is protecting and preserving popular sovereignty—a form of popular sovereignty that we will lose if we continue on this course toward not caring about who votes in our elections.

Yes, we lose a degree of popular sovereignty also when we allow, when we enable, when we facilitate, when we deliberately turn a blind eye to the risk of noncitizens voting in our elections. This is an act of facilitating foreign interference in our own elections. This is a form of democratic suicidality that I don't think we have ever observed in this country.

Why any country would want to attack itself or allow or invite itself to be attacked like this, I do not comprehend. Against such a known risk, it is difficult to understand.

Of course, in addition to these provisions that require the citizen to provide documentation at the time of voter registration, of new voter registration, there are some back-end citizenship verification requirements that don't impose any burden at all on any citizen, that just require the State election officials to routinely go through and review their voter registration files in an effort to weed out those who are not citizens.

Now, they may leave them in there for purposes of voting in State or local elections if their State and local laws and State constitution allow that. That is their business—crazy, in my opinion, but they can do whatever they want on that. But for purposes of ascertaining who may receive a ballot to vote in a Federal election under the provisions of this law, they would be required to work with the people at the Department of Homeland Security who run this SAVE database, cycle their data through that database periodically to identify those who may have registered to vote, and then remove them from eligibility to vote in Federal elections.

Again, that imposes no obligation, no burden on any U.S. citizen other than the government officials involved in that, whose job it is to enforce and apply the law anyway. This doesn't do anything to undermine anyone's right to vote.

So back to the arguments against it. We started with the federalism argument; we refuted that one.

We proceeded then to the argument that this would disenfranchise women—absolutely absurd. There is not a single particle of truth to that.

Argument No. 3, Jim Crow 2.0—that this would somehow disenfranchise racial minorities, Black Americans. Sometimes they articulate it as ''rural Americans,'' which is weird, as if certain demographics within this country, whether racial minorities, rural Americans, or otherwise, can't be expected to have documents. This is just racist. It is not just unsettling; it is not just disturbing; it is not just insensitive; that is racist. Some refer to it as the ''soft bigotry of low expectations.'' There is nothing soft about this bigotry; it is just bigoted. And this is coming from the party of Jim Crow, the party that pioneered and designed Jim Crow, the party that designed this system of laws throughout the Southern United States to systematically, hatefully exclude African Americans from public life and much of private life, to segregate them.

This is evil. I can't imagine why a member of the party of Jim Crow would want to resurrect memories of Jim Crow, especially when making accusations of Jim Crow where accusations of Jim Crow have absolutely no place. There is nothing about this that is that way.

So for them to accuse us of supporting Jim Crow policies—were this not the U.S. Senate, where we have the speech-and-debate clause privilege—I mean, those are not only fighting words, those are defamatory. They are false and defamatory words spoken with knowledge of their falsity and reckless disregard as to their truthfulness. Even under the very, very strict standard of New York Times v. Sullivan, as against a public figure, that is defamatory language. Yet they do it over and over again.

Do you know what else? To show you how absurd this is, if that is Jim Crow, do you know what else is? Well, the Oscars, the Grammys, the Emmys, the Super Bowl, and the Democratic National Convention, because, you know what, to get into the Democratic National Convention, to participate as a delegate in the Democratic National Convention, guess what you have to do. You have to produce photo ID and documentation that you are entitled to be there and that you are eligible to participate and vote in the Democratic National Convention. So if the SAVE America Act is Jim Crow, then so is the Democratic Party.

But, of course, the Democratic Party is not Jim Crow. Yes, they were into that thing many decades ago. Fortunately, that ended many decades ago. But neither is the SAVE America Act.

On that note, let me talk about how that ended many decades ago. How did it end, this awful regime? For centuries before then, when slavery was a thing, African Americans lived in violent oppression and in a truly evil system that deprived them of the dignity of being human beings in every way imageable.

After the Civil War and the 13th, 14th, and 15th Amendments were adopted and Reconstruction began, we were supposed to emerge from that. We were making progress toward racial equality in this country until gains made by the Democratic Party in national elections in the 1870s halted Reconstruction, and in many ways, that oppression—the same oppression that kept African Americans in bondage for so long—took on a different form.

Now that slavery was abolished, of course, with the 13th Amendment, the equal protection clause in the 14th Amendment accorded them the rights of full citizenship, no differently than anyone else, and established this principle that the government may not treat you differently based on your race. The 15th Amendment ensured that those formerly in the bondage of slavery would have the right to vote.

Yet, as Reconstruction was halted, a different form of oppression took over and lasted for far too long—for many decades. In fact, kind of the beginning of the end of Jim Crow in many respects started with the Supreme Court's ruling in Brown v. Board of Education, but there were still vestiges of Jim Crow alive and well after that.

In many respects, what sounded the death knell—not immediately but really started nailing down the end of Jim Crow—was the enactment of the Civil Rights Act of 1964. That law is instructive here. When that law was still a bill, a proposal, it was passed by the House of Representatives in March of 1964. At the time it was passed by the House, it had a national approval rating of about 51 percent.

It came over here to the Senate. Many people considered it doomed to failure over here because in the Senate, the supporters of the Civil Rights Act didn't have nearly enough votes to achieve cloture in the Senate.

Cloture is, of course, the mechanism codified in rule XXII of the Senate rules that allows the Senate to bring debate to a close.

They were 32 votes shy of the supermajority required for cloture. To his great credit, the Senate majority leader at the time, Senator Mike Mansfield, a Democrat, decided that he was not going to give up even though he was 32 votes short of cloture, which meant effectively that it couldn't pass, or at least that was conventional wisdom.

He said: Nope. We are going to see about that. We are going to debate it, and we are going to require those who oppose this law to come down here day after day, week after week, for as long as it takes to state their opposition to it, and we will require them to hold the floor and to continue to state their opposition and see what happens to the popularity of that bill as they do that.

They did that day after day, and this continued for weeks, a total of 60 days, excluding Sundays, when I think they would discontinue, so for 70 calendar days, but they were in session for 60 days.

Eventually, that started to sharpen the senses of the U.S. Senators who were opposing the legislation. They got tired of standing here day after day to defend the indefensible, to defend an oppressive system of Jim Crow laws, and they got especially tired as they realized that law was getting even more popular even as they were trying to defeat it.

Their position became indefensible, but it took weeks of debating it—literally many, many weeks, like 10 weeks of debate—before they got to the point where they decided they had had enough and they were losing. Their arguments were unpersuasive, and in the end, those arguments became impossible for them to overcome.

So as a result of that fact, having their minds sharpened by physical exhaustion and by the sort of political exhaustion that comes from having to defend an indefensible position, they started negotiating amendments—perhaps initially to save face with the American people and eventually in an effort to try to resolve whatever lingering substantive concerns they had. They were able to do that, and they negotiated amendments, and they adopted amendments. Those amendments eventually were sufficient for them to be able to overcome a 32-vote cloture deficit. The law passed, and with that came the end of the oppressive Jim Crow era.

I believe that the time has come again when we need that kind of filibuster. People who are aware of the filibuster, what it means, start to conflate it, view it as the other side of the same coin as cloture. They are kind of the same thing but not really. They are kind of the other side of the same coin but not really.

You see, cloture is a procedural mechanism—one procedural mechanism that can be used to force debate to a close. You have to have a supermajority of Senators in order to stop all Senators from continuing to speak.

But this isn't necessarily a static thing. The fact that in March of 1964, when there was not a sufficient supermajority to force debate to a close with a cloture vote—in fact, they were 32 votes shy of that—these guys had the courage to continue debating week after week after week, meaning those who wanted to pass the law, those who were probably being told by some of their colleagues: You are wasting everyone's time. This can't pass. We are 32 votes shy of cloture.

But thank Heavens that we brought Jim Crow to an end. That hateful, oppressive, evil system of laws was

brought to an end because Senate majority leader Mike Mansfield, a Democrat, was willing to make Senators defend their indefensible positions until they could no longer defend them or, alternatively, until they decided it was time to start to agree, to start to negotiate changes and to make changes, to make the bill acceptable, and they finally did that, and they got it passed into law.

Do you know what? Jim Crow is dead, and it is dead in large part because of Mike Mansfield's courage in forcing Members to debate. Thank heavens he didn't give up and throw up his hands and say: Oh, everybody is telling me we can't do this. Thank Heavens he didn't give up and say: Our Members are tired, and they want to go home, or they want to go to Paris or whatever it is that they want to do when the Senate is in recess. Thank Heavens that they were willing to stand with something knowing that it was the right thing to do, knowing that the American people wanted them to do it until it could get done. And it worked, and we are all the beneficiaries of it.

Who knows how long that tyranny would have ended? Who knows how long that hateful regime of Jim Crow would have lasted had Mike Mansfield not had the courage to do that. Yes, I am a Republican, and he was a Democrat, and my hat goes out to him. Thank Heaven above for Mike Mansfield.

I will not pretend for a moment that the similarities between the SAVE America Act and the Civil Rights Act of 1964 are any greater than they are, but I am also not going to ignore the procedural parallels to them or the procedural dynamics at play in the U.S. Senate that I think warrant our best efforts to try to pass this thing. Unlike March of 1964 when the Civil Rights Act of 1964 was passed by the House, when it had a 51-percent approval rating with the American people, the SAVE America Act is supported by 80 or 85 percent of all Americans today.

And unlike the Civil Rights Act of 1964, which when it arrived in March of 1964 in the Senate Chamber, it faced a daunting, seemingly insurmountable cloture deficit of 32 votes, we have a cloture deficit of only 10 votes. Unlike the Civil Rights Act of 1964, which was groundbreaking, revolutionary, brave, yes, but also somewhat complex, it plowed a lot of new ground, a lot for people to digest to understand how it might work—this bill, the SAVE America Act, is relatively simple. It is only 28, 29 pages long.

I think one of the reasons for its popularity is that people totally understand the need to do it, and most people can tell you what it does: It makes it easy to vote and hard to cheat. Well, how does it do that? Voter ID and proof of citizenship, it is that simple.

So, yeah, it is hard. Yeah, we face a cloture deficit, but we have overcome harder obstacles before. We can do hard things. In the U.S. Senate, perhaps we sometimes forget that we can do hard things, but we can. And I assure you, we must. And if I have anything to do with it, we will.

Now, I know that some want to give up, and I know that far too many of my colleagues who want this bill to pass maybe are wondering: How do we do it? I will tell them: Hold on, have faith, have hope, and have the courage to stand up and continue to defend what it is that we know our voters want and what in our hearts we know is right, what we know in our hearts the American people need and deserve. And it is, after all, already against Federal law for noncitizens to vote in U.S. elections, so why not make it official? Why not make it real? Why not make it enforceable?

You see, because this ties to one of the other arguments made regularly against the SAVE America Act, however disingenuously, however shamefully. One of their favorite arguments against the SAVE America Act is we don't need it, we don't need it because noncitizens don't vote. In fact, they don't register to vote because—and here is the kicker—because it is already illegal.

You know how crazy that is? Do you know how absurd that makes you look when you make that argument? That literally is like saying we don't need police to enforce the law because crime is already unlawful. It is like saying we don't need to require liquor store operators to ID their customers to make sure that they don't sell liquor to children because selling liquor to children is already illegal. This makes no sense.

In fact, what they are arguing against the SAVE America Act is arguably even more absurd than those two extremely absurd hypothetical examples I just provided. Why? Because our system of laws, yes, makes it unlawful for noncitizens to vote, but our system of laws, because of the way this has been interpreted and the way it has evolved over the years, it makes it impossible to detect. And when something is impossible to detect, it is impossible to enforce.

Now, it is not impossible to detect in the sense that if you run the voter registration files through the SAVE database, as many States—primarily those run by Republicans—have done, it is pretty easy to figure out who shouldn't be registered and to remove them from the voter database, to remove their voter registration—or at least their voter registration for purposes relevant to Federal elections.

So it is not that hard if you are a State that doesn't want noncitizens to vote because noncitizens voting in Federal elections is unlawful. So that is really what we are talking about here, isn't it? It is about the States that don't care. It is about the States that know they have got noncitizens registering to vote—and we do because every State that has looked into it has found them. And just from the few States that have started doing it, we know of thousands.

I suspect before long, we will know of thousands just from the small handful of States that have started cleaning out their voter registration files and running their data through the SAVE database. And those are just the States that are conscientious enough to try to make some minimal effort to detect it.

What are we to make then of the States that refuse to answer the most basic questions about who is registered to vote in their State? I would imagine—I am willing to make a guess—that some of those have some of the most rampant problems within their voter registration rolls, some of the most noncitizens.

And so I will not be surprised if, at the end of the day, we discover that tens—perhaps hundreds of thousands of noncitizens are currently registered to vote. That number could sharply spike to many millions or even tens of millions, given the 30 million-plus noncitizens currently residing in this country and the 10 to 15 million noncitizens who entered this country illegally between 2021 and 2025 alone.

And so we will end where we began, talking about our country's birthday, about our 250th anniversary of the Declaration of Independence, of these core concepts of popular sovereignty that this is, in fact, a government of the people, by the people, and for the people; that this is a government in a country in which we acknowledge and have acknowledged for almost exactly 250 years that governments are instituted among men deriving their just powers from the consent of the governed.

This government isn't legitimate without our consent, and it ceases to be legitimate when we allow those who are not citizens, who are not part of our body politic, to exercise decisions. If everyone is family, no one is family. If everything is urgent, nothing is urgent. If everyone is given the benefit of citizenship by allowing them to vote, then citizenship means nothing. That is the core message that I wish our Democrat colleagues would accept, and I am confident they will ultimately accept, as we continue to make this argument because we are not going away.

I am not going away. I will be back on this floor in this Chamber day after day, week after week, month after month, as long as it takes. I am not giving up—not a chance in hell am I giving up on this because this is about the American dream itself. This is about the fact that when you allow noncitizens to vote, you are robbing something from the American people, from each individual American citizen, something which is distinctively, rightfully theirs.

You cannot take that away. You are taking it away when you allow somebody else to cast a vote that will cancel out yours. That is unfair, it is unacceptable, it is un-American, it is illegal. We must not tolerate it, and we will not.

At the end of the day, we can ignore this problem all we want. I am not going to ignore it. Eighty-five percent of the American people aren't ignoring it. If there are a few people in this building who want to ignore it, so be it, but it is not going to be easy. And they will eventually have to acknowledge that they are on the wrong side of history, just as those who stood against the Civil Rights Act of 1964 eventually learned that they were on the wrong side of history.

And make no mistake, you are. You are on the wrong side of history. You will ultimately be proven wrong on this. I hope that they come sooner rather than later for your sake, for mine, and for all those we represent.

I fundamentally believe that America's best days remain yet ahead of her. They remain yet ahead of her because the American people, as Winston Churchill is noted to have said—perhaps apocryphally, perhaps accurately so—that the American people will always ''do the right thing'' after they have exhausted every other alternative. If Mr. Churchill didn't mean that as a compliment to the American people, I nonetheless take it as such. It is what we do.

As I noted at the beginning of my remarks, we have certain aspirations that we try to live up to that are embodied in our founding documents, in the Declaration of Independence and in the Constitution. While we have, countless times, done so imperfectly and at countless times we have fallen far short of that to which we have agreed before God and before government, we know when we need to do better. This is one of those times.

Almighty God intended this land to be a land of liberty—a land of liberty—and I hope and pray it always will be as we honor Him, as we honor our founding documents, and perhaps, most importantly, as we honor each other, as we honor our own citizenship and that of our fellow citizens. In order to do that truly, we must pass the SAVE America Act.

I will be back again and again until this is done. I have miles to go—many, many miles in this journey. I have promises to keep and miles to go before I sleep. And it is not time to sleep. That time is in the future when this is done. Until then, I will not rest.

ADJOURNMENT UNTIL TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 10:37 p.m., adjourned until Thursday, March 26, 2026, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. STEPHANIE A. BAGLEY
COL. JOSEPH D. BECKER
COL. JOHN D. BISHOP
COL. ROBERT K. BRYANT
COL. JESSE T. CURRY
COL. ETHAN J. DIVEN
COL. BRIAN M. DUCOTE
COL. DONALD A. FAGNAN
COL. TIMOTHY D. GATLIN
COL. JARROD J. GILLAM
COL. REGINALD R. HARPER
COL. RAPHAEL S. HEFLIN
COL. DANIEL J. HERLIHY
COL. RYAN A. HOWELL
COL. RONALD IAMMARTINO, JR.
COL. JOSEPH A. KATZ
COL. JIM D. KEIRSEY
COL. ALEXANDER C. LOVASZ
COL. EDWIN D. MATTHAIDESS III
COL. ROBERT S. MCCHRYSTAL
COL. STEPHEN J. MIKO
COL. ANDREW R. MORGAN
COL. JENNIFER A. MYKINS
COL. PETER A. PATTERSON
COL. MARC E. PELINI
COL. KELLY K. STEELE
COL. LUCAS S. VANANTWERP
COL. PATRICK E. WORKMAN
COL. GUY YELVERTON III

FOREIGN SERVICE

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

EDGARD DANIEL KAGAN, OF VIRGINIA
LISA S. KENNA, OF VERMONT
DEAN THOMPSON, OF MARYLAND

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR:

NANCY E. ABELLA, OF THE DISTRICT OF COLUMBIA
PATRICIA AGUILERA, OF VIRGINIA
STEFANIE R. ALTMAN, OF VIRGINIA
STEPHANIE C. ARNOLD, OF VIRGINIA
JOHN M. BARRETT, OF CALIFORNIA
JOSEPH JUDE BEDESSEM, OF DELAWARE
MELISSA ANNE BISHOP, OF VIRGINIA
ROBERT BENTLEY CALHOUN, OF VIRGINIA
LUCY M. CHANG, OF FLORIDA
ELIZABETH E. DETMEISTER, OF VIRGINIA
MICHAEL L. DICKERSON, OF MARYLAND
OTTO FREDERICK DICKMAN, OF UTAH
DAVID L. DUNCAN, OF UTAH
Y. ROBERT EWING, OF VIRGINIA
VERNELLE T. FITZPATRICK, OF VIRGINIA
CARLA JENNY FLEHARTY, OF FLORIDA
WILLIAM FLENS, OF ILLINOIS
TERRENCE ROBERT FLYNN, OF FLORIDA
MICHAEL GARCIA, OF THE DISTRICT OF COLUMBIA
BRIAN M. GIBEL, OF VIRGINIA
TOBIAS H. GLUCKSMAN, OF THE DISTRICT OF COLUMBIA
GUSTAV GOGER, OF THE DISTRICT OF COLUMBIA
HEIDI N. GOMEZ, OF VIRGINIA
NIKOLAS E. GRANGER, OF WASHINGTON
GWENDOLYN SIEFERT GREEN, OF VIRGINIA
SETH E. GREEN, OF MARYLAND
MEGHAN GREGONIS, OF THE DISTRICT OF COLUMBIA
KAREN L. GUSTAFSON, OF NEW JERSEY
KIMBERLY D. HARRINGTON, OF THE DISTRICT OF COLUMBIA
JOSHUA M. HARRIS, OF MARYLAND
STEPHANIE ELIZABETH HOLMES, OF VIRGINIA
JAMES W. HOLTSNIDER, OF IOWA
GEOFFREY LEE JONES, OF THE DISTRICT OF COLUMBIA
ILA S. JURISSON, OF NEW HAMPSHIRE
JON C. KARBER, OF VIRGINIA
KAREN YOUNG KESHAP, OF VIRGINIA
DEBORAH Y. LARSON, OF VIRGINIA
CHRISTINE M. LAWSON, OF SOUTH CAROLINA
VIRAJ M. LEBAILLY, OF WASHINGTON
ANDREW N. LENTZ, OF VIRGINIA
CHRISTIAN M. MARCHANT, OF UTAH
JASON P. MEEKS, OF WISCONSIN
ROBERT J. PALLADINO, OF THE DISTRICT OF COLUMBIA
LAWRENCE JAMES PETRONI, OF NEW YORK
ALAN SENET PURCELL, OF VIRGINIA
ROBERT A. RAINES, OF MARYLAND
ROGER CLAUDE RIGAUD, OF FLORIDA
DEBORAH ROBINSON, OF COLORADO
RYAN D. ROWLANDS, OF VIRGINIA
WENDY CROOK RYDE, OF VIRGINIA
CORINA R. SANDERS, OF VIRGINIA
ALISON SHORTER–LAWRENCE, OF VIRGINIA
CHAHRAZED SIOUD, OF TEXAS
VINCENT D. SPERA, OF VIRGINIA
MICHAEL A. SULLIVAN, OF TENNESSEE
SUSAN MARY TULLER, OF FLORIDA
MARYBETH K. TURNER, OF NEW YORK
JANINE S. YOUNG, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

ERNEST J. ABISELLAN, OF VIRGINIA
CLAY C. ALLEN, OF IDAHO
ROBERT T. ALTER, OF THE DISTRICT OF COLUMBIA
LORI JEAN ANTOLINEZ, OF FLORIDA
DANIEL J. ARICH, OF MASSACHUSETTS
SCOTT E. ASHLEY, OF MISSISSIPPI
CHARLES RUDOLF BAIER, OF CALIFORNIA
DOREEN P. BAILEY, OF TEXAS
DANIELA A. BALLARD, OF THE DISTRICT OF COLUMBIA
LYDIA B. BARRAZA, OF TEXAS
EDWARD B. BESTIC, OF VIRGINIA
SCOTT C. BOLZ, OF MARYLAND
THOMAS S. BROWN, OF TENNESSEE
MATTHEW K. BUNT, OF WASHINGTON
ROBIN A. BUSSE, OF VIRGINIA
CATHLEEN E. CAROTHERS, OF KANSAS
MICHAEL ALBERT CHUNG, OF VIRGINIA
ANTHONY WAYNE CLARE, OF NEW HAMPSHIRE
JASON L. CRAIG, OF UTAH
MELINDA L. CROWLEY, OF MARYLAND
DANIELA A. DIPIERRO, OF VIRGINIA
VIRGINIA L. ELLIOTT, OF NEW HAMPSHIRE
JASON S. EVANS, OF TEXAS
MARY FRANCIS FISK–RIDDER, OF FLORIDA
MATTHEW J. FLANNIGAN, OF VIRGINIA
EMILY M. FLECKNER, OF WISCONSIN
GREGORY A. FLOYD, OF CALIFORNIA
KIMBERLY R. FURNISH, OF TEXAS
STEPHEN J. GEE, OF THE DISTRICT OF COLUMBIA
SHAWN K. GRAY, OF TEXAS
ERIK J. HOLMGREN, OF VIRGINIA
CHRISTOPHER D. HOSTER, OF OKLAHOMA
BRANDON A. HUDSPETH, OF TEXAS
JILL E. HUTCHINGS, OF THE DISTRICT OF COLUMBIA
MICHAEL J. KELLY, OF VIRGINIA
SAMUEL N. KELLY, OF ARIZONA
JASON B. KHILE, OF VIRGINIA
LIV I. KILPATRICK, OF OREGON
CARRIE K. LEE, OF CALIFORNIA
ALICA E. LEJLIC, OF ILLINOIS
ADAM J. LENERT, OF TEXAS
JOHN C. LETVIN, OF VIRGINIA
JESSE S. LEVINSON, OF FLORIDA
CHRISTIAN J. LYNCH, OF NEW YORK
ANDREW T. MACDONALD, OF VIRGINIA
DANIEL E. MANGIS, OF VIRGINIA
STEPHEN J. MARQUETTE, OF NEW HAMPSHIRE
GEOFFREY J. MARTINEAU, OF VIRGINIA
JAMES H. MAY, OF TEXAS
SHANNON T. MCDANIEL, OF MISSOURI
CATHERINE E. MCGEARY, OF NEW HAMPSHIRE
JENNIFER L. MCKEWAN, OF TEXAS
ROBERT R. MEARKLE, OF TENNESSEE
ERIC R. MEHLER, OF VIRGINIA
STEFAN P. MERINO, OF FLORIDA
CHRISTINE E. MEYER, OF VIRGINIA
EMMY KANG MICHAEL, OF VIRGINIA
MATTHEW P. MICHAUD, OF VIRGINIA
JAMES E. MILLETARY, OF FLORIDA
ANTHONY L. MIRANDA, OF THE DISTRICT OF COLUMBIA
MEGHAN M. MOORE, OF VIRGINIA
BROOKE SUMMERS MOPPERT, OF FLORIDA
JOHN C. MURRAY, OF VIRGINIA
ERIN ANNA NICKERSON, OF FLORIDA
DAWN M. OSTERHOLT, OF VIRGINIA
MICHELLE Y. OUTLAW, OF HAWAII
SARAH B. PADULA, OF MINNESOTA
AMY L. PATEL, OF VIRGINIA
SAMUEL R. PEALE, OF VIRGINIA
BENJAMIN L. PIERCE, OF VIRGINIA
CHRISTOPHER G. PIXLEY, OF NEW HAMPSHIRE
BRIANNA E. POWERS, OF NORTH CAROLINA
CHRISTOPHER P. QUADE, OF VIRGINIA
MARGOT J. RATCLIFFE, OF VIRGINIA
BRIAN R. REYNOLDS, OF UTAH
MARY BRETT ROGERS-SPRINGS, OF VIRGINIA
MATTHEW E. SANDELANDS, OF CALIFORNIA
JEFFREY BRYAN SCEARCE, OF OREGON
MARISSA D. SCOTT, OF VIRGINIA
CHARLES R. SELLERS, OF THE DISTRICT OF COLUMBIA
JASON W. SHEETS, OF VIRGINIA
SHAWN H. SHERLOCK, OF VIRGINIA
SCOTT M. SIMPSON, OF TEXAS
JAMES M. SINDLE, OF VIRGINIA
LORELEI GRAYCE SNYDER, OF VIRGINIA
VIRGINIA L. STAAB, OF WASHINGTON
RUTH ANNE STEVENS-KLITZ, OF PENNSYLVANIA
ALISON BYER BLOSSER STORSVE, OF MARYLAND
THOMAS A. TALMADGE, OF FLORIDA
PATRICK ISAMU TANIMURA, OF TEXAS
BENJAMIN A. THOMSON, OF UTAH
HUGUETTE THORNTON, OF THE DISTRICT OF COLUMBIA
GLENN EDWARD TOSTEN, OF MARYLAND
KENDRA M. TOYRYLA, OF VIRGINIA
NANCY T. VANHORN, OF TEXAS
NICOLE E. VARNES, OF ILLINOIS
VAIDA VIDUGIRIS, OF THE DISTRICT OF COLUMBIA
LIAN VON WANTOCH, OF CALIFORNIA
CHIMERE RAVENEL WATERSTREET, OF MARYLAND
JOHN D. WILCOCK, OF VIRGINIA
PHILIP D. WILSON, OF TEXAS
ERIKA B. ZIELKE, OF PENNSYLVANIA
PAUL V. ZIMMER, OF ALASKA

THE FOLLOWING–NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, OFFICE OF INSPECTOR GENERAL FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER–COUNSELOR:

TUYVAN HUU NGUYEN, OF VIRGINIA

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, OFFICE OF INSPECTOR