

Americans' communications, subject to very important exceptions when exigent circumstances exist, when the U.S. person consents, and for certain cybersecurity imperatives. I am disappointed that this amendment was not adopted.

Another way to obtain the benefits of section 702 foreign intelligence collection without weakening the Fourth Amendment and privacy protections of Americans is to ensure that those interests are adequately represented and heard before the FISA Court. In 2015, Congress established amici who can advise the court, if requested, on new and significant issues. The involvement of amici has improved the FISA Court process, but their role could be strengthened. That is why I supported the Lee-Welch amendment, which requires amici participation in additional cases that have the potential to create precedent and allows amici to raise novel or significant privacy or civil liberties issue, rather than waiting to be requested by the FISC Court. The failure to adopt this amendment misses an opportunity to strengthen advocacy for privacy and civil liberties in FISA Court proceedings.

I am also deeply concerned by a provision, added at the eleventh hour in the House to greatly expand the type of providers that the U.S. Government could compel to produce information under section 702. I understand that this provision was added after the Foreign Intelligence Surveillance Court—FISC—ruled that the government could not use section 702 to compel a data center's compliance with an order to produce communications. The decision was predicated on whether a data center qualified as an "electronic communications service provider" under the law. This new definition, while intended to clarify the term to account for changing technology, broadly includes "any other service provider who has access to equipment that is being or may be used to transmit or store wire or electronic communications." While I accept the representations from the Attorney General and others that this language is not intended to open the door to requiring a slew of service providers to comply with government demands to intercept communications, its plain language is very broad. It would, for example, require a company that installs, maintains, or repairs Wi-Fi or other communications systems to provide communications under section 702 to the government, all while being barred from telling anyone about the surveillance they helped conduct. While I appreciate the administration's commitment to apply this new definition exclusively to cover the type of service provider at issue in the litigation before the FISC, I believe there are ways to more narrowly achieve the administration's goal without providing the open-ended authority that is currently included in the bill. That is why I support Senator WYDEN's amendment to remove the new defini-

tion to give us time to tailor the language to meet the administration's purposes. I am disappointed that the Wyden amendment did not pass. The Senate should not be stampeded into passing sweeping new authorities with the assurance that it will be "fixed" later. We should fix it now.

Another troubling new provision added in the House that should be remedied here in the Senate is the expansion of searches of the section 702 database for individuals traveling to the United States. Under current practice, in addition to standard vetting to determine national security threats, individuals seeking visas to work or travel in the U.S. for the first time can be subject to terrorism-related queries of the database. The House bill allows for searches of a potentially far broader group of travelers—including existing visa holders returning to the U.S. from abroad—and a broader variety of searches. Again, with sufficient time, I believe we could meet the goal of effectively vetting visitors to the United States without authorizing powers that could easily be abused.

Section 702, while critical to our intelligence capabilities, must be reformed to protect constitutional and privacy rights. We have time to resolve these issues. The administration contends that without the immediate reauthorization of section 702 by midnight on April 19, 2024, the authority will lapse. However, we know that the Department of Justice obtained a renewed certification from the FISC, extending the authorization of active section 702 surveillance orders until April 2025. Section 404 of the FISA Amendments Act of 2008 makes clear that such certifications remain valid until their expiration.

While I agree that we need to congressionally reauthorize this authority, I am concerned that we are short-circuiting robust, bipartisan discussions in Congress on needed reforms and to correct problems in the House-passed bill. When dealing with matters of such import, we should not be pressured by an artificial deadline into passing a flawed law. Therefore, while I support the underlying authority in section 702, I voted against this legislation tonight because more must be done to protect Americans from its possible misuse.

FEDERAL AVIATION ADMINISTRATION

Mr. CARDIN. Mr. President, every 5 years, Congress comes together to reauthorize the Federal Aviation Administration—FAA. This reauthorization includes legislative changes related to aviation safety, new technology, support for the aviation industry and its workforce and more.

In July 2023, the House defeated an amendment to the bill proposing the addition of 14 flights to Ronald Reagan Washington National Airport—DCA.

However, the Senate Commerce-ap-
proved bill includes an amendment to

introduce 10 additional flights to the airport. This proposal to add flights at an already strained DCA would adversely affect service quality, increase delays, and lead to more cancellations for all passengers.

Yesterday, DCA experienced a close call as two planes narrowly avoided a collision. This incident echoes a similar incident in March 2023 where two planes almost collided on DCA's runway. These near-misses underscore the critical need to safeguard the airport from additional flight operations.

DCA was originally designed to accommodate 15 million passengers. The airport is now projected to handle 25 million passengers this year.

In 2022, DCA ranked third in the Nation for its high cancellation rate among the busiest airports. Today, approximately 20–22 percent of flights departing and arriving at the airport are affected, leading to an average delay of 67 minutes.

The DCA slot-perimeter rule serves as a crucial mechanism for managing congestion and restricting nonstop flights at DCA. Its primary objective is to maintain a delicate operational and economic equilibrium among DCA, Dulles International Airport—IAD—and Baltimore/Washington International Thurgood Marshall Airport—BWI.

DCA and Washington Dulles International Airports—IAD—were federally designed and operate as a unified system on behalf of the government. Recognizing the constraints imposed by aircraft noise and community impact at DCA, Congress implemented the slot and perimeter rules. Dulles International was strategically positioned to serve as both the primary airport for regional growth and as an international gateway.

Ensuring operational stability has also facilitated a harmonious relationship with Thurgood Marshall Baltimore Washington International—BWI—ensuring that the broader interests of the region are effectively addressed. Our airports play a pivotal role in granting Maryland, the District of Columbia, and Virginia access to the global economy, thereby generating employment opportunities and fostering regional growth.

The connectivity offered by our regional aviation network has been a driving force behind the relocation of major corporate headquarters such as SAIC, Hilton Hotels, Nestle USA, and Volkswagen of America to the area.

Changes to the slot perimeter rule at DCA will have profound impact on the economies of Maryland and Virginia, negatively impact service, and delays and place a strain on an already overburdened DCA.

The safety of the public should be of the utmost concern in the FAA bill. And increasing slots at this airport undermines that safety.

As passenger volumes recover from the pandemic impacts and return to

serving nearly 75 million annual passengers, the need to maintain the balance of air service across all three airports is amplified.

My colleagues and I who represent the States of the National Capital Area region welcome a collaborative and open process should changes to our region's airports' operations be necessary. We ask that colleagues respect the need to work with us when changes are sought. As the House and Senate work toward a final FAA reauthorization bill, we oppose any proposals to add additional flights at DCA.

ADDITIONAL STATEMENTS

REMEMBERING DEPUTY JERMYIUS YOUNG

• Mr. TUBERVILLE. Mr. President, on April 5, Alabama lost Montgomery County Sheriff Deputy Jermyius Young to injuries sustained in a duty-related car crash. Deputy Young began working as a correctional officer at the Montgomery County Jail at the age of 18 while waiting to turn 21, the age required to attend the police academy. He joined the police academy as soon as he could and then became a sheriff's deputy for the county. He also served as a specialist with the U.S. Army Reserves 206th Transport Company out of Opelika.

Nicknamed "Smiley" by his parents for his positive demeanor, which was always accompanied by a huge smile, Deputy Young was an inspiration to everyone around him. Whether on or off the clock, he continually sought ways to help his community. He specifically invested his time volunteering with young people who aspired to be in law enforcement, like him.

"Deputy Young was a role model, not just for other deputies, but for me, as well. He was a fine law enforcement officer. He was loyal, unselfish, efficient, and he always came to work with a smile on his face. He came in wanting to make a difference. He was dedicated to the community and dedicated to making a difference," said Montgomery County Sheriff Derrick Cunningham.

There is no doubt that in Deputy Young's 21 years of life, he made a difference—in his community and in our State. Alabama mourns the loss of Deputy Young, but we also celebrate the legacy of courage and selflessness that he established. I join Alabamians in expressing our deepest gratitude for his courageous service.●

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTION SIGNED

At 11:29 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.J. Res. 98. Joint resolution providing for congressional disapproval under chapter 8 of

title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to "Standard for Determining Joint Employer Status".

The enrolled joint resolution was subsequently signed by the President pro tempore (Mrs. MURRAY).

ENROLLED BILL SIGNED

At 12:57 a.m. (April 20, 2024), a message from the House of Representatives, delivered by Mr. McCumber, the Clerk of the House of Representatives, announced that the Speaker has signed the following enrolled bill:

H.R. 7888. An act to reform the Foreign Intelligence Surveillance Act of 1978.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. WARNER).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4162. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Other Solid Waste Incinerators - Air Curtain Incinerators Title V Permitting Provisions" (FRL No. 7547.3-01-OAR) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC-4163. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Iowa; State Implementation Plan and State Operating Permits Program" (FRL No. 11722-02-R7) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC-4164. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Virginia; 1997 8-Hour Ozone National Ambient Air Quality Standard Second Maintenance Plan for the Fredericksburg Area" (FRL No. 11261-02-R3) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC-4165. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "PFAS National Primary Drinking Water Regulation Rulemaking" ((RIN2040-AG18) (FRL No. 8543-02-OW)) received in the Office of the President of the Senate on April 17, 2024; to the Committee on Environment and Public Works.

EC-4166. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; District of Columbia; Removal of Stage II Gasoline Vapor Recovery Program Requirements" (FRL No. 9915-02-R3) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC-4167. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Approval of Implementation Plans for Air Quality Planning Purposes; State of Nevada; Clark County Second 10-Year Maintenance Plan for the 1997 8-Hour Ozone Standard" (FRL No. 10549-02-R9) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC-4168. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Pennsylvania; Alleghany County Open Burning Revision and Addition of Mon Valley Air Pollution Episode Requirements" (FRL No. 11415-02-R3) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC-4169. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Water Act Methods Update Rule for the Analysis of Effluent" ((RIN2040-AG25) (FRL No. 9915-02-R3)) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC-4170. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule" ((RIN2060-AU35) (FRL No. 7230-01-OAR)) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC-4171. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I and II Polymers and Resins Industry" ((RIN2060-AV71) (FRL No. 9327-02-OAR)) received in the Office of the President of the Senate on April 16, 2024; to the Committee on Environment and Public Works.

EC-4172. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777a; to the Committee on Armed Services.

EC-4173. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777a; to the Committee on Armed Services.

EC-4174. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "Joint Safety Council Chairman's Annual Statement of Compliance and Semi-Annual Report to Congress"; to the Committee on Armed Services.

EC-4175. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the second session of the 118th Congress; to the Committee on Armed Services.

EC-4176. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the second session