

and appeared in the Congressional Record of April 18, 2024.

IN THE SPACE FORCE

PN1200 SPACE FORCE nomination of Angela C. Angelini, which was received by the Senate and appeared in the Congressional Record of December 7, 2023.

PN1565 SPACE FORCE nominations (2) beginning JABB B. BUMANGLAG, and ending CHRISTIAN J. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2024.

PN1566 SPACE FORCE nomination of Branden E. Buffalo, which was received by the Senate and appeared in the Congressional Record of March 21, 2024.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

REFORMING INTELLIGENCE AND SECURING AMERICA ACT EXPLANATORY STATEMENT

Mr. WARNER. Madam President, this explanatory statement memorializes the understanding of the Senate Select Committee on Intelligence regarding the implementation of section 25 of Reforming Intelligence and Securing America Act.

I ask unanimous consent that the explanatory statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXPLANATORY STATEMENT ON THE REFORMING INTELLIGENCE AND SECURING AMERICA ACT

The following is the Explanatory Statement to accompany the Reforming Intelligence and Securing America Act, Public Law 118-49 ("the Act"). This Explanatory Statement memorializes the intent of the Senate Select Committee on Intelligence regarding the implementation of Section 25 of the Act.

Section 25 of the Act includes a technical modification to the definition of "electronic communication service provider" (ECSP) in Title VII of the Foreign Intelligence Surveillance Act (FISA) to address unforeseen changes in electronic communications technology in the sixteen years since Section 702 of FISA was first enacted.

The technical modification is intended to fill a critical intelligence gap regarding the types of communications services used by non-U.S. persons outside the United States that arose following litigation before the Foreign Intelligence Surveillance Court (FISC) and the Foreign Intelligence Surveillance Court of Review (FISC-R).

Section 25 does not affect the overall structure of Section 702, or the protections codified in the statute. It remains unlawful under Section 702 for the government to target any entity inside the United States including, for example, any business, home, school, recreational facility, or place of worship. Further, it remains unlawful under Section 702 to compel any service provider to target the communications of Americans or any person inside the United States.

Congress intends that the amended ECSP definition will be used exclusively to cover the type of service provider at issue in the litigation before the FISC—that is, those

technology companies providing the service the FISC concluded (and the FISC-R affirmed) fell outside the then-existing statutory definition. As of the enactment of this legislation, the number of technology companies providing such a service from which the government intends to seek compelled assistance under Section 702 is extremely small. In a letter dated April 18, 2024, and placed into the Congressional Record the same day, the Department of Justice committed to provide, and Congress intends to receive, a list of such technology companies in classified form.

To facilitate appropriate oversight of the government's commitment to apply the updated definition of ECSP for the limited purposes described above, the Department will also report to Congress every six months regarding any application of the updated definition. This additional reporting will allow Congress to ensure the government adheres to its commitment regarding the application of this narrow definition. Further, the Senate Select Committee on Intelligence will work to ensure that application of this revised definition is circumscribed to the specific services at issue in the litigation before the FISC and FISC-R in the Intelligence Authorization Act for Fiscal Year 2025.

REFORMING INTELLIGENCE AND SECURING AMERICA ACT

Mr. WARNER. Madam President, I ask unanimous consent that the accompanying letter from the presiding judge of the Foreign Intelligence Surveillance Court be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES FOREIGN INTELLIGENCE SURVEILLANCE COURT, Washington, DC, April 16, 2024.

Hon. RICHARD J. DURBIN,
Chair, Committee on the Judiciary,
U.S. Senate, Washington, DC.
Hon. MARK R. WARNER,
Chair, Select Committee on Intelligence,
U.S. Senate, Washington, DC.

DEAR CHAIR DURBIN AND CHAIR WARNER: On behalf of the Foreign Intelligence Surveillance Court (FISC), I am writing to express concerns regarding a provision of H.R. 7888, the "Reforming Intelligence and Securing America Act," that could seriously disrupt FISC operations without increasing the effectiveness of the FISC in reviewing government surveillance applications. Section 5(a) of H.R. 7888 would require the FISC, "to the extent practicable and absent exigent circumstances," to assign applications to renew Title I surveillance orders for U.S.-person targets to the "judge who issued the original order."

Steering renewal applications for U.S.-person targets to a specific judge would be burdensome and disruptive and would not improve the quality of FISC review or enhance privacy protections. Moreover, and despite best efforts to implement such a requirement, there may be many cases in which it is not "practicable" for the initial judge to entertain a renewal application.

On December 8, 2023, I expressed concerns regarding comparable provisions in H.R. 6570 and H.R. 6611. (Enclosed are copies of my letter to the leadership of the House of Representatives of that date and a memorandum that was transmitted therewith, including enclosures that outline the concerns in greater detail.) Section 5(a) of H.R. 7888 is similarly worded and presents the same concerns.

For U.S.-person targets whom the government wants to monitor over time, the FISC is often called upon to review a series of applications at intervals of no longer than 90 days, and potentially more frequently in fast-moving investigations. The "impracticability" of presenting each such application to the same judge is inherent in the statutory structure and composition of the FISC. As established by Congress in 1978, the FISC is a single national court comprised of United States District Judges from at least seven circuits around the country. As a part-time duty, these judges travel to a secure federal court facility in Washington, DC, to hear FISC cases under a rotating duty-week schedule. Currently, their dockets consist of applications the government submits for that week, without regard to which judges approved prior orders. Traveling to Washington, DC, more frequently to entertain renewals earmarked for their individual review would substantially impinge FISC judges' capacity to perform their district-court work.

We understand some in Congress may intend this provision to reduce government judge-shopping; however, presenting renewal applications to the judge who ruled favorably on the first one would not improve on the anti-judge-shopping procedures that Congress and the FISC have already put in place. FISA currently requires that, if the government resubmits a previously denied surveillance application, it must be presented to the judge who issued the denial. 50 U.S.C. §1803(a)(1). In addition, the FISC sets and implements the judges' duty schedule independently of the government. In order to forestall judge-shopping, the FISC withholds from the government the identity of the judge who is on duty during a given week until after the government is required by Court rule to have submitted the applications it proposes to be heard that week. By law, renewal applications must be reviewed *de novo* with the same scrutiny as an original application; in practice renewal applications often benefit from even more information than was available initially (e.g., results of previously authorized surveillance). Accordingly, the FISC robustly ensures that each judge who considers a renewal application is fully informed about prior applications for the target, including facts proffered by the government, reports on implementation, and internal analysis and observations by the FISC judge(s) who previously ruled and staff attorneys.

The Court recognizes that it is within the province of the political branches of government to determine policy on national security, personal privacy, and other such matters. However, federal judges do consult with Congress regarding the effects of certain legislation on court operations. I am restating concerns about this judge assignment provision because the record does not reflect that all members of Congress have received and fully considered information about the FISC's unique structure and mode of operations in evaluating it. If the timetable for reauthorizing Section 702 of FISA does not permit a thorough examination of this provision prior to legislative action, I hope that Congress considers revisiting the provision in the near future. I also wish to be clear that it may not often be "practicable" to steer renewal applications to the judge who granted the original order, due to the serious burdens and inefficiencies that fuller implementation would impose on judges in their FISC and district-court capacities.

To the extent that you believe it would assist Congress's current or future deliberations, I encourage you to place this letter and the enclosures in the Congressional Record.

Thank you for considering these concerns. If I may be of further assistance in this matter, please contact me through the Administrative Office of the United States Courts, Office of Legislative Affairs.

Sincerely,

ANTHONY J. TRENGA,
Presiding Judge.

TRIBUTE TO TOM HARPER

Mr. LANKFORD. Madam President, I rise today to offer my sincere gratitude to Tom Harper, a lieutenant colonel in the Army National Guard. From his beginning as an infantryman in the Florida Army National Guard, he graduated—distinguished—from the Georgia Military College as an artillery officer who served five operational tours, across three continents.

A peerless expert in appropriations and military construction, Lieutenant Colonel Harper sought to increase the Army National Guard's contribution to the Nation's security. He recently served as a legislative liaison on Capitol Hill, dedicated to the relationship and understanding between our branches.

Throughout his military career, Lieutenant Colonel Harper remained principled—in combat and in counsel—offering his best wisdom and giving our Nation his unreserved courage. I have personally seen the excellence of his service to our Nation. I wish him the best in his next chapter of service to our Nation.

ADDITIONAL STATEMENTS

RECOGNIZING THE 50TH ANNIVERSARY OF THE UNIVERSITY OF WYOMING ART MUSEUM

• Mr. BARRASSO. Madam President, I rise today to recognize and honor the 50th anniversary of the Art Museum at the University of Wyoming—UW—in Laramie, WY. This important cultural icon will celebrate the occasion during its annual fundraising gala on May 18, 2024.

The University of Wyoming Art Museum prides itself on connecting people from all walks of life to experience the power of the arts and cultural heritage. It possesses over 11,000 art objects in its permanent collection. Regional, national, and international exhibits and local activities are designed to engage visitors in thoughtful dialogues regarding our collective humanity.

This well-esteeming museum had humble beginnings. In 1971, UW Art Department Chair James Boyle and Art History Professor James Forrest established the university's first museum dedicated to art. Both believed a university needed a tangible collection of all genres of art, media, and cultures in order to have a viable visual art program. Forrest became its first director.

The small museum was housed in the lower level of the fine arts building. Its two exhibition spaces occupied what are now dance studios in the Buchanan

Center for the Performing Arts. During this time, the museum focused on building its collections and conducting outreach around the State.

In 1988, Director Charles Guerin recognized the need for a larger space to display UW's collections. He applied for—and received—a \$400,000 Challenge Grant from the National Endowment for the Arts, NEA. This grant was the largest ever awarded by the NEA at that time. A robust capital fundraising campaign followed. Supporters, donors, and artists raised an astonishing \$7.5 million for the first phase of the new art museum facility.

The University of Wyoming broke ground on the project in October 1990. The 137,000-square-foot building took 3 years and cost \$19 million to complete. On September 10, 1993, then Wyoming Governor Mike Sullivan and UW president Terry Roark cut the ribbon to officially open the Centennial Complex. Today, it houses the art museum and the American Heritage Center.

Internationally acclaimed architect Antoine Predock designed the iconic Laramie landmark. His inspiration for the cone-shaped building was an “archival mountain,” mirroring neighboring Medicine Bow Peak to the west and Pilot Knob to the east. The galleries of the art museum represent the rendezvous sites of the pre-settled West, where people gathered to trade, socialize, and exchange ideas.

For 50 years, the UW Art Museum has placed art at the center of education. Its “Museum as Classroom” concept features innovative educational and public programs for all ages. The Ann Simpson Artmobile and the Touring Exhibition Service were created in 1982. These remarkable outreach programs share quality artwork with Wyoming communities that often have limited access to original art. The dedicated staff also create on-site programs for K–12 students, teenagers, and adults. These community-based activities enhance and expand our understanding of art, culture, and personal creativity.

Private contributions—through donations, endowments, and fundraising campaigns—account for over 60 percent of the museum's operating budget. It also receives Federal grants and funding from the State of Wyoming. This generosity allows the museum to continue its important mission of sharing the transformative power of art through exhibiting, preserving, and interpreting visual culture from around the world.

The success of the UW Art Museum comes from the dedication and hard work of its staff and many volunteers. Lead by director and chief curator Nicole Crawford, the museum employs 10 full-time staff:

Nicole Crawford, Director and Chief Curator

Debra Littlesun, Assistant Director

Michelle Sunset, Curator

Emily Conner, Master Teacher (pre-K through 12 program)

Sarita Talusani Keller, Artmobile Educator

Will Bowling, Education & Public Programs Manager

Molly Marcusse, Collections Manager

Sterling “Stoney” Smith, Chief Preparator

Anthony Teneralli, Collections Preparator

Jon Cabera, Marketing Coordinator

The museum's national advisory board provides guidance and direction to ensure its longevity. My late wife Bobbi served on the board with great commitment for many years. Current board members are:

President Lisa McElwee

Vice President Melissa Lyon

Secretary/Treasurer Susan Miller

Past President Sue Sommers

Student Representative Cierra Roberts

Yancy Bonner

Brenda Bland

Anne Brande

Nicole Choi

Alyson Hagy

Jody Levin

Kelly Milam

Katy Rinne

Nancy Schiffer

Sue Simpson-Gallagher

Jay Schneiders

Fred Von Ahrens

Kathryn Boswell, Emeritus Member

Mary Horton, Emeritus Member

Felicia Resor, Emeritus Member

On May 18, 2024, patrons and supporters of the UW Art Museum will gather for the annual UW Art Museum Gala: “A Hat Ball.” This year's gala mirrors the museum's special 50th anniversary exhibition, “The New West: University of Wyoming Art Museum at Fifty.” Open from July 2023 to May 2024, the exhibit explores the role of the museum and its place in the American West.

It is an honor to celebrate the 50th anniversary of the University of Wyoming's Art Museum. This wonderful place, which is Wyoming's only academic art museum, offers free general admission to more than 20,000 visitors annually. It is a great place to visit, explore, and engage with the art on display. I send my best wishes to the UW Art Museum for a prosperous future.●

REMEMBERING COACH BOB TYLER

• Mrs. HYDE-SMITH. Madam President, I wish to pay tribute to the life and service of a Mississippi coaching legend and close personal friend, Coach Bob Tyler, who passed away on April 28, 2024.

Born and raised in Water Valley, MS, Coach Tyler attended Water Valley High School and, later, the University of Mississippi.

Following his service in the U.S. Army, Coach Tyler began his remarkable 45-year career as a coach and teacher. This journey started at Water Valley High School, with stops at high schools in Okalona, Corinth, Senatobia and Meridian. After posting an impressive 91–19–6 record over 11 years at the high school level, Coach Tyler began coaching at the collegiate level, including years at Northwest Community College, North Texas State, Millsaps College, and on John Vaught's Ole Miss staff, Bear Bryant's Alabama staff, and