

for collecting foreign intelligence. The problem is that the government is also using section 702 as a backdoor for warrantless spying on Americans here at home.

FISA section 702 allows the intelligence community to collect the communications of foreigners who are overseas without a warrant. The justification for bypassing the Constitution's warrant requirement is that foreigners overseas are not protected by the Fourth Amendment. American citizens certainly are. But the government isn't just collecting the communications of foreigners; they are also collecting millions, if not billions, of communications of innocent Americans in touch with those foreigners as well. Our government then searches those private emails, phone calls, and text messages of Americans without a warrant. Congress has repeatedly failed to fix this end run around the Constitution's protection.

Unsurprisingly, without court approval for such searches, the independent Privacy and Civil Liberties Oversight Board and the FISA Court have documented shocking abuses of section 702 by our government. The intelligence community has used this authority to spy on American businesses, American religious leaders, political parties, campaign donors, journalists, and protesters across the political spectrum. And this was all before we had an administration which was expressly intent on targeting its political enemies.

In April 2024, Congress enacted the Reforming Intelligence and Securing America Act, which reauthorized section 702 for 2 years with reforms that were meant to rein in past abuses. However, these reforms failed to prohibit warrantless searches of Americans' communications collected under section 702. In fact, warrantless searches of Americans increased in 2025, with the FBI alone conducting more than 7,000 warrantless searches on Americans last year.

Just as troubling is the increase in so-called sensitive queries by the FBI under Kash Patel's leadership. These are warrantless searches of section 702 data that target religious leaders or organizations, politicians or political organizations, or journalists. In 2025, the FBI conducted over three times as many sensitive queries as in 2024.

These statistics are troubling enough, but with the Trump administration closing oversight offices, firing compliance staff, dismantling the Privacy and Civil Liberties Oversight Board, and failing to testify, the full scope of their abuses remains unknown.

The administration is also keeping the latest FISA Court ruling on section 702 secret from the American people. The administration acknowledged that the court found "deficiencies" with how the government is conducting 702 searches. Yet it hasn't released the court's opinion or the details of these "deficiencies" to the American people.

Meanwhile, POLITICO reports that Stephen Miller—the architect of President Trump's immigration crackdown in Minneapolis, Chicago, and beyond—is the White House's chief advocate for extending section 702.

Miller reportedly views section 702 as "critical to a variety of homeland security missions." Why does Stephen Miller view section 702—a statute designed to collect foreign surveillance and intelligence—as critical to homeland security inside the United States? Well, in 2024, Congress quietly expanded section 702 to allow it to be used for immigration vetting.

How is the President exploiting this expansion of section 702 to carry out his mass deportation campaign? We don't know because the administration refuses to testify about the use of this authority.

Congress should not give Donald Trump, Stephen Miller, and Kash Patel unchecked power to spy on Americans.

Last week, the House rightly rejected on a bipartisan basis attempts to renew section 702 without safeguards. Congress instead enacted a 10-day extension so it could reach an agreement on reform needed to protect our constitutional rights.

As in the past, some may argue that that is not enough time to enact reform before section 702 expires, but section 702 surveillance operates under yearlong certifications approved by the FISA Court. Even if 702 were to expire today, the law makes it clear that surveillance may continue under the current certification until March of 2027. There is no emergency excusing Congress from getting this right.

Congress should reform section 702 to protect Americans' constitutional rights and prevent further abuses. Senator MIKE LEE of Utah—a conservative Republican—and I have proposed the bipartisan SAFE Act to do just that. Our bill includes a warrant requirement for conducting searches of U.S. persons' communications collected under section 702. This safeguard ensures that a judge, not the executive branch of government, approves the search.

There are exceptions for emergencies and other legitimate security needs to ensure that we can protect security and liberty at the same time. If the government has a legitimate basis for the search, they can make that case to the judge. If they do not, then they should not be rifling through private communications of Americans.

For too long, Congress has renewed section 702 without this basic protection from arbitrary government searches. Enough is enough. Congress should reauthorize 702 with sensible reforms to protect Americans from threats to their security and to their basic constitutional rights.

I yield the floor.

The PRESIDING OFFICER (Mrs. BRITT). The Senator from Kansas.

TRIBUTE TO KEITH RILEY

Mr. MORAN. Madam President, the residents of Hill City, KS, a county seat town in Northwest Kansas will experience something new next winter: a new boys basketball coach will be on the sidelines for the Hill City Ringnecks. After 58 seasons as the head coach of Hill City High School, Keith Riley has officially retired.

Today, I pay tribute to his career, not just as a coach on the basketball court and the track field, but also as a teacher in the classroom.

His success was the result of his genuine interest in the well-being of the students who walked the halls of Hill City High School. Whether kids played for him or simply took his industrial arts classes, Coach Riley sought to help them achieve their full potential.

Like so many educators, he cared about his students, and they knew he cared. He freely gave his time to kids who asked to spend an extra hour in the evening shooting hoops or a Sunday afternoon in the spring learning to pole-vault.

When class projects were due at the end of the school year, he stayed in the woodworking shop late into the evening so his students could apply that last coat of varnish.

Under his leadership, Coach Riley's team won more than 800 games and 3 State titles—plus another 6 track and field championships—and his students won class projects; they won competitions there.

In those seasons where there was less success, his expectations for his players remained unchanged. Talent wasn't required to play hard and do the fundamentals well.

Teaching basketball over decades required him to be a student of the game himself. He would watch KU practice under Ted Owens, Larry Brown, Bill Self and take those ideas home to Hill City from Lawrence. He learned from other peers at coaching clinics and befriended many of them. His own work ethic and that of his players would result in him being inducted into the National High School Athletic Coaches Association Hall of Fame in 2018. But for Coach Riley, personal accolades were far less important than the success of his kids, in high school and beyond.

Many of his players went on to become teachers and coaches too, no doubt running the same plays they learned from him. His assistant coaches became head coaches and won State titles on their own. Those who pursued other professional paths also credit Coach Riley's impact on their lives.

For Coach and his wife Merriel, his players were like their boys, in addition to their sons Brian and Geoff both who played for him. Players from his first year as coach still call him to check in, or if they are in town, they drop by his house.

He has always credited any success to those who played for him. I lived briefly in Hill City shortly after Coach

Riley won his second State basketball championship. The Mid-Continent League was known for its football towns, like Smith Center and Plainville and Norton, but under Coach Riley, Hill City was definitely a basketball town. You knew where most of the community would be on Tuesday and Friday nights during the winter.

While Coach's voice will no longer ring out from the sidelines, the gym in which he spent countless hours teaching kids the game he loves appropriately bears his name. Keith Riley Fieldhouse boasts many State title banners, won over nearly six decades, but his true legacy can be seen in the lives he changed along the way.

Coach Riley, congratulations on a legendary career, and I wish you and Merriel all the very best in your retirement.

I yield the floor.
(Mr. MORAN assumed the Chair.)
(Mrs. BRITT assumed the Chair.)

The PRESIDING OFFICER. The Senator from Louisiana.

SHOOTING IN SHREVEPORT,
LOUISIANA

Mr. CASSIDY. Madam President, all of us have experienced someone in our life who has died, but the murder of a child defies comprehension and can't be measured, understood, or compared to anything else. It is, in a word, awful.

Today, the Shreveport community in Louisiana grieves the loss of eight children. A man shot seven of his own and a cousin between the ages of 3 and 11. He shot the mothers. I am told they are hospitalized and in serious condition but expected to survive. A 13-year-old was injured jumping off the roof to escape.

Now, I asked people in my office: Why do we grieve so much? People die all the time. And I think what we agreed upon is that they look to their parents for protection and not to be killed.

And it is, if you will, a sacrifice of a sacred bond between a parent and a child. And, of course, when that comes to mind, what is sacred? And then also when we read of these dying, we think of our own children, and we feel protective of them. And we know, no matter how much emotion we feel, they died.

Now, we thank the officers who acted quickly and bravely to pursue the shooter and stop him from doing it again. We pray for the families, for the communities, that they can recover as much as family and communities can recover from something so horrific.

I request a moment of silence for these eight young souls, for Shreveport, and for us all.

(Moment of silence.)

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

NOMINATION OF ANDREW B.
DAVIS

Mr. CRUZ. Madam President, today the Senate will vote to confirm Andrew

Davis of Texas to be a U.S. district judge for the Western District of Texas.

Andrew Davis was born and raised in Texas. And after graduating from Lubbock High School, Andrew attended Rice University and, later, Columbia Law School, where he was a James Kent Scholar.

He then went on to clerk for two Federal judges: Judge Sidney Fitzwater, former chief judge of the Northern District of Texas, and Judge Reena Raggi of the Second Circuit.

As an assistant solicitor general of Texas, Andrew represented the State of Texas before the Texas Supreme Court, the Fifth Circuit, and the U.S. Supreme Court, handling some of the most consequential legal questions facing the State.

After his work as an assistant solicitor general, Andrew came to Washington to serve on the Senate Judiciary as my chief counsel. I worked for years with Andrew. He is a man of integrity, discipline, and commitment to the rule of law.

He has deep respect for the Constitution and the Bill of Rights, and he handled sensitive matters with precision and humility. His preparation was meticulous, and his counsel was highly trusted.

President Trump nominated Andrew Davis because he embodies what we should demand of every Federal judge: independence, seriousness, and an unwavering commitment to the rule of law.

A Federal judgeship is a calling of public service, one that requires patience, restraint, and an enduring commitment to the Constitution. Andrew has answered that call time and time again, choosing public service over easier paths in private life.

Andrew Davis will serve the Western District of Texas with honor. He will be faithful to the Constitution and Bill of Rights, and I strongly support his nomination.

I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Andrew B. Davis, of Texas, to be United States District Judge for the Western District of Texas.

NOMINATION OF ANDREW B. DAVIS

Mr. DURBIN. Madam President, today, the Senate will vote on the nomination of Andrew Bray Davis to the U.S. District Court for the Western District of Texas. I am deeply concerned Mr. Davis will not be able to put aside his partisan advocacy if he is confirmed to the bench.

Mr. Davis has repeatedly argued that the qui tam provision of the False

Claims Act, FCA—a law that Senate Judiciary Chairman CHUCK GRASSLEY has championed for many years—violates the Constitution.

Whistleblowers who bring qui tam actions play an important role in holding accountable those who defraud the Federal Government. Of \$6.8 billion in FCA settlements and judgments last year, qui tam actions comprised \$5.3 billion in recoveries.

I am also troubled by Mr. Davis' refusal to disavow his controversial college writings. As just one example, he defended racist commentary from conservative pundit and former Republican official Bill Bennett, who said, "I do know that it's true that if you wanted to reduce crime, you could, if that were your sole purpose, you could abort every black baby in this country, and your crime rate would go down."

Mr. Davis defended this statement as "essentially accurate." I recognize that nominees often write things in college that no longer reflect their views today. However, when I asked Mr. Davis whether he still believed that Mr. Bennett's statement was "essentially accurate," Mr. Davis refused to answer.

Mr. Davis' failure to disavow his article is unacceptable. How can people of color have faith that Mr. Davis will treat them fairly in his courtroom if he is confirmed?

I urge my colleagues to oppose this nomination.

VOTE ON DAVIS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Davis nomination?

Mr. BANKS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Montana (Mr. DAINES), the Senator from Iowa (Mr. GRASSLEY), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH), and the Senator from Montana (Mr. SHEEHY).

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The result was announced—yeas 47, nays 46, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—47

Armstrong	Cramer	Hyde-Smith
Banks	Crapo	Johnson
Barrasso	Cruz	Justice
Blackburn	Curtis	Kennedy
Boozman	Ernst	Lankford
Britt	Fischer	Lee
Budd	Graham	Lummis
Capito	Hagerty	Marshall
Cassidy	Hawley	McConnell
Cornyn	Hoeben	McCormick
Cotton	Husted	Moody