

decide to engage in conversations and discussions and we do arrive at some agreement that will enable us to actually fund the government and perhaps include some of the things that the Democrats want included, but you can't do that if you are not at the table. You can't do that if it is a one-sided negotiation, and it is pretty clear, at this point, that is what we are talking about here.

There is no question about—you know, sometimes there is some "Who is shutting down the government?" My impression, in this case at least, is that the Democrats view this as a political issue and some sort of a political winner for them; otherwise, I can't explain why—they won't even sit down at the table and negotiate. It is not about politics. These are people's lives we are talking about. These are jobs. These are livelihoods. These are families.

And the mission, which is protecting the American people, keeping this country safe and secure—there is no higher one. You want to shut down the Department of Homeland Security, the Department that is tasked with defending the homeland? Those people aren't getting paid; those programs aren't getting funded; and those functions aren't being performed by the people that we ask to do that job.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2026—Motion to Proceed

Mr. THUNE. So, Mr. President, I am going to move to proceed to Calendar No. 311, H.R. 7147.

The ACTING PRESIDENT pro tempore. The clerk will report.

The senior assistant executive clerk read as follows:

Motion to proceed to Calendar No. 311, H.R. 7147, a bill making further consolidated appropriations for the fiscal year ending September 30, 2026, and for other purposes.

#### CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant executive clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 311, H.R. 7147, a bill making further consolidated appropriations for the fiscal year ending September 30, 2026, and for other purposes.

John Thune, Mike Crapo, Marsha Blackburn, Bill Hagerty, Tim Sheehy, Roger F. Wicker, Susan M. Collins, Todd Young, Jim Banks, Bernie Moreno, Jon A. Husted, Eric Schmitt, John Hoeven, John Barrasso, Pete Ricketts, Roger Marshall, Katie Boyd Britt.

#### WAIVING QUORUM CALL

Mr. THUNE. Mr. President, I ask unanimous consent to waive the mandatory quorum call in relation to sub-

stitute amendment No. 4308 to Calendar No. 343, H.R. 6644.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THUNE. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. I recognize the majority whip.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### WAR POWERS ACT

Mr. BARRASSO. Mr. President, I come to the floor today having just heard the minority leader talk about the fact that the Democrats have now filed five new War Powers Acts. Let's talk about that act and what it all means and what the Democrats are trying to do here.

The War Powers Act was enacted in 1973. It was first used by the Democrats. They first used it in 2018. So it sat for 45 years not being used, and then they used it against President Trump in his first term. There have been a total of 11 times that War Powers Resolutions have been offered, 8 of them were from Senator KAINE and Senator SANDERS, all aimed at President Trump. We defeated one of these last week.

So now they have come out, and they have introduced five more, and one of the Senate Democrats' loudest complainers about everything said that it is basically symbolic. It is just symbolic what they are doing. These are show votes. We know the record of the Democrats. Do you know how many they introduced when Obama was President? Zero. Do you know how many they introduced when Biden was President? Zero. Because when a Democrat is President, Democrats forget about the War Powers Act—ignore it completely.

So what is behind this charade of what the Democrats are doing? Well, let me quote Senator TIM KAINE the Senator from Virginia, who was the Vice Presidential nominee when Hillary Clinton ran for President, because it is all about trying to control the Senate floor time. This is what Senator KAINE said earlier this year. He said: Flood the Senate calendar with privileged motions where I am taking the floor time away from the Republican Party.

That is what this is all about. This isn't about advancing the needs of the Nation. This isn't about helping people. It is not about protecting Americans. None of that is true. It is about slowing down the Senate, throwing instruments into the gears, all to try to create theater—not to help protect our troops, not to help protect our people, not to make the world safer. Not at all.

That is what this is all about. Their hand has been shown.

#### IRAN

Mr. President, after 47 years of terrorism and torture and tyranny, what we are seeing today that is Iran's murderous leadership, they are dead. Their missiles, their launchers, their production sites—they have been severely damaged. Since the start of the operation, missile attacks from Iran have gone down by 90 percent. Over 50 of Iran's warships have been sunk. This is a sign of success on the part of our brave men and women in uniform.

For decades, American Presidents have pledged Iran would never acquire a nuclear weapon. Thank goodness we have a President now in the United States—President Donald J. Trump—who kept that promise. The President has acted boldly; he has acted decisively; and this is where so many others have hesitated.

What we see is Presidential courage and commitment to ensure that Iran will not obtain nuclear weapons. What we have seen is American peace through strength.

Iran is a terrorist regime, and that is why, today, Iran is still terrorizing the world by trying to hold the world's energy supply hostage. This regime is attempting to choke off the shipping of oil through the Strait of Hormuz. In recent days, Iran has attacked oil and gas facilities across the region and has targeted oil tankers in the Persian Gulf. Remember, 20 percent of the world's oil supply goes through the Strait of Hormuz.

Now, I understand why families are worried about the price of energy. I agree absolutely with these families that I talked to this weekend in Wyoming. This weekend I met with a group of ranchers. We were at the Green River Valley Stockgrowers Association meeting. It was in Big Piney.

Now, when the price of gasoline goes up, it is a concern to everyone, and not just because of the cost of gas but also the cost of food because it costs more to produce the food when energy prices are higher. So we need to do everything we can to make sure we can get down the price of energy for people who are not only having to just drive but who produce in this Nation. And that is why Republicans are taking action now to lessen the pain.

Fortunately, America is once again energy-dominant. It wasn't that way in the past when American energy producers were being attacked by the Democrats.

Wyoming is America's energy breadbasket, and we are no longer utterly dependent on the Middle East for energy. We were in the past but not anymore. And that is because of Republican policies that unleashed American energy, and we have it in abundance.

America is now the No. 1 producer of oil in the world. We are setting record numbers for production—almost 14 million barrels of oil every day. That is more than double where we were 15 years ago.

Now, with respect to what is happening in the Persian Gulf, there is no question: Prices are going up, and Republicans are working to bring gas prices back down quickly. I believe we are in a strong position to do it because of the energy dominance agenda that we have.

At the same time, President Trump is determined to get energy flowing again in the Middle East. He has announced that the United States will provide risk insurance to oil tankers in the region. He also announced that the U.S. Navy will escort cargo ships if necessary.

You know, this is very similar to what President Ronald Reagan did in the 1980s. It worked then; it is going to work now.

The President's dynamic actions are going to get prices back down, and what he is doing, in the long run, is going to keep prices down. The real loser, of course, with what is happening in Iran right now is communist China.

China is one of Iran's biggest allies and enablers. It buys most of Iran's oil exports, and it buys them at a discount. It buys them at a discount because it is buying them on the black market. So China has been getting massive amounts of oil from Iran and paying a lower price as a result.

What does Iran do? Well, it turns and uses the money to buy Chinese air defense systems and other weapons, as well as fund terrorism. These are the very weapons that our military is destroying and continues to destroy today.

Operation Epic Fury is more than just a success against the world's No. 1 sponsor of terrorism. It is a significant setback for our No. 1 adversary in the world.

President Trump is completely rewriting the global energy map, and he is doing it in America's favor. Our Nation needs to continue to produce more energy. That means oil and natural gas. It means coal, and the President has been terrific in signing Executive orders on that. It means uranium for nuclear power.

We all know affordable, available, and reliable American energy is a source. It is a source of American strength, it is a source of American safety, and it is a source of American prosperity.

In the meantime, Congress should take action to lower gas prices for American families. I have introduced legislation to do that. It is called the Pay Less at the Pump Act. It does exactly that. This legislation repeals a harmful tax called the Superfund tax on crude oil.

Well, where did this tax come from? Well, the Democrats—\$12 billion tax in their 2022 reckless tax-and-spending bill. Working families have been paying the price ever since. It is unfair. It is what the Democrats want to do. They always want to raise taxes.

My bill will lower prices at the pump and lead to more American energy pro-

duction. It is certainly good for my home State of Wyoming. It is good for working families. It is good for our entire Nation.

Republicans promised to make America safer and more prosperous, and we are going to continue to do both of those things.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Democratic whip.

IRAN

Mr. DURBIN. Mr. President, it was October 11, 2002—24 years ago. There was a vote on this Senate floor. I was here. The vote was an important one in the history of this country and maybe one of the most important votes I ever cast as a Member of the Senate.

What was the question? The question before the Senate: Will we go to war? Are we ready to invade Iraq?

President George W. Bush had told us that we needed to do it because Iraq had weapons of mass destruction, which could obliterate our allies and friends and eventually threaten the United States.

The vote took place at about midnight. The floor was full because of the importance of the vote. I remember it well. Twenty-three of us voted no—1 Republican, Lincoln Chafee of Rhode Island, and 22 Democrats. Three of us who voted no that night are still here, 24 years later.

We invaded Iraq. What did we find? No weapons of mass destruction—none. They searched long and hard, as the intelligence Agencies had told us they were there and were a threat to the United States.

We stayed in Iraq for year after year after year afterward, and 4,500 American lives were lost in that war of Iraq.

I remember going to visit Walter Reed Hospital and meeting the veterans who came back from Iraq. Most of them had lost a limb because of IEDs. There were terrible stories of what they had endured and some of them had scars from that war that they would never, ever live down.

There were many heroes, too, among our military. They did their duty. Their Commander in Chief said: We are going to invade Iraq, and they did.

One of those is my colleague in the U.S. Senate today, TAMMY DUCKWORTH, who was a member of the Illinois National Guard and was a helicopter pilot who was shot down over Iraq and suffered serious wounds and injuries as a result.

I don't take anything away from the soldiers, the airmen, the sailors, and those in the Coast Guard who did their duty. But the reason we had a vote is because we said the American people have to decide whether their sons and daughters will fight this war.

This isn't an idea that just comes to us new. This idea is written right here in a little book called the Constitution of the United States. In article I, the powers of Congress, section 8, the power to declare war is given to Congress.

Now the Senator who just spoke, from Wyoming, is a friend of mine, but I disagree with what he said. I do believe the American people have a constitutional right to make the decision as to whether their children will be called on to fight a war. That is not too much to ask.

We are now engaged in a war which, by definition, changes by the day. There have been at least seven different explanations by this White House as to why we are fighting this war. Yesterday, the President of the United States, in the chaotic manner which has become so typical of him, at one time said it is going to be a very short war in duration, and then, later in the day, he said: We will make it a longer war. We will fight to the finish.

We don't know where he is on so many things. He is an impulsive Commander in Chief. I can't think of a worse combination. That is the reality.

When Senators come to the floor and want to have an open debate about the war in Iran, which we are currently engaged in, I will vote yes every time. I believe the American people have an obligation to step up and make the decision publicly as to whether or not we are going to fight a war that is going to last for a long period of time.

The way they do that is through Senators and Members of the House. To say that any President can take us to war anytime is foolhearted. We learned that in Iraq. We shouldn't have to learn it again in Iran.

SAVE AMERICA ACT

Mr. President, on a different topic completely, on Sunday, President Trump said he would not sign any legislation until Congress passes a bill that I believe threatens to disenfranchise millions of Americans—to take away their constitutional right to vote.

Amidst a war in the Middle East and DHS funding negotiations, the President of the United States now insists that the SAVE America Act should be our No. 1 priority—our only priority. He made it clear.

Don't let the name of this bill fool you. The SAVE America Act would not protect our elections. Instead, it would make it more difficult for millions of Americans to vote.

To start with, it is already illegal for noncitizens to vote in the United States. President Trump and his followers would have us believe that it is commonplace, and that is why he "lost the election" a few years ago.

Election officials are required to verify, now, under the law, all registered voters' citizenship status. The system works. According to the conservative Heritage Foundation—and you can look this up online—from 2003 to 2023, 20 years—in 20 years, do you know how many non-American citizens they caught voting in 20 years? Twenty-four. There were 24 people who were ineligible for voting in a 20-year period of time—20 years, 24 cases.

The SAVE America Act would upend the past two decades of successfully secure elections with untested, dangerous limitations on voter registration.

Here is how it goes. You want to buy an airline ticket, and they ask you for identification. You pull out your driver's license, if you have one—simple. So why shouldn't we ask the same of voters? Well, there are a couple of elements you should know.

The SAVE America Act does not allow you to use your driver's license as identification. It doesn't allow you even if you have a REAL ID, which you are supposed to have on your driver's license.

So the most common form of identification for Americans is ineligible under this new law.

You have to prove where you were born. They will accept a couple—three things. One is a passport. Do you have one? Half of Americans don't have a passport. They don't own one. I do, but half of Americans don't.

What would it cost for you to make sure you have a passport by the next election in November? It is a \$165 fee. That is one of the ways that you can prove you are actually American, but it is not the only way.

There is another way. Your birth certificate—have you seen it lately? Do you have it in your home? Do you know where to find it?

And if you have a birth certificate which says your maiden name as a woman—it doesn't say your married name—it doesn't work. It is ineligible.

So this notion of proving you are an American citizen turns out to be a lot more complicated when you actually read the proposal the President is insisting on.

Suddenly, providing your driver's license, even if REAL ID compliant, will no longer be enough to register to vote; nor would military IDs be sufficient for servicemembers.

Men and women serving actively in the military, sworn to uphold the Constitution, when they go to vote, they show their military ID and are told by the election official, whoever it is: Sorry, that doesn't qualify. We need a passport or we need a birth certificate.

Under this legislation, election officials would accept a limited number of documents, and this could prevent millions of Americans from being eligible to vote in November.

Why would the President of the United States be pushing so hard for a bill which would make it more difficult to vote? Because he is worried about the outcomes of this election. He thinks he is going to lose. And he believes that more and more people who have limited access to the identification requirements don't own a passport, don't have a birth certificate, and are going to be ineligible to vote, and help his chances to win the election in November. It is that simple.

Tens of millions of married women that took their spouse's last name are

going to have to spend the time and money to obtain an amended birth certificate, if your State allows you to have one.

Why are we making it so complicated?

As I said earlier of the incidents of fraud over the last 20 years, there are 24 cases of fraud in the United States of non-Americans trying to vote—24 times in 20 years and in the millions and millions of votes that have been cast.

Making America fill out more paperwork will not secure our elections. This bill only makes it harder for women, members of our military, and seniors to participate in the democratic process.

The President says he won't allow us to send any bill to him to be signed into law until we pass this one, denying the right to vote to millions of Americans in November. That is what the whole issue is about.

#### HOUSING FOR THE 21ST CENTURY ACT

Mr. President, on a different issue, this week, the Senate is considering the Housing for the 21st Century Act, a measure intended to address the affordability crisis by boosting housing supplies and making homes more affordable for Americans.

I want to speak to three amendments I filed to that bill and the important protections they provide American taxpayers and consumers.

In the aftermath of the 2008 financial crisis spurred by lax lending standards and subprime mortgages that went belly-up, Congress passed the Dodd-Frank Act and created the Consumer Financial Protection Bureau.

Dodd-Frank placed guardrails on the financial sector to prevent such a crisis from happening again. Unfortunately, the Trump administration has gutted the Consumer Financial Protection Bureau, while promoting one industry over that almost exclusively.

Which industry is that? It is the cryptocurrency industry. This administration is playing with fire—dropping lawsuits, hollowing out enforcement, and curtailing investigations into bad actors, while cozying up to crypto donors. If this administration refuses to act, then it is on Congress to provide strong guardrails to protect consumers and curb corruption.

Cryptocurrency is a highly risky, volatile, unpredictable asset. Take the Bitcoin, the gold standard of crypto. It has fallen in value nearly 50 percent since setting a record-high last October.

And it is not just Bitcoin. The total value of the crypto market has dropped from nearly \$4.2 trillion in October 2025 to \$2.36 trillion today. All the gains from last year have been wiped out for investors in that cryptocurrency.

Crypto has developed a troubling reputation for fraud, including scams facilitated by crypto ATMs, which disproportionately target senior citizens. In 2025, last year alone, the FBI received more than 12,000 complaints of

crypto ATM fraud that resulted in more than \$333 million in losses.

How does it work? A senior citizen gets a telephone call and is told: You were supposed to show up for jury duty last month and you didn't show up. Did you know there is a warrant out for your arrest?

The senior citizen says: I didn't know anything about that.

Well, that is a fact, the warrant will be served on you, unless you pay your fine. I will tell you how you can do it and spare yourself the embarrassment. Go to the crypto machine and feed in \$10,000, and it will all go away. The senior citizen worried that their family is going to learn that they missed their jury duty or whatever it might be, embarrassed at the prospect of discussing it with their kids just does that, goes to the crypto machine.

Does that happen very often? Mr. President, 12,000 complaints of crypto ATM fraud, \$333 million in losses, seniors convinced by scammers to plug money into the crypto machines.

And the President has used crypto to enrich himself and his family. Fresh off returning to the Oval Office for a second term, Donald Trump launched a meme coin that generated more than \$280 million in profit. President Trump issued a meme coin that generated more than \$280 million in profit since he was reelected as President.

And his family's crypto firm World Liberty Financial has brought in approximately \$1 billion in revenue, the family firm. President Trump's crypto dealings reportedly account for more than 20 percent of his net worth. In 1 year, President Trump and his family have increased the family fortune to the tune of \$1.4 billion, primarily through crypto.

My first amendment would crack down on what some have called "the getaway vehicle" for criminals. I am talking about crypto ATMs. You might not know that they are there, but the next time you go to a grocery store and look at an ATM machine, look what is next to it; it is a crypto ATM machine so you can funnel money in and buy Bitcoins. I am talking about crypto ATMs that are all over America, 30,000 of them—30,000 of these machines. If you look at your gas station or your grocery store, you are going to see them. They are being used by criminals to cheat Americans, primarily senior citizens, out of their life savings.

I have spoken before about how scammers are targeting Americans, impersonating their banking institution that they can trust, and scamming them into putting their hard-earned money into these crypto ATMs.

Because of the untraceable and anonymous nature of crypto, once the victim deposits cash into a crypto ATM, sends it to the scammer's wallet, it is nearly impossible to recover.

My amendment would require crypto ATM operators to register with the Treasury Department and report their kiosk locations. It also would require

crypto ATM operators to provide mandatory disclosure and fraud warnings, impose daily transaction limits, and provide refunds for customers who were scammed.

I have also filed an amendment that would prevent crypto companies from receiving a taxpayer-funded bailout. Imagine, these crypto operations don't pay deposit insurance like banks and savings and loans and others. And when it comes to a crisis like the one we had in 2008, that insurance becomes important to saving those institutions.

Currently, crypto is considering asking for that kind of protection without paying any insurance premiums. If and when the crypto crash occurs, American taxpayers should not be the ones on the hook for these crypto ventures that are owned by President Trump and his family.

Mr. President, 2 in 3 Americans oppose a government bailout of the crypto industry, while only 9 percent support one.

My colleagues on the other side of the aisle talk about all the 80–20 issues; this is a 90–10 issue. There should never be a taxpayer bailout for crypto.

I have also raised serious concerns about crypto with the Trump administration exposing the retirement accounts of millions of America to crypto. You cannot discuss retirement security in the United States without mentioning Social Security.

While the Social Security trust funds can only invest in government bonds, I have filed an amendment to make it explicitly clear that the trust funds cannot currently and can never invest in crypto. Social Security ensures our seniors have food on their table and clothes on their backs. It is backed by U.S. Treasury bonds, the safest asset in the world, because of the full faith and credit of the United States backing it up.

If the trust funds were exposed to the volatility of the crypto market, the financial security, under Social Security, that our seniors depend on could be pulled out from under them, rising and falling with the swings of this risky asset.

Here is the bottom line: Do we want to expose the bedrock promise of Social Security to risky assets like crypto?

If your answer is no, I hope you will support my amendment. It is past time we put guardrails in place to stop fraud and corruption in the crypto industry.

When the GENIUS Act came up for a vote last year, I voted no because it gave Congress' blessing for President Trump and his family to further enrich themselves with very little protection for consumers. As Congress considers market structure legislation, I intend to submit these amendments to the bill to fully place meaningful guardrails in this industry.

The American consumer is not aware of what is going on with crypto; it is time for them to open their eyes.

I yield the floor.

The PRESIDING OFFICER (Mr. SHEEHY). The Senator from Oregon.

NOMINATION OF LT. GEN. JOSHUA M. RUDD

Mr. WYDEN. Mr. President, yesterday, I rose to explain my opposition to the nomination of Joshua Rudd to be the Director of the National Security Agency and to lead Cyber Command. During his hearing, General Rudd failed to demonstrate a bare minimum understanding of the constitutional limits on NSA activities.

His responses to questions about privacy rights and transparency were deeply troubling. He wouldn't commit to the Agency's past policy of not purchasing and using very sensitive location data on Americans, and he wouldn't rule out secretly violating public policies and guardrails on NSA activities.

While I admire the nominee's many years of military service, he does not have a background in national signals intelligence activities or cyber operations that would qualify him for this position.

Now, he is not the first unqualified nominee. In fact, there are currently no qualified, Senate-confirmed officials in charge of cyber security.

The country faces serious cyber security threats. This is truly a five-alarm fire. Yet the President keeps nominating officials to key cyber security roles who have less knowledge of the topic than an undergraduate computer science major.

General Rudd is the wrong person for the job, and I oppose his nomination. But if the Senate confirms General Rudd despite his lack of familiarity with basic constitutional principles, it is all the more essential—truly important—that the Senate pass legislation to protect against surveillance abuses.

So this morning, I am going to take just a few minutes to discuss why the government's surveillance activities are dangerously broad and how Congress can protect the privacy of Americans and protect the security of our country.

I intend this morning to talk about three issues that are going to come before Senators in the next 3 weeks. Let me repeat that. These three issues will be before Senators very shortly. They are section 702 of the Foreign Intelligence Surveillance Act, surveillance of Americans by ICE, and the dangerous ways that artificial intelligence can be used to surveil American citizens.

As most of my colleagues know, there is a section in the Foreign Intelligence Surveillance Act—it is section 702—that expires in just a few weeks. Congress is going to soon debate its reauthorization.

I have been doing this for a while, and I know how it usually plays out. Opponents of reforming section 702 don't want a real debate where Members can decide for themselves which reform amendments to support. So what happens is there is an inadequate bill that is brought up, magically

shows up a few days before the authorization expires, and Members are told: Holy Toledo, there is just no time to do anything except pass that bill. And it is always said that if the Senators vote for any amendments, the program dies, and terrible things that we don't want to have happen will all happen, and it will be the Senators' fault.

So this morning, I want to make sure that people know you shouldn't buy into this. It is a disservice to our constituents and to the constitutional responsibilities we all have. The Senate can have a debate. The Senate can consider amendments on the merit.

One more point I will return to later: Senators should not accept secret interpretations of the legislation they vote on.

The country needs to have an open debate about the surveillance authorities that directly affect the privacy and constitutional rights of Americans, and it is a debate that shouldn't exclude the American people.

So, first, let's lay some groundwork for this discussion. This important law is section 702 of the Foreign Intelligence Surveillance Act. It authorizes a warrantless surveillance program. The FISA Court approves the overall program, but it doesn't review the individual targets. Picking targets is up to the government. Targets do not have to be suspected terrorists or spies; anyone the government believes possesses foreign intelligence information is fair game.

The targets are supposed to be foreigners, but there are lots of them. The most recent public data was for 2024 when there were more than 291,000 targets, which is more than triple what it was 10 years before.

Some of these targets are going to be talking to Americans, and the communications of Americans are going to be collected by the government. In many cases, these will be law-abiding Americans having perfectly legitimate conversations. Journalists, foreign aid workers, people with families overseas all could have their communications swept up in the surveillance just because they were talking to somebody outside the country.

We don't know exactly how many Americans' communications are swept up by what the government calls incidental collection. That is because the government refuses to tell us. But we know it is large; we know it is increasing. So the question Congress needs to consider is how to target foreign threats while protecting the rights of Americans.

Ben Franklin said that those who would sacrifice liberty for security are going to lose both and deserve neither. But smart policies, which are something I feel particularly strong about, give you both. They are not mutually exclusive. Liberty and security—you can have both, but you need smart policies.

With that principle in mind, the best way to protect the rights of Americans

is to ensure the government can't conduct searches for Americans' private conversations in all that 702 data without a warrant. Smart policies should include certain exceptions to the warrant requirement, and the law should allow for warrantless searches in emergencies, but as a general matter, the government shouldn't be allowed to comb through all that collection of Americans' communications without court oversight.

For years, there has been jaw-dropping abuse of these searches. That has been done especially by the FBI. Some internal administrative changes were made as a result. Two years ago, when Congress last reauthorized 702, opponents of reform made a big deal about those changes. But let me give you an example of how the changes from the 2024 reauthorization bill fell short.

There is a category of searches that is considered especially sensitive. It includes searches for elected officials, Presidential appointees, Governors, political candidates, American political organizations and the people who lead them, as well as media organizations and journalists. All are involved in this area.

So what did the last reauthorization bill do to ensure that the government wasn't abusing its authority by combing through all those communications to look for journalists and Governors and Senators? The so-called big reform was to require the approval of the Deputy FBI Director for those sensitive searches.

Until 2 months ago, the Deputy FBI Director was Mr. Dan Bongino. As most of my colleagues know, he is a long-time conspiracy theorist who has frequently called for specious investigations of political opponents. This is the man whom the President and the U.S. Senate put in charge of these very sensitive searches.

His replacement is Deputy Director Andrew Bailey, who is another highly partisan election denier who recently directed a raid on the Georgia election office to justify the conspiracy theories of the Trump administration.

I don't know about my colleagues, but their so-called reform doesn't make me feel better. I think we are all going to feel worse. But it is even worse than it appears. The FBI has refused to even keep track of all the sensitive searches the Deputy Director considered. The inspector general urged the FBI to just put this information into an easy spreadsheet, and they refused to do that. That is exactly how much the FBI does not want oversight.

There are a lot of other reforms that are desperately needed to 702. Later this week, I will be introducing bipartisan, bicameral legislation to enact critical reforms to government surveillance—including 702. I am not going through all of the reforms today, but this is a bipartisan, bicameral effort. And I especially want to point to a new provision of 702 that urgently needs to be repealed.

Two years ago, during the last reauthorization debacle, something really bad happened. Over in the House, existing surveillance law was changed so that the government could force anybody with access to communications to secretly collect those communications for the government. As I pointed out at the time, that could mean anybody installing or repairing a cable box or anybody who was responsible for a Wi-Fi router. It was a jaw-dropping expansion of authorities that could end up forcing countless ordinary Americans to secretly help the government spy on their fellow citizens.

When the provision was introduced, the Biden administration knew it had a problem. This was such a dramatic and disturbing expansion of section 702 that the Biden Justice Department had to promise it would only use these authorities in certain narrow situations.

My colleague from Virginia, who is my seatmate on the committee, acknowledged that the law as written was badly flawed, and he vowed, to his credit, to fix this overbroad provision at the earliest opportunity. Unfortunately, it has not been fixed yet.

The Biden administration refused to tell the public when it would use this dangerous, incredibly broad provision. The Trump administration certainly isn't providing any details about it. So Congress isn't having a real, informed debate about this staggering provision and whether this vast and dangerous expansion of surveillance is justified.

I can tell you my view. This expansion of the government's authority is not justified, and even if it were narrowed to the circumstances that the Biden administration described in secret, I believe it is time to get rid of the provision.

But here is the other thing: Whatever secret promise the Biden administration made about using these unchecked authorities with restraint, the current administration isn't going to feel bound by that. So whatever the previous administration intended to accomplish with the provision, there is absolutely nothing preventing the current administration from conscripting the cable guy, tech support men and women, and others to secretly spy on Americans.

The past 15 years have shown that unless Congress has an open debate about surveillance, the laws that are passed cannot be assumed to have the support of the American people. That is fundamentally wrong. Right now, the government is relying on secret law with regard to section 702 of FISA.

I already mentioned that the provision that was stuck into the last reauthorization bill could allow the government to force all sorts of people to spy on their neighbors. I have explained the details of how the Biden administration chose to interpret it and how the Trump administration is going to interpret it and that it is all a big secret. Americans have the right to be confused and angry that this is how the

government and Congress choose to do business.

There is another example of secret law related to section 702, and it affects the privacy rights of the American people. For years, I have asked various administrations to declassify it. Thus far, they have all refused, although I await a response from DNI Gabbard. I strongly believe that this matter should be declassified and that Congress needs to debate it openly before 702 is reauthorized. The fact is, when it is eventually declassified, the American people are going to be stunned that it took so long and that Congress had been debating this authority with insufficient information.

Now I want to briefly explain why our coalition is attaching all of these other reforms to a section 702 bill. The reason is that no matter how concerned the public is about abusive surveillance, trying to address this problem with a piecemeal approach—pushing one specific reform after another—would be impossible. So a comprehensive approach that attaches these reforms to legislation reauthorizing 702 is the most effective way to deal with the problems.

So let me stress, if you are concerned about ICE and CBP and how they are collecting information on Americans—even as they terrorize our towns and cities—supporting our surveillance reform legislation is the one way you can do something specific about it now.

For example, our bipartisan reform bill takes on an issue I have been working on for years. It is the government's purchase of private information on the American people from one of the sleaziest industries in America, which is the one run by the data brokers. Both ICE and CBP have purchased and used Americans' location data—highly sensitive information—that can reveal what medical clinics you go to, what protests you are involved with, and the friends and family you see.

The Agencies have made various arguments to justify collecting these records, including the false assertion that all Americans have actually consented to location data being collected.

I want to emphasize that the government, in these cases, bought the records of millions of Americans' movements without any warrant or court oversight whatsoever. If the FBI wants to wiretap just one person's phone or to obtain a week's worth of location information about where that person went from a phone company, the Agency would need to go to a judge and justify the surveillance. That is what the Constitution requires. But if the government wants to buy that very same location data about millions of Americans, the government maintains that it doesn't need anything except a credit card.

In 2023, it was forced to shut down a program to purchase the location data of our people due to scrutiny that had been done by the inspector general and Congress, but last year, there were

public reports that it had resumed this dangerous practice, and ICE is currently stonewalling congressional oversight on it.

Location data is not the only sensitive information on Americans that the government is purchasing without a warrant. Web browsing information—what websites Americans visit—is obviously very private. Just imagine the government looking over your shoulder all the time when you are using your phone. It is almost equivalent to spying on your thoughts. That is what happens when the government gets together with these sleazy data brokers. And it is not just ICE; the Pentagon, the IRS, Customs and Border Protection, the FBI, the Secret Service—all of them have purchased Americans' location information or web browsing information.

The government's purchase of all of this private information ought to be enough, but I want to wrap up by talking about how artificial intelligence could be used on these records.

Artificial intelligence tools are designed to comb through enormous datasets, find patterns, and identify behaviors of interest to the government. A few years ago, Americans may have believed that their personal information would be overlooked in an ocean of data. Now we know AI can be looking at everybody.

I have been warning for nearly a decade that data available for purchase from companies was just as sensitive as information the government collects directly. Creating AI profiles of Americans based on that data represents a chilling expansion of mass surveillance that must not be allowed.

As my colleagues are aware, the Trump administration decided to single out one company over the weekend for punishment because the company didn't want its artificial intelligence tool used for the mass surveillance of Americans. The company's CEO said that if the government's purchase of Americans' locations, web browsing, and other sensitive data is currently legal, it is only because the law has not yet caught up with the rapidly growing capabilities of AI.

That in a nutshell is the problem our bipartisan legislation will fix—update the law to current realities and stop the government from buying data on Americans from sleazy data brokers. It has to be addressed in a section 702 reauthorization bill which Congress will actually consider, because if legislators don't seize this opportunity, technology will just get further and further ahead of the law, and Americans will rightly have little faith that Congress is interested in protecting their privacy.

Now, with this thought, I am going to close. We are considering a nominee to be the Director of the NSA who refused to answer whether the government needs a warrant to spy on people in the United States. He would not commit to maintaining the NSA's pol-

icy of not purchasing location data without a warrant. He wouldn't commit to telling the American people if the NSA violates the policies and guardrails of successive administrations that were made public. This nominee wouldn't even promise to tell the Senate Intelligence Committee about these matters.

I am urging my colleagues to oppose this nomination. Regardless, I am urging that the issues related to privacy and the rule of law raised by this nomination are considered in comprehensive surveillance reform legislation.

I am part of a bipartisan coalition, and our bipartisan, bicameral bill, the Government Surveillance Reform Act, is going to be introduced shortly. I would be glad to talk to colleagues, regardless of their party and philosophy, about it, and I urge them to support the legislation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCORMICK. Mr. President, I ask unanimous consent to suspend the quorum.

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

Mr. MCCORMICK. I ask unanimous consent that the rollcall vote begin immediately.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to Executive session to resume consideration of the following nomination.

The bill clerk reported the nomination of the following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: to be General, Lt. Gen. Joshua M. Rudd.

NOMINATION OF LT. GEN. JOSHUA M. RUDD

Mr. VAN HOLLEN. Mr. President, with regards to the promotion of LTG Joshua Rudd to general, I do not oppose his promotion, but I have concerns about the administration's intent for him to serve as the Commander of U.S. Cyber Command and the Director of the National Security Agency. Both of these national security institutions are based in Maryland and they need a leader who has experience in the work they do for our Nation. While Lieutenant General Rudd has served the United States in many important roles, including his current role as deputy commander of U.S. Indo-Pacific Command, he does not have a background or expertise in cyber operations or signals intelligence. Moreover, during his

confirmation process, he did not assuage my concerns about his commitment to constitutional and legal guardrails on spying on Americans. For these reasons, I am opposing his nomination.

VOTE ON RUDD NOMINATION

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

Mr. MCCORMICK. 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 bill clerk called the roll.

The result was announced—yeas 71, nays 29, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—71

Baldwin	Grassley	Murkowski
Banks	Hagerty	Paul
Barrasso	Hassan	Peters
Blackburn	Hawley	Reed
Boozman	Heinrich	Ricketts
Britt	Hirono	Risch
Budd	Hoeben	Rosen
Capito	Husted	Rounds
Cassidy	Hyde-Smith	Schiff
Collins	Johnson	Schmitt
Coons	Justice	Scott (FL)
Cornyn	Kelly	Scott (SC)
Cortez Masto	Kennedy	Shaheen
Cotton	King	Sheehy
Cramer	Lankford	Slotkin
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Curtis	Marshall	Tillis
Daines	McConnell	Tuberville
Ernst	McCormick	Warner
Fetterman	Moody	Whitehouse
Fischer	Moran	Wicker
Gillibrand	Moreno	Young
Graham	Mullin	

NAYS—29

Alsobrooks	Kaine	Sanders
Bennet	Kim	Schatz
Blumenthal	Klobuchar	Schumer
Blunt Rochester	Lujan	Smith
Booker	Markey	Van Hollen
Cantwell	Merkley	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Gallego	Ossoff	Wyden
Hickenlooper	Padilla	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. CURTIS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:42 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CURTIS).

LEGISLATIVE SESSION—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the