

rights—and that is particularly true when there are blaring alarms warning of abuses, some of which Congress has yet to be told about. I am going to highlight now some of those alarm bells.

For years, there have been jaw-dropping abuses of section 702. Government officials have searched through 702 data to find Black Lives Matter protestors, political campaign donors, elected officials, even a State judge who complained about police abuses.

Opponents of reform say that the problems with the law have been fixed. The facts show otherwise.

One of the biggest flaws in section 702 is what is called the “backdoor search loophole.” Mr. President, 702 is supposed to be an authority aimed at foreigners outside the United States, but the government is currently allowed to trawl their way through the vast collection of 702 data to conduct warrantless searches for Americans’ communications. Last year, the FBI increased the number of warrantless searches it conducted for Americans’ communications by more than a third. That is concerning enough right there. Yet it gets worse.

The number of so-called “sensitive” warrantless searches—which can target elected officials, journalists, or the leaders of political organizations—more than tripled during the first year of the Trump administration. The FBI has refused to say why. Given Trump’s enthusiasm for investigating journalists and political opponents, this, too, is a blaring alarm warning of abuses that Congress has not been told about.

The government is also circumventing warrant requirements by using a credit card. A few weeks ago, FBI Director Kash Patel confirmed that the FBI is actually buying up Americans’ location data. If the government wanted to compel companies to hand over this information, it would need a warrant, but through a loophole in the law, government Agencies—we are talking about the FBI, ICE, CBP, and the Pentagon—can buy this sensitive information from sleazy, shady data brokers with essentially no oversight.

The fact is, if you are going to close the data broker loophole, the time to act is now. You are not going to get another chance this year.

Yet another blaring alarm went off a few weeks ago. On March 17, the FISA Court—the Foreign Intelligence Surveillance Court—found major compliance problems with section 702. These problems are directly related to Americans’ constitutional rights.

In the past, the government would work with that court to fix these kinds of problems. Today, the press reports that the Trump administration is appealing the court ruling so that they never—never, Mr. President—have to fix the problems.

This raises a serious question: How can Congress reauthorize the authority while the appeal is pending and nobody knows what reforms are actually need-

ed? I am going to have a lot more to say about this part.

The court ruling needs to be declassified. Americans ought to have the ability to understand what their government is up to.

I will remind my colleagues there is another separate, secret law problem with section 702. Multiple administrations have relied on a secret interpretation of 702 that directly impacts the privacy rights of Americans. The Director of National Intelligence, unfortunately, has turned down my request to make this information public, so I have written a classified document that explains the problem in more detail. I have made it available in a secure room at Senate Security. I urge this afternoon in the strongest possible way—I encourage my colleagues to read it so Senators can hear the alarm bells loudly warning us of abuses that Congress hasn’t been told about.

We are also being warned about the impact of new technology on Americans’ constitutional rights. I want to talk, for example, about the implications of artificial intelligence on this debate, and these are fairly new developments that I think most Senators have not heard.

The CEO of one of America’s largest AI companies sounded this warning several weeks ago. He did it in a message about his firm’s multimillion-dollar contract with the Department of Defense.

Here is what this AI CEO said:

AI-driven mass surveillance presents serious, novel risks to our fundamental liberties. To the extent that such surveillance is currently legal, this is only because the law has not yet caught up with the rapidly growing capabilities of AI. For example, under current law, the government can purchase detailed records of Americans’ movements, web browsing, and associations from public sources. . . . Powerful AI makes it possible to assemble this scattered, individually innocuous data into a comprehensive picture of any person’s life—automatically and at massive scale.

This is one of the most powerful voices in the field of AI. I am citing somebody who really understands the underpinnings of what AI is all about, and he is warning Congress about the impact of AI-powered surveillance.

Let me repeat that. One of the most powerful voices in the field of AI is warning Congress at this time about the impact of AI-powered surveillance. I hope my colleagues will listen to him.

I recently wrote to several leading AI companies to ask them about whether government agencies could use their products to analyze information on Americans collected through this kind of bulk surveillance. None of them denied that their products could be used this way.

I want America’s intelligence and law enforcement agencies to take advantage of new technologies that can help them protect public safety and national security, but new tools require new rules. Without new rules, you can count on the executive branch to run

roughshod over Americans’ privacy rights and constitutional freedoms. It is not hard to see how these capabilities could be abused—especially to target immigrants, people attending protest rallies, women seeking abortions, and Donald Trump’s other perceived enemies.

The fact is, there is a bipartisan, bicameral group of Members that I am part of that has worked together to come up with a solution to these kinds of challenges.

Among other important reforms, our bill would require the government to get a warrant if it wants to deliberately read an American’s emails or texts. That would be whether the information is collected under FISA or outside of FISA. And it would finally close the data broker loophole.

The fact is, what we are hearing about now, these new developments which are breaking weekly about government surveillance, ought to give the U.S. Senate—every Senator—Democratic, Republican, Independent—ought to take some pause here. My last floor statement on surveillance was only a month old, and I have read through a whole laundry list of stunning new developments that have emerged since then.

I am truly amazed that some of my colleagues seem ready to give the executive branch a blank check to keep trampling on Americans’ constitutional rights. Congress can and must protect Americans’ security and Americans’ rights at the same time.

Ben Franklin said anybody who gives up their liberty to have security really doesn’t deserve either. We ought to be thinking about that at this crucial time.

I urge my colleagues to insist that the renewal of section 702 include real reforms—actual black-letter text—to protect Americans’ privacy rights. Senators ought to oppose any extension—any extension—that does not include the kinds of reforms I have been talking about this afternoon.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

WAIVING QUORUM CALL

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent to waive the mandatory quorum call in relation to the Davis nomination.

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

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the scheduled rollcall vote begin immediately.

CLOTURE MOTION

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

Senate the pending cloture motion, which the clerk will state.

The legislative 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 nomination of Executive Calendar No. 671, Andrew B. Davis, of Texas, to be United States District Judge for the Western District of Texas.

John Thune, Bill Hagerty, Tim Sheehy, Jim Banks, Ted Budd, Katie Boyd Britt, Bernie Moreno, Tommy Tuberville, John R. Curtis, Mike Rounds, John Barrasso, Pete Ricketts, Kevin Cramer, John Cornyn, James Lankford, Ted Cruz, Rick Scott of Florida.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under rule XXII has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Andrew B. Davis, of Texas, to be United States District Judge for the Western District of Texas, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY), the Senator from Kansas (Mr. MORAN), and the Senator from Alabama (Mr. TUBERVILLE).

The yeas and nays resulted—yeas 49, nays 48, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—49

Armstrong	Fischer	Moreno
Banks	Graham	Murkowski
Barrasso	Grassley	Paul
Blackburn	Hagerty	Ricketts
Boozman	Hoehn	Risch
Britt	Husted	Rounds
Budd	Hyde-Smith	Schmitt
Capito	Johnson	Scott (FL)
Cassidy	Justice	Scott (SC)
Cornyn	Kennedy	Sheehy
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tillis
Curtis	McConnell	Wicker
Daines	McCormick	Young
Ernst	Moody	

NAYS—48

Alsobrooks	Heinrich	Reed
Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Blunt Rochester	Kelly	Schiff
Booker	Kim	Schumer
Cantwell	King	Shaheen
Collins	Klobuchar	Slotkin
Coons	Lujan	Smith
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Galleo	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NOT VOTING—3

Hawley	Moran	Tuberville
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The PRESIDING OFFICER (Mr. MORENO). On this vote, the yeas are 49, the nays are 48. The motion is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

APPROPRIATIONS

Mrs. MURRAY. Mr. President, we are nearly done with our fiscal year 2026 spending bills. It has been a long road—no question—and we still have some serious disagreements around reforms and funding for ICE and Border Patrol, which I will speak to in a minute, but despite the major challenges, we accomplished something important in passing 11 and, hopefully soon, 12 of our funding bills.

We outright rejected Trump's plan to gut the programs families rely on. We protected crucial investments that people count on every day, and we took some important steps to reassert Congress' power of the purse. That matters immensely. We would almost be there on the Homeland appropriations bill if it were not for Speaker JOHNSON. Despite the Senate unanimously passing a bill—twice, in fact—to fund the parts of DHS we can agree on while continuing to work on the areas of disagreement when it comes to ICE and Border Patrol, Speaker JOHNSON and the House Republicans have refused to put the bill up for a vote. They have chosen to needlessly extend the DHS shutdown, making it the longest shutdown in history. House Republicans need to stop holding disaster relief hostage and put that bill up for a vote. We know it will pass overwhelmingly.

I also want to step back for a moment because we cannot lose sight of the fact that the reason we find ourselves in this mess is that, last summer, in their "Big Ugly Bill," Republicans did an end run around the bipartisan appropriations process and handed ICE and Border Patrol vastly more money than they receive each year. They gave ICE \$75 billion, the CBP \$65 billion, and even more funding on top of that for the Secretary to tap however they would like. All told, Republicans signed off on over \$160 billion in funding for Trump's mass deportation campaign at DHS. That is nearly three times the entire Department's annual budget, and they did so with virtually no guardrails.

We all know what happened next. President Trump and Stephen Miller built ICE and Border Patrol up into untrained paramilitary forces and sent them out to terrorize communities across the country. American citizens were wrongfully detained. Peaceful protesters were teargassed, tackled to the ground, and pepper-sprayed for no reason. Windows and doors were smashed in by masked agents with no warrants and no IDs. Of course, American citizens like Renee Good and Alex Pretti were shot by Federal agents and slandered by the Trump administration.

Democrats made clear there has to be reform, and we will not approve more funding for their Agencies until that happens; but after weeks of very tough negotiations, Republicans ultimately refused to agree on some very basic reforms, including reforms that the White House had, by the way, already

agreed to. Now, while they continue refusing those commonsense reforms, Republicans are, once again, vowing to give ICE and the Border Patrol even more money, without any accountability. That is right. After America spoke out, demanding more accountability, Republicans are actually doing less accountability.

From what I am hearing, they are looking to now approve funding for ICE and Border Patrol for the rest of Trump's term, with none of the accountability measures we regularly include in our annual spending bills. By pursuing this path, they are intentionally walking away from the reforms that we were negotiating over, and on top of that, they will not include longstanding legacy guardrails that have been bipartisan when it comes to DHS funding.

So let's be crystal clear about what that means: Republicans are now choosing to cut another blank check for these Agencies and to forfeit Congress' ability to put checks on them for the next 3 years.

If Republicans want to cut Stephen Miller another blank check to terrorize American cities and communities, Democrats will have no part of it, and we will fight them every step of the way. But if they are ready to get serious about reforms—and ICE needs a heck of a lot more than another money bomb—Democrats are at the table, ready to rein in those rogue Agencies.

This week, now that President Trump has finally submitted his fiscal year 2027 budget request, which he did over the recess, we are kicking off the fiscal year 2027 appropriations process in earnest with hearings in the Appropriations Committee.

Now, a budget is a statement of values, and what this budget says about our President's values is bleak. Trump's vision for our future is not better schools for our kids; it is not curing diseases like cancer or Alzheimer's; and it is not lowering costs for families, like childcare or home energy bills. It is war—war—plain and simple.

None of the priorities Trump campaigned on are reflected in this budget. He is breaking every single promise he made about lowering costs and helping families and putting America first. Instead of putting America first, he is asking Congress to slash investments in families to help fund his reckless foreign wars and line the pockets of defense company CEOs and their stockholders.

He summed it up pretty well when he said recently:

We're fighting wars. We can't take care of day care.

That was him. It doesn't get more explicit or more wrong than that. Trump is saying we can't afford to help families afford the basics because we have to fight wars that he chose to start.

We also have Trump admitting in an interview that gas prices may be higher in a few months because of his latest