

get a search warrant for the content of private communications and documents that Americans send over the internet and store in the cloud.

Third-party providers store our emails, our private chat messages, our work documents, and our phone records on their servers. Most of these can be searched if the government gets a warrant based on probable cause that the search will reveal evidence of criminal activity, but unlike the searches most Americans are familiar with from TV dramas where an officer shows up at a suspect's house with a warrant, the Stored Communications Act allows Federal investigators to request a nondisclosure order, also known as an NDO, from a Federal judge, preventing your service provider from ever telling you that your email account or phone records had been seized.

There is no statutory time limit. NDOs can exist in perpetuity, allowing the government to forever hide their searches from the searched.

There are good reasons why prosecutors might need or want a nondisclosure order, an NDO, for a brief period of time. In some cases, immediate notice might put an undercover agent in direct danger or risk the destruction of key evidence or compromise an ongoing investigation, but 40 years after passage of the Stored Communications Act, the government's use of nondisclosure orders has expanded well beyond these high exigency cases.

Under current law, the request has become little more than a simple box-checking exercise. The statute allows the government to maintain these nondisclosure orders indefinitely. DOJ's current policy limits the duration of the NDOs to 3 years, and that policy is itself totally voluntary and flexible. DOJ can rescind, suspend, or even just ignore it at will.

We need laws, not voluntary, dismissible DOJ policies, to protect our privacy under the Constitution. By limiting nondisclosure orders to 90 days with the possibility of renewal if there is an actual emergency still ongoing, the NDO Fairness Act ends the so-called forever NDOs where nondisclosure orders have no end date and no end in sight.

By requiring prosecutors to explain the rationale for their requests, we end the so-called rubberstamp NDOs in which applications for an NDO are submitted with boilerplate language and no evidence demonstrating any true or compelling need for nondisclosure.

By ensuring that judges apply the proper strict scrutiny standard to the requests, we limit nondisclosure orders to those where secrecy is actually necessary to the pursuit of the investigation.

In this way, the NDO Fairness Act will protect all Americans who keep an increasingly large percentage of their information online and should expect notice if the government is rifling through their records.

Most recently, we have heard about NDOs in the case of Special Counsel Jack Smith's investigation into President Trump's effort to interfere with the results of the 2020 election, an effort that culminated in an attack on this building, the U.S. Capitol, on January 6, 2021.

It has been well-known for years that in the days leading up to the attack and while the mob was still rampaging in the Capitol, President Trump and his enablers, like Rudy Giuliani, made a series of phone calls to Members of Congress trying to convince them not to certify the election, even as the insurrectionists were tearing through the building.

As part of his investigation into that attack, Special Counsel Smith asked a Federal grand jury to subpoena the phone companies for the records associated with individual Members of Congress known to have been in contact with the White House over a 4-day period running from around January 6, 2021. The subpoena sought call records, the kind of information that is on your phone bill, not the content of any calls or text messages, but a record of who called who when. He also asked a Federal judge to issue an NDO for those subpoenas. He did so after receiving permission to do so from the Public Integrity Section and in full compliance with both existing law and DOJ policy.

It is no secret that the President had made it a habit to pressure witnesses not to testify against him. In August 2023, while he was being prosecuted for these efforts to overturn the 2020 elections, he posted the message: "If you go after me, I am coming after you."

Senators were upset by these completely lawful subpoenas and well-justified nondisclosure orders under the law as it was understood. Their response was to pass a law giving them, and them alone, the right to collect \$1 million apiece each time the government sought their communications records, in the past and in the future.

Instead of acting to protect all Americans, all of us, they sought a multi-million-dollar payday for themselves as U.S. Senators. They did not even include mere lowly Members of the U.S. House of Representatives in their legislation.

Fortunately, that selective, self-serving authority was short-lived, and we succeeded in overturning, I think unanimously in this body, that stunningly corrupt law. The proposal before us today addresses the problem at its root for all Americans and protects all of us, not just the 100 Americans who we get to serve with in the Chamber down the hall.

Prosecutors under Presidents of both parties have routinely sought NDOs in all kinds of probes. The number of orders accompanied by NDOs that electronic communication companies receive has only increased since this legislation was first introduced over 4 years ago.

This body has proudly already passed this bill twice. I am hopeful that our

colleagues in the Senate may now realize and act on the fundamental importance of this legislation for everyone in America.

Our laws should protect the civil liberties of all 340 million Americans just as the Equal Protection Clause demands.

Mr. Speaker, I thank Mr. NADLER for leading the NDO Fairness Act since this legislation was first developed, and I thank Mr. FITZGERALD for ably leading the charge in this Congress. I look forward to voting "yes" on this important legislation.

Mr. Speaker, for the aforementioned reasons, I enthusiastically endorse this legislation and encourage all of my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. FITZGERALD. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I reiterate my strong support for this bipartisan bill, H.R. 6048, which will provide much-needed safeguards on the secrecy order process. This bill passed the House nearly unanimously last Congress, and it is my hope it does so again today.

Mr. Speaker, I urge all my colleagues to again vote "aye" on this, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. FITZGERALD) that the House suspend the rules and pass the bill, H.R. 6048, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1630

PRISON STAFF SAFETY ENHANCEMENT ACT

Ms. LEE of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 307) to address sexual harassment and sexual assault of Bureau of Prisons staff in prisons, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 307

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prison Staff Safety Enhancement Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) In 2023, the Office of the Inspector General of the Department of Justice released a report titled "Evaluation of the Federal Bureau of Prisons' Efforts to Address Sexual Harassment and Sexual Assault Committed by Inmates Toward Staff" (in this section referred to as the "Inspector General report").

(2) The Inspector General report examined all sanctioned inmate sexual incidents in the Bureau of Prisons (in this section referred to as the "Bureau") between fiscal years 2015 and 2021, and found that inmate-on-staff sexual harassment and sexual assault is widespread.

(3) The Inspector General report further found that the Bureau does not collect adequate data on inmate-on-staff sexual harassment and sexual assault and that, because of the Bureau's inadequate data, the Bureau has not been able to identify the full scope of inmate-on-staff sexual harassment and sexual assault.

(4) The Inspector General report further found that the Bureau does not have systems to evaluate the effectiveness of the Bureau's strategies to mitigate inmate-on-staff sexual harassment and sexual assault.

(5) The Inspector General report made recommendations to the Bureau to address the failures in the Bureau's data collection and mitigation efforts, but the Bureau has not implemented these recommendations.

SEC. 3. ADDRESSING SEXUAL HARASSMENT AND SEXUAL ASSAULT OF BUREAU OF PRISONS STAFF.

(a) DEFINITIONS.—In this section:

(1) BUREAU.—The term “Bureau” means the Bureau of Prisons.

(2) CORRECTIONAL OFFICER.—The term “correctional officer” has the meaning given the term in section 4051 of title 18, United States Code.

(3) INSPECTOR GENERAL.—The term “Inspector General” means the Inspector General of the Department of Justice.

(4) INCARCERATED INDIVIDUAL.—The term “incarcerated individual” has the meaning given the term “prisoner” in section 4051 of title 18, United States Code.

(5) SEXUAL ASSAULT.—The term “sexual assault” means an act described in subsection (b), (c), or (d) of section 920 of title 10, United States Code.

(6) SEXUAL HARASSMENT.—The term “sexual harassment” means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that explicitly or implicitly affect an individual's employment, unreasonably interfere with an individual's work performance, or create an intimidating, hostile, or offensive work environment.

(b) IMPLEMENTATION OF RECOMMENDATIONS BY BUREAU.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Bureau shall fully implement each recommendation in the report released by the Inspector General in 2023 titled “Evaluation of the Federal Bureau of Prisons’ Efforts to Address Sexual Harassment and Sexual Assault Committed by Inmates Toward Staff”.

(2) REPORT.—If the Bureau has not fully implemented each recommendation referenced in paragraph (1) by the deadline under that paragraph, the Bureau shall submit a report to Congress by that deadline that includes an explanation of the failure to fully implement each recommendation and a detailed timeline for full implementation.

(c) DATA ANALYSIS BY INSPECTOR GENERAL.—

(1) IN GENERAL.—Not later than 1 year after the date as of which the Bureau has fully implemented each recommendation referenced in subsection (b)(1)—

(A) the Inspector General shall request from the Bureau, and the Bureau shall provide, updated data on the number and prevalence of sexual harassment and sexual assault incidents perpetrated by incarcerated individuals against a correctional officer or other employee of the Bureau during fiscal years 2022 through 2025;

(B) the Inspector General shall conduct an analysis of the data described in subparagraph (A); and

(C) the Inspector General shall provide Congress and the Attorney General with the analysis conducted under subparagraph (B) and any additional recommendations, including analysis of whether the Bureau has

taken sufficient steps to identify the prevalence and scope of sexual harassment and sexual assault incidents perpetrated by incarcerated individuals against a correctional officer or other employee of the Bureau and to mitigate such incidents.

(2) ANALYSIS OF PUNISHMENTS.—The analysis required under paragraph (1)(C) shall include an analysis of punishments for sexual harassment and sexual assault as of the date of enactment of this Act in facilities controlled by the Bureau of Prisons, including data on the use of such punishments during the 5-year period preceding the date of enactment of this Act.

(d) RULEMAKING BY ATTORNEY GENERAL.—Not later than 1 year after receiving the analysis under subsection (c), the Attorney General shall promulgate a rule adopting national standards for prevention, reduction, and punishment of sexual harassment and sexual assault perpetrated by an incarcerated individual against a correctional officer or other employee of the Bureau.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. LEE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. LEE of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on S. 307.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. LEE of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of the Prison Staff Safety Enhancement Act, my bipartisan legislation to better protect the men and women who serve in our Federal corrections facilities.

Every day, correctional officers and other Bureau of Prisons employees go to work in an environment that is inherently challenging and, at times, dangerous. We ask these law enforcement professionals to maintain order and security in Federal prisons, often working in close proximity to individuals who have been convicted of serious crimes.

There are risks that come with that responsibility, but sexual harassment and sexual assault should never be accepted as simply part of the job. The scope of this problem is deeply troubling.

A Department of Justice survey of Federal Bureau of Prisons employees found that 40 percent of them reported experiencing sexual harassment or sexual assault by an inmate—40 percent. These are men and women who are serving our country and protecting our communities. They deserve to know that their safety matters, that misconduct against them will be taken seriously, and that those responsible will face meaningful consequences.

That is why I introduced the Prison Staff Safety Enhancement Act. This

legislation takes a straightforward, fact-driven approach.

First, it requires the Department of Justice inspector general to conduct a comprehensive review of the incidents and the effects of sexual harassment and sexual assault committed by incarcerated individuals against correction officers and other Bureau of Prisons employees.

Importantly, we aren't just asking how often this is happening. The inspector general must also examine what happens to inmates who engage in this conduct, including what sanctions and consequences are available and how those consequences have actually been used over the preceding 5 years. That matters because rules on paper mean very little if they aren't effectively protecting the people who work inside these institutions.

The inspector general will then report these findings to the Attorney General and to Congress. Based on that work, the Attorney General will be required to establish national standards for the prevention, reduction, and punishment of sexual harassment and sexual assault against Bureau of Prisons personnel.

This is what responsible oversight should look like: understand the scope of the problem, determine whether existing consequences are working, and establish clear standards to better protect the people we ask to do this difficult and dangerous work because, ultimately, this bill is about the men and women in the uniform.

Our correction officers and prison employees are public servants. They maintain order in some of our Nation's most challenging institutions, and the work they do inside those walls keeps the rest of our communities safe. We ask a great deal from them, and we also should stand up for them.

I am proud that this has been a bipartisan effort. I am grateful to Senators MARSHA BLACKBURN and JON OSSOFF for their work advancing the Senate companion.

Protecting the men and women who serve in our Federal prisons should not be a partisan issue. No correctional officer should have to accept sexual harassment or assault as a condition of their job. They deserve our respect. They deserve our support, and they deserve our action.

Mr. Speaker, I urge my colleagues to support the Prison Staff Safety Enhancement Act, and I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Prison Staff Safety Enhancement Act, which would require DOJ to improve the safety of Bureau of Prisons facilities across America. More specifically, S. 307 would make improvements to how BOP assesses and responds to sexual harassment and assault by inmates of staff members.

Federal prison staff go to work every day to protect the public safety, to prepare people for successful reentry into

our communities, and to keep our communities safe. Yet, they often face threats of sexual harassment and sexual assault by inmates.

A 2023 report from DOJ's inspector general found that 40 percent of more than 7,000 surveyed BOP staff reported that they themselves had been sexually harassed by an inmate. The report found that reports of sexual harassment were even more prevalent among female staff members. Mr. Speaker, 69 percent of female BOP staff said they had been sexually harassed by an inmate on the job. This harassment included whistling, catcalling, genitalia exposure, sexual remarks, and sexual gestures.

The inspector general also found the true scope of the problem is not really known because BOP has not adequately or consistently collected data on the problem. This has prevented BOP from taking effective action.

That is why the act would require BOP to fully implement recommendations made in the 2023 IG report or explain why it cannot do so. It would also require BOP to provide updated data to the inspector general on the number and prevalence of inmate-on-staff sexual harassment and sexual assault episodes, require the IG to analyze the sufficiency of the data, and make any necessary recommendations to Congress and the Attorney General on how the Bureau of Prisons can reduce the pervasiveness of these incidents.

Lastly, it would require the Attorney General to adopt nationwide standards for prevention, reduction, and punishment of sexual harassment and assault committed by incarcerated individuals against BOP employees.

By requiring BOP to fully implement the recommendations of the IG report, this act would improve BOP's data collection, training, and policies on both sexual harassment and assault. It would also require BOP to conduct regular risk assessments within individual facilities and across BOP, with an emphasis on the risks for female staff.

I applaud Senator OSOFF for his work on this legislation. He has worked to improve the conditions and safety of our Federal prisons for both the staff and inmates. I was proud to support passage of the Federal Prison Oversight Act, a bipartisan, bicameral bill that he led with my colleague, the ranking member of the Subcommittee on Crime, Congresswoman MCBATH. That bill was signed into law in 2024 and established new independent oversight of BOP. It received broad support from civil rights groups, prison employees, and criminal justice groups, but its full potential is yet to be realized. Congress should fully fund the Federal Prison Oversight Act so it can be fully implemented and add to the safety improvements in the bill before us today.

We know from past failures in oversight that we must do more to make our prisons safer for inmates and staff alike. Such failures include years of

systemic sexual assault of incarcerated women and whistleblower retaliation at one of the Federal woman's prisons in Dublin, California, that led to closure of the facility and criminal convictions of nine BOP officers, including the warden himself. This never should have happened. I hope we can continue to work together to make sure our prisons are safe for everybody who enters them, whether involuntarily as an inmate or voluntarily as a staff person.

Our prisons are some of the most challenging and difficult work environments in America. BOP has faced longstanding staffing challenges, from poor morale to ever-declining recruitment and retention rates. By working to reduce the intolerable sexual harassment and assault of staff members, this legislation would take an important step toward improving safety across BOP facilities and the ability of staff to carry out their crucial public safety mission.

Mr. Speaker, I urge my colleagues to support S. 307, and I reserve the balance of my time.

Ms. LEE of Florida. Mr. Speaker, I have no further speakers. I am prepared to close, and I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I should note that the bill does not address staff-on-inmate sexual harassment or assaults, but the Prison Rape Elimination Act does. Yet, this administration has been actively dismantling the protections of this legislation. I hope we can work together on that as well.

This bill would require the AG to adopt nationwide standards to prevent the sexual harassment and assaults of BOP staff members by inmates. It would also improve BOP's efforts to address this conduct if it takes place, and it will strengthen oversight of the Bureau of Prisons so we can improve the safety of staff working in every corner of the country. Nobody should fear harm of this kind while on the job, regardless of where they are employed in America.

Mr. Speaker, I thank my colleagues for their hard work on this bipartisan legislation. I encourage all of our colleagues to join us in supporting this legislation that has been broadly endorsed by organizations, including the American Correctional Association and the Fraternal Order of Police.

Mr. Speaker, I yield back the balance of my time.

□ 1640

Ms. LEE of Florida. Mr. Speaker, I urge my colleagues to support the Prison Staff Safety Enhancement Act, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. LEE) that the House suspend the rules and pass the bill, S. 307.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. LEE of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

KAYLEIGH'S LAW ACT OF 2026

Ms. LEE of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8481) to amend title 18, United States Code, to provide for the issuance of natural lifetime injunctions for certain victims, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8481

A BILL

To amend title 18, United States Code, to provide for the issuance of natural lifetime injunctions for certain victims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kayleigh's Law Act of 2026".

SEC. 2. NATURAL LIFETIME INJUNCTIONS.

(a) *IN GENERAL.*—Chapter 238 of title 18, United States Code, is amended by adding at the end the following:

"§3773. Natural lifetime injunctions

"(a) IN GENERAL.—In the case of any defendant convicted of a covered offense, the court shall, on motion of the Government (with the consent of a victim) or a victim, issue, at the time of sentencing, an order prohibiting contact with a victim. Such order shall remain in effect for the life of the defendant, subject to subsection (b). The imposition of such order shall be included in and served on the defendant during any sentencing proceeding. A violation of such order shall be punishable as a contempt of court.

"(b) TERMINATION OF INJUNCTION.—

"(1) IN GENERAL.—An order issued under subsection (a) may be terminated or suspended only—

"(A) on motion of the victim to whom such order pertains, alleging—

"(i) that the conviction was the subject of a pardon or commutation; or

"(ii) a change in circumstances; or

"(B) on motion of the defendant, alleging that the conviction was dismissed or overturned on appeal.

"(2) HEARING.—The court shall order a hearing on such motion, and may take evidence regarding the allegations included therein.

"(c) NO FEE.—No fee may be assessed or collected from a victim in connection with the issuance of an order under subsection (a).

"(d) DEFINITIONS.—For purposes of this section:

"(1) The term 'covered offense'—

"(A) means—

"(i) a crime of violence (as such term is defined in section 16(a)) that is a felony under Federal law; or

"(ii) an offense that includes as an element a sexual act or sexual conduct (as defined in section 2246) that is a felony under Federal law; and

"(B) includes an offense under—

"(i) section 1591;

"(ii) section 2241;

"(iii) section 2242;

"(iv) section 2243;

"(v) section 2244;

"(vi) section 2245;

"(vii) section 2251;