bill S. 1383, supra; which was ordered to lie on the table.

SA 4417. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4418. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4419. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4420. Mr. THUNE (for Mr. SCHMITT) proposed an amendment to the bill S. 1383, supra.

SA 4421. Mr. THUNE (for Mr. TUBERVILLE (for himself and Mrs. BLACKBURN)) proposed an amendment to amendment SA 4420 proposed by Mr. THUNE (for Mr. SCHMITT) to the bill S. 1383, supra.

SA 4422. Mr. THUNE proposed an amendment to the bill S. 1383, supra.

SA 4423. Mr. THUNE proposed an amendment to amendment SA 4422 proposed by Mr. THUNE to the bill S. 1383, supra.

SA 4424. Mr. THUNE proposed an amendment to amendment SA 4423 proposed by Mr. THUNE to the amendment SA 4422 proposed by Mr. THUNE to the bill S. 1383, supra.

SA 4425. Mrs. BLACKBURN (for herself and Mr. TUBERVILLE) submitted an amendment intended to be proposed to amendment SA 4420 proposed by Mr. THUNE (for Mr. SCHMITT) to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4426. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4427. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4428. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4429. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4430. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4431. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4432. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4433. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4434. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4435. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4436. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4437. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4438. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4439. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4440. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4441. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4442. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4443. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4444. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4445. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4446. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4447. Ms. BLUNT ROCHESTER submitted an amendment intended to be proposed by her to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4448. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4449. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4450. Mr. PADILLA (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4451. Mr. WHITEHOUSE (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4452. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4453. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4454. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4455. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4456. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4457. Mrs. BLACKBURN (for herself and Mr. TUBERVILLE) submitted an amendment intended to be proposed to amendment SA 4420 proposed by Mr. THUNE (for Mr. SCHMITT) to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4458. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 3183, to direct the Secretary of Agriculture to improve safety standards for wildland firefighters, and for other purposes; which was ordered to lie on the table.

SA 4459. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 3183, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4399. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___ SEX OFFENDER SECURITY CLASSIFICATION INTEGRITY ACT OF 2026

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Sex Offender Security Classification Integrity Act of 2026''.

SEC. ___02. DEFINITIONS.

In this title:

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

(2) LOW SECURITY FACILITY.—The term ''low security facility'' means a Federal correctional institution or other institution of the Bureau classified by the Bureau as low security with a secure perimeter and increased staff to inmate ratio compared to a minimum security facility.

(3) MINIMUM SECURITY FACILITY.—The term ''minimum security facility'' means a Federal prison camp or other institution of the Bureau classified by the Bureau as minimum security that permits relatively free inmate movement and, in whole or in part, access to the community or to activities outside a secure perimeter.

(4) PUBLIC SAFETY FACTOR.—The term ''public safety factor'' means a classification factor used by the Bureau to require placement of an inmate in a more secure facility based on specific offense conduct, criminal history, or other security related characteristics, including a designation as a sex offender.

(5) SEX OFFENDER.—The term ''sex offender'' means—

(A) a sex offender (as defined in section 111 of the Sex Offender Registration and Notification Act (34 U.S.C. 20911)); or

(B) any other offender who is subject to a sex offender public safety factor or equivalent designation under the inmate custody classification policies of the Bureau.

(6) SEX OFFENSE.—The term ''sex offense'' means—

(A) a sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (34 U.S.C. 20911)); or

(B) any other offense which the Bureau has designated a sex offender public safety factor or equivalent designation under the inmate custody classification policies of the Bureau.

SEC. ___03. FINDINGS.

Congress finds the following:

(1) The Bureau operates facilities at security levels that include minimum and low security facilities, and uses a custody classification system that assigns public safety factors for certain categories of offenders, including sex offenders.

(2) Under longstanding Bureau policy and practice, individuals with a sex offender public safety factor are, by default, ineligible for placement at minimum security facilities, and are instead required to be housed, at a minimum, in low security facilities, absent a formal waiver approved through established procedures.

(3) Ghislaine Maxwell, a close confidant of Jeffrey Epstein, was convicted in Federal court in 2022 of serious sex trafficking offenses involving minors and designated as a

sex offender for purposes of her Bureau classification. She was originally housed at a low security facility in Tallahassee, Florida.

(4) In July 2025, Maxwell was transferred from that low security facility to a minimum security facility in Bryan, Texas, notwithstanding the Bureau's default policy that individuals with sex offender public safety factors are not appropriate for placement in minimum security facilities that permit inmate access to the community, and ordinarily may be transferred there only upon the grant of a waiver by Bureau officials.

(5) Public reporting indicates that Maxwell's transfer followed meetings over 2 days with the Deputy Attorney General, Todd Blanche, during which Maxwell provided information relating to matters under review by the Department of Justice.

(6) Deputy Attorney General Blanche has publicly defended Maxwell's transfer to a less restrictive, minimum security facility.

(7) The apparent deviation from ordinary Bureau policy in Maxwell's case, and the subsequent public defense of that deviation by a senior Department of Justice official, raises serious concerns about whether the security classification system is being applied consistently, transparently, and without favoritism.

(8) Congress has a compelling interest in ensuring that individuals convicted of sex offenses are not assigned to facilities that are inconsistent with established security policies, that any exceptions are narrowly justified and subject to clear oversight, and that the Department of Justice maintains the confidence of the public and of crime victims in the even handed administration of Federal criminal sentences.

SEC. ___04. STATUTORY BASELINE SECURITY LEVEL FOR INDIVIDUALS CONVICTED OF SEX OFFENSES.

(a) BASELINE SECURITY LEVEL.—

(1) IN GENERAL.—Notwithstanding any other provision of law, regulation, or policy, the Bureau shall designate and house at a facility that is classified, at a minimum, as a low security facility any inmate who is a sex offender—

(A) has been convicted of a sex offense in a court of the United States; or

(B) is subject to a sex offender public safety factor or equivalent designation under the inmate classification system of the Bureau.

(2) PROHIBITION ON INITIAL PLACEMENT AT MINIMUM SECURITY FACILITIES.—The Bureau may not initially designate or house an inmate described in paragraph (1) at a minimum security facility.

(b) LIMITED EXCEPTIONS.—

(1) MEDICAL OR GERIATRIC PLACEMENT.—The Director of the Bureau may, on a case by case basis, authorize the placement of an inmate described in subsection (a)(1) at a minimum security facility if—

(A) the inmate is assigned to, or is being transferred solely for placement in, a secure medical center, residential reentry center, or other specialized unit that is functionally equivalent to low security confinement in terms of perimeter security and community access; or

(B) the inmate is of advanced age or has a serious medical condition, and the Director of the Bureau certifies in writing that—

(i) the inmate does not pose a significant risk of escape or danger to the community; and

(ii) no appropriate low security or higher security placement is reasonably available to meet the inmate's medical or geriatric needs.

(2) WRITTEN JUSTIFICATION AND NOTICE.—Any exception under paragraph (1) shall—

(A) be supported by a written determination signed by the Director of the Bureau that specifically addresses each criterion in paragraph (1); and

(B) be transmitted, not later than 30 days after the determination, to—

(i) the Committee on the Judiciary of the Senate; and

(ii) the Committee on the Judiciary of the House of Representatives.

(3) RECORDKEEPING.—The Bureau shall maintain, for not less than 10 years, a record of each exception granted under this subsection, including the written determination and the name, register number, offense of conviction, prior security classification, and facility history of the applicable inmate.

(c) TRANSFERS.—

(1) PROHIBITION ON DOWN CLASSIFICATION TO MINIMUM SECURITY.—Except as provided in subsection (b), the Bureau may not transfer an inmate described in subsection (a)(1) from a low security facility or a higher security facility to a minimum security facility.

(2) NO ADVERSE EFFECT ON UPWARD TRANSFERS.—Nothing in this section shall be construed to prevent the Bureau from transferring an inmate described in subsection (a)(1) to a medium or high security facility when warranted by misconduct, escape risk, or other security concerns.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to create a liberty interest in any particular facility, security level, or geographic location, or to limit the authority of the Bureau to manage inmate populations consistent with this section and other applicable law.

SEC. ___05. TRANSPARENCY AND REPORTING.

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Bureau shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(1) the total number of inmates in Bureau custody during the preceding fiscal year who were classified as sex offenders;

(2) the number of such inmates housed, at any point during that fiscal year, at—

(A) minimum security facilities; and

(B) low, medium, or high security facilities;

(3) the number of written determinations issued under section ___04(b)(1), and a brief, non-identifying description of the justification for each such determination; and

(4) a description of any changes made during that fiscal year to Bureau policy or practice regarding security classifications or public safety factors for sex offenders.

(b) PUBLIC AVAILABILITY.—The Bureau shall make each report submitted under subsection (a) available to the public on the website of the Bureau, except that the Bureau may redact information only to the extent necessary to protect specific law enforcement sensitive information, the safety of any individual, or the security of a particular facility.

SEC. ___06. REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Director of the Bureau shall revise the inmate security designation and custody classification policies, program statements, and related regulations of the Bureau to conform to the requirements of this title, including explicit incorporation of the statutory baseline security level for individuals convicted of sex offenses and the limitations on placement at minimum security facilities set forth in section ___04.

SEC. ___07. RETROACTIVE EFFECT.

As soon as is practicable after the date of enactment of this Act, the Director of the Bureau shall reverse any change made on or after January 20, 2025, to the housing or placement of an inmate who is classified as a sex offender and determine the housing and placement of the inmate in accordance with this title.

SA 4400. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—VETERANS VISA AND PROTECTION ACT OF 2026

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Veterans Visa and Protection Act of 2026''.

SEC. ___02. DEFINITIONS.

In this title:

(1) ARMED FORCES.—The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101 of title 10, United States Code.

(2) CRIME OF VIOLENCE.—The term ''crime of violence'' means an offense defined in section 16(a) of title 18, United States Code—

(A) that is not a purely political offense; and

(B) for which a noncitizen has served a term of imprisonment of at least 5 years.

(3) ELIGIBLE VETERAN.—

(A) IN GENERAL.—The term ''eligible veteran'' means a veteran who—

(i) is a noncitizen; and

(ii) meets the criteria described in section ___03(e).

(B) INCLUSION.—The term ''eligible veteran'' includes a veteran who—

(i) was removed from the United States; or

(ii) is abroad and is inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

(4) NONCITIZEN.—The term ''noncitizen'' means an individual who is not a citizen or national of the United States.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(6) SERVICE MEMBER.—The term ''service member'' means an individual who is serving as a member of—

(A) a regular or reserve component of the Armed Forces on active duty; or

(B) a reserve component of the Armed Forces in an active status.

(7) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

SEC. ___03. RETURN OF ELIGIBLE VETERANS REMOVED FROM THE UNITED STATES; ADJUSTMENT OF STATUS.

(a) PROGRAM FOR ADMISSION AND ADJUSTMENT OF STATUS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a program and an application procedure that allow—

(1) eligible veterans outside the United States to be admitted to the United States as aliens lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(2) eligible veterans in the United States to adjust status to that of aliens lawfully admitted for permanent residence.

(b) VETERANS ORDERED REMOVED.—

(1) IN GENERAL.—With respect to noncitizen veterans who are the subjects of final orders of removal, including noncitizen veterans who are outside the United States, not later than 180 days after the date of the enactment of this Act, the Attorney General shall—

(A) reopen the removal proceedings of each such noncitizen veteran; and

(B) make a determination with respect to whether each such noncitizen veteran is an eligible veteran.

(2) RESCISSION OF REMOVAL ORDER.—In the case of a determination under paragraph (1)(B) that a noncitizen veteran is an eligible veteran, the Attorney General shall—

(A) rescind the order of removal;

(B) adjust the status of the eligible veteran to that of an alien lawfully admitted for permanent residence; and

(C) terminate removal proceedings.

(c) VETERANS IN REMOVAL PROCEEDINGS.—

(1) IN GENERAL.—With respect to noncitizen veterans, the removal proceedings of whom are pending as of the date of the enactment of this Act, not later than 180 days after the date of the enactment of this Act, the Attorney General shall make a determination with respect to whether each such noncitizen veteran is an eligible veteran.

(2) TERMINATION OF PROCEEDINGS.—In the case of a determination under paragraph (1), that a noncitizen veteran is an eligible veteran, the Attorney General shall—

(A) adjust the status of the eligible veteran to that of an alien lawfully admitted for permanent residence; and

(B) terminate removal proceedings.

(d) NO NUMERICAL LIMITATIONS.—Nothing in this section or in any other provision of law may be construed to apply a numerical limitation to the number of veterans who may be eligible to receive a benefit under this section.

(e) ELIGIBILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, including sections 212 and 237 of the Immigration and Nationality Act (8 U.S.C. 1182 and 1227), a noncitizen veteran shall be eligible to participate in the program established under subsection (a) or for adjustment of status under subsection (b) or (c), as applicable, if the Secretary or the Attorney General, as applicable, determines that the noncitizen veteran—

(A) was not removed or ordered removed from the United States based on a conviction for—

(i) a crime of violence; or

(ii) a crime that endangers the national security of the United States for which the noncitizen veteran has served a term of imprisonment of at least 5 years; and

(B) is not inadmissible to, or deportable from, the United States based on a conviction for a crime described in subparagraph (A).

(2) WAIVER.—The Secretary may waive the application of subparagraph (A) or (B) of paragraph (1)—

(A) for humanitarian purposes;

(B) to ensure family unity;

(C) based on exceptional service in the Armed Forces; or

(D) if a waiver is otherwise in the public interest.

SEC. ___04. PROTECTING VETERANS AND SERVICE MEMBERS FROM REMOVAL.

Notwithstanding any other provision of law, including section 237 of the Immigration and Nationality Act (8 U.S.C. 1227), a noncitizen who is a veteran or service member may not be removed from the United States unless the noncitizen has been convicted for a crime of violence.

SEC. ___05. NATURALIZATION THROUGH SERVICE IN THE ARMED FORCES.

(a) IN GENERAL.—Subject to subsection (b), a noncitizen who has obtained the status of an alien lawfully admitted for permanent residence pursuant to section ___03 shall be eligible for naturalization through service in the Armed Forces under sections 328 and 329 of the Immigration and Nationality Act (8 U.S.C. 1439 and 1440).

(b) SPECIAL RULES.—

(1) GOOD MORAL CHARACTER.—In determining whether a noncitizen described in subsection (a) is a person of good moral character, the Secretary shall disregard the one or more grounds on which the noncitizen was—

(A) removed or ordered removed from the United States; or

(B) rendered inadmissible to, or deportable from, the United States.

(2) PERIODS OF ABSENCE.—The Secretary shall disregard any period of absence from the United States of a noncitizen described in subsection (a) due to the noncitizen having been removed from, or being inadmissible to, the United States if the noncitizen satisfies the applicable requirement relating to continuous residence or physical presence.

SEC. ___06. ACCESS TO MILITARY BENEFITS.

A noncitizen who has obtained the status of an alien lawfully admitted for permanent residence pursuant to section ___03 shall be eligible for all military and veterans benefits for which the noncitizen would have been eligible had the noncitizen not been ordered removed or removed from the United States, voluntarily departed the United States, or rendered inadmissible to, or deportable from, the United States, as applicable.

SEC. ___07. IMPLEMENTATION.

(a) IDENTIFICATION.—The Secretary shall identify noncitizen service members and veterans at risk of removal from the United States by—

(1) before initiating a removal proceeding against a noncitizen, asking the noncitizen whether he or she is serving, or has served, as a member of—

(A) a regular or reserve component of the Armed Forces on active duty; or

(B) a reserve component of the Armed Forces in an active status;

(2) requiring U.S. Immigration and Customs Enforcement personnel to seek supervisory approval before initiating a removal proceeding against a service member or veteran; and

(3) keeping records of any service member or veteran who has been—

(A) the subject of a removal proceeding;

(B) detained by the Director of U.S. Immigration and Customs Enforcement; or

(C) removed from the United States.

(b) RECORD ANNOTATION.—

(1) IN GENERAL.—In the case of a noncitizen service member or veteran identified under subsection (a), the Secretary shall annotate all immigration and naturalization records of the Department of Homeland Security relating to the noncitizen—

(A) to reflect that the noncitizen is a service member or veteran; and

(B) to afford an opportunity to track the outcomes for the noncitizen.

(2) CONTENTS OF ANNOTATION.—Each annotation under paragraph (1) shall include—

(A) the branch of military service in which the noncitizen is serving or has served;

(B) whether the noncitizen is serving, or has served, during a period of military hostilities described in section 329 of the Immigration and Nationality Act (8 U.S.C. 1440);

(C) the immigration status of the noncitizen on the date of enlistment;

(D) whether the noncitizen is serving honorably or was separated under honorable conditions;

(E) the ground on which removal of the noncitizen from the United States was sought; and

(F) in the case of a noncitizen, the removal proceedings of whom were initiated on the basis of a criminal conviction, the crime for which the noncitizen was convicted.

SEC. ___08. REGULATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement this title.

SA 4401. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CORRECTIONAL FACILITY DISASTER PREPAREDNESS.

(a) SHORT TITLE.—This section may be cited as the ''Correctional Facility Disaster Preparedness Act of 2026''.

(b) DEFINITIONS.—In this section, the term ''major disaster'' means—

(1) a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); or

(2) any natural disaster or extreme weather or public health emergency event that—

(A)(i) causes physical damage to a Bureau of Prisons facility or contract prison; or

(ii) disrupts services described in paragraph (2), (4), (5), or (6) of section 3(a); and

(B) the Bureau of Prisons determines is a major disaster.

(c) BUREAU OF PRISONS ANNUAL SUMMARY REPORT OF DISASTER DAMAGE.—

(1) IN GENERAL.—The Director of the Bureau of Prisons shall submit to the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Committee on Homeland Security of the House of Representatives, the Government Accountability Office, and the Inspector General of the Department of Justice an annual summary report of disaster damage on the scope of physical damage from a major disaster by each Bureau of Prisons facility and its contract prisons impacted or struck by a major disaster that explains the effects of the damage on inmates and staff, including—

(A) data on injury and loss of life of inmates and staff;

(B) access to health and medical care, food, special dietary needs, drinkable water, personal protective equipment, and personal hygiene products;

(C) guidance used to adjudicate early release or home confinement requests, data on early release or home confinement approvals, denials, and justification for denials;

(D) an explanation as to whether using home confinement or early release was considered;

(E) access to cost-free and uninterrupted visitation with legal counsel and visitors with justifications for facility decisions that resulted in suspended or altered visitations;

(F) access to appropriate accommodations for inmates with disabilities;

(G) access to educational and work programs;

(H) inmate grievances;

(I) assessment of the cost of the damage to the facility and estimates for repairs;

(J) the impact on staffing, equipment, and financial resources; and

(K) other factors relating to the ability of the Bureau of Prisons and any existing contract prison to uphold the health, safety, and civil rights of the correctional population.

(2) CORRECTIVE ACTION PLAN.—The report required under paragraph (1) shall include agency corrective actions that the Bureau of Prisons will take to improve and modernize emergency preparedness plans, as they relate to natural disasters, extreme weather, and

public health emergencies and a timeline to implement the corrective action plan.

(3) RECOMMENDATIONS.—The report required under paragraph (1) shall include specific legislative recommendations to Congress for improving emergency preparedness plans within the Bureau of Prisons.

(4) APPOINTMENT.—Not later than 90 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall appoint an official of the Bureau of Prisons responsible for carrying out the corrective action plan.

(d) NATIONAL INSTITUTE OF CORRECTIONS.—Section 4351 of title 18, United States Code, is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''ten'' and inserting ''14''; and

(B) by adding at the end the following:

''(3) One shall have served a sentence in either a Federal or State correctional facility or have a professional background advocating on the behalf of formerly incarcerated or incarcerated individuals.

''(4) One shall have a background as an emergency response coordinator that has created an emergency management accreditation program.

''(5) One shall have an educational and professional background in public health working with communicable diseases.

''(6) One shall represent the labor union that represents Bureau of Prisons employees.''; and

(2) by adding at the end the following:

''(i) FIELD HEARING.—Not later than 1 year after the date of enactment of this subsection, the National Institute of Corrections shall conduct at least one public field hearing on how correctional facilities can incorporate in their emergency preparedness plans and recovery efforts—

''(1) inmate access to medical care, food, drinkable water, personal protective equipment, and personal hygiene products;

''(2) consideration by staff of using home confinement or early release;

''(3) inmate access to cost-free and uninterrupted visitation with legal counsel and visitors with clear standards for when facilities may suspend or alter visitations;

''(4) inmate access to appropriate accommodations for inmates with disabilities;

''(5) use of Federal funding to restore disaster-damaged correctional facilities; and

''(6) incorporation by staff of risk management best practices, such as those made available under the relevant agencies of the Federal Emergency Management Administration, Department of Health and Human Services, and the Government Accountability Office to enhance emergency preparedness plans.''.

SA 4402. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PAROLE FOR CERTAIN RELATIVES OF CURRENT AND FORMER MEMBERS OF THE ARMED FORCES.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended—

(1) in subparagraph (A), by striking ''subparagraph (B) or'' and inserting ''subparagraphs (B) and (C) and''; and

(2) by adding at the end the following:

''(C)(i) Except as provided in clause (iii), the Secretary of Homeland Security shall parole into the United States an alien who is the spouse, widow or widower, parent, or child of—

''(I) a member of the Armed Forces on active duty;

''(II) a member of the Selected Reserve of the Ready Reserve; or

''(III) an individual, whether living or deceased, who—

''(aa) previously served as—

''(AA) a member of the Armed Forces on active duty; or

''(BB) a member of the Selected Reserve of the Ready Reserve; and

''(bb) was discharged or released from such service under a condition other than dishonorable.

''(ii) The Secretary of Homeland Security shall parole an alien into the United States under clause (i) in 1-year increments.

''(iii)(I) An application for parole under this subparagraph may be denied only if the Secretary of Homeland Security, the Secretary of Defense, and the Secretary of Veterans Affairs jointly issue a written justification for the denial.

''(II) The Secretary of Homeland Security, the Secretary of Defense, and the Secretary of Veterans Affairs may not delegate the responsibility described in subclause (I).

''(III)(aa) In the case of a denial under subclause (I), the Secretary of Homeland Security shall publish on a publicly available internet website of the Department of Homeland Security information about the denial, including a detailed justification for the denial.

''(bb) Information published under item (aa) shall not include personally identifiable information.''.

SA 4403. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IDENTIFYING ALIENS CONNECTED TO THE ARMED FORCES.

(a) IN GENERAL.—Upon the application by an alien for an immigration benefit or the placement of an alien in an immigration enforcement proceeding, the Secretary of Homeland Security shall—

(1) determine whether the alien is serving, or has served, as a member of—

(A) a regular or reserve component of the Armed Forces of the United States on active duty; or

(B) a reserve component of the Armed Forces in an active status; and

(2) with respect to the immigration and naturalization records of the Department of Homeland Security relating to an alien who is serving, or has served, as a member of the Armed Forces described in paragraph (1), annotate such records—

(A) to reflect that membership; and

(B) to afford an opportunity to track the outcomes for each such alien.

(b) PROHIBITION ON USE OF INFORMATION FOR REMOVAL.—Information gathered under subsection (a) may not be used for the purpose of removing an alien from the United States.

SA 4404. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PAROLE FOR CERTAIN VETERANS.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended—

(1) in subparagraph (A), by striking ''subparagraph (B) or'' and inserting ''subparagraphs (B) and (C) and''; and

(2) by adding at the end the following:

''(D)(i) The Secretary of Homeland Security may parole any alien qualified under clause (ii) into the United States—

''(I) at the discretion of the Secretary;

''(II) on a case-by-case basis; and

''(III) temporarily under such conditions as the Secretary may prescribe.

''(ii) To qualify for parole under clause (i) an alien applying for admission to the United States shall—

''(I) be a veteran (as defined in section 101 of title 38, United States Code);

''(II) seek parole to receive health care furnished by the Secretary of Veterans Affairs under chapter 17 of title 38, United States Code; and

''(III) be outside of the United States pursuant to having been ordered removed or voluntarily departed from the United States under section 240B.

''(iii) Parole of an alien under clause (i) shall not be regarded as an admission of the alien.

''(iv) If the Secretary of Homeland Security determines that the purposes of such parole have been served the alien shall forthwith return or be returned to the custody from which the alien was paroled.

''(v) Parole shall not be available under clause (i) for an alien who is inadmissible due to a criminal conviction—

''(I)(aa) for a crime of violence (as defined in section 16(a) of title 18, United States Code), excluding a purely political offense; or

''(bb) for a crime that endangers the national security of the United States; and

''(II) for which the alien has served a term of imprisonment of at least 5 years.''.

SA 4405. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESPONSIBLE RETIREMENT OF LAW ENFORCEMENT FIREARMS ACT OF 2025.

(a) SHORT TITLE.—This section may be cited as the ''Responsible Retirement of Law Enforcement Firearms Act of 2026'' or the ''RRLEF Act of 2026''.

(b) CERTIFICATION REQUIREMENT.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153) is amended—

(1) in subsection (a)(5)—

(A) in subparagraph (C), by striking ''and'';

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) the applicant and each grantee or subgrantee under the jurisdiction of the applicant shall not transfer a firearm to, or purchase a firearm from, a licensed dealer that is on the list of covered licensed dealers most recently published at the time of certification by the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives under section 2(b)(2) of the RRLEF Act of 2026.''; and

(2) by adding at the end the following:

''(c) DEFINITIONS.—In this section—

''(1) the term 'covered licensed dealer' means a licensed dealer with respect to whom, in not less than two of the three calendar years prior to the publication of the

list under section 2(b)(2) of the RRLEF Act of 2026, the National Tracing Center of the Bureau of Alcohol, Tobacco, Firearms, and Explosives has traced to the firearms business of such licensed dealer, in such calendar years, not less than 25 firearms that had a short time-to-crime;

''(2) the terms 'licensed dealer' and 'firearm' have the meaning given such terms in section 921(a) of title 18, United States Code; and

''(3) the term 'short time-to-crime' means, a period of not more than three calendar years between the date of the last known retail sale of a firearm and the date on which a law enforcement agency recovers such firearm as a result of such firearm being purchased for, possessed during, or used in, an actual or suspected criminal offense.''.

(c) PUBLIC DISCLOSURE OF DATABASE INFORMATION OF BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.—Not later than 120 days after the date of enactment of this Act, and annually thereafter, the Attorney General, acting through the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, shall—

(1) notify a State or local law enforcement agency if any firearm (as such term is defined in section 921(a) of title 18, United States Code) that was transferred by such agency was used, or suspected of being used, in the commission of a criminal offense, as traced by the National Tracing Center of the Bureau; and

(2) make publicly available on the internet website of the Bureau a list of each covered licensed dealer (as such term is defined in section 502(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as added by subsection (a) of this section).

(d) REPEAL OF CERTAIN LIMITATIONS ON PUBLIC DISCLOSURE OF DATABASE INFORMATION OF BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.—

(1) PUBLIC LAW 112–55.—The 6th proviso in the matter under the under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 923 note; Public Law 112–55) is amended by striking ''and in each fiscal year thereafter''.

(2) PUBLIC LAW 111–117.—The 6th proviso in the matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated Appropriations Act, 2010 (18 U.S.C. 923 note; Public Law 111–117) is amended by striking ''beginning in fiscal year 2010 and thereafter'' and inserting ''in fiscal year 2010''.

(3) PUBLIC LAW 111–8.—The 6th proviso in the matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Omnibus Appropriations Act, 2009 (18 U.S.C. 923 note; Public Law 111–8) is amended by striking ''beginning in fiscal year 2009 and thereafter'' and inserting ''in fiscal year 2009''.

(4) PUBLIC LAW 110–161.—The 6th proviso in the matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title II of division B of the Consolidated Appropriations Act, 2008 (18 U.S.C. 923 note; Public Law 110–161) is amended by striking ''beginning in fiscal year 2008 and thereafter'' and inserting ''in fiscal year 2008''.

(5) PUBLIC LAW 109–108.—The 6th proviso in the matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (18 U.S.C. 923 note; Public Law 109–108) is amended by striking ''with respect to any fiscal year'' and inserting ''with respect to fiscal year 2006''.

(6) PUBLIC LAW 108–447.—The 6th proviso in the matter under the heading ''SALARIES AND EXPENSES'' under the heading ''BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'' in title I of division B of the Consolidated Appropriations Act, 2005 (18 U.S.C. 923 note; Public Law 108–447) is amended by striking ''with respect to any fiscal year'' and inserting ''with respect to fiscal year 2005''.

(7) PUBLIC LAW 108–7.—Section 644 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003 (5 U.S.C. 552 note; Public Law 108–7) is amended by striking ''with respect to any fiscal year'' and inserting ''with respect to fiscal year 2003''.

SA 4406. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. KOREMATSU-TAKAI CIVIL LIBERTIES PROTECTION.

(a) SHORT TITLE.—This section may be cited as the ''Korematsu-Takai Civil Liberties Protection Act of 2026''.

(b) PROHIBITION AGAINST UNLAWFUL DETENTION.—Section 4001 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) PROHIBITION ON DETENTION BASED ON PROTECTED CHARACTERISTICS.—

''(1) DEFINITION.—In this subsection, the term 'protected characteristic' includes each of the following:

''(A) Race.

''(B) Ethnicity.

''(C) National origin.

''(D) Religion.

''(E) Sex.

''(F) Gender identity.

''(G) Sexual orientation.

''(H) Disability.

''(I) Any additional characteristic that the Attorney General determines to be a protected characteristic.

''(2) PROHIBITION.—No individual may be imprisoned or otherwise detained based solely on an actual or perceived protected characteristic of the individual.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to allow the Attorney General to remove a characteristic described in subparagraphs (A) through (H) of paragraph (1).''.

SA 4407. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supreme Court Biennial Appointments and Term Limits Act of 2026''.

SEC. 2. SUPREME COURT TERMS OF OFFICE.

(a) IN GENERAL.—Chapter 1 of title 28, United States Code, is amended—

(1) by striking by section 1 and inserting the following:

''§ 1. Number of justices; quorum

''(a) IN GENERAL.—The Supreme Court of the United States shall consist of a Chief Justice of the United States and not fewer than 8 associate justices, any 6 of whom shall constitute a quorum.

''(b) APPELLATE JURISDICTION CASES.—Only the 9 most recently appointed justices of the Supreme Court of the United States who are not unavailable due to a temporary absence shall preside over appellate jurisdiction cases.

''(c) ORIGINAL JURISDICTION CASES AND OTHER POWERS.—All justices of the Supreme Court of the United States shall preside over original jurisdiction cases, and may, subject to any procedures established by the Supreme Court, continue to exercise all other official powers, duties, or responsibilities of a justice of the Supreme Court required by law.''.

(2) by striking section 3 and inserting the following:

''§ 3. Vacancy in office of Chief Justice; disability

''(a) POWERS AND DUTIES OF CHIEF JUSTICE.—Whenever the Chief Justice is unable to perform the duties of the office or the office is vacant, the powers and duties of Chief Justice shall devolve upon the associate justice next in precedence who is able to act, until such disability is removed or another Chief Justice is appointed and duly qualified.

''(b) PERMANENT VACANCY IN OFFICE OF CHIEF JUSTICE.—In the event of a permanent vacancy in the office of Chief Justice of the United States, the first appointment of a justice under this chapter following such vacancy shall be to the office of Chief Justice of the United States.''; and

(3) by adding at the end the following:

''§ 7. Appointment

''(a) APPOINTMENTS.—

''(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 individual to be a justice of the Supreme Court of the United States within the first 120 days of the first and third years of a Presidential term.

''(2) WITHDRAWAL OR DISAPPROVAL.—If the nomination of an individual under this section is withdrawn or disapproved by the Senate, the President shall appoint, by and with the advice and consent of the Senate, 1 individual to be a justice of the Supreme Court of the United States not later than 120 after the date of such withdrawal or disapproval.

''(3) APPLICABILITY.—The President shall not appoint any individual to be a justice of the Supreme Court of the United States if the number of justices who do not hear appellate jurisdiction cases is 9.

''(b) EXCLUSIVE MANNER OF APPOINTMENT.—Except as provided under subsection (c), the President shall not appoint an individual to be a justice of the Supreme Court of the United States except as provided under this section.

''(c) FEWER THAN 9 JUSTICES.—If due to a permanent vacancy the total number of justices of the Supreme Court of the United States is fewer than 9, the President shall appoint, by and with the advice and consent of the Senate, such number of individuals as necessary to be a justice of the Supreme Court until the total number of justices of the Supreme Court is 9.

''(d) EFFECTIVE DATE OF APPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the term for justices appointed under this section shall begin on July 1.

''(2) FEWER THAN 9 JUSTICES.—The term of an appointment under subsection (c) shall

begin on the date on which the appointment is made.

"§ 8. Definitions

''In this chapter—

''(1) the term 'appellate jurisdiction cases' means any action, proceeding, or controversy under section 1253, 1254, 1257, 1258, 1259, or 1260;

''(2) the term 'original jurisdiction cases' means any action, proceeding, or controversy under section 1251;

''(3) the term 'permanent vacancy' means a vacancy in the office of justice of the Supreme Court of the United States due to death, resignation, retirement, or removal; and

''(4) the term 'temporary absence' means an absence due to disability, recusal, or disqualification.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 28, United States Code, is amended by adding at the end the following:

''7. Appointment.
''8. Definitions.''.

(c) RULES OF THE SENATE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such it is deemed a part of the rules of the Senate, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change such rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

SEC. 3. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall apply beginning on the date on which the first full term of a President commences pursuant to section 101 of title 3, United States Code, after the date of enactment of this Act.

SEC. 4. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be invalid, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

SA 4408. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supreme Court Ethics, Recusal, and Transparency Act of 2026''.

SEC. 2. CODE OF CONDUCT FOR THE SUPREME COURT OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 16 of title 28, United States Code, is amended by adding at the end the following:

"§ 365. Codes of conduct

''(a) JUSTICES.—Not later than 180 days after the date of enactment of this section, the Supreme Court of the United States shall, after appropriate public notice and opportunity for comment in accordance with section 2071, issue a code of conduct for the justices of the Supreme Court.

''(b) OTHER JUDGES.—Not later than 180 days after the date of enactment of this section, the Judicial Conference of the United States shall, after appropriate public notice and opportunity for comment in accordance with section 2071, issue a code of conduct for the judges of the courts of appeals, the district courts (including bankruptcy judges and magistrate judges), and the Court of International Trade.

''(c) MODIFICATION.—The Supreme Court of the United States and the Judicial Conference may modify the applicable codes of conduct under this section after giving appropriate public notice and opportunity for comment in accordance with section 2071.

"§ 366. Public access to ethics rules

''The Supreme Court of the United States shall make available on its internet website, in a full-text, searchable, sortable, and downloadable format, copies of the code of conduct issued under section 365(a), any rules established by the Counselor to the Chief Justice of the United States under section 677 and any other related rules or resolutions, as determined by the Chief Justice of the United States, issued by the Counselor to the Chief Justice of the United States or agreed to by the justices of the Supreme Court.

"§ 367. Complaints against justices

''(a) RECEIPT OF COMPLAINTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Supreme Court of the United States shall establish procedures, modeled after the procedures set forth in sections 351 through 364, under which individuals may file with the Court, or the Court may identify, complaints alleging that a justice of the Supreme Court—

''(A) has violated—

''(i) the code of conduct issued pursuant to section 365(a);

''(ii) section 455; or

''(iii) any other applicable provision of Federal law; or

''(B) has otherwise engaged in conduct that undermines the integrity of the Supreme Court.

''(2) PROCEDURES.—Procedures established under this subsection shall, at minimum, contain provisions—

''(A) requiring that all complaints submitted under this section contain—

''(i) the signature and contact address of the complainant;

''(ii) a concise statement of the specific facts on which the claim of misconduct is based; and

''(iii) a sworn affirmation that to the best of the knowledge and belief of the complainant, under penalty of perjury, the facts alleged in the complaint are true and form a reasonable basis to believe a justice has committed misconduct under this section; and

''(B) providing for the restriction on the future filing of complaints with respect to complainants who are shown to have filed repetitive, harassing, or frivolous complaints, or have otherwise abused the complaint procedure.

''(b) JUDICIAL INVESTIGATION PANEL.—

''(1) IN GENERAL.—Upon receipt or identification of a complaint under subsection (a), the Supreme Court of the United States shall refer such complaint to a judicial investigation panel, which shall be composed of a panel of 5 judges selected randomly from among the chief judge of each circuit of the United States.

''(2) DUTIES.—The judicial investigation panel—

''(A) shall review and, if appropriate as determined by the panel, investigate all complaints submitted to the panel using procedures established by the panel and modeled after the procedures set forth in sections 351 through 364;

''(B) shall present to the Supreme Court of the United States any findings and recommendations for necessary and appropriate action by the Supreme Court, including dismissal of the complaint, disciplinary actions, or changes to Supreme Court rules or procedures;

''(C) if the panel does not recommend dismissal of the complaint, not later than 30 days following the presentation of any findings and recommendations under this paragraph, shall publish a report containing such findings and recommendations; and

''(D) if the panel recommends dismissal of the complaint, may publish any findings and recommendations if the panel determines that such publication would be in furtherance of the public interest.

''(3) POWERS.—In conducting any investigation under this section, the judicial investigation panel may hold hearings, take sworn testimony, issue subpoenas ad testificandum and subpoenas duces tecum, and make necessary and appropriate orders in the exercise of its authority.

''(4) ACCESS.—If the judicial investigation panel determines that a substantially similar complaint was previously submitted under section 351, but that such substantially similar complaint was dismissed for lack of authority to review or act upon such complaint, the panel shall have access to any information gathered pursuant to this chapter in relation to such substantially similar complaint.

''(5) COMPENSATION.—The judicial investigation panel may appoint and fix the compensation of such staff as it deems necessary.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 16 of title 28, United States Code, is amended by adding at the end the following:

''365. Codes of conduct.
''366. Public access to ethics rules.
''367. Complaints against justices.''.

SEC. 3. MINIMUM GIFT AND DISCLOSURE STANDARDS FOR JUSTICES OF THE SUPREME COURT.

Section 677 of title 28, United States Code, is amended by adding at the end the following:

''(e) The Counselor, with the approval of the Chief Justice, shall establish rules governing the acceptance of gifts and the disclosure of all gifts, income, or reimbursements, as those terms are defined in section 13101 of title 5, received by any justice and any law clerk to a justice. Such rules shall, at minimum, require disclosure of any information concerning gifts, income, and reimbursements required to be disclosed under the Standing Rules of the Senate and the Rules of the House of Representatives, and restrict the acceptance of gifts, and require processes for written approval of certain gifts, to the same extent as restricted or required under the Standing Rules of the Senate and the Rules of the House of Representatives.''.

SEC. 4. CIRCUMSTANCES REQUIRING DISQUALIFICATION.

(a) ANTICORRUPTION PROTECTIONS.—Subsection (b) of section 455 of title 28, United States Code, is amended by adding at the end the following:

''(6) Where the justice or judge knows that a party to the proceeding or an affiliate of a party to the proceeding made any lobbying contact, as defined in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602), or spent substantial funds in support of the nomination, confirmation, or appointment of the justice or judge.

''(7) Where the justice or judge, their spouse, their minor child, or a privately held entity owned by any such person received income, a gift, or reimbursement, as those terms are defined in section 13101 of title 5—

''(A) from a party to the proceeding or an affiliate of a party to the proceeding; and

''(B) during the period beginning on the date that is 6 years before the date on which the justice or judge was assigned to the proceeding and ending on the date of final disposition of the proceeding.''.

(b) DUTY TO KNOW.—Subsection (c) of section 455 of title 28, United States Code, is amended to read as follows:

''(c) A justice, judge, magistrate judge, or bankruptcy judge of the United States shall ascertain—

''(1) the personal and fiduciary financial interests of the justice or judge;

''(2) the personal financial interests of the spouse and minor children residing in the household of the justice or judge; and

''(3) any interest of the persons described in paragraph (2) that could be substantially affected by the outcome of the proceeding.''.

(c) DIVESTMENT.—Subsection (f) of section 455 of title 28, United States Code, is amended by inserting ''under subsection (b)(4)'' after ''disqualified''.

(d) DUTY TO NOTIFY.—Section 455 of title 28, United States Code, is amended by adding at the end the following:

''(g) If at any time a justice, judge, magistrate judge, or bankruptcy judge of the United States learns of a condition that could reasonably require disqualification under this section, the justice or judge shall immediately notify all parties to the proceeding.''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—Section 455 of title 28, United States Code, as amended by this section, is amended—

(1) in the section heading, by striking ''**judge, or magistrate judge**'' and inserting ''**judge, magistrate judge, or bankruptcy judge**'';

(2) in subsection (a), by striking ''judge, or magistrate judge'' and inserting ''judge, magistrate judge, or bankruptcy judge'';

(3) in subsection (b)—

(A) in paragraph (2), by striking ''the judge or such lawyer'' and inserting ''the justice, the judge, or such lawyer'';

(B) in paragraph (5)(iii), by inserting ''justice or'' before ''judge''; and

(C) in paragraph (5)(iv), by inserting ''justice's or'' before ''judge's'';

(4) in subsection (d)(4)(i), by inserting ''justice or'' before ''judge''; and

(5) in subsection (e), by striking ''judge, or magistrate judge'' and inserting ''judge, magistrate judge, or bankruptcy judge of the United States''.

(f) PUBLIC NOTICE.—The rules of each court subject to section 455 of title 28, United States Code, as amended by this section, shall be amended to require that the clerk shall publish timely notice on the website of the court of—

(1) any matter in which a justice, judge, magistrate judge, or bankruptcy judge of the United States is disqualified under such section;

(2) any matter in which the reviewing panel under section 1660 of title 28, United States Code, as added by section 5 of this Act, rules on a motion to disqualify; and

(3) an explanation of each reason for the disqualification or ruling, which shall include a specific identification of each circumstance that resulted in such disqualification or ruling, but which shall not include any private or sensitive information deemed by a majority of the reviewing panel under section 1660 of title 28, United States Code, as added by section 5 of this Act, to be appropriate for redaction and unnecessary in order to provide the litigants and public a full understanding of the reasons for the disqualification or ruling.

SEC. 5. REVIEW OF CERTIFIED DISQUALIFICATION MOTIONS.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following:

''§ 1660. Review of certified motions to disqualify

''(a) MOTION FOR DISQUALIFICATION.—If a justice, judge, magistrate judge, or bankruptcy judge of the United States is required to be disqualified from a proceeding under any provision of Federal law, a party to the proceeding may file a timely motion for disqualification, accompanied by a certificate of good faith and an affidavit alleging facts sufficient to show that disqualification of the justice, judge, magistrate judge, or bankruptcy judge is so required.

''(b) CONSIDERATION OF MOTION.—A justice, judge, magistrate judge, or bankruptcy judge of the United States shall either grant or certify to a reviewing panel a timely motion filed pursuant to subsection (a) and stay the proceeding until a final determination is made with respect to the motion.

''(c) REVIEWING PANEL.—

''(1) IN GENERAL.—A reviewing panel to which a motion is certified under subsection (b) with respect to a judge, magistrate judge, or bankruptcy judge of the United States shall be composed of 3 judges selected at random from judges of the United States who do not sit on the same court—

''(A) as the judge, magistrate judge, or bankruptcy judge who is the subject of the motion; or

''(B) as the other members of the reviewing panel.

''(2) CIRCUIT LIMITATION.—Not more than 1 member of the reviewing panel may be a judge of the same judicial circuit as the judge, magistrate judge, or bankruptcy judge who is the subject of the motion.

''(3) PARTICIPATION.—The reviewing panel, prior to its final determination with respect to a motion filed under subsection (a), shall provide the judge, magistrate judge, or bankruptcy judge of the United States who is the subject of such motion an opportunity to provide in writing the views of the judge on the motion, including the explanation of the judge for not granting the motion.

''(d) SUPREME COURT REVIEW.—The Supreme Court of the United States, not including the justice who is the subject of a motion seeking to disqualify a justice under subsection (a), shall be the reviewing panel for such motions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 28, United States Code, is amended by adding at the end the following:

''1660. Review of certified motions to disqualify.''.

SEC. 6. DISCLOSURE BY PARTIES AND AMICI.

Not later than 1 year after the date of enactment of this Act, the Supreme Court of the United States shall prescribe rules of procedure in accordance with sections 2072 through 2074 of title 28, United States Code, requiring each party or amicus to list in the petition or brief of the party or amicus, as applicable, a description and value of—

(1) any gift, income, or reimbursement, as those terms are defined in section 13101 of title 5, United States Code, provided to any justice, during the period beginning 2 years prior to the commencement of the proceeding and ending on the date of final disposition of the proceeding, by—

(A) each such party, amicus, or affiliate of each such party or amicus;

(B) the lawyers or law firms in the proceeding of each such party or amicus; and

(C) the officers, directors, or employees of each such party or amicus; and

(2) any lobbying contact or expenditure of substantial funds by any person described in subparagraphs (A), (B), and (C) of paragraph (1) in support of the nomination, confirmation, or appointment of a justice.

SEC. 7. AMICUS DISCLOSURE.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, as amended by section 5, is amended by adding at the end the following:

''§ 1661. Disclosures related to amicus activities

''(a) DISCLOSURE.—

''(1) IN GENERAL.—Any person that files an amicus brief in a court of the United States shall list in the amicus brief the name of any person who—

''(A) contributed to the preparation or submission of the amicus brief;

''(B) contributed not less than 3 percent of the gross annual revenue of the amicus, or an affiliate of the amicus, for the previous calendar year if the amicus is not an individual; or

''(C) contributed more than $100,000 to the amicus, or an affiliate of the amicus, in the previous calendar year.

''(2) EXCEPTIONS.—The requirements of this subsection shall not apply to amounts received in commercial transactions in the ordinary course of any trade or business by the amicus, or an affiliate of the amicus, or in the form of investments (other than investments by the principal shareholder in a limited liability corporation) in an organization if the amounts are unrelated to the amicus filing activities of the amicus.

''(b) AUDIT.—The Director of the Administrative Office of the United States Courts shall conduct an annual audit to ensure compliance with this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 28, United States Code, as amended by section 5, is amended by adding at the end the following:

''1661. Disclosures related to amicus activities.''.

SEC. 8. CONFLICTS RELATED TO AMICI CURIAE.

(a) IN GENERAL.—Except as provided in subsection (b), the Supreme Court of the United States and the Judicial Conference of the United States shall prescribe rules of procedure in accordance with sections 2072 through 2074 of title 28, United States Code, for prohibiting the filing of or striking an amicus brief that would result in the disqualification of a justice, judge, or magistrate judge.

(b) INITIAL TRANSMITTAL.—The Supreme Court of the United States shall transmit to Congress—

(1) the proposed rules required under subsection (a) not later than 180 days after the date of enactment of this Act; and

(2) any rules in addition to those transmitted under paragraph (1) pursuant to section 2074 of title 28, United States Code.

SEC. 9. STUDIES AND REPORTS.

(a) STUDIES.—

(1) IN GENERAL.—Not later than the date that is 180 days after the date of enactment of this Act, and not later than December 1 of every other year thereafter, the Director of the Federal Judicial Center shall—

(A) conduct a study on the extent of compliance or noncompliance with the requirements of sections 144 and 455 of title 28, United States Code; and

(B) submit to Congress the results of the study required under subparagraph (A).

(2) ADDITIONAL TIME.—With respect to the first such study required to be submitted under paragraph (1), the requirements of that paragraph may be implemented after the date described in that paragraph if the Director of the Federal Judicial Center identifies in writing to the relevant committees

of Congress the additional time needed for submission of the study.

(3) FACILITATION OF STUDIES.—The Director of the Federal Judicial Center shall maintain a record of each instance in which—

(A) a justice, judge, magistrate judge, or bankruptcy judge of the United States was not assigned to a case due to potential or actual conflicts; and

(B) a justice, judge, magistrate judge, or bankruptcy judge of the United States disqualifies themselves after a case assignment is made.

(b) REPORTS TO CONGRESS.—Not later than April 1 of each year following the completion of the study required under subsection (a), the Director of the Federal Judicial Center shall submit to Congress a report containing the findings of the study and any recommendations to improve compliance with sections 144 and 455 of title 28, United States Code.

(c) GAO REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date on which the report is submitted under subsection (b), if determined appropriate by the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives, after consultation with the Comptroller General of the United States, and every 5 years thereafter, the Comptroller General of the United States shall submit to Congress a report containing—

(A) an review of the methodology and findings of the study required under subsection (a); and

(B) a review of the methodology and findings of the audit required under section 1661 of title 28, United States Code, as added by section 7 of this Act.

(2) ACCESS.—For purposes of conducting the reviews required under paragraph (1), and consistent with section 715 of title 31, United States Code, the Comptroller General of the United States is authorized to obtain such records of the Federal Judicial Center and the Administrative Office of the United States Courts as the Comptroller requires, including those records relating to the Supreme Court of the United States.

SA 4409. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Democracy Is Strengthened by Casting Light On Spending in Elections Act of 2026'' or the ''DISCLOSE Act of 2026''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
TITLE I—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS
Sec. 101. Clarification of application of foreign money ban to certain disbursements and activities.
Sec. 102. Study and report on illicit foreign money in Federal elections.
Sec. 103. Prohibition on contributions and donations by foreign nationals in connection with ballot initiatives and referenda.
Sec. 104. Disbursements and activities subject to foreign money ban.
Sec. 105. Prohibiting establishment of corporation to conceal election contributions and donations by foreign nationals.
TITLE II—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS
Sec. 201. Reporting of campaign-related disbursements.
Sec. 202. Reporting of Federal judicial nomination disbursements.
Sec. 203. Coordination with FinCEN.
Sec. 204. Application of foreign money ban to disbursements for campaign-related disbursements consisting of covered transfers.
Sec. 205. Sense of Congress regarding implementation.
Sec. 206. Effective date.
TITLE III—OTHER ADMINISTRATIVE REFORMS
Sec. 301. Petition for certiorari.
Sec. 302. Judicial review of actions related to campaign finance laws.
Sec. 303. Effective date.
TITLE IV—STAND BY EVERY AD
Sec. 401. Short title.
Sec. 402. Stand by every ad.
Sec. 403. Disclaimer requirements for communications made through prerecorded telephone calls.
Sec. 404. No expansion of persons subject to disclaimer requirements on internet communications.
Sec. 405. Effective date.
TITLE V—SEVERABILITY
Sec. 501. Severability.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Campaign finance disclosure is a narrowly tailored and minimally restrictive means to advance substantial government interests, including fostering an informed electorate capable of engaging in self-government and holding their elected officials accountable, detecting and deterring quid pro quo corruption, and identifying information necessary to enforce other campaign finance laws, including campaign contribution limits and the prohibition on foreign money in U.S. campaigns. To further these substantial interests, campaign finance disclosure must be timely and complete, and must disclose the true and original source of money given, transferred, and spent to influence Federal elections. Current law does not meet this objective because corporations and other entities that the Supreme Court has permitted to spend money to influence Federal elections are subject to few if any transparency requirements.

(2) As the Supreme Court recognized in its per curiam opinion in *Buckley v. Valeo*, 424 U.S. 1, (1976), ''disclosure requirements certainly in most applications appear to be the least restrictive means of curbing the evils of campaign ignorance and corruption that Congress found to exist.'' *Buckley*, 424 U.S. at 68. In *Citizens United v. FEC*, the Court reiterated that ''disclosure is a less restrictive alternative to more comprehensive regulations of speech.'' 558 U.S. 310, 369 (2010).

(3) No subsequent decision has called these holdings into question, including the Court's decision in *Americans for Prosperity Foundation v. Bonta*, 141 S. Ct. 2373 (2021). That case did not involve campaign finance disclosure, and the Court did not overturn its long-standing recognition of the substantial interests furthered by such disclosure.

(4) Campaign finance disclosure is also essential to enforce the Federal Election Campaign Act's prohibition on contributions by and solicitations of foreign nationals. *See* section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121).

(5) Congress should close loopholes allowing spending by foreign nationals in domestic elections. For example, in 2021, the Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process, found reason to believe and conciliated a matter where an experienced political consultant knowingly and willfully violated Federal law by soliciting a contribution from a foreign national by offering to transmit a $2,000,000 contribution to a super PAC through his company and two 501(c)(4) organizations, to conceal the origin of the funds. This scheme was only unveiled after appearing in a The Telegraph UK article and video capturing the solicitation. *See* Conciliation Agreement, MURs 7165 & 7196 (Great America PAC, et al.), date June 28, 2021; Factual and Legal Analysis, MURs 7165 & 7196 (Jesse Benton), dated Mar. 2, 2021.

TITLE I—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SEC. 101. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs 2 ems to the right;

(2) by striking ''As used in this section, the term'' and inserting the following: ''DEFINITIONS.—For purposes of this section—

''(1) FOREIGN NATIONAL.—The term''; and

(3) by adding at the end the following new paragraph:

''(2) CONTRIBUTION AND DONATION.—For purposes of paragraphs (1) and (2) of subsection (a), the term 'contribution or donation' includes any disbursement to a political committee which accepts donations or contributions that do not comply with any of the limitations, prohibitions, and reporting requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions), or to any other person for the purpose of funding an expenditure, independent expenditure, or electioneering communication (as defined in section 304(f)(3)).''.

SEC. 102. STUDY AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) STUDY.—For each 4-year election cycle (beginning with the 4-year election cycle ending in 2024), the Comptroller General shall conduct a study on the incidence of illicit foreign money in all elections for Federal office held during the preceding 4-year election cycle, including what information is known about the presence of such money in elections for Federal office.

(b) REPORT.—

(1) IN GENERAL.—Not later than the applicable date with respect to any 4-year election cycle, the Comptroller General shall submit to the appropriate congressional committees a report on the study conducted under subsection (a).

(2) MATTERS INCLUDED.—The report submitted under paragraph (1) shall include a description of the extent to which illicit foreign money was used to target particular groups, including rural communities, African-American and other minority communities, and military and veteran communities, based on such targeting information as is available and accessible to the Comptroller General.

(3) APPLICABLE DATE.—For purposes of paragraph (1), the term ''applicable date'' means—

(A) in the case of the 4-year election cycle ending in 2024, the date that is 1 year after the date of the enactment of this Act; and

(B) in the case of any other 4-year election cycle, the date that is 1 year after the date on which such 4-year election cycle ends.

(c) DEFINITIONS.—As used in this section:

(1) 4-YEAR ELECTION CYCLE.—The term ''4-year election cycle'' means the 4-year period ending on the date of the general election for the offices of President and Vice President.

(2) ILLICIT FOREIGN MONEY.—The term ''illicit foreign money'' means any contribution, donation, expenditure, or disbursement by a foreign national (as defined in section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C.30121(b))) prohibited under such section.

(3) ELECTION; FEDERAL OFFICE.—The terms ''election'' and ''Federal office'' have the meanings given such terms under section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on House Administration of the House of Representatives;

(B) the Committee on Rules and Administration of the Senate;

(C) the Committee on the Judiciary of the House of Representatives; and

(D) the Committee on the Judiciary of the Senate.

(d) SUNSET.—This section shall not apply to any 4-year election cycle beginning after the election for the offices of President and Vice President in 2036.

SEC. 103. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTION WITH BALLOT INITIATIVES AND REFERENDA.

(a) IN GENERAL.—Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), as amended by section 101, is amended by adding at the end the following new paragraphs:

''(3) FEDERAL, STATE, OR LOCAL ELECTION.—The term 'Federal, State, or local election' includes a State or local ballot initiative or referendum, but only in the case of—

''(A) a covered foreign national as defined in paragraph (4); or

''(B) a foreign principal described in section 1(b)(2) or 1(b)(3) of the Foreign Agent Registration Act of 1938, as amended (22 U.S.C. 611(b)(2), (b)(3)) or an agent of such a foreign principal under such Act.

''(4) COVERED FOREIGN NATIONAL.—

''(A) IN GENERAL.—The term 'covered foreign national' means—

''(i) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(ii) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in clause (i) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in clause (i); or

''(iii) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in clause (i).

''(B) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, clause (ii) of subparagraph (A) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described in clause (i) of subparagraph (A).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections held in 2026 or any succeeding year.

SEC. 104. DISBURSEMENTS AND ACTIVITIES SUBJECT TO FOREIGN MONEY BAN.

(a) DISBURSEMENTS DESCRIBED.—Section 319(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (B); and

(2) by striking subparagraph (C) and inserting the following:

''(C) an expenditure;

''(D) an independent expenditure;

''(E) a disbursement for an electioneering communication (within the meaning of section 304(f)(3));

''(F) a disbursement for a communication which is placed or promoted for a fee on a website, web application, or digital application that refers to a clearly identified candidate for election for Federal office and is disseminated within 60 days before a general, special or runoff election for the office sought by the candidate or 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate for the office sought by the candidate;

''(G) a disbursement by a covered foreign national (as defined in subsection (b)(4)) for a broadcast, cable or satellite communication, or for a communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);

''(H) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on an online platform (as defined in subsection (b)(5)), that discusses a national legislative issue of public importance in a year in which a regularly scheduled general election for Federal office is held, but only if the disbursement is made by a covered foreign national (as defined in subsection (b)(4));

''(I) a disbursement by a covered foreign national (as defined in subsection (b)(4)) to compensate any person for internet activity that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the activity contains express advocacy or the functional equivalent of express advocacy); or

''(J) a disbursement by a covered foreign national (as defined in subsection (b)(4)) for a Federal judicial nomination communication (as defined in section 324(g)(2));''.

(b) DEFINITION OF ONLINE PLATFORM.—Section 319(b) of such Act (52 U.S.C. 30121(b)), as amended by sections 101 and 103, is amended by adding at the end the following new paragraph:

''*(5) ONLINE PLATFORM.—*

''*(A) IN GENERAL.—For purposes of this section, subject to subparagraph (B), the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—*

''*(i)(I) sells qualified political advertisements; and*

''*(II) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months; or*

''*(ii) is a third-party advertising vendor that has 50,000,000 or more unique monthly United States visitors in the aggregate on any advertisement space that it has sold or bought for a majority of months during the preceding 12 months, as measured by an independent digital ratings service accredited by the Media Ratings Council (or its successor).*

''*(B) EXEMPTION.—Such term shall not include any online platform that is a distribution facility of any broadcasting station or newspaper, magazine, blog, publication, or periodical.*

''*(C) THIRD-PARTY ADVERTISING VENDOR DEFINED.—For purposes of this subsection, the term 'third-party advertising vendor' includes, but is not limited to, any third-party advertising vendor network, advertising agency, advertiser, or third-party advertisement serving company that buys and sells advertisement space on behalf of unaffiliated third-party websites, search engines, digital applications, or social media sites.*''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

SEC. 105. PROHIBITING ESTABLISHMENT OF CORPORATION TO CONCEAL ELECTION CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS.

(a) PROHIBITION.—Chapter 29 of title 18, United States Code is amended by adding at the end the following:

''§ 612. Establishment of corporation to conceal election contributions and donations by foreign nationals

''(a) OFFENSE.—It shall be unlawful for an owner, officer, attorney, or incorporation agent of a corporation, company, or other entity to establish or use the corporation, company, or other entity with the intent to conceal an activity of a foreign national (as defined in section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121)) prohibited under such section 319.

''(b) PENALTY.—Any person who violates subsection (a) shall be imprisoned for not more than 5 years, fined under this title, or both.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code is amended by adding at the end the following new item:

''612. Establishment of corporation to conceal election contributions and donations by foreign nationals.''.

TITLE II—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS

SEC. 201. REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS.

(a) IN GENERAL.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126) is amended to read as follows:

''SEC. 324. DISCLOSURE OF CAMPAIGN-RELATED DISBURSEMENTS BY COVERED ORGANIZATIONS.

''(a) DISCLOSURE STATEMENT.—

''(1) IN GENERAL.—Any covered organization that makes campaign-related disbursements aggregating more than $10,000 in an election reporting cycle shall, not later than 24 hours after each disclosure date, file a statement with the Commission made under penalty of perjury that contains the information described in paragraph (2)—

''(A) in the case of the first statement filed under this subsection, for the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the first such disclosure date) and ending on the first such disclosure date; and

''(B) in the case of any subsequent statement filed under this subsection, for the period beginning on the previous disclosure date and ending on such disclosure date.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph is as follows:

''(A) The name of the covered organization and the principal place of business of such organization and, in the case of a covered organization that is a corporation (other than a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d))) or an entity described in subsection (e)(2), a list of the beneficial owners (as defined in paragraph (4)(A)) of the entity that—

''(i) identifies each beneficial owner by name and current residential or business street address; and

''(ii) if any beneficial owner exercises control over the entity through another legal entity, such as a corporation, partnership, limited liability company, or trust, identifies each such other legal entity and each such beneficial owner who will use that other entity to exercise control over the entity.

''(B) The amount of each campaign-related disbursement made by such organization during the period covered by the statement of more than $1,000, and the name and address of the person to whom the disbursement was made.

''(C) In the case of a campaign-related disbursement that is not a covered transfer, the election to which the campaign-related disbursement pertains and if the disbursement is made for a public communication, the name of any candidate identified in such communication and if such communication is in support of or in opposition to the identified candidate.

''(D) A certification by the chief executive officer or person who is the head of the covered organization that the campaign-related disbursement is not made in cooperation, consultation, or concert with or at the request or suggestion of a candidate, authorized committee, or agent of a candidate, political party, or agent of a political party.

''(E)(i) If the covered organization makes campaign-related disbursements using exclusively funds in a campaign-related disbursement segregated fund, for each payment made to the account by a person other than the covered organization—

''(I) the name and address of each person who made such payment to the account during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the account in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2027, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2027.

''(F)(i) If the covered organization makes campaign-related disbursements using funds other than funds in a campaign-related disbursement segregated fund, for each payment to the covered organization—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the covered organization in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2027, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2027.

''(G) Such other information as required in rules established by the Commission to promote the purposes of this section.

''(3) EXCEPTIONS.—

''(A) AMOUNTS RECEIVED IN ORDINARY COURSE OF BUSINESS.—The requirement to include in a statement filed under paragraph (1) the information described in paragraph (2) shall not apply to amounts received by the covered organization in commercial transactions in the ordinary course of any trade or business conducted by the covered organization or in the form of investments (other than investments by the principal shareholder in a limited liability corporation) in the covered organization. For purposes of this subparagraph, amounts received by a covered organization as remittances from an employee to the employee's collective bargaining representative shall be treated as amounts received in commercial transactions in the ordinary course of the business conducted by the covered organization.

''(B) DONOR RESTRICTION ON USE OF FUNDS.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (F) of paragraph (2) shall not apply if—

''(i) the person described in such subparagraph prohibited, in writing, the use of the payment made by such person for campaign-related disbursements; and

''(ii) the covered organization followed the prohibition and deposited the payment in an account which is segregated from a campaign-related disbursement segregated fund and any other account used to make campaign-related disbursements.

''(C) THREAT OF HARASSMENT OR REPRISAL.—The requirement to include any information relating to the name or address of any person (other than a candidate) in a statement submitted under paragraph (1) shall not apply to any person or persons who provide specific and particular evidence establishing that the inclusion of such information would subject that person or persons to serious threats, harassment, or reprisals. For purposes of the preceding sentence, the terms 'threats', 'harassment', and 'reprisals' do not include social ostracism, negative commentary, or criticism.

''(4) OTHER DEFINITIONS.—For purposes of this section:

''(A) BENEFICIAL OWNER DEFINED.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'beneficial owner' means, with respect to any entity, a natural person who, directly or indirectly—

''(I) exercises substantial control over an entity through ownership, voting rights, agreement, or otherwise; or

''(II) has a substantial interest in, or receives substantial economic benefits from, the assets of an entity.

''(ii) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(I) a minor child;

''(II) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(III) a person acting solely as an employee of an entity and whose control over, or economic benefits from, the entity derives solely from the employment status of the person;

''(IV) a person whose only interest in an entity is through a right of inheritance, unless the person also meets the requirements of clause (i); or

''(V) a creditor of an entity, unless the creditor also meets the requirements of clause (i).

''(iii) ANTI-ABUSE RULE.—The exceptions under clause (ii) shall not apply if used for the purpose of evading, circumventing, or abusing the provisions of clause (i) or paragraph (2)(A).

''(B) CAMPAIGN-RELATED DISBURSEMENT SEGREGATED FUND.—The term 'campaign-related disbursement segregated fund' means a segregated bank account consisting of funds that were paid directly to such account by persons other than the covered organization that controls the account.

''(C) DISCLOSURE DATE.—The term 'disclosure date' means—

''(i) the first date during any election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000; and

''(ii) any other date during such election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000 since the most recent disclosure date for such election reporting cycle.

''(D) ELECTION REPORTING CYCLE.—The term 'election reporting cycle' means the 2-year period beginning on the date of the most recent general election for Federal office.

''(E) PAYMENT.—The term 'payment' includes any contribution, donation, transfer, payment of dues, or other payment.

''(b) COORDINATION WITH OTHER PROVISIONS.—

''(1) OTHER REPORTS FILED WITH THE COMMISSION.—Information included in a statement filed under this section may be excluded from statements and reports filed under section 304.

''(2) TREATMENT AS SEPARATE SEGREGATED FUND.—A campaign-related disbursement segregated fund may be treated as a separate segregated fund for purposes of section 527(f)(3) of the Internal Revenue Code of 1986.

''(c) FILING.—Statements required to be filed under subsection (a) shall be subject to the requirements of section 304(d) to the same extent and in the same manner as if such reports had been required under subsection (c) or (g) of section 304.

''(d) CAMPAIGN-RELATED DISBURSEMENT DEFINED.—

''(1) IN GENERAL.—In this section, the term 'campaign-related disbursement' means a disbursement by a covered organization for any of the following:

''(A) An independent expenditure which expressly advocates the election or defeat of a clearly identified candidate for election for Federal office, or is the functional equivalent of express advocacy because, when taken as a whole, it can be interpreted by a reasonable person only as advocating the

election or defeat of a candidate for election for Federal office.

''(B) An applicable public communication.

''(C) An electioneering communication, as defined in section 304(f)(3).

''(D) A covered transfer.

''(2) APPLICABLE PUBLIC COMMUNICATIONS.—

''(A) IN GENERAL.—The term 'applicable public communication' means any public communication, including any communication that is produced for a fee or is placed or promoted for a fee on a website or digital device, application, service, or platform, that refers to a clearly identified candidate for election for Federal office and which promotes or supports the election of a candidate for that office, or attacks or opposes the election of a candidate for that office, without regard to whether the communication expressly advocates a vote for or against a candidate for that office.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(e) COVERED ORGANIZATION DEFINED.—In this section, the term 'covered organization' means any of the following:

''(1) A corporation (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(2) A limited liability corporation that is not otherwise treated as a corporation for purposes of this Act (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(3) An organization described in section 501(c) of such Code and exempt from taxation under section 501(a) of such Code (other than an organization described in section 501(c)(3) of such Code).

''(4) A labor organization (as defined in section 316(b)).

''(5) Any political organization under section 527 of the Internal Revenue Code of 1986, other than a political committee under this Act (except as provided in paragraph (6)).

''(6) A political committee with an account that accepts donations or contributions that do not comply with the contribution limits or source prohibitions under this Act, but only with respect to such accounts.

''(f) COVERED TRANSFER DEFINED.—

''(1) IN GENERAL.—In this section, the term 'covered transfer' means any transfer or payment of funds by a covered organization to another person if the covered organization—

''(A) designates, requests, or suggests that the amounts be used for—

''(i) campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(B) made such transfer or payment in response to a solicitation or other request for a donation or payment for—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(C) engaged in discussions with the recipient of the transfer or payment regarding—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) donating or transferring any amount of such transfer or payment to another person for the purpose of making or paying for such campaign-related disbursements; or

''(D) knew or had reason to know that the person receiving the transfer or payment would make campaign-related disbursements in an aggregate amount of $50,000 or more during the 2-year period beginning on the date of the transfer or payment.

''(2) EXCLUSIONS.—The term 'covered transfer' does not include any of the following:

''(A) A disbursement made by a covered organization in a commercial transaction in the ordinary course of any trade or business conducted by the covered organization or in the form of investments made by the covered organization.

''(B) A disbursement made by a covered organization if—

''(i) the covered organization prohibited, in writing, the use of such disbursement for campaign-related disbursements; and

''(ii) the recipient of the disbursement followed the prohibition and deposited the disbursement in an account which is segregated from a campaign-related disbursement segregated fund and any other account used to make campaign-related disbursements.

''(3) SPECIAL RULE REGARDING TRANSFERS AMONG AFFILIATES.—

''(A) SPECIAL RULE.—A transfer of an amount by one covered organization to another covered organization which is treated as a transfer between affiliates under subparagraph (C) shall be considered a covered transfer by the covered organization which transfers the amount only if the aggregate amount transferred during the year by such covered organization to that same covered organization is equal to or greater than $50,000.

''(B) DETERMINATION OF AMOUNT OF CERTAIN PAYMENTS AMONG AFFILIATES.—In determining the amount of a transfer between affiliates for purposes of subparagraph (A), to the extent that the transfer consists of funds attributable to dues, fees, or assessments which are paid by individuals on a regular, periodic basis in accordance with a per-individual calculation which is made on a regular basis, the transfer shall be attributed to the individuals paying the dues, fees, or assessments and shall not be attributed to the covered organization.

''(C) DESCRIPTION OF TRANSFERS BETWEEN AFFILIATES.—A transfer of amounts from one covered organization to another covered organization shall be treated as a transfer between affiliates if—

''(i) one of the organizations is an affiliate of the other organization; or

''(ii) each of the organizations is an affiliate of the same organization,

except that the transfer shall not be treated as a transfer between affiliates if one of the organizations is established for the purpose of making campaign-related disbursements.

''(D) DETERMINATION OF AFFILIATE STATUS.—For purposes of subparagraph (C), a covered organization is an affiliate of another covered organization if—

''(i) the governing instrument of the organization requires it to be bound by decisions of the other organization;

''(ii) the governing board of the organization includes persons who are specifically designated representatives of the other organization or are members of the governing board, officers, or paid executive staff members of the other organization, or whose service on the governing board is contingent upon the approval of the other organization; or

''(iii) the organization is chartered by the other organization.

''(E) COVERAGE OF TRANSFERS TO AFFILIATED SECTION 501(c)(3) ORGANIZATIONS.—This paragraph shall apply with respect to an amount transferred by a covered organization to an organization described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code in the same manner as this paragraph applies to an amount transferred by a covered organization to another covered organization.

''(g) NO EFFECT ON OTHER REPORTING REQUIREMENTS.—Except as provided in subsection (b)(1), nothing in this section shall be construed to waive or otherwise affect any other requirement of this Act which relates to the reporting of campaign-related disbursements.''.

(b) CONFORMING AMENDMENT.—Section 304(f)(6) of such Act (52 U.S.C. 30104) is amended by striking ''Any requirement'' and inserting ''Except as provided in section 324(b), any requirement''.

(c) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations relating to the application of the exemption under section 324(a)(3)(C) of the Federal Election Campaign Act of 1971 (as added by subsection (a)). Such regulations—

(1) shall require that the legal burden of establishing eligibility for such exemption is upon the organization required to make the report required under section 324(a)(1) of such Act (as added by subsection (a));

(2) shall require reapplication for such exemption every 4 years;

(3) shall provide that applications for such exemption, and documents reflecting the Federal Election Commission's consideration thereof, with appropriate redactions necessary to protect the personal information of any person or persons to whom such exemption applies, be published or made available for public inspection; and

(4) shall be consistent with the principles applied in *Citizens United* v. *Federal Election Commission*, 558 U.S. 310 (2010).

SEC. 202. REPORTING OF FEDERAL JUDICIAL NOMINATION DISBURSEMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) A fair and impartial judiciary is critical for our democracy and crucial to maintain the faith of the people of the United States in the justice system. As the Supreme Court held in *Caperton* v. *Massey*, ''there is a serious risk of actual bias—based on objective and reasonable perceptions—when a person with a personal stake in a particular case had a significant and disproportionate influence in placing the judge on the case.'' (*Caperton* v. *A. T. Massey Coal Co.*, 556 U.S. 868, 884 (2009)).

(2) Public trust in government is at a historic low. According to polling, most Americans believe that corporations have too much power and influence in politics and the courts.

(3) The prevalence and pervasiveness of dark money drives public concern about corruption in politics and the courts. Dark money is funding for organizations and political activities that cannot be traced to actual donors. It is made possible by loopholes in our tax laws and regulations, weak oversight by the Internal Revenue Service, and donor-friendly court decisions.

(4) Under current law, ''social welfare'' organizations and business leagues can use funds to influence elections so long as political activity is not their ''primary'' activity. Super PACs can accept and spend unlimited contributions from any non-foreign source. These groups can spend tens of millions of dollars on political activities. Such dark money groups spent an estimated $1,050,000,000 in the 2020 election cycle.

(5) Dark money is used to shape judicial decision-making. This can take many forms, akin to agency capture: influencing judicial selection by controlling who gets nominated and funding candidate advertisements; creating public relations campaigns aimed at mobilizing the judiciary around particular

issues; and drafting law review articles, amicus briefs, and other products which tell judges how to decide a given case and provide ready-made arguments for willing judges to adopt.

(6) Over the past decade, nonprofit organizations that do not disclose their donors have spent hundreds of millions of dollars to influence the nomination and confirmation process for Federal judges. One organization alone has spent nearly $40,000,000 on advertisements supporting or opposing Supreme Court nominees since 2016.

(7) Anonymous money spent on judicial nominations is not subject to any disclosure requirements. Federal election laws only regulate contributions and expenditures relating to electoral politics; thus, expenditures, contributions, and advocacy efforts for Federal judgeships are not covered under the Federal Election Campaign Act of 1971. Without more disclosure, the public has no way of knowing whether the people spending money supporting or opposing judicial nominations have business before the courts.

(8) Congress and the American people have a compelling interest in knowing who is funding these campaigns to select and confirm judges to lifetime appointments on the Federal bench.

(b) REPORTING.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126), as amended by section 201, is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) APPLICATION TO FEDERAL JUDICIAL NOMINATIONS.—

''(1) IN GENERAL.—For purposes of this section—

''(A) a disbursement by a covered organization for a Federal judicial nomination communication shall be treated as a campaign-related disbursement; and

''(B) in the case of campaign-related disbursements which are for Federal judicial nomination communications—

''(i) the dollar amounts in paragraphs (1) and (2) of subsection (a) shall be applied separately with respect to such disbursements and other campaign-related disbursements;

''(ii) the election reporting cycle shall be the calendar year in which the disbursement for the Federal judicial nomination communication is made;

''(iii) references to a candidate in subsections (a)(2)(C), (a)(2)(D), and (a)(3)(C) shall be treated as references to a nominee for a Federal judge or justice;

''(iv) the reference to an election in subsection (a)(2)(C) shall be treated as a reference to the nomination of such nominee.

''(2) FEDERAL JUDICIAL NOMINATION COMMUNICATION.—

''(A) IN GENERAL.—The term 'Federal judicial nomination communication' means any communication—

''(i) that is by means of any broadcast, cable, or satellite, paid internet, or paid digital communication, paid promotion, newspaper, magazine, outdoor advertising facility, mass mailing, telephone bank, telephone messaging effort of more than 500 substantially similar calls or electronic messages within a 30-day period, or any other form of general public political advertising; and

''(ii) which promotes, supports, attacks, or opposes the nomination or Senate confirmation of an individual as a Federal judge or justice.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(C) INTENT NOT REQUIRED.—A disbursement for an item described in subparagraph (A) shall be treated as a disbursement for a Federal judicial nomination communication regardless of the intent of the person making the disbursement.''.

SEC. 203. COORDINATION WITH FINCEN.

(a) IN GENERAL.—The Director of the Financial Crimes Enforcement Network of the Department of the Treasury shall provide the Federal Election Commission with such information as necessary to assist in administering and enforcing section 324 of the Federal Election Campaign Act of 1971, as amended by this title.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Federal Election Commission, in consultation with the Director of the Financial Crimes Enforcement Network of the Department of the Treasury, shall submit to Congress a report with recommendations for providing further legislative authority to assist in the administration and enforcement of such section 324.

SEC. 204. APPLICATION OF FOREIGN MONEY BAN TO DISBURSEMENTS FOR CAMPAIGN-RELATED DISBURSEMENTS CONSISTING OF COVERED TRANSFERS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)), as amended by section 101, is amended—

(1) by striking ''includes any disbursement'' and inserting ''includes—

''(A) any disbursement'';

(2) by striking the period at the end and inserting ''; and'', and

(3) by adding at the end the following new subparagraph:

''(B) any disbursement, other than a disbursement described in section 324(a)(3)(A), to another person who made a campaign-related disbursement consisting of a covered transfer (as described in section 324) during the 2-year period ending on the date of the disbursement.''.

SEC. 205. SENSE OF CONGRESS REGARDING IMPLEMENTATION.

It is the sense of Congress that the Federal Election Commission should simplify the process for filing any disclosure required under the provisions of, and amendments made by, this title in order to ensure that such process is as easy and accessible as possible.

SEC. 206. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to disbursements made on or after January 1, 2027, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

TITLE III—OTHER ADMINISTRATIVE REFORMS

SEC. 301. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 302. JUDICIAL REVIEW OF ACTIONS RELATED TO CAMPAIGN FINANCE LAWS.

(a) IN GENERAL.—Title IV of the Federal Election Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is amended by inserting after section 406 the following new section:

''SEC. 407. JUDICIAL REVIEW.

''(a) IN GENERAL.—If any action is brought for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality or lawfulness of any provision of this Act, including title V, or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the following rules shall apply:

''(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit.

''(2) In the case of an action relating to declaratory or injunctive relief to challenge the constitutionality of a provision, the party filing the action shall concurrently deliver a copy of the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

''(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

''(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

''(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a) relating to declaratory or injunctive relief to challenge the constitutionality of a provision, any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

''(d) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 9011 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9011. JUDICIAL REVIEW.

''For provisions relating to judicial review of certifications, determinations, and actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(2) Section 9041 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9041. JUDICIAL REVIEW.

''For provisions relating to judicial review of actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(3) Section 310 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30110) is repealed.

(4) Section 403 of the Bipartisan Campaign Reform Act of 2002 (52 U.S.C. 30110 note) is repealed.

SEC. 303. EFFECTIVE DATE.

The amendments made by this title shall take effect and apply on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations to carry out this title and the amendments made by this title.

TITLE IV—STAND BY EVERY AD

SEC. 401. SHORT TITLE.

This title may be cited as the ''Stand By Every Ad Act''.

SEC. 402. STAND BY EVERY AD.

(a) EXPANDED DISCLAIMER REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) EXPANDED DISCLAIMER REQUIREMENTS FOR COMMUNICATIONS NOT AUTHORIZED BY CANDIDATES OR COMMITTEES.—

''(1) IN GENERAL.—Except as provided in paragraph (6), any communication described in paragraph (3) of subsection (a) which is transmitted in an audio or video format (including an internet or digital communication), or which is an internet or digital communication transmitted in a text or graphic format, shall include, in addition to the requirements of paragraph (3) of subsection (a), the following:

''(A) The individual disclosure statement described in paragraph (2)(A) (if the person paying for the communication is an individual) or the organizational disclosure statement described in paragraph (2)(B) (if the person paying for the communication is not an individual).

''(B) If the communication is transmitted in a video format, or is an internet or digital communication which is transmitted in a text or graphic format, and is paid for in whole or in part with a payment which is treated as a campaign-related disbursement under section 324—

''(i) the Top Five Funders list (if applicable); or

''(ii) in the case of a communication which, as determined on the basis of criteria established in regulations issued by the Commission, is of such short duration that including the Top Five Funders list in the communication would constitute a hardship to the person paying for the communication by requiring a disproportionate amount of the content of the communication to consist of the Top Five Funders list, the name of a website which contains the Top Five Funders list (if applicable) or, in the case of an internet or digital communication, an adapted disclaimer (as defined in paragraph (6)(C)) that directs persons reading, observing, or listening to the communication to the Top Five Funders list (if applicable).

''(C) If the communication is transmitted in an audio format and is paid for in whole or in part with a payment which is treated as a campaign-related disbursement under section 324—

''(i) the Top Two Funders list (if applicable); or

''(ii) in the case of a communication which, as determined on the basis of criteria established in regulations issued by the Commission, is of such short duration that including the Top Two Funders list in the communication would constitute a hardship to the person paying for the communication by requiring a disproportionate amount of the content of the communication to consist of the Top Two Funders list, the name of a website which contains the Top Two Funders list (if applicable).

''(2) DISCLOSURE STATEMENTS DESCRIBED.—

''(A) INDIVIDUAL DISCLOSURE STATEMENTS.—The individual disclosure statement described in this subparagraph is the following: 'I am _____, and I approve this message.', with the blank filled in with the name of the applicable individual.

''(B) ORGANIZATIONAL DISCLOSURE STATEMENTS.—The organizational disclosure statement described in this subparagraph is the following: 'I am _____, the _____ of _____, and _____ approves this message.', with—

''(i) the first blank to be filled in with the name of the applicable individual;

''(ii) the second blank to be filled in with the title of the applicable individual; and

''(iii) the third and fourth blank each to be filled in with the name of the organization or other person paying for the communication.

''(3) METHOD OF CONVEYANCE OF STATEMENT.—

''(A) COMMUNICATIONS IN TEXT OR GRAPHIC FORMAT.—In the case of a communication to which this subsection applies which is transmitted in a text or graphic format, the disclosure statements required under paragraph (1) shall appear in letters at least as large as the majority of the text in the communication.

''(B) COMMUNICATIONS TRANSMITTED IN AUDIO FORMAT.—In the case of a communication to which this subsection applies which is transmitted in an audio format, the disclosure statements required under paragraph (1) shall be made by audio by the applicable individual in a clear and conspicuous manner.

''(C) COMMUNICATIONS TRANSMITTED IN VIDEO FORMAT.—In the case of a communication to which this subsection applies which is transmitted in a video format, the information required under paragraph (1) shall appear in writing at the end of the communication or in a crawl along the bottom of the communication in a clear and conspicuous manner, with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 6 seconds.

''(4) APPLICABLE INDIVIDUAL DEFINED.—The term 'applicable individual' means, with respect to a communication to which this subsection applies—

''(A) if the communication is paid for by an individual, the individual involved;

''(B) if the communication is paid for by a corporation, the chief executive officer of the corporation (or, if the corporation does not have a chief executive officer, the highest ranking official of the corporation);

''(C) if the communication is paid for by a labor organization, the highest ranking officer of the labor organization; and

''(D) if the communication is paid for by any other person, the highest ranking official of such person.

''(5) TOP FIVE FUNDERS LIST AND TOP TWO FUNDERS LIST DEFINED.—

''(A) TOP FIVE FUNDERS LIST.—The term 'Top Five Funders list' means, with respect to a communication which is paid for in whole or in part with a campaign-related disbursement (as defined in section 324), a list of the 5 persons who, during the 12-month period ending on the date of the disbursement, provided the largest payments of any type in an aggregate amount equal to or exceeding $10,000 to the person who is paying for the communication and the amount of the payments each such person provided. If 2 or more people provided the fifth largest of such payments, the person paying for the communication shall select 1 of those persons to be included on the Top Five Funders list.

''(B) TOP TWO FUNDERS LIST.—The term 'Top Two Funders list' means, with respect to a communication which is paid for in whole or in part with a campaign-related disbursement (as defined in section 324), a list of the persons who, during the 12-month period ending on the date of the disbursement, provided the largest and the second largest payments of any type in an aggregate amount equal to or exceeding $10,000 to the person who is paying for the communication and the amount of the payments each such person provided. If 2 or more persons provided the second largest of such payments, the person paying for the communication shall select 1 of those persons to be included on the Top Two Funders list.

''(C) EXCLUSION OF CERTAIN PAYMENTS.—For purposes of subparagraphs (A) and (B), in determining the amount of payments made by a person to a person paying for a communication, there shall be excluded the following:

''(i) Any amounts provided in the ordinary course of any trade or business conducted by the person paying for the communication or in the form of investments in the person paying for the communication.

''(ii) Any payment which the person prohibited, in writing, from being used for campaign-related disbursements, but only if the person paying for the communication followed the prohibition and deposited the payment in an account which is segregated from a campaign-related disbursement segregated fund (as defined in section 324) and any other account used to make campaign-related disbursements.

''(6) SPECIAL RULES FOR CERTAIN COMMUNICATIONS.—

''(A) EXCEPTION FOR COMMUNICATIONS PAID FOR BY POLITICAL PARTIES AND CERTAIN POLITICAL COMMITTEES.—This subsection does not apply to any communication to which subsection (d)(2) applies.

''(B) TREATMENT OF VIDEO COMMUNICATIONS LASTING 10 SECONDS OR LESS.—In the case of a communication to which this subsection applies which is transmitted in a video format, or is an internet or digital communication which is transmitted in a text or graphic format, the communication shall meet the following requirements:

''(i) The communication shall include the individual disclosure statement described in paragraph (2)(A) (if the person paying for the communication is an individual) or the organizational disclosure statement described in paragraph (2)(B) (if the person paying for the communication is not an individual).

''(ii) The statement described in clause (i) shall appear in writing at the end of the communication, or in a crawl along the bottom of the communication, in a clear and conspicuous manner, with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.

''(iii) To the extent that the format in which the communication is made permits the use of an adapted disclaimer, the communication shall include an adapted disclaimer that directs persons reading, observing, or listening to the communication to all of the information described in paragraph (1)(B)(i) of this subsection with respect to the communication. If the format will not allow for an adapted disclaimer, the communication shall include, in a clear and conspicuous manner, a website address with a landing page which will provide all of the information described in paragraph (1)(B)(i) of this subsection with respect to the communication. The adapted disclaimer or website address shall appear for the full duration of the communication.

''(C) DEFINITIONS.—In this subsection:

''(i) ADAPTED DISCLAIMER.—The term 'adapted disclaimer' means a statement that satisfies the requirements of paragraph (1)(B)(i) of this subsection and includes an indicator and a mechanism.

''(ii) INDICATOR.—The term 'indicator' means any visible or audible element associated with a communication that is presented in a clear and conspicuous manner and gives notice to persons reading, observing, or listening to the communication that they may read, observe, or listen to a disclaimer satisfying the requirements of paragraph (1)(B)(i) of this subsection through a mechanism. An indicator may take any form, including words, images, sounds, symbols, and icons.

''(iii) MECHANISM.—The term 'mechanism' means any use of technology that enables the person reading, observing, or listening to a communication to read, observe, or listen to a disclaimer satisfying the requirements of paragraph (1)(B)(i) of this subsection after not more than 1 action by a recipient of the communication. A mechanism may take any form, including hover-over text, pop-up screens, scrolling text, rotating panels, and hyperlinks to a landing page.''.

(b) APPLICATION OF EXPANDED REQUIREMENTS TO CAMPAIGN-RELATED DISBURSEMENTS.—

(1) IN GENERAL.—Section 318(a) of such Act (52 U.S.C. 30120(a)) is amended by striking ''for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate'' and inserting ''for a campaign-related disbursement described in subparagraph (A), (B), or (C) of section 324(d)(1)''.

(2) CLARIFICATION OF EXEMPTION FROM INCLUSION OF CANDIDATE DISCLAIMER STATEMENT IN FEDERAL JUDICIAL NOMINATION COMMUNICATIONS.—Section 318(a)(3) of such Act (52 U.S.C. 30120(a)(3)) is amended by striking ''shall clearly state'' and inserting ''shall (except in the case of a Federal judicial nomination communication, as defined in section 324(d)(3)) clearly state''.

(c) EXCEPTION FOR COMMUNICATIONS PAID FOR BY POLITICAL PARTIES AND CERTAIN POLITICAL COMMITTEES.—Section 318(d)(2) of such Act (52 U.S.C. 30120(d)(2)) is amended—

(1) in the heading, by striking ''**OTHERS**'' and inserting ''**CERTAIN POLITICAL COMMITTEES**'';

(2) by striking ''Any communication'' and inserting ''(A) Any communication'';

(3) by inserting ''which (except to the extent provided in subparagraph (B)) is paid for by a political committee (including a political committee of a political party) and'' after ''subsection (a)'';

(4) by striking ''or other person'' each place it appears; and

(5) by adding at the end the following new subparagraph:

''(B)(i) This paragraph does not apply to a communication paid for in whole or in part during a calendar year with a campaign-related disbursement, but only if the covered organization making the campaign-related disbursement made campaign-related disbursements (as defined in section 324) aggregating more than $10,000 during such calendar year.

''(ii) For purposes of clause (i), in determining the amount of campaign-related disbursements made by a covered organization during a year, there shall be excluded the following:

''(I) Any amounts received by the covered organization in the ordinary course of any trade or business conducted by the covered organization or in the form of investments in the covered organization.

''(II) Any amounts received by the covered organization from a person who prohibited, in writing, the organization from using such amounts for campaign-related disbursements, but only if the covered organization followed the prohibition and deposited the amounts in an account which is segregated from a campaign-related disbursement segregated fund (as defined in section 324) and any other account used to make campaign-related disbursements.''.

(d) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''which is transmitted through radio'' and inserting ''which is in an audio format''; and

(B) by striking ''BY RADIO'' in the heading and inserting ''AUDIO FORMAT'';

(2) in paragraph (1)(B)—

(A) by striking ''which is transmitted through television'' and inserting ''which is in video format''; and

(B) by striking ''BY TELEVISION'' in the heading and inserting ''VIDEO FORMAT''; and

(3) in paragraph (2)—

(A) by striking ''transmitted through radio or television'' and inserting ''made in audio or video format''; and

(B) by striking ''through television'' in the second sentence and inserting ''in video format''.

SEC. 403. DISCLAIMER REQUIREMENTS FOR COMMUNICATIONS MADE THROUGH PRERECORDED TELEPHONE CALLS.

(a) APPLICATION OF REQUIREMENTS.—

(1) IN GENERAL.—Section 318(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended by striking ''mailing'' each place it appears and inserting ''mailing, telephone call consisting in substantial part of a prerecorded audio message''.

(2) APPLICATION TO COMMUNICATIONS SUBJECT TO EXPANDED DISCLAIMER REQUIREMENTS.—Section 318(e)(1) of such Act (52 U.S.C. 30120(e)(1)), as added by section 402(a), is amended in the matter preceding subparagraph (A) by striking ''which is transmitted in an audio or video format'' and inserting ''which is transmitted in an audio or video format or which consists of a telephone call consisting in substantial part of a prerecorded audio message''.

(b) TREATMENT AS COMMUNICATION TRANSMITTED IN AUDIO FORMAT.—

(1) COMMUNICATIONS BY CANDIDATES OR AUTHORIZED PERSONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended by adding at the end the following new paragraph:

''(3) PRERECORDED TELEPHONE CALLS.—Any communication described in paragraph (1), (2), or (3) of subsection (a) (other than a communication which is subject to subsection (e)) which is a telephone call consisting in substantial part of a prerecorded audio message shall include, in addition to the requirements of such paragraph, the audio statement required under subparagraph (A) of paragraph (1) or the audio statement required under paragraph (2) (whichever is applicable), except that the statement shall be made at the beginning of the telephone call.''.

(2) COMMUNICATIONS SUBJECT TO EXPANDED DISCLAIMER REQUIREMENTS.—Section 318(e)(3) of such Act (52 U.S.C. 30120(e)(3)), as added by section 402(a), is amended by adding at the end the following new subparagraph:

''(D) PRERECORDED TELEPHONE CALLS.—In the case of a communication to which this subsection applies which is a telephone call consisting in substantial part of a prerecorded audio message, the communication shall be considered to be transmitted in an audio format.''.

SEC. 404. NO EXPANSION OF PERSONS SUBJECT TO DISCLAIMER REQUIREMENTS ON INTERNET COMMUNICATIONS.

Nothing in this title or the amendments made by this title may be construed to require any person who is not required under section 318 of the Federal Election Campaign Act of 1971 to include a disclaimer on communications made by the person through the internet to include any disclaimer on any such communications.

SEC. 405. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to communications made on or after January 1, 2027, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

TITLE V—SEVERABILITY

SEC. 501. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendments to any person or circumstance, shall not be affected by the holding.

SA 4410. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Big Oil Windfall Profits Tax Act''.

SEC. 2. WINDFALL PROFITS TAX.

(a) IN GENERAL.—Subtitle E of the Internal Revenue Code of 1986 is amended by adding at the end thereof the following new chapter:

''CHAPTER 56—WINDFALL PROFITS ON CRUDE OIL

''Sec. 5896. Imposition of tax.
''Sec. 5897. Definitions and special rules.

''SEC. 5896. IMPOSITION OF TAX.

''(a) IN GENERAL.—In addition to any other tax imposed under this title, in each calendar quarter there is hereby imposed on any covered taxpayer an excise tax at the rate determined under subsection (b) on—

''(1) each barrel of taxable crude oil extracted by the taxpayer within the United States and removed from the property of such taxpayer during the calendar quarter, and

''(2) each barrel of taxable crude oil entered into the United States during the calendar quarter by the taxpayer for consumption, use, or warehousing.

''(b) RATE OF TAX.—

''(1) IN GENERAL.—The rate of tax imposed by this section on any barrel of taxable crude oil for any calendar quarter is the product of—

''(A) 50 percent, and

''(B) the excess (if any) of—

''(i) the average price of a barrel of Brent crude oil over the covered calendar quarter, over

''(ii) the average price of a barrel of Brent crude oil over the period beginning on January 1, 2025, and ending on December 31, 2025.

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a calendar quarter beginning in any taxable year beginning after 2026, the amount determined under paragraph (1)(B)(ii) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting '2025' for '2016' in subparagraph (A)(ii) thereof.

''(B) ROUNDING.—If any dollar amount, after being increased under subparagraph (A), is not a multiple of $0.50, such dollar amount shall be rounded to the next lowest multiple of $0.01.

''(c) FRACTIONAL PART OF BARREL.—In the case of a fraction of a barrel, the tax imposed by subsection (a) shall be the same fraction of the amount of such tax imposed on the whole barrel.

''SEC. 5897. DEFINITIONS AND SPECIAL RULES.

''(a) DEFINITIONS.—For purposes of this chapter—

''(1) COVERED TAXPAYER.—

''(A) IN GENERAL.—The term 'covered taxpayer' means, with respect to any calendar quarter, any taxpayer if—

''(i) the average daily number of barrels of taxable crude oil extracted and imported by the taxpayer for calendar year 2025 exceeded 300,000 barrels, or

''(ii) the average daily number of barrels of taxable crude oil extracted and imported by the taxpayer for the calendar quarter exceeds 300,000.

''(B) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as one person for purposes of paragraph (1).

''(2) TAXABLE CRUDE OIL.—The term 'taxable crude oil' includes crude oil, crude oil condensates, and natural gasoline.

''(3) BARREL.—The term 'barrel' means 42 United States gallons.

''(4) UNITED STATES.—The term 'United States' has the same meaning given such term under section 4612.

''(b) WITHHOLDING AND DEPOSIT OF TAX.—The Secretary shall provide such rules as are necessary for the withholding and deposit of the tax imposed under section 5896 on any taxable crude oil.

''(c) RECORDS AND INFORMATION.—Each taxpayer liable for tax under section 5896 shall keep such records, make such returns, and furnish such information (to the Secretary and to other persons having an interest in the taxable crude oil) with respect to such oil as the Secretary may by regulations prescribe.

''(d) RETURN OF WINDFALL PROFIT TAX.—The Secretary shall provide for the filing and the time of such filing of the return of the tax imposed under section 5896.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this chapter.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle E of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''CHAPTER 56. WINDFALL PROFIT ON CRUDE OIL''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to crude oil removed or entered after December 31, 2025, in calendar quarters ending after such date.

(2) SPECIAL RULE FOR CERTAIN QUARTERS DURING 2026.—In the case of any calendar quarter ending before July 1, 2026, the tax imposed under section 5896 of the Internal Revenue Code of 1986 (as added by this section) shall not be due before September 30, 2026.

SEC. 3. GASOLINE PRICE REBATES.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6436. GASOLINE PRICE REBATES.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A for each taxable year beginning after December 31, 2025, an amount equal to the sum of the gasoline price rebate amount for calendar quarters beginning in such taxable year.

''(b) GASOLINE PRICE REBATE AMOUNT.—For purposes of this section—

''(1) IN GENERAL.—The term 'gasoline price rebate amount' means, with respect to any taxpayer for any calendar quarter beginning in a taxable year, an amount determined by the Secretary not later than 30 days after the end of such calendar quarter taking into account the number of eligible individuals and the amount of revenues in the Protect Consumers from Gas Hikes Fund resulting from the tax imposed by section 5896 for the preceding calendar quarter.

''(2) SPECIAL RULE FOR JOINT RETURNS.—In the case of an eligible individual filing a joint return, the gasoline price rebate amount shall be 150 percent of the amount determined under paragraph (1) with respect to other taxpayers.

''(3) LIMITATION BASED ON ADJUSTED GROSS INCOME.—The amount of the credit allowed by subsection (a) (determined without regard to this subsection and subsection (e)) shall be reduced (but not below zero) by 5 percent of so much of the eligible individual's adjusted gross income as exceeds—

''(A) $150,000 in the case of a joint return,

''(B) $112,500 in the case of a head of household, and

''(C) $75,000 in any other case.

''(c) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means any individual other than—

''(1) any nonresident alien individual,

''(2) any individual who is a dependent of another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, and

''(3) an estate or trust.

''(d) DEFINITIONS AND SPECIAL RULES.—

''(1) DEPENDENT DEFINED.—For purposes of this section, the term 'dependent' has the meaning given such term by section 152.

''(2) IDENTIFICATION NUMBER REQUIREMENT.—

''(A) IN GENERAL.—In the case of a return other than a joint return, the gasoline price rebate amount in subsection (b)(1) shall be treated as being zero unless the taxpayer includes the valid identification number of the taxpayer on the return of tax for the taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the gasoline price rebate amount in subsection (b)(1) shall be treated as being—

''(i) 50 percent of the amount otherwise determined without regard to this paragraph if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

''(ii) zero if the valid identification number of neither spouse is so included.

''(C) VALID IDENTIFICATION NUMBER.—For purposes of this paragraph, the term 'valid identification number' means a social security number issued to an individual by the Social Security Administration on or before the due date for filing the return for the taxable year.

''(D) SPECIAL RULE FOR MEMBERS OF THE ARMED FORCES.—Subparagraph (B) shall not apply in the case where at least 1 spouse was a member of the Armed Forces of the United States at any time during the taxable year and the valid identification number of at least 1 spouse is included on the return of tax for the taxable year.

''(E) COORDINATION WITH CERTAIN ADVANCE PAYMENTS.—In the case of any payment determined pursuant to subsection (f)(6), a valid identification number shall be treated for purposes of this paragraph as included on the taxpayer's return of tax if such valid identification number is available to the Secretary as described in such subsection.

''(F) MATHEMATICAL OR CLERICAL ERROR AUTHORITY.—Any omission of a correct valid identification number required under this paragraph shall be treated as a mathematical or clerical error for purposes of applying section 6213(g)(2) to such omission.

''(3) CREDIT TREATED AS REFUNDABLE.—The credit allowed by subsection (a) shall be treated as allowed by subpart C of part IV of subchapter A of chapter 1.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.

''(f) OUTREACH.—The Secretary shall carry out a robust and comprehensive outreach program to ensure that all taxpayers learn of their eligibility for the credits allowed under this section and are provided assistance in claiming such credits.''.

(b) TREATMENT OF CERTAIN POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary of the Treasury shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the amendments made by this section. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(2) PAYMENTS TO OTHER POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the amendments made by this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(3) INCLUSION OF ADMINISTRATIVE EXPENSES.—The Secretary of the Treasury shall pay to each possession of the United States to which the Secretary makes a payment under paragraph (1) or (2) an amount equal to the increase (if any) of the administrative expenses of such possession—

(A) in the case of a possession described in paragraph (1), by reason of the amendments made by this section, and

(B) in the case of a possession described in paragraph (2), by reason of carrying out the plan described in such paragraph, or

the amount described in subparagraph (A) shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(4) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 6434 of the Internal Revenue Code of 1986 (as added by this section) to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of the amendments made by this section, or

(B) who is eligible for a payment under a plan described in paragraph (2).

(5) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(6) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(c) ADMINISTRATIVE PROVISIONS.—

(1) DEFINITION OF DEFICIENCY.—Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''and 6433'' and inserting ''6433, and 6436,''.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''6436,'' after ''6433,''.

(B) The table of sections for subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 6436. Gasoline price rebates.''.

SEC. 4. PROTECT CONSUMERS FROM GAS PRICE HIKES FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 9512. PROTECT CONSUMERS FROM GAS PRICE HIKES FUND.

''(a) ESTABLISHMENT AND FUNDING.—There is hereby established in the Treasury of the United States a trust fund to be referred to as the 'Protect Consumers from Gas Hikes Fund', consisting of such amounts as may be appropriated or credited to such trust fund as provided for in this section and section 9602(b).

''(b) TRANSFERS TO THE PROTECT CONSUMERS FROM GAS PRICE HIKES FUND.—There are hereby appropriated to the Protect Consumers from Gas Hikes Fund amounts equivalent to the taxes received in the Treasury under section 5896.

''(c) USE OF FUNDS.—The Secretary shall pay from time to time from the Protect Consumers from Gas Price Hikes Fund to the general fund of the Treasury amounts equal to the amounts of refunds provided under section 6436.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of such Code is amended by adding at the end the following new item:

''Sec. 9512. Protect Consumers from Gas Price Hikes Fund.''.

SA 4411. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare and Social Security Fair Share Act''.

SEC. 2. MODIFICATION OF PAYROLL TAXES.

(a) WAGE BASE FOR TAXES FUNDING SOCIAL SECURITY.—

(1) IN GENERAL.—Paragraph (1) of section 3121(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) in the case of taxes imposed by sections 3101(a) and 3111(a), for any calendar year in which the contribution and benefit base (as determined under section 230 of the Social Security Act) is less than $400,000, so much of the remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment that has been paid to an individual by an employer during the calendar year as exceeds such contribution and benefit base but does not exceed $400,000;''.

(2) CONFORMING AMENDMENTS.—

(A) SUCCESSOR EMPLOYERS.—Section 3121 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(aa) SPECIAL RULES FOR SUCCESSOR EMPLOYERS.—For purposes of subsection (a)(1), if an employer (hereinafter referred to as successor employer) during any calendar year acquires substantially all the property used in a trade or business of another employer (hereinafter referred to as a predecessor), or used in a separate unit of a trade or business of a predecessor, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor, then, for the purpose of determining the amount of remuneration paid by the successor employer under such subsection, any remuneration (other than remuneration referred to in the paragraphs succeeding paragraph (1) of subsection (a)) with respect to employment paid (or considered under this subsection as having been paid) to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer.''.

(B) APPLICATION TO RAILROAD RETIREMENT TAXES.—Clause (i) of section 3231(e)(2)(A) of such Code is amended to read as follows:

''(i) IN GENERAL.—For any calendar year in which the applicable base is less than $400,000, the term 'compensation' does not include so much of the remuneration paid during any calendar year to an individual by an employer for services rendered as an employee to such employer as exceeds the applicable base but does not exceed $400,000.''.

(b) FURTHER ADDITIONAL HOSPITAL INSURANCE TAX ON VERY HIGH INCOME TAXPAYERS.—

(1) IN GENERAL.—Section 3101(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) FURTHER ADDITIONAL TAX.—In addition to the tax imposed by paragraphs (1) and (2) and the preceding subsection, there is hereby imposed on every taxpayer (other than a corporation, estate, or trust) a tax equal to 1.2 percent of wages which are received with respect to employment (as defined in section 3121(b)) during the taxable year which are in excess of—

''(A) in the case of a joint return, $500,000,

''(B) in the case of a married taxpayer (as defined in section 7703) filing a separate return, ½ of the dollar amount determined under subparagraph (A), and

''(C) in any other case, $400,000.''.

(2) COLLECTION OF TAX.—Section 3102 of such Code is amended by adding at the end the following new subsection:

''(g) SPECIAL RULES FOR FURTHER ADDITIONAL TAX.—

''(1) IN GENERAL.—In the case of any tax imposed by section 3101(b)(3), subsection (a) shall only apply to the extent to which the taxpayer receives wages from the employer in excess of $400,000, and the employer may disregard the amount of wages received by such taxpayer's spouse.

''(2) COLLECTION OF AMOUNTS NOT WITHHELD.—To the extent that the amount of any tax imposed by section 3101(b)(3) is not collected by the employer, such tax shall be paid by the employee.

''(3) TAX PAID BY RECIPIENT.—If an employer, in violation of this chapter, fails to deduct and withhold the tax imposed by section 3101(b)(3) and thereafter the tax is paid by the employee, the tax so required to be deducted and withheld shall not be collected from the employer, but this paragraph shall in no case relieve the employer from liability for any penalties or additions to tax otherwise applicable in respect of such failure to deduct and withhold.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to remuneration paid, and taxable years beginning, on or after January 1 of the first calendar year that begins after the date of enactment of this Act.

SEC. 3. MODIFICATION OF TAXES ON SELF-EMPLOYMENT INCOME.

(a) TAX ON NET EARNINGS FROM SELF-EMPLOYMENT UP TO CONTRIBUTION AND BENEFIT BASE AND MORE THAN $400,000.—Paragraph (1) of section 1402(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) in the case of the tax imposed by section 1401(a) for any taxable year beginning in a calendar year in which the contribution and benefit base (as determined under section 230 of the Social Security Act) is less than $400,000, the excess (if any) of—

''(A) so much of the net earnings from self-employment which is in excess of—

''(i) an amount equal to the contribution and benefit base (as determined under section 230 of the Social Security Act) which is effective for the calendar year in which such taxable year begins, reduced (but not below zero) by

''(ii) the amount of the wages paid to such individual during such taxable year, over

''(B) the sum of—

''(i) the excess (if any) of—

''(I) the net earnings from self-employment reduced by the excess (if any) of subparagraph (A)(i) over subparagraph (A)(ii), over

''(II) $400,000, reduced by such contribution and benefit base, plus

''(ii) the amount of the wages paid to such individual during such taxable year in excess of such contribution and benefit base and not in excess of $400,000; or''.

(b) FURTHER ADDITIONAL HOSPITAL INSURANCE TAX ON VERY HIGH INCOME TAXPAYERS.—

(1) IN GENERAL.—Section 1401(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) FURTHER ADDITIONAL TAX.—

''(A) IN GENERAL.—In addition to the tax imposed by paragraphs (1) and (2) and the preceding subsection, there is hereby imposed on every taxpayer (other than a corporation, estate, or trust) for each taxable year a tax equal to 1.2 percent of the self-employment income for such taxable year which is in excess of—

''(i) in the case of a joint return, $500,000,

''(ii) in the case of a married taxpayer (as defined in section 7703) filing a separate return, ½ of the dollar amount determined under subparagraph (A), and

''(iii) in any other case, $400,000.

''(B) COORDINATION WITH FICA.—The amounts under clause (i), (ii), or (iii) (whichever is applicable) of subparagraph (A) shall be reduced (but not below zero) by the amount of wages taken into account in determining the tax imposed under section 3101(b)(3) with respect to the taxpayer.''.

(2) NO DEDUCTION FOR FURTHER ADDITIONAL TAX.—

(A) IN GENERAL.—Section 164(f) of such Code is amended by striking ''section 1401(b)(2)'' and inserting ''paragraphs (2) and (3) of section 1401(b)''.

(B) DEDUCTION FOR NET EARNINGS FROM SELF-EMPLOYMENT.—Section 1402(a)(12)(B) of such Code is amended by striking ''the rate imposed under paragraph (2) of section 1401(b)'' and inserting ''the rates imposed under paragraphs (2) and (3) of section 1401(b)''.

(3) TECHNICAL AMENDMENT.—Section 1401(b)(2)(B) of such Code is amended by striking ''section 3121(b)(2)'' and inserting ''section 3101(b)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to net earnings from self-employment derived, and taxable years beginning, on or after January 1 of the first calendar year that begins after the date of enactment of this Act.

SEC. 4. TAXES ON UNEARNED INCOME.

(a) MODIFICATIONS TO TAX ON NET INVESTMENT INCOME.—

(1) IN GENERAL.—Section 1411 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) ADDITIONAL AMOUNT FOR CERTAIN HIGH INCOME INDIVIDUALS.—

''(1) INCLUSION OF SPECIFIED NET INCOME.—

''(A) IN GENERAL.—In the case of any individual whose modified adjusted gross income for the taxable year exceeds the high income threshold amount, subsection (a)(1) shall be applied by substituting 'the greater of specified net income or net investment income' for 'net investment income' in subparagraph (A) thereof.

''(B) PHASE-IN OF INCREASE.—The increase in the tax imposed under subsection (a)(1) by reason of the application of subparagraph (A) (determined before application of paragraph (2)) shall not exceed the amount which bears the same ratio to the amount of such increase (determined without regard to this paragraph) as—

''(i) the excess described in subparagraph (A), bears to

''(ii) $100,000 (½ such amount in the case of a married taxpayer (as defined in section 7703) filing a separate return).

''(2) ADDITIONAL RATE BRACKET.—In the case of any individual whose modified adjusted gross income for the taxable year exceeds the high income threshold amount, the amount of tax imposed under subsection (a)(1) shall be increased by an amount equal to 13.6 percent of the lesser of—

''(A) the greater of the specified net income or net investment income for the taxable year, or

''(B) the excess (if any) of—

''(i) the modified adjusted gross income for such taxable year, over

''(ii) the high income threshold amount.

''(3) DEFINITIONS.—

''(A) HIGH INCOME THRESHOLD AMOUNT.—For purposes of this subsection, the term 'high income threshold amount' means—

''(i) except as provided in clause (ii) or (iii), $400,000,

''(ii) in the case of a taxpayer making a joint return under section 6013 or a surviving spouse (as defined in section 2(a)), $500,000, and

''(iii) in the case of a married taxpayer (as defined in section 7703) filing a separate return, ½ of the dollar amount determined under clause (ii).

''(B) SPECIFIED NET INCOME.—For purposes of this section, the term 'specified net income' means net investment income determined—

''(i) without regard to the phrase 'other than such income which is derived in the ordinary course of a trade or business not described in paragraph (2),' in subsection (c)(1)(A)(i),

''(ii) without regard to the phrase 'described in paragraph (2)' in subsection (c)(1)(A)(ii),

''(iii) without regard to the phrase 'other than property held in a trade or business not described in paragraph (2)' in subsection (c)(1)(A)(iii),

''(iv) without regard to paragraphs (2), (3), and (4) of subsection (c), and

''(v) by treating paragraphs (5) and (6) of section 469(c) (determined without regard to the phrase 'To the extent provided in regulations,' in such paragraph (6)) as applying for purposes of subsection (c) of this section.''.

(b) APPLICATION TO TRUSTS AND ESTATES.—Section 1411(a)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''3.8 percent'' and inserting ''17.4 percent'', and

(2) in subparagraph (A) thereof, by striking ''undistributed net investment income'' and inserting ''the greater of undistributed specified net income or undistributed net investment income''.

(c) CLARIFICATIONS WITH RESPECT TO DETERMINATION OF NET INVESTMENT INCOME.—

(1) CERTAIN EXCEPTIONS.—Section 1411(c)(6) of the Internal Revenue Code of 1986 is amended to read as follows:

''(6) SPECIAL RULES.—Net investment income shall not include—

''(A) any item taken into account in determining self-employment income for such taxable year on which a tax is imposed by section 1401(b),

''(B) wages received with respect to employment on which a tax is imposed under section 3101(b) (determined without regard to section 3101(c)) or 3201(a) (including amounts taken into account under section 3121(v)(2)), and

''(C) wages received from the performance of services earned outside the United States for a foreign employer.''.

(2) NET OPERATING LOSSES NOT TAKEN INTO ACCOUNT.—Section 1411(c)(1)(B) of such Code is amended by inserting ''(other than section 172)'' after ''this subtitle''.

(3) INCLUSION OF CERTAIN FOREIGN INCOME.—

(A) IN GENERAL.—Section 1411(c)(1)(A) of such Code is amended by striking ''and'' at the end of clause (ii), by striking ''over'' at the end of clause (iii) and inserting ''and'', and by adding at the end the following new clause:

''(iv) any amount includible in gross income under section 951, 951A, 1293, or 1296, over''.

(B) PROPER TREATMENT OF CERTAIN PREVIOUSLY TAXED EARNINGS AND PROFITS.—Section 1411(c) of such Code is amended by adding at the end the following new paragraph:

''(7) CERTAIN EARNINGS AND PROFITS OF FOREIGN CORPORATIONS.—

''(A) IN GENERAL.—Except as otherwise provided by the Secretary, a distribution of earnings and profits that is not treated as a dividend for purposes of chapter 1 by reason of section 959(d) or section 1293(c) shall not be treated as a dividend for purposes of this section.

''(B) REGULATIONS AND OTHER GUIDANCE.—The Secretary shall issue regulations or other guidance providing for the treatment of distributions by a foreign corporation after December 31, 2025, of earnings and profits of such foreign corporation which accrued before such date, but which have not been previously subject to tax under this section.''.

(d) TRANSFERS OF REVENUES TO OLD-AGE AND SURVIVORS, DISABILITY INSURANCE, AND FEDERAL HOSPITAL INSURANCE TRUST FUNDS.—

(1) FEDERAL OLD-AGE AND SURVIVORS TRUST FUND.—

(A) IN GENERAL.—Section 201(a) of the Social Security Act (42 U.S.C. 401(a)) is amended—

(i) by striking ''100 per centum of'',

(ii) by inserting ''100 percent of'' before ''the taxes'' each place it appears in paragraphs (1), (2), (3), and (4), and

(iii) by striking ''and'' at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting ''; and'', and by inserting after paragraph (4) the following new paragraph:

''(5) 71.3 percent of the taxes imposed by section 1411 of the Internal Revenue Code of 1986 for any taxable year beginning after December 31, 2025, as determined by the Secretary of the Treasury or the Secretary's delegate based on tax returns under subtitle F of such Code, less the amounts specified in paragraph (3) of subsection (b).''.

(B) CONFORMING AMENDMENT.—The fourth sentence of section 201(a) of such Act (42 U.S.C. 401(a)) is amended by striking ''clauses (3) and (4)'' each place it appears and inserting ''paragraphs (3), (4), and (5)''.

(2) FEDERAL DISABILITY INSURANCE TRUST FUND.—Section 201(b) of the Social Security Act (42 U.S.C. 401(b)) is amended—

(A) by striking ''100 per centum of'', and

(B) by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting ''; and'', and by inserting after paragraph (2) the following new paragraph:

''(3) 10.3 percent of the taxes imposed by section 1411 of the Internal Revenue Code of 1986 for any taxable year beginning after December 31, 2025, as determined by the Secretary of the Treasury or the Secretary's delegate based on tax returns under subtitle F of such Code.''.

(3) FEDERAL HOSPITAL INSURANCE TRUST FUND.—Section 1817(a) of the Social Security Act (42 U.S.C. 1395i(a)) is amended—

(A) by striking ''100 per centum of'',

(B) by inserting ''100 percent of'' before ''the taxes'' each place it appears in paragraphs (1) and (2), and

(C) by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting ''; and'', and by inserting after paragraph (2) the following new paragraph:

''(3) 28.7 percent of the taxes imposed by section 1411 of the Internal Revenue Code of 1986 for any taxable year beginning after December 31, 2025, as determined by the Secretary of the Treasury or the Secretary's delegate based on tax returns under subtitle F of such Code.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2025.

SA 4412. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This title may be cited as the ''No Tax Breaks for Outsourcing Act''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title, etc.
Sec. 2. Current year inclusion of net CFC tested income.
Sec. 3. Country-by-country application of limitation on foreign tax credit based on taxable units.
Sec. 4. Limitation on deduction of interest by domestic corporations which are members of an international financial reporting group.
Sec. 5. Modifications to rules relating to inverted corporations.
Sec. 6. Treatment of foreign corporations managed and controlled in the United States as domestic corporations.

SEC. 2. CURRENT YEAR INCLUSION OF NET CFC TESTED INCOME.

(a) COUNTRY-BY-COUNTRY APPLICATION OF SECTION BASED ON CFC TAXABLE UNITS.—Section 951A is amended by adding at the end the following new subsection:

''(e) COUNTRY-BY-COUNTRY APPLICATION OF SECTION BASED ON CFC TAXABLE UNITS.—

''(1) IN GENERAL.—If any CFC taxable unit of a United States shareholder is a tax resident of (or, in the case of a branch, is located in) a country which is different from the country with respect to which any other CFC taxable unit of such United States shareholder is a tax resident (or, in the case of a branch, is located in)—

''(A) such shareholder's net CFC tested income for purposes of subsection (a) shall be the sum of the amounts of net CFC tested income determined separately with respect to each such country, and

''(B) for purposes of determining such separate amounts of net CFC tested income—

''(i) except as otherwise provided by the Secretary, any reference in subsection (b) to a controlled foreign corporation of such shareholder shall be treated as reference to a CFC taxable unit of such shareholder, and

''(ii) net CFC tested income and such other items and amounts as the Secretary may provide, shall be determined separately with respect to each such country by determining such amounts with respect to the CFC taxable units of such shareholder which are a tax resident of such country.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) CFC TAXABLE UNIT.—The term 'CFC taxable unit' means any taxable unit described in clause (ii), (iii), or (iv) of section 904(e)(2)(B), determined—

''(i) by substituting 'controlled foreign corporation' for 'foreign corporation' each place it appears in such clauses, and

''(ii) without regard to the references to the taxpayer in clauses (iii) and (iv) of such section.

''(B) APPLICATION OF OTHER DEFINITIONS.—Terms used in this subsection which are also used in section 904(e) shall have the same meaning as when used in section 904(e).

''(3) SPECIAL RULES.—For purposes of this subsection—

''(A) APPLICATION OF CERTAIN RULES.—Except as otherwise provided by the Secretary, rules similar to the rules of section 904(e) shall apply.

''(B) ALLOCATION OF NET CFC TESTED INCOME TO CONTROLLED FOREIGN CORPORATIONS.—Except as otherwise provided by the Secretary, subsection (d)(2) shall be applied separately with respect to each CFC taxable unit.''.

(b) REGULATORY AUTHORITY.—Section 951A, as amended by subsection (b), is amended by adding at the end the following new subsection:

''(f) REGULATIONS.—The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out, or prevent the avoidance of, the purposes of this section, including regulations or guidance which provide for—

''(1) the treatment of property if such property is transferred, or held, temporarily,

''(2) the treatment of property if the avoidance of the purposes of this section is a factor in the transfer or holding of such property,

''(3) appropriate adjustments to the basis of stock and other ownership interests, and to earnings and profits, to reflect tested losses (whether or not taken into account in determining net CFC tested income),

''(4) rules similar to the rules provided under the regulations or guidance issued under section 904(e)(4),

''(5) other appropriate basis adjustments,

''(6) appropriate adjustments to be made, and appropriate tax attributes and records to be maintained, separately with respect to CFC taxable units, and

''(7) appropriate adjustments in determining tested income or tested loss if property is transferred between related parties or amounts are paid or accrued between related parties.''.

(c) COORDINATION WITH OTHER PROVISIONS.—Section 951A(d)(1) is amended by adding at the end the following new subparagraph:

''(C) TREATMENT OF CERTAIN REFERENCES.—Except as otherwise provided by the Secretary, references to section 951 or section 951(a) in sections 959, 961, 962, and such other provisions as the Secretary may identify shall include references to section 951A or section 951A(a), respectively.''.

(d) REPEAL OF REDUCED RATE OF TAX ON NET CFC TESTED INCOME AND FOREIGN-DERIVED INTANGIBLE INCOME.—

(1) IN GENERAL.—Part VIII of subchapter B of chapter 1 is amended by striking section 250 (and by striking the item relating to such section in the table of sections of such part).

(2) CONFORMING AMENDMENTS.—

(A) Section 59A(c)(4)(B)(i) is amended by striking ''section 172, 245A, or 250'' and inserting ''section 172 or 245A''.

(B) Section 172(d) is amended by striking paragraph (9).

(C) Section 246(b)(1) is amended—

(i) by striking ''subsection (a) and (b) of section 245, and section 250'' and inserting ''and subsection (a) and (b) of section 245''; and

(ii) by striking ''subsection (a) and (b) of section 245, and 250'' and inserting ''and subsection (a) and (b) of section 245''.

(D) Section 469(i)(3)(E)(iii) is amended by striking '', 221, and 250'' and inserting ''and 221''.

(E) Section 904(b)(5) is amended—

(i) by striking subparagraph (A) and by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), and

(ii) by striking ''subparagraphs (B) and (C)'' in the second sentence and inserting ''subparagraphs (A) and (B)''.

(e) REPEAL OF CERTAIN EXCLUSIONS FROM THE DETERMINATION OF TESTED INCOME.—Section 951A(b)(2)(A)(i) is amended—

(1) by striking subclauses (III) and (V),

(2) by redesignating subclause (IV) as subclause (III),

(3) by adding ''and'' at the end of subclause (II), and

(4) by striking ''and'' at the end of subclause (III) (as so redesignated) and inserting ''over''.

(f) INCREASE IN DEEMED PAID CREDIT FOR TAXES PROPERLY ATTRIBUTABLE TO TESTED INCOME.—

(1) IN GENERAL.—Section 960(d) is amended by striking ''90 percent of''.

(2) CONFORMING AMENDMENTS.—

(A) Section 78 is amended by striking ''(determined without regard to the phrase ''90 percent of'' in subsection (d)(1) thereof)''.

(B) Section 960(d) is amended by striking paragraph (4).

(g) REPEAL OF HIGH TAX EXCLUSION FOR FOREIGN BASE COMPANY INCOME AND INSURANCE INCOME.—

(1) IN GENERAL.—Section 954(b) is amended by striking paragraph (4).

(2) CONFORMING AMENDMENT.—Section 904(d)(3)(E) is amended by striking the last sentence.

(h) ELIMINATION OF CARRYBACK OF FOREIGN TAX CREDIT.—

(1) IN GENERAL.—Section 904(c) is amended—

(A) by striking ''in the first preceding taxable year, and in any of the first 10 succeeding taxable years, in that order'' and inserting ''in any of the first 10 succeeding taxable years, in order'',

(B) by striking ''preceding or'' each place it appears, and

(C) by striking ''CARRYBACK AND'' in the heading thereof.

(2) APPLICATION TO LIMITATION ON FOREIGN OIL AND GAS TAXES.—Section 907(f) is amended—

(A) in paragraph (1), by striking ''in the first preceding taxable year and'',

(B) in paragraph (2), by striking ''preceding or'' in the matter preceding subparagraph (A),

(C) in paragraph (3)(B)—

(i) by striking ''in a preceding or succeeding'' and inserting ''in a succeeding'', and

(ii) by striking ''in such preceding or succeeding'' both places it appears and inserting ''in such succeeding'', and

(D) in the heading, by striking ''CARRYBACK AND''.

(i) TREATMENT OF FOREIGN BASE COMPANY OIL RELATED INCOME AS SUBPART F INCOME.—

(1) IN GENERAL.—Section 954(a) is amended by striking ''and'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', and'', and by adding at the end the following new paragraph:

''(4) the foreign base company oil related income for the taxable year (determined under subsection (f) and reduced as provided in subsection (b)(5)).''.

(2) FOREIGN BASE COMPANY OIL RELATED INCOME.—Section 954 is amended by inserting after subsection (e) the following new subsection:

''(f) FOREIGN BASE COMPANY OIL RELATED INCOME.—For purposes of this section, the term 'foreign base company oil related income' means foreign oil related income (within the meaning of paragraphs (2) and (3) of section 907(c)) other than income derived from a source within a foreign country in connection with—

''(1) oil or gas which was extracted from an oil or gas well located in such foreign country, or

''(2) oil, gas, or a primary product of oil or gas which is sold by the foreign corporation or a related person for use or consumption within such country or is loaded in such country on a vessel or aircraft as fuel for such vessel or aircraft.

Such term shall not include any foreign personal holding company income (as defined in subsection (c)).''.

(3) CONFORMING AMENDMENTS.—

(A) Section 952(c)(1)(B)(iii) is amended by redesignating subclauses (III) and (IV) as subclauses (IV) and (V), respectively, and by inserting after subclause (II) the following new subclause:

''(III) foreign base company oil related income.''.

(B) Section 954(b) is amended—

(i) by striking ''and the foreign base company services income'' in paragraph (5) and inserting ''the foreign base company services income, and the foreign base company oil related income'', and

(ii) by adding at the end the following new paragraph:

''(6) FOREIGN BASE COMPANY OIL RELATED INCOME NOT TREATED AS ANOTHER KIND OF FOREIGN BASE COMPANY INCOME.—Income of a corporation which is foreign base company oil related income shall not be considered foreign base company income of such corporation under paragraph (2) or (3) of subsection (a).''.

(j) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2025, and to taxable years of United States shareholders in which or with which such taxable years of foreign corporations end.

(2) REGULATORY AUTHORITY AND COORDINATION WITH OTHER PROVISIONS.—The amendments made by subsections (b) and (c) shall

apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders in which or with which such taxable years of foreign corporations end.

(3) REPEAL OF REDUCED RATE OF TAX; INCREASE IN DEEMED PAID CREDIT.—The amendments made by subsections (d) and (f) shall apply to taxable years beginning after December 31, 2025.

(4) ELIMINATION OF CARRYBACK OF FOREIGN TAX CREDIT.—The amendment made by subsection (h) shall apply to credits arising in taxable years beginning after December 31, 2025.

(k) NO INFERENCE REGARDING CERTAIN MODIFICATIONS.—The amendments made by subsections (b) and (c) shall not be construed to create any inference with respect to the proper application of any provision of the Internal Revenue Code of 1986 with respect to any taxable year beginning before the taxable years to which such amendments apply.

SEC. 3. COUNTRY-BY-COUNTRY APPLICATION OF LIMITATION ON FOREIGN TAX CREDIT BASED ON TAXABLE UNITS.

(a) IN GENERAL.—Section 904 is amended by inserting after subsection (d) the following new subsection:

''(e) COUNTRY-BY-COUNTRY APPLICATION BASED ON TAXABLE UNITS.—

''(1) IN GENERAL.—Subsection (d) (and the provisions of this title referred to in paragraph (1) of such subsection) shall be applied separately with respect to each country by taking into account the aggregate income properly attributable or otherwise allocable to a taxable unit of the taxpayer which is a tax resident of (or, in the case of a branch, is located in) such country.

''(2) TAXABLE UNITS.—

''(A) IN GENERAL.—Except as otherwise provided by the Secretary, each item shall be attributable or otherwise allocable to exactly one taxable unit of the taxpayer.

''(B) DETERMINATION OF TAXABLE UNITS.—Except as otherwise provided by the Secretary, the taxable units of a taxpayer are as follows:

''(i) GENERAL TAXABLE UNIT.—The person that is the taxpayer and that is not otherwise described in a separate clause of this subparagraph.

''(ii) CERTAIN FOREIGN CORPORATIONS.—Each foreign corporation with respect to which the taxpayer is a United States shareholder.

''(iii) INTERESTS IN PASS-THROUGH ENTITIES.—Each interest held (directly or indirectly) by the taxpayer or any foreign corporation referred to in clause (ii) in a pass-through entity if such pass-through entity is a tax resident of a country other than the country with respect to which such taxpayer or foreign corporation (as the case may be) is a tax resident.

''(iv) BRANCHES.—Each branch (or portion thereof) the activities of which are directly or indirectly carried on by the taxpayer or any foreign corporation referred to in clause (ii) and which give rise to a taxable presence in a country other than the country with respect to which such taxpayer or foreign corporation (as the case may be) is a tax resident.

''(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) TAX RESIDENT.—Except as otherwise provided by the Secretary, the term 'tax resident' means a person or entity subject to tax under the tax law of a country as a resident. If an entity is organized under the law of a country, or resident in a country, that does not impose an income tax with respect to such entities, such entity shall, except as provided by the Secretary, be treated as subject to tax under the tax law of such country for the purposes of the preceding sentence.

''(B) PASS-THROUGH ENTITY.—Except as otherwise provided by the Secretary, the term 'pass-through entity' includes any partnership or other entity to the extent that income, gain, deduction, or loss of the entity is taken into account in determining the income or loss of a person that owns (directly or indirectly) an interest in such entity.

''(C) BRANCH.—Except as otherwise provided by the Secretary, the term 'branch' means a taxable presence of a tax resident in a country other than its country of residence as determined under such other country's tax law. The Secretary shall provide regulations or other guidance applying such term to activities in a country that do not give rise to a taxable presence.

''(D) TREATMENT OF FISCALLY AUTONOMOUS JURISDICTIONS.—Any fiscally autonomous jurisdiction shall be treated as a separate country. Any possession of the United States shall also be treated as a separate country.

''(E) POSSESSION OF THE UNITED STATES.—The term 'possession of the United States' means each of American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

''(4) REGULATIONS.—The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out, or prevent avoidance of, the purposes of this subsection, including regulations or other guidance—

''(A) providing for the application of this subsection to an entity or arrangement that is considered a tax resident of more than one country or of no country,

''(B) providing for the application of this subsection to hybrid entities or hybrid transactions (as such terms are used for purposes of section 267A), pass-through entities, passive foreign investment companies, trusts, and other entities or arrangements not otherwise described in this subsection, and

''(C) providing for the assignment of any item (including foreign taxes and deductions) to taxable units, including in the case of amounts not otherwise taken into account in determining taxable income under this chapter.''.

(b) APPLICATION OF FOREIGN TAX CREDIT LIMITATION WITH RESPECT TO FOREIGN BRANCHES.—Section 904(d)(2)(J)(i) is amended—

(1) by striking ''qualified business units (as defined in section 989(a)) in 1 or more foreign countries'' and inserting ''foreign branches described in section 904(e)(2)(B)(iv)'', and

(2) by striking ''a qualified business unit'' and inserting ''a foreign branch''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2025.

SEC. 4. LIMITATION ON DEDUCTION OF INTEREST BY DOMESTIC CORPORATIONS WHICH ARE MEMBERS OF AN INTERNATIONAL FINANCIAL REPORTING GROUP.

(a) IN GENERAL.—Section 163 is amended by redesignating subsection (n) as subsection (p) and by inserting after subsection (m) the following new subsection:

''(n) LIMITATION ON DEDUCTION OF INTEREST BY DOMESTIC CORPORATIONS IN INTERNATIONAL FINANCIAL REPORTING GROUPS.—

''(1) IN GENERAL.—In the case of any domestic corporation which is a member of any international financial reporting group, the deduction under this chapter for interest paid or accrued during the taxable year shall not exceed the sum of—

''(A) the allowable percentage of 110 percent of the excess (if any) of—

''(i) the amount of such interest so paid or accrued, over

''(ii) the amount described in subparagraph (B), plus

''(B) the amount of interest includible in gross income of such corporation for such taxable year.

''(2) INTERNATIONAL FINANCIAL REPORTING GROUP.—

''(A) For purposes of this subsection, the term 'international financial reporting group' means, with respect to any reporting year, any group of entities which—

''(i) includes—

''(I) at least one foreign corporation engaged in a trade or business within the United States, or

''(II) at least one domestic corporation and one foreign corporation,

''(ii) prepares consolidated financial statements with respect to such year, and

''(iii) reports in such statements average annual gross receipts (determined in the aggregate with respect to all entities which are part of such group) for the 3-reporting-year period ending with such reporting year in excess of $100,000,000.

''(B) RULES RELATING TO DETERMINATION OF AVERAGE GROSS RECEIPTS.—For purposes of subparagraph (A)(iii), rules similar to the rules of section 448(c)(3) shall apply.

''(3) ALLOWABLE PERCENTAGE.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'allowable percentage' means, with respect to any domestic corporation for any taxable year, the ratio (expressed as a percentage and not greater than 100 percent) of—

''(i) such corporation's allocable share of the international financial reporting group's reported net interest expense for the reporting year of such group which ends in or with such taxable year of such corporation, over

''(ii) such corporation's reported net interest expense for such reporting year of such group.

''(B) REPORTED NET INTEREST EXPENSE.—The term 'reported net interest expense' means—

''(i) with respect to any international financial reporting group for any reporting year, the excess of—

''(I) the aggregate amount of interest expense reported in such group's consolidated financial statements for such taxable year, over

''(II) the aggregate amount of interest income reported in such group's consolidated financial statements for such taxable year, and

''(ii) with respect to any domestic corporation for any reporting year, the excess of—

''(I) the amount of interest expense of such corporation reported in the books and records of the international financial reporting group which are used in preparing such group's consolidated financial statements for such taxable year, over

''(II) the amount of interest income of such corporation reported in such books and records.

''(C) ALLOCABLE SHARE OF REPORTED NET INTEREST EXPENSE.—With respect to any domestic corporation which is a member of any international financial reporting group, such corporation's allocable share of such group's reported net interest expense for any reporting year is the portion of such expense which bears the same ratio to such expense as—

''(i) the EBITDA of such corporation for such reporting year, bears to

''(ii) the EBITDA of such group for such reporting year.

''(D) EBITDA.—

''(i) IN GENERAL.—The term 'EBITDA' means, with respect to any reporting year, earnings before interest, taxes, depreciation, and amortization—

''(I) as determined in the international financial reporting group's consolidated financial statements for such year, or

''(II) for purposes of subparagraph (A)(i), as determined in the books and records of the international financial reporting group which are used in preparing such statements if not determined in such statements.

''(ii) TREATMENT OF DISREGARDED ENTITIES.—The EBITDA of any domestic corporation shall not fail to include the EBITDA of any entity which is disregarded for purposes of this chapter.

''(iii) TREATMENT OF INTRA-GROUP DISTRIBUTIONS.—The EBITDA of any domestic corporation shall be determined without regard to any distribution received by such corporation from any other member of the international financial reporting group.

''(E) SPECIAL RULES FOR NON-POSITIVE EBITDA.—

''(i) NON-POSITIVE GROUP EBITDA.—In the case of any international financial reporting group the EBITDA of which is zero or less, paragraph (1) shall not apply to any member of such group the EBITDA of which is above zero.

''(ii) NON-POSITIVE ENTITY EBITDA.—In the case of any group member the EBITDA of which is zero or less, paragraph (1) shall be applied without regard to subparagraph (A) thereof.

''(4) CONSOLIDATED FINANCIAL STATEMENT.—For purposes of this subsection, the term 'consolidated financial statement' means any consolidated financial statement described in paragraph (2)(A)(ii) if such statement is—

''(A) a financial statement which is certified as being prepared in accordance with generally accepted accounting principles, international financial reporting standards, or any other comparable method of accounting identified by the Secretary, and which is—

''(i) a 10–K (or successor form), or annual statement to shareholders, required to be filed with the United States Securities and Exchange Commission,

''(ii) an audited financial statement which is used for—

''(I) credit purposes,

''(II) reporting to shareholders, partners, or other proprietors, or to beneficiaries, or

''(III) any other substantial nontax purpose,

but only if there is no statement described in clause (i), or

''(iii) filed with any other Federal or State agency for nontax purposes, but only if there is no statement described in clause (i) or (ii), or

''(B) a financial statement which—

''(i) is used for a purpose described in subclause (I), (II), or (III) of subparagraph (A)(ii), or

''(ii) filed with any regulatory or governmental body (whether domestic or foreign) specified by the Secretary,

but only if there is no statement described in subparagraph (A).

''(5) REPORTING YEAR.—For purposes of this subsection, the term 'reporting year' means, with respect to any international financial reporting group, the year with respect to which the consolidated financial statements are prepared.

''(6) APPLICATION TO CERTAIN ENTITIES.—

''(A) PARTNERSHIPS.—Except as otherwise provided by the Secretary in paragraph (7), this subsection and subsection (o) shall apply to any partnership which is a member of any international financial reporting group under rules similar to the rules of section 163(j)(4).

''(B) FOREIGN CORPORATIONS ENGAGED IN TRADE OR BUSINESS WITHIN THE UNITED STATES.—Except as otherwise provided by the Secretary in paragraph (7), any deduction for interest paid or accrued by a foreign corporation engaged in a trade or business within the United States shall be limited in a manner consistent with the principles of this subsection.

''(C) CONSOLIDATED GROUPS.—For purposes of this subsection, the members of any group that file (or are required to file) a consolidated return with respect to the tax imposed by chapter 1 for a taxable year shall be treated as a single corporation.

''(7) REGULATIONS.—The Secretary may issue such regulations or other guidance as are necessary or appropriate to carry out the purposes of this subsection.''.

(b) CARRYFORWARD OF DISALLOWED INTEREST.—

(1) IN GENERAL.—Section 163 is amended by inserting after subsection (n), as added by subsection (a), the following new subsection:

''(o) CARRYFORWARD OF CERTAIN DISALLOWED INTEREST.—The amount of any interest not allowed as a deduction for any taxable year by reason of subsection (j)(1) or (n)(1) (whichever imposes the lower limitation with respect to such taxable year) shall be treated as interest (and as business interest for purposes of subsection (j)(1)) paid or accrued (and as interest expense reported as described in clause (i)(I) or (ii)(I) of subsection (n)(3)(B), as the case may be) in the succeeding taxable year. Interest paid or accrued in any taxable year (determined without regard to the preceding sentence) shall not be carried past the fifth taxable year following such taxable year, determined by treating interest as allowed as a deduction on a first-in, first-out basis.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 163(j)(2) is amended to read as follows:

''(2) CARRYFORWARD CROSS-REFERENCE.—For carryforward treatment, see subsection (o).''.

(B) Section 163(j)(4)(B)(i)(I) is amended by striking ''paragraph (2)'' and inserting ''subsection (o)''.

(C) Section 381(c)(20) is amended to read as follows:

''(20) CARRYFORWARD OF DISALLOWED INTEREST.—The carryover of disallowed interest described in section 163(o) to taxable years ending after the date of distribution or transfer.''.

(D) Section 382(d)(3) is amended to read as follows:

''(3) APPLICATION TO CARRYFORWARD OF DISALLOWED INTEREST.—The term 'pre-change loss' shall include any carryover of disallowed interest described in section 163(o) under rules similar to the rules of paragraph (1).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2025.

SEC. 5. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after December 22, 2017, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, either—

''(i) more than 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

''(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on December 22, 2017, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

''(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after December 22, 2017.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

''(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

''(A) the employees of the group are based in the United States,

''(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

''(C) the assets of the group are located in the United States, or

''(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on December 22, 2017, but applied by treating all references in such regulations to 'foreign country' and 'relevant foreign country' as references to 'the United States'. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before December 23, 2017,''.

(2) Subsection (c) of section 7874 is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)''; and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B);

(B) in paragraph (3), by inserting ''or (b)(2)(B)(i), as the case may be,'' after ''(a)(2)(B)(ii)'';

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)''; and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 22, 2017.

(d) EXTENSION OF LIMITATION ON ASSESSMENT.—If the period of limitation on assessment of tax resulting from the amendments made by subsection (a) expires before the end of the 3-year period beginning on the date of the enactment of this Act, such assessment (to the extent attributable to such amendments) may, nevertheless, be made before the close of such 3-year period.

SEC. 6. TREATMENT OF FOREIGN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES AS DOMESTIC CORPORATIONS.

(a) IN GENERAL.—Section 7701 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) CERTAIN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES TREATED AS DOMESTIC FOR INCOME TAX.—

''(1) IN GENERAL.—Notwithstanding subsection (a)(4), in the case of a corporation described in paragraph (2) if—

''(A) the corporation would not otherwise be treated as a domestic corporation for purposes of this title, but

''(B) the management and control of the corporation occurs, directly or indirectly, primarily within the United States,

then, solely for purposes of chapter 1 (and any other provision of this title relating to chapter 1), the corporation shall be treated as a domestic corporation.

''(2) CORPORATION DESCRIBED.—

''(A) IN GENERAL.—A corporation is described in this paragraph if—

''(i) the stock of such corporation is regularly traded on an established securities market, or

''(ii) the aggregate gross assets of such corporation (or any predecessor thereof), including assets under management for investors, whether held directly or indirectly, at any time during the taxable year or any preceding taxable year is $50,000,000 or more.

''(B) GENERAL EXCEPTION.—A corporation shall not be treated as described in this paragraph if—

''(i) such corporation was treated as a corporation described in this paragraph in a preceding taxable year,

''(ii) such corporation—

''(I) is not regularly traded on an established securities market, and

''(II) has, and is reasonably expected to continue to have, aggregate gross assets (including assets under management for investors, whether held directly or indirectly) of less than $50,000,000, and

''(iii) the Secretary grants a waiver to such corporation under this subparagraph.

''(3) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of a corporation is to be treated as occurring primarily within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that—

''(i) the management and control of a corporation shall be treated as occurring primarily within the United States if substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States, and

''(ii) individuals who are not executive officers and senior management of the corporation (including individuals who are officers or employees of other corporations in the same chain of corporations as the corporation) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the corporation described in clause (i).

''(C) CORPORATIONS PRIMARILY HOLDING INVESTMENT ASSETS.—Such regulations shall also provide that the management and control of a corporation shall be treated as occurring primarily within the United States if—

''(i) the assets of such corporation (directly or indirectly) consist primarily of assets being managed on behalf of investors, and

''(ii) decisions about how to invest the assets are made in the United States.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning on or after the date which is 2 years after the date of the enactment of this Act, whether or not regulations are issued under section 7701(p)(3) of the Internal Revenue Code of 1986, as added by this section.

SA 4413. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR ASSAULT WEAPON PURCHASES.

Section 922 of title 18, United States Code, is amended by adding at the end the following:

''(aa) DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR ASSAULT WEAPON PURCHASES.—It shall be unlawful for any person to sell or otherwise dispose of an assault weapon to any individual unless the individual presents documentary proof of United States citizenship, as defined in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502).''.

SA 4414. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cell-Site Simulator Warrant Act of 2026''.

SEC. 2. PROHIBITION ON CELL-SITE SIMULATOR USE.

(a) PROHIBITION.—Chapter 205 of title 18, United States Code, is amended by adding at the end the following:

''§ 3119. Cell-site simulators

''(a) PROHIBITION OF USE.—

''(1) IN GENERAL.—Except as provided in subsection (d), it shall be unlawful—

''(A) for any individual or entity to knowingly use a cell-site simulator in the United States; or

''(B) for an element of the intelligence community to use a cell-site simulator outside the United States if the subject of the surveillance is a United States person.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to authorize a law enforcement agency of a governmental entity to use a cell-site simulator outside the United States.

''(b) PENALTY.—Any individual or entity that violates subsection (a)(1) shall be fined not more than $250,000.

''(c) PROHIBITION OF USE AS EVIDENCE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no information acquired through the use of a cell-site simulator in violation of subsection (a)(1), and no evidence derived therefrom, may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.

''(2) EXCEPTION FOR ENFORCEMENT.—Information acquired through the use of a cell-site simulator in violation of subsection (a)(1) by a person, and evidence derived therefrom, may be received in evidence in any trial, hearing, or other proceeding described in paragraph (1) of this subsection relating to the alleged violation of subsection (a)(1) in connection with such use.

''(d) EXCEPTIONS.—

''(1) IN GENERAL.—

''(A) WARRANT.—

''(i) IN GENERAL.—Subsection (a)(1) shall not apply to the use of a cell-site simulator by a law enforcement agency of a governmental entity under a warrant issued—

''(I) in accordance with this subparagraph; and

''(II) using the procedures described in, and in accordance with the requirements for executing and returning a warrant under, the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant and execution and return procedures and, in the case of a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), issued under section 846 of that title and in accordance with the requirements for executing and returning such a warrant, in accordance with regulations prescribed by the President) by a court of competent jurisdiction.

''(ii) REQUIREMENTS.—A court may issue a warrant described in clause (i) (except, with respect to a State court, to the extent use of

a cell-site simulator by a law enforcement agency of a governmental entity is prohibited by the law of the State) only if the law enforcement agency—

''(I) demonstrates that other investigative procedures, including electronic location tracking methods that solely collect records of the investigative target—

''(aa) have been tried and have failed; or

''(bb) reasonably appear to be—

''(AA) unlikely to succeed if tried; or

''(BB) too dangerous;

''(II) specifies the likely area of effect of the cell-site simulator to be used and the time that the cell-site simulator will be in operation;

''(III) certifies that the requested area of effect and time of operation are the narrowest reasonably possible to obtain the necessary information; and

''(IV) demonstrates that the requested use of a cell-site simulator would be in compliance with applicable provisions of the Communications Act of 1934 (47 U.S.C. 151 et seq.) and the rules of the Federal Communications Commission.

''(iii) CONSIDERATIONS.—In considering an application for a warrant described in clause (i), the court shall—

''(I) weigh the need of the government to enforce the law and apprehend criminals against the likelihood and impact of any potential negative side effects disclosed by the government under subparagraph (C); and

''(II) not grant a request for a warrant that would put public safety at risk or unreasonably inconvenience the community.

''(iv) PERIOD OF INITIAL AUTHORIZATION.—No warrant described in clause (i) may authorize the use of a cell site simulator for any period longer than is necessary to achieve the objective of the authorization, nor in any event for longer than 30 days.

''(v) EXTENSIONS.—

''(I) IN GENERAL.—A court may grant extensions of a warrant described in clause (i), but only upon application for an extension made in accordance with clause (i) and the court considering the factors described in clause (iii) and determining the requirements under clause (ii) are met.

''(II) PERIOD OF EXTENSION.—The period of an extension of a warrant shall be no longer than the authorizing judge determines necessary to achieve the purposes for which the extension was granted, nor in any event for longer than 30 days.

''(vi) TERMINATION PROVISION.—Each warrant described in clause (i), and each extension thereof, shall contain a provision that the authorization to use the cell site simulator shall be executed as soon as practicable and shall terminate upon attainment of the authorized objective, or in any event in 30 days.

''(vii) START OF 30-DAY PERIODS.—The 30-day periods described in clauses (iv), (v)(II), and (vi) shall begin on the earlier of—

''(I) the date on which a law enforcement agency first begins to use the cell site simulator as authorized by the warrant, or extension thereof; or

''(II) the date that is 10 days after the warrant, or extension thereof, is issued.

''(B) EMERGENCY.—

''(i) IN GENERAL.—Subject to clause (ii), subsection (a)(1) shall not apply to the use of a cell-site simulator by a law enforcement agency of a governmental entity, or use of a cell-site simulator as part of assistance provided by a component of the Department of Defense or an Armed Force to such a law enforcement agency, if—

''(I) the governmental entity reasonably determines an emergency exists that—

''(aa) involves—

''(AA) immediate danger of death or serious physical injury to any person;

''(BB) conspiratorial activities characteristic of organized crime; or

''(CC) an immediate threat to a national security interest; and

''(bb) requires use of a cell-site simulator before a warrant described in subparagraph (A) can, with due diligence, be obtained; and

''(II) except in an instance in which the governmental entity is trying to locate a lost or missing person, locate someone believed to have been abducted or kidnapped, or find victims, dead or alive, in an area where a natural disaster, terrorist attack, or other mass casualty event has taken place—

''(aa) there are grounds upon which a warrant described in subparagraph (A) could be entered to authorize such use; and

''(bb) the governmental entity applies for a warrant described in subparagraph (A) approving such use not later than 48 hours after such use begins, and takes such steps to expedite the consideration of such application as may be possible.

''(ii) TERMINATION OF EMERGENCY USE.—

''(I) IN GENERAL.—A law enforcement agency of a governmental entity shall immediately terminate use of a cell-site simulator under clause (i) of this subparagraph at the earlier of the time the information sought is obtained or the time the application for a warrant described in subparagraph (A) is denied.

''(II) WARRANT DENIED.—If an application for a warrant described in clause (i)(II)(bb) is denied—

''(aa) any information or evidence derived from use of the cell-site simulator shall be—

''(AA) subject to subsection (c); and

''(BB) promptly destroyed by the applicable law enforcement agency; and

''(bb) the applicable law enforcement agency shall serve an inventory on each person named in the application.

''(C) DISCLOSURES REQUIRED IN APPLICATION.—In any application for a warrant authorizing the use of a cell-site simulator under subparagraph (A) or (B), the governmental entity shall include the following:

''(i) A disclosure of any potential disruption of the ability of the subject of the surveillance or bystanders to use commercial mobile radio services or private mobile services, including using advanced communications services, to make or receive, as applicable—

''(I) emergency calls (including 9–1–1 calls);

''(II) calls to the universal telephone number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system designated under paragraph (4) of section 251(e) of the Communications Act of 1934 (47 U.S.C. 251(e));

''(III) calls to the nationwide toll-free number for the poison control centers established under section 1271 of the Public Health Service Act (42 U.S.C. 300d–71);

''(IV) calls using telecommunications relay services; or

''(V) any other communications or transmissions.

''(ii) A certification that the specific model of the cell-site simulator to be used has been inspected by a third party that is an accredited testing laboratory recognized by the Federal Communications Commission to verify the accuracy of the disclosure under clause (i).

''(iii) A disclosure of the methods and precautions that will be used to minimize disruption, including—

''(I) any limit on the length of time the cell-site simulator can be in continuous operation; and

''(II) any user-defined limit on the transmission range of the cell-site simulator.

''(iv) A disclosure as to whether the cell-site simulator will primarily be used at a gathering where constitutionally protected activity, including speech, will occur.

''(D) NOTICE.—

''(i) IN GENERAL.—Within a reasonable time, but, subject to clause (ii), not later than 90 days after the filing of an application for a warrant authorizing the use of a cell-site simulator which is denied or the termination of the period of such a warrant, or extensions thereof, the issuing or denying judge shall cause to be served on the persons named in the warrant or the application, and, as the judge may determine, in the discretion of the judge, is in the interest of justice, other persons about whose devices the government obtained information with the cell site simulator, an inventory which shall include notice of—

''(I) the fact of the entry of the warrant or the application;

''(II) the date of the entry and the period of authorized, approved or disapproved use of a cell-site simulator, or the denial of the application; and

''(III) whether, during the period—

''(aa) information about their device was, or was not, obtained by the government;

''(bb) their location was, or was not, tracked; and

''(cc) their communications were, or were not, intercepted.

''(ii) DELAY OF NOTICE.—On an ex parte showing of good cause to a court of competent jurisdiction, the serving of the inventory required under clause (i) may be postponed.

''(2) FOREIGN INTELLIGENCE SURVEILLANCE.—Use of a cell-site simulator by an element of the intelligence community shall not be subject to subsection (a)(1) if it is conducted in a manner that is in accordance with—

''(A) title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) (including testing or training authorized under paragraph (1) or (3) of section 105(g) of such Act (50 U.S.C. 1805(g)) (including such testing or training conducted in conjunction with a component of the Department of Defense or an Armed Force), if any information obtained during such testing or training (including metadata) is destroyed after its use for such testing or training); or

''(B) section 704(c)(1)(E) of such Act (50 U.S.C. 1881c(c)(1)(E)).

''(3) RESEARCH.—Subsection (a)(1) shall not apply to the use of a cell-site simulator in order to engage, in good-faith, in research or teaching by a person that is not—

''(A) a law enforcement agency of a governmental entity;

''(B) an element of the intelligence community; or

''(C) acting as an agent thereof.

''(4) PROTECTIVE SERVICES.—

''(A) IN GENERAL.—Subsection (a)(1) shall not apply to the use of a cell-site simulator in the performance of protective duties pursuant to section 3056 of this title, or as otherwise authorized by law.

''(B) PROHIBITION ON USE AS EVIDENCE.—No information acquired through the use of a cell-site simulator under the authority under subparagraph (A), and no evidence derived therefrom, may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.

''(C) NO BAR TO OTHER AUTHORIZED USE.—Nothing in subparagraph (A) or (B) shall be construed to prohibit the United States Secret Service from using a cell-site simulator in accordance with a provision of this section other than subparagraph (A).

''(5) CONTRABAND INTERDICTION BY CORRECTIONAL FACILITIES.—Subsection (a)(1) shall not apply to the use of a contraband interdiction system if the correctional facility or the entity operating the contraband interdiction system for the benefit of the correctional facility—

''(A) has—

''(i) taken reasonable steps to restrict transmissions by the contraband interdiction system to cellular devices physically located within the property of the correctional facility;

''(ii) posted signs around the correctional facility informing visitors and staff that the correctional facility employs such a contraband interdiction system; and

''(iii) complied with any relevant regulations promulgated by the Federal Communications Commission and, as applicable, policies issued by the National Telecommunications and Information Administration;

''(B) annually tests and evaluates compliance with subparagraph (A) in accordance with best practices, which shall be issued by the Federal Communications Commission; and

''(C) not later than 10 business days after identifying an issue relating to the use of the contraband interdiction system, whether in the course of normal business operations or conducting testing and evaluation, submits to the Federal Communications Commission a report describing the issues identified and the steps taken to address the issues.

''(6) TESTING AND TRAINING BY LAW ENFORCEMENT.—Subsection (a)(1) shall not apply to the use of a cell-site simulator by a law enforcement agency of a governmental entity in the normal course of official duties that is not targeted against the communications of any particular person or persons, under procedures approved by the Attorney General, solely to—

''(A) test the capability of electronic equipment, if—

''(i) it is not reasonable to obtain the consent of the persons incidentally subjected to the surveillance;

''(ii) the test is limited in extent and duration to that necessary to determine to capability of the equipment;

''(iii) any information obtained during such testing (including metadata) is retained and used only for the purpose of determining the capability of the equipment, is disclosed only to test personnel, and is destroyed before or immediately upon completion of the test; and

''(iv) the test is for a period of not longer than 90 days, unless the law enforcement agency obtains the prior approval of the Attorney General; or

''(B) train law enforcement personnel in the use of electronic surveillance equipment, if—

''(i) it is not reasonable to—

''(I) obtain the consent of the persons incidentally subjected to the surveillance;

''(II) train persons in the course of otherwise authorized law enforcement activities; or

''(III) train persons in the use of such equipment without engaging in surveillance;

''(ii) such surveillance is limited in extent and duration to that necessary to train the personnel in the use of the equipment; and

''(iii) any information obtained during such training (including metadata) is destroyed after its use for such training.

''(7) FCC TESTING.—Subsection (a)(1) shall not apply to the use of a cell-site simulator by the Federal Communications Commission, or an accredited testing laboratory recognized by the Federal Communications Commission, in order to test the cell-site simulator.

''(8) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to exempt a State or local government from complying with regulations promulgated by the Federal Communications Commission, including the requirement to obtain authorization to transmit on spectrum regulated by the Federal Communications Commission.

''(e) LIMIT ON CERTAIN USE NOT CONDUCTED PURSUANT TO WARRANTS AND ORDERS.—The use of a cell-site simulator under subsection (d)(1)(B) of this section (which shall not include such a use by a component of the Department of Defense or an Armed Force providing assistance to a law enforcement agency of a governmental entity under such subsection (d)(1)(B)), under section 105(e) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(e)), or under clause (i) or (ii) of section 102(a)(1)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1802(a)(1)(A)) may only be carried out lawfully using a specific model of a cell-site simulator for which the disclosures required under clauses (i) and (ii) of subsection (d)(1)(C) were included with respect to the specific model in connection with—

''(1) for use by an element of the intelligence community under title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), an application for an order under such Act that was approved; or

''(2) for use by a law enforcement agency of a governmental entity, an application for a warrant—

''(A) under the Federal Rules of Criminal Procedure that was approved by a judge of the judicial district in which the law enforcement agency intends to use the cell-site simulator; or

''(B) using State warrant procedures that was approved by a judge of the State in which the law enforcement agency intends to use the cell-site simulator.

''(f) MINIMIZATION.—

''(1) IN GENERAL.—The Attorney General shall adopt specific procedures that are reasonably designed to minimize the acquisition and retention, and prohibit the dissemination, of information obtained through the use of a cell-site simulator under an exception under paragraph (1) or (2) of subsection (d) that pertains to any person who is not an authorized subject of the use.

''(2) PUBLICATION.—The Attorney General shall make publicly available on the website of the Department of Justice the procedures adopted under paragraph (1) and any revisions to such procedures.

''(3) USE BY AGENCIES.—If a law enforcement agency of a governmental entity or element of the intelligence community acquires information pertaining to a person who is not an authorized subject of the use of a cell-site simulator under an exception under paragraph (1) or (2) of subsection (d), the law enforcement agency or element of the intelligence community shall—

''(A) minimize the acquisition and retention, and prohibit the dissemination, of the information in accordance with the procedures adopted under paragraph (1); and

''(B) destroy the information (including metadata) at the earliest possible opportunity.

''(g) DISCLOSURE TO DEFENDANT.—Any information acquired through the operation of a cell-site simulator, or derived from such information, shall be disclosed to the defendant in any action in which the information is introduced into evidence.

''(h) SCOPE OF COLLECTION.—

''(1) AUTHORIZED USE.—Information collected under this section may only include information identifying nearby electronic devices communicating with the cell-site simulator and the strength and direction of transmissions from those electronic devices.

''(2) COMPLIANCE WITH WIRETAPPING REQUIREMENTS TO OBTAIN CONTENTS.—In the case of any interception of a wire or electronic communication by the cell-site simulator—

''(A) with respect to an interception by a law enforcement agency of a governmental entity, the provisions of chapter 119 shall apply in addition to the provisions of this section; and

''(B) with respect to an interception by an element of the intelligence community, the element of the intelligence community may only conduct the surveillance using the cell-site simulator in accordance with an order authorizing the use issued in accordance with title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), in addition to complying with the provisions of this section.

''(3) COMPLIANCE WITH TRACKING DEVICE REQUIREMENTS.—

''(A) IN GENERAL.—If a cell-site simulator is to be used by a law enforcement agency of a governmental entity to locate or track the movement of a person or object, the provisions of section 3117 and rule 41 of the Federal Rules of Criminal Procedure shall apply in addition to the provisions of this section.

''(B) COURT.—For purposes of applying section 3117 and rule 41 of the Federal Rules of Criminal Procedure to the use of a cell-site simulator, a court may authorize such use within the jurisdiction of the court, and outside that jurisdiction if—

''(i) the use commences within that jurisdiction; or

''(ii) at the time the application is presented to the court, the governmental entity certifies that it has probable cause to believe that the target is physically located within that jurisdiction.

''(i) CIVIL ACTION.—Any person subject to an unlawful operation of a cell-site simulator may bring a civil action for appropriate relief (including declaratory and injunctive relief, actual damages, statutory damages of not more than $500 for each violation, and attorney fees) against the person, including a governmental entity, that conducted that unlawful operation before a court of competent jurisdiction.

''(j) ADMINISTRATIVE DISCIPLINE.—If a court or appropriate department or agency determines that the United States or any of its departments or agencies has violated any provision of this section, and the court or appropriate department or agency finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the violation, the department or agency shall, upon receipt of a true and correct copy of the decision and findings of the court or appropriate department or agency promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not warranted, he or she shall notify the Inspector General with jurisdiction over the department or agency concerned and shall provide the Inspector General with the reasons for such determination.

''(k) DEFINITIONS.—As used in this section—

''(1) the terms defined in section 2711 have, respectively, the definitions given such terms in that section;

''(2) the term 'advanced communications services' has the meaning given that term in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

''(3) the term 'cell-site simulator' means any device that functions as or simulates a base station for commercial mobile services

or private mobile services in order to identify, locate, or intercept transmissions from cellular devices for purposes other than providing ordinary commercial mobile services or private mobile services;

''(4) the term 'commercial mobile radio service' has the meaning given that term in section 20.3 of title 47, Code of Federal Regulations, or any successor thereto;

''(5) the term 'contraband interdiction system' means any device that functions as or simulates a base station for commercial mobile services or private mobile services for purposes of identifying, locating, or intercepting transmissions from contraband cellular devices in correctional facilities;

''(6) the term 'derived' means, with respect to information or evidence, that the government would not have originally possessed the information or evidence but for the use of a cell-site simulator, and regardless of any claim that the information or evidence is attenuated from the surveillance would inevitably have been discovered, or was subsequently reobtained through other means;

''(7) the term 'electronic communication' has the meaning given that term in section 2510;

''(8) the term 'electronic device' has the meaning given the term 'computer' in section 1030(e);

''(9) the term 'emergency call' has the meaning given that term in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401);

''(10) the term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

''(11) the term 'mitigation' means the deletion of all information collected about a person who is not the subject of the warrant or investigation;

''(12) the term 'private mobile service' has the meaning given that term in section 332 of the Communications Act of 1934 (47 U.S.C. 332);

''(13) the term 'telecommunications relay service' has the meaning given that term in section 225 of the Communications Act of 1934 (47 U.S.C. 225); and

''(14) the term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

(b) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 REQUIREMENTS.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended—

(1) in section 101 (50 U.S.C. 1801), by adding at the end the following:

''(q) 'Cell-site simulator' has the meaning given that term in section 3119 of title 18, United States Code.'';

(2) in section 102(a) (50 U.S.C. 1802(a)), by adding at the end the following:

''(5) The Government may only use a cell-site simulator pursuant to the authority under clause (i) or (ii) of paragraph (1)(A) without obtaining an order under this title authorizing such use if the Government has implemented measures that are reasonably likely to limit the collection activities to—

''(A) means of communications used exclusively between or among foreign powers, as defined in paragraph (1), (2), or (3) of section 101(a); or

''(B) property or premises under the open and exclusive control of a foreign power, as defined in paragraph (1), (2), or (3) of section 101(a).'';

(3) in section 105 (50 U.S.C. 1805), by adding at the end the following:

''(k)(1) A judge having jurisdiction under section 103 may issue an order under this section that authorizes the use of a cell-site simulator only if the applicant—

''(A) demonstrates that other investigative procedures, including electronic location tracking methods that solely collect records of the investigative target—

''(i) have been tried and have failed; or

''(ii) reasonably appear to be—

''(I) unlikely to succeed if tried; or

''(II) too dangerous;

''(B) specifies the likely area of effect of the cell-site simulator to be used and the time that the cell-site simulator will be in operation;

''(C) certifies that the requested area of effect and time of operation are the narrowest reasonably possible to obtain the necessary information; and

''(D) demonstrates that the requested use of a cell-site simulator would be in compliance with applicable provisions of the Communications Act of 1934 (47 U.S.C. 151 et seq.) and the rules of the Federal Communications Commission.

''(2) In any application for an order under this section authorizing the use of a cell-site simulator, the applicant shall include the following:

''(A) A disclosure of any potential disruption of the ability of the subject of the surveillance or bystanders to use commercial mobile radio services or private mobile services, including using advanced communications services, to make or receive, as applicable—

''(i) emergency calls (including 9–1–1 calls);

''(ii) calls to the universal telephone number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system under designated under paragraph (4) of section 251(e) of the Communications Act of 1934 (47 U.S.C. 251(e));

''(iii) calls to the nationwide toll-free number for the poison control centers established under section 1271 of the Public Health Service Act (42 U.S.C. 300d–71);

''(iv) calls using telecommunications relay services; or

''(v) any other communications or transmissions.

''(B) A certification that the specific model of the cell-site simulator to be used has been inspected by a third party that is an accredited testing laboratory recognized by the Federal Communications Commission to verify the accuracy of the disclosure under subparagraph (A).

''(C) A disclosure of the methods and precautions that will be used to minimize disruption, including—

''(i) any limit on the length of time the cell-site simulator can be in continuous operation; and

''(ii) any user-defined limit on the transmission range of the cell-site simulator.

''(D) A disclosure as to whether the cell-site simulator will primarily be used at a gathering where constitutionally protected activity, including speech, will occur.

''(3) In considering an application for an order under this section that authorizes the use of a cell-site simulator, the court shall—

''(A) weigh the need of the Government to obtain the information sought against the likelihood and impact of any potential negative side effects disclosed by the Government under paragraph (2); and

''(B) not grant a request for an order that would put public safety at risk or unreasonably inconvenience the community.''; and

(4) in section 704(c)(1) (50 U.S.C. 1881c(c)(1))—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) if the applicant is seeking to use a cell-site simulator (as defined in section 101), the requirements that would apply for the use of a cell-site simulator in the United States under section 105(k) have been satisfied.''.

(c) CONFORMING AMENDMENT.—Section 3127 of title 18, United States Code, is amended—

(1) in paragraph (3) by striking ''but such term does not include any'' and inserting ''except such term does not include any cell-site simulator, as that term is defined in section 3119, or''; and

(2) in paragraph (4) by striking ''of any communication'' and inserting ''of any communication, except such term does not include any cell-site simulator, as that term is defined in section 3119''.

(d) INSPECTOR GENERAL REPORTS.—

(1) DEFINITION.—In this subsection, the term ''covered Federal entity'' means—

(A) a law enforcement agency of a department or agency of the Federal Government; and

(B) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(2) REPORTS.—The Inspector General of the Department of Justice, the Inspector General of the Department of Homeland Security, the Inspector General of the Department of Defense, and the Inspector General of the Intelligence Community shall annually submit to Congress a joint report, and publish an unclassified version of the report on the website of each such inspector general, on—

(A) the overall compliance of covered Federal entities with this Act and the amendments made by this Act;

(B) the number of applications by covered Federal entities for use of a cell-site simulator that were applied for and the number that were granted;

(C) the number of emergency uses of a cell-site simulator under section 3119(d)(1)(B) of title 18, United States Code, as added by this Act;

(D) the number of such emergency uses for which a court subsequently issued a warrant authorizing the use and the number of such emergency uses in which an application for a warrant was denied;

(E) the number of devices that were targeted with a cell-site simulator, which shall be provided separately for targeting conducted pursuant to a warrant or court order and targeting conducted pursuant to an authority to use a cell-site simulator without a warrant or order;

(F) the number of devices that were not the target of the use of a cell-site simulator about which information was obtained with the cell-site simulator, which shall—

(i) be provided separately for use conducted pursuant to a warrant or court order and use conducted pursuant to an authority to use a cell-site simulator without a warrant or order; and

(ii) include the number of such devices about which the information was not destroyed as a result of the minimization requirements under section 3119(f) of title 18, United States Code, as added by this section, which shall be provided separately for use conducted pursuant to a warrant or court order and use conducted pursuant to an authority to use a cell-site simulator without a warrant or order;

(G) which components of a law enforcement agency of a department or agency of the Federal Government are using cell-site simulators and how many are available to that component; and

(H) instances in which a law enforcement agency of a department or agency of the Federal Government made cell-site simulators available to a State or unit of local government.

(3) FORM OF REPORTS.—Each report submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(e) FCC REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall initiate any proceeding that may be necessary to promulgate or modify regulations promulgated by the Federal Communications Commission to implement this Act and the amendments made by this Act.

(2) CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to expand or contract the authority of the Federal Communications Commission.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a), (b), (c), and (d) of this section, and the amendments made by such subsections, shall apply on and after the date that is 2 years after the date of enactment of this Act.

(2) EXCEPTIONS.—

(A) DEFINITION.—In this paragraph, the term ''cell-site simulator'' has the meaning given that term in section 3119 of title 18, United States Code, as added by subsection (a).

(B) EXTENSION FOR EXISTING CELL-SITE SIMULATORS.—For any model of a cell-site simulator in use before the date of enactment of this Act, including such use in a contraband interdiction system at a correctional facility, if the Attorney General certifies that additional time is necessary to obtain independent tests of the model of cell-site simulator, subsections (a), (b), (c), and (d) of this section, and the amendments made by such subsections, shall apply to the use of the model of cell-site simulator on and after the date that is 3 years after the date of enactment of this Act.

SA 4415. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Privacy Act Modernization Act of 2026''.

SEC. 2. MODERNIZING PRIVACY ACT DEFINITIONS.

(a) RECORDS.—Section 552a(a) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking ''a citizen of the United States or an alien lawfully admitted for permanent residence'' and inserting the following: ''a natural person who is—

''(A) a United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801); or

''(B) in the United States;'';

(2) by striking paragraphs (4) and (5) and inserting the following:

''(4) the term 'record' means any personally identifiable information processed by an agency;

''(5) the term 'system of records' means a group of any records maintained by or for, or otherwise under the control of, any agency;'';

(3) in paragraph (12), by striking ''and'' at the end;

(4) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

''(14) the term 'personally identifiable information' means any information that identifies, or is linked or reasonably linkable, alone or in combination with other data, to—

''(A) an individual; or

''(B) a device that identifies, or is linked or reasonably linkable to, an individual; and

''(15) the term 'process', with respect to personally identifiable information, means to perform an operation or set of operations on the personally identifiable information, including by storing, analyzing, organizing, structuring, using, modifying, or otherwise handling the personally identifiable information, whether or not by automated means.''.

(b) MATCHING PROGRAMS.—Section 552a(a)(8)(A) of title 5, United States Code, is amended—

(1) in the matter preceding clause (i), by striking ''of'';

(2) in clause (i), in the matter preceding subclause (I), by striking ''two or more automated systems of records or a system of records with non-Federal records'' and inserting the following: ''involving any data from 1 or more systems of records''; and

(3) in clause (ii), by striking ''two or more'' and inserting ''of 2 or more''.

(c) GOVERNMENT CONTRACTORS.—Section 552a(m)(1) of title 5, United States Code, is amended by striking ''for the operation by or on behalf of the agency of a system of records to accomplish an agency function'' and inserting ''or other agreement, including with another agency, for the operation by or on behalf of the agency of a system of records''.

(d) TECHNICAL AMENDMENTS.—Section 552a of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''section 552(e)'' and inserting ''section 552(f)''; and

(B) in paragraph (8)(B)—

(i) in clause (iv)(III), by striking ''section 404(e), 464, or 1137'' and inserting ''section 464 or 1137''; and

(ii) in clause (x), by striking ''section 3(d)(4) of the Achieving a Better Life Experience Act of 2014'' and inserting ''section 529A(d)(4) of the Internal Revenue Code of 1986''; and

(2) in subsection (l), by striking ''National Archives of the United States'' each place that term appears and inserting ''National Archives and Records Administration''.

SEC. 3. STRENGTHENING PROTECTIONS FOR INDIVIDUALS.

(a) ADDITIONAL PROTECTIONS FOR COLLECTIONS, USES, AND DISCLOSURES.—Section 552a of title 5, United States Code, is amended—

(1) in subsection (a)(7), by inserting ''and is appropriate and reasonably necessary for the efficient and effective conduct of the Government'' before the semicolon at the end;

(2) in subsection (b)(1), by inserting ''and that disclosure is consistent with, and related to, a purpose described under subsection (e)(4)(D) of this section'' before the semicolon at the end; and

(3) in subsection (e)—

(A) in the matter preceding paragraph (1), by striking ''that maintains a system of records'';

(B) in paragraph (2), by striking ''under Federal programs'';

(C) in paragraph (4)—

(i) by amending subparagraph (D) to read as follows:

''(D) any purpose for which the information is intended to be used, including each routine use;'';

(ii) in subparagraph (H), by striking ''and'' at the end;

(iii) in subparagraph (I), by inserting ''and'' after the semicolon; and

(iv) by adding at the end the following:

''(J) the legal authority for each purpose for which the records contained in the system are used, which shall contain a citation to the applicable law, executive order, or other authority;'';

(D) in paragraph (11), by striking ''and'' at the end;

(E) in paragraph (12), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

''(13) use records only for a legally authorized purpose; and

''(14) take reasonable efforts to ensure that a record that is disclosed contains the minimum amount of information necessary to accomplish the purpose of the disclosure.''.

(b) ADDITIONAL PROTECTIONS FOR MATCHING PROGRAMS.—Section 552a(a)(8)(B) of title 5, United States Code, is amended—

(1) by amending clause (ii) to read as follows:

''(ii) matches performed to support any research or statistical project, if the results of the match are not intended to be used, and are not used, to—

''(I) make decisions concerning the rights, benefits, or privileges of specific individuals; or

''(II) take any adverse financial, personnel, or disciplinary action, or any other adverse action, against Federal personnel;'';

(2) in clause (viii), by inserting ''or'' after the semicolon at the end;

(3) by striking clause (ix); and

(4) by redesignating clause (x) as clause (ix).

(c) ADDITIONAL CIVIL REMEDIES.—Section 552a(g) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (D) to read as follows:

''(D) fails to comply with any other provision of this section, or any rule promulgated thereunder, in such a way as to have, or that could reasonably lead to, an adverse effect on any person (including any State or territory (or any political subdivision of any State or territory) or any Indian Tribe),''; and

(B) in the flush text following subparagraph (D), by inserting ''or person, as applicable,'' after ''the individual''; and

(2) by amending paragraph (4) to read as follows:

''(4) In any suit brought under the provisions of subsection (g)(1)(C) or (D) of this section—

''(A) the court may provide such preliminary and other equitable or declaratory relief as may be appropriate; and

''(B) if the court determines that the agency acted in a manner that was intentional or willful, the United States shall be liable to the individual or person, as applicable, in an amount equal to the sum of—

''(i) actual damages, including nonpecuniary damages, sustained by the individual or person as a result of the refusal or failure, but in no case shall an individual or person entitled to recovery receive less than the sum of $1,000;

''(ii) the costs of the action together with reasonable attorney fees as determined by the court; and

''(iii) punitive damages in an amount determined appropriate by the court.''.

(d) ADDITIONAL CRIMINAL PENALTIES.—Section 552a(i) of title 5, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following: ''A person who commits an offense described in the previous sentence with the intent to sell, transfer, use, or disclose a record described in that sentence for commercial advantage, personal gain, or malicious harm shall be guilty of a felony and fined not more than $250,000, imprisoned for not more than 10 years, or both.''; and

(2) in paragraph (3), by striking ''misdemeanor and fined not more than $5,000'' and inserting ''felony and fined not more than $100,000''.

SEC. 4. EFFECTIVE DATES.

(a) DEFINITIONS.—In this section:

(1) AGENCY; MATCHING PROGRAM; RECIPIENT AGENCY; RECORD; SOURCE AGENCY; SYSTEM OF RECORDS.—The terms ''agency'', ''matching program'', ''recipient agency'', ''record'', ''source agency'', and ''system of records'' have the meanings given those terms in section 552a of title 5, United States Code, as amended by section 2.

(2) SPECIAL GOVERNMENT EMPLOYEE.—The term ''special Government employee'' has the meaning given the term in section 202(a) of title 18, United States Code.

(3) TEMPORARY OR INTERMITTENT EXPERT OR CONSULTANT.—The term ''temporary or intermittent expert or consultant'' means an expert or consultant or an organization thereof, the services of which are procured pursuant to section 3109 of title 5, United States Code.

(4) TEMPORARY TRANSITIONAL SCHEDULE C POSITION.—The term ''temporary transitional Schedule C position'' means a position established under section 213.3302 of title 5, Code of Federal Regulations, or any successor regulation.

(b) GENERAL EFFECTIVE DATE.—Except as provided in subsection (c), the amendments made by sections 2 and 3 shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) EXCEPTIONS.—The amendments made by sections 2 and 3 shall take effect on the date of enactment of this Act with respect to each of the following:

(1) Any use of a record by, any disclosure of a record by or to, any maintenance of a system of records by or for, any control of a system of records by, the taking of any other action that is governed by section 552a of title 5, United States Code (as amended by this Act) by, or the taking of any of the preceding actions that is caused by any action by any of the following:

(A) The United States DOGE Service, or any successor organization.

(B) The U.S. DOGE Service Temporary Organization, or any successor organization.

(C) Any special Government employee, any temporary or intermittent expert or consultant, or any individual occupying a temporary transitional Schedule C position.

(D) Any agency not described in subparagraph (A) or (B) that is headed by, or subject to the control of—

(i) the head of the entity described in subparagraph (A);

(ii) the head of the entity described in subparagraph (B); or

(iii) any person described in subparagraph (C).

(E) Any DOGE Team (as described in Executive Order 14158 (90 Fed. Reg. 8441), relating to establishing and implementing the President's ''Department of Government Efficiency''), or any successor organization.

(F) Any agency that is within, or subject to the review of, an entity described in subparagraph (A), (B), (D), or (E).

(G) Any officer, employee, expert, consultant, contractor, volunteer, or other individual, without regard to title or compensation, of, within, or providing services to an entity described in subparagraph (A), (B), (D), (E), or (F).

(2) Any matching program in which—

(A) an entity or person described in any subparagraph of paragraph (1) is the source agency or recipient agency; or

(B) a system of records is maintained by or for, or otherwise under the control of, an entity or person described in any subparagraph of paragraph (1).

(d) APPLICABILITY.—If a person described in any subparagraph of paragraph (1) or (2) of subsection (c), outside of the capacity of the person as described in the applicable subparagraph, disclosures a record, maintains a system of records, controls a system of records, participates in a matching program, takes any other action that is governed by section 552a of title 5, United States Code (as amended by this Act), or causes any other person to take any of the preceding actions, the exception under subsection (c) shall still apply with respect to that action by that person.

SEC. 5. RULE OF CONSTRUCTION.

(a) DEFINITION.—In this section, the term ''Privacy Act'' means section 552a of title 5, United States Code, as in effect at any time before the date of enactment of this Act.

(b) RULE.—Nothing in this Act, or any amendment made by this Act, may be construed to create an inference with respect to the interpretation of any provision of the Privacy Act, any regulation promulgated under the Privacy Act, or any application of such a provision or regulation, including with respect to the scope of activity covered under the Privacy Act, the legality of any activity under the Privacy Act, or the availability of any remedy or award of damages with respect to a violation of the Privacy Act.

SA 4416. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTING PERSONALLY IDENTIFIABLE INFORMATION.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given that term in section 552(f) of title 5, United States Code.

(2) INDIVIDUAL.—The term ''individual'' means an individual that is a—

(A) United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801); or

(B) person in the United States.

(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term ''personally identifiable information'' means any information that identifies, or is linked or reasonably linkable, alone or in combination with other data, to—

(A) an individual; or

(B) a device that identifies, or is linked or reasonably linkable to, an individual.

(4) PROCESS.—The term ''process'', with respect to personally identifiable information, means to perform an operation or set of operations on the personally identifiable information, including by storing, analyzing, organizing, structuring, using, modifying, or otherwise handling the personally identifiable information, whether or not by automated means.

(5) RECORD.—The term ''record'' means any personally identifiable information processed by an agency.

(6) SYSTEM OF RECORDS.—The term ''system of records'' means a group of any records maintained by or for, or otherwise under the control of, any agency.

(b) PROHIBITION ON USE OF FEDERAL FUNDS.—No Federal funds may be used to implement, administer, or enforce Executive Order 14243 (90 Fed. Reg. 13681; relating to stopping waste, fraud, and abuse by eliminating information silos), or any successive executive order.

(c) CONTRACTS.—

(1) IN GENERAL.—No Federal funds may be used to acquire services or software from, or use any services or software acquired from, Palantir Technologies Inc. for the processing of personally identifiable information in 1 or more systems of records.

(2) TERMINATION.—Any contract which has a requirement for the processing described in paragraph (1) is hereby terminated.

SA 4417. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Vote at Home Act of 2026''.

SEC. 2. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL IN FEDERAL ELECTIONS.

(a) VOTING BY MAIL IN FEDERAL ELECTIONS.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL.

''(a) IN GENERAL.—If an individual in a State is eligible to cast a vote in an election for Federal office, the State may not impose any additional conditions or requirements on the eligibility of the individual to cast the vote in such election by mail, except to the extent that the State imposes a deadline for requesting the ballot and related voting materials from the appropriate State or local election official and for returning the ballot to the appropriate State or local election official.

''(b) PROVISION OF BALLOT MATERIALS.—Not later than 2 weeks before the date of any election for Federal office, each State shall mail ballots to individuals who are registered to vote in such election.

''(c) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—All ballots provided under this section shall be accessible to individuals with disabilities in a manner that provides the same opportunity for access and participation (including for privacy and independence) as for other voters.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of States to conduct elections for Federal office through the use of polling places at which individuals cast ballots.

''(e) EFFECTIVE DATE.—A State shall be required to comply with the requirements of this section with respect to elections for Federal office held in years beginning with 2028.''.

(2) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''and 304'' and inserting ''303A, and 304''.

(3) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Promoting ability of voters to vote by mail.''.

(b) FREE POSTAGE FOR VOTING BY MAIL.—

(1) IN GENERAL.—Chapter 34 of title 39, United States Code, is amended by adding at the end the following:

''§ 3407. Ballots provided for voting in Federal elections

''Blank ballots mailed pursuant to section 303A(b) of the Help America Vote Act of 2002

which are mailed by a State or local election official (individually or in bulk) to a voter, and voted ballots which are mailed by a voter to an election official, shall be carried expeditiously and free of postage.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 34 of title 39, United States Code, is amended by adding at the end the following:

''3407. Ballots provided for voting in Federal elections.''.

(B) AUTHORIZATION OF APPROPRIATIONS.—Section 2401(c) of title 39, United States Code, is amended by striking ''3403 through 3406'' and inserting ''3403 through 3407''.

SEC. 3. VOTER REGISTRATION THROUGH STATE MOTOR VEHICLE AUTHORITIES.

(a) STREAMLINING EXISTING PROCEDURES.—Section 5 of the National Voter Registration Act of 1993 (52 U.S.C. 20504) is amended to read as follows:

''SEC. 5. VOTER REGISTRATION THROUGH MOTOR VEHICLE AUTHORITY.

''(a) STREAMLINED REGISTRATION THROUGH APPLICATION FOR DRIVER'S LICENSE.—

''(1) IN GENERAL.—Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license for each applicable individual other than an applicable individual described in subsection (b)(1).

''(2) FORMS AND PROCEDURES.—The voter registration application portion of an application for a State motor vehicle driver's license—

''(A) may not require any information that duplicates information required in the driver's license portion of the form;

''(B) may require only the minimum amount of information necessary to—

''(i) prevent duplicate voter registrations; and

''(ii) enable State election officials to assess the eligibility of an applicable individual and to administer voter registration;

''(C) shall include a statement that—

''(i) states each eligibility requirement (including citizenship);

''(ii) contains an attestation that the applicant meets each such requirement; and

''(iii) requires the signature of the applicant, under penalty of perjury;

''(D) shall include—

''(i) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

''(ii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and

''(E) shall be made available (as submitted by the applicant, or in machine readable or other format) to the appropriate State election official as provided by State law—

''(i) subject to clause (ii), not later than 10 days after the date of acceptance; or

''(ii) if a registration application is accepted within 5 days before the last day for registration to vote in an election, not later than 5 days after the date of acceptance.

''(3) TREATMENT OF ATTESTATIONS OF ELIGIBILITY.—For purposes of an application for voter registration with respect to elections for Federal office in a State under this subsection, an attestation of eligibility, including an attestation that the applicant is a United States citizen, shall be treated as the presumptive minimum amount of information necessary for the State to assess the eligibility of an applicable individual to vote in such elections and for the State to administer voter registration, except that a State shall prevent the completion of or reject the voter registration application of an applicable individual based upon reliable information in its possession demonstrating that the individual is not a United States citizen or is otherwise ineligible to register to vote in elections for Federal office in the State at the time of the application for a motor vehicle driver's license.

''(b) AUTOMATIC REGISTRATION OF ELIGIBLE CITIZENS.—

''(1) DUTIES OF MOTOR VEHICLE AUTHORITY.—Each State motor vehicle authority shall transmit the voter registration information described in paragraph (2) with respect to an applicable individual to the appropriate election official if—

''(A) such individual has presented a document as part of an application for a State motor vehicle driver's license (including a document presented in a previous application retained by the State's motor vehicle authority) demonstrating that the individual is a United States citizen; or

''(B) based on information provided to the State motor vehicle authority by the appropriate election official, such individual is currently registered to vote in elections for Federal office in the State.

''(2) VOTER REGISTRATION INFORMATION DESCRIBED.—The voter registration information transmitted by the State motor vehicle authority described in this paragraph is, with respect to an applicable individual, the minimum amount of information necessary to—

''(A) prevent duplicate voter registrations;

''(B) enable State election officials to assess the eligibility of such an individual who is not at that time registered to vote in elections for Federal office in the State and to administer voter registration; and

''(C) enable State election officials to update the address of such an individual who is currently registered to vote in elections for Federal office in the State.

''(3) DEADLINE FOR TRANSMISSION TO ELECTION OFFICIAL.—The voter registration information described in paragraph (2) shall be made available (in machine readable or other format) to the appropriate State election official as provided by State law—

''(A) subject to subparagraph (B), not later than 10 days after the date of acceptance; or

''(B) if the voter registration information is accepted within 5 days before the last day for registration to vote in an election, not later than 5 days after the date of acceptance.

''(4) DETERMINATION OF REGISTRATION STATUS BY ELECTION OFFICIALS RECEIVING INFORMATION.—Upon receiving the voter registration information with respect to an individual under paragraph (1), the appropriate State election official shall determine—

''(A) whether such individual is at that time registered to vote in elections for Federal office in the State;

''(B) if the individual is at that time registered to vote in such elections, the address at which the individual is registered.; and

''(C) if the individual at that time is not registered to vote in elections for Federal office in the State, whether such individual is eligible to vote in such elections, including as provided by section 8(a)(3)(B) through the procedure set forth in section 303(a)(2)(A)(ii)(I) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)(2)(A)(ii)(I)).

''(5) REGISTRATION OF ELIGIBLE UNREGISTERED INDIVIDUALS.—

''(A) NOTICE.—In the case of an applicable individual who is determined by the appropriate State election official to be eligible to vote in elections for Federal office in the State and who is not at the time registered to vote in such elections, the appropriate State election official shall issue a notice, which may be combined with the notice described in section 8(a)(2), to the individual containing—

''(i) a statement that the individual's records and signature shall constitute a completed registration for the individual unless the individual notifies the election official in response to the notice that the individual declines to be registered to vote in elections for Federal office held in the State; and

''(ii) a description of the process by which the individual may decline to be registered to vote in elections for Federal office in the State.

''(B) REGISTRATION.—Upon the issuance of a notice to an individual under subparagraph (A), the official shall ensure that the individual is registered to vote in elections for Federal office held in the State unless in response to the notice, the individual notifies the official that the individual declines to be registered to vote in such elections.

''(C) REMOVAL OF INDIVIDUALS INCORRECTLY REGISTERED.—If, after an individual is registered under subparagraph (B) to vote in elections for Federal office held in the State, the appropriate State election official later determines that the individual does not meet the eligibility requirements for registering to vote in such elections, including as provided by section 8(a)(3)(B) or as a result of error relating to the duties of the State motor vehicle authority under paragraph (1), the individual shall be removed from the official list of registered voters in the State and deemed never to have registered to vote or attempted to register to vote.

''(6) CORRECTING ADDRESSES OF INDIVIDUALS REGISTERED AT DIFFERENT ADDRESSES.—

''(A) NOTICE.—In the case of an applicable individual who is registered to vote in elections for Federal office in the State at a different address in the State than the address provided in the information transmitted under this subsection, the appropriate State election official shall issue a notice, which may be combined with the notice described in section 8(a)(2), to the individual containing—

''(i) a statement that the address provided in such information shall be used as the individual's address for voter registration purposes; and

''(ii) a description of the process by which the individual may correct an address for voter registration purposes.

''(B) CHANGE OF ADDRESS.—Upon the issuance of a notice to an individual under subparagraph (A), the official shall ensure that the individual is registered to vote in elections for Federal office at the address provided in the information transmitted under this subsection unless the individual corrects the change of address for voter registration purposes.

''(7) VOTER PROTECTIONS.—

''(A) PROTECTIONS FOR ERRORS IN REGISTRATION.—An individual shall not be prosecuted under any Federal or State law, adversely affected in any civil adjudication concerning immigration status or naturalization, or subject to an allegation in any legal proceeding that the individual is not a citizen of the United States on any of the following grounds:

''(i) The individual notified an election office of the individual's automatic registration to vote under this subsection.

''(ii) The individual is not eligible to vote in elections for Federal office but was automatically registered to vote under this subsection due to agency error.

''(iii) The individual was automatically registered to vote under this subsection at an incorrect address.

''(iv) The individual did not make an affirmation of citizenship, including through

automatic registration under this subsection.

''(B) LIMITS ON USE OF AUTOMATIC REGISTRATION.—The automatic registration of any individual under this subsection or the fact that an individual did not make an affirmation of citizenship, including through automatic registration under this subsection, may not be used as evidence against that individual in any State or Federal law enforcement proceeding or any civil adjudication concerning immigration status or naturalization, and an individual's lack of knowledge or willfulness of such registration may be demonstrated by the individual's testimony alone.

''(C) PROTECTION OF ELECTION INTEGRITY.—Nothing in subparagraphs (A) or (B) may be construed to prohibit or restrict any action under color of law against an individual who—

''(i) knowingly and willfully makes a false statement to effectuate or perpetuate automatic voter registration under this subsection by any individual; or

''(ii) casts a ballot knowingly and willfully in violation of State law or the laws of the United States.

''(c) GENERAL PROVISIONS.—

''(1) PROHIBITING TRANSMISSION OF INFORMATION ON NONCITIZENS.—The State motor vehicle authority shall not transmit voter registration information under this section with respect to an applicable individual if, as part of the application for a State motor vehicle driver's license, the individual—

''(A) presents a document demonstrating that the individual is not a United States citizen at the time of the application; or

''(B) makes an attestation demonstrating that the individual is not a United States citizen at the time of the application, if such attestation is required by State law for purposes of the application for a State motor vehicle driver's license.

''(2) LIMITATION ON USE OF INFORMATION.—No information relating to the failure of an applicant for a State motor vehicle driver's license to sign a voter registration application or to an applicant's decision to decline voter registration may be used for any purpose other than voter registration.

''(3) APPLICABLE INDIVIDUAL.—For purposes of this section, the term 'applicable individual' means any individual who submits an application for a State motor vehicle driver's license, including an initial application, renewal application, or change of address form, whether submitted in person, by mail, or by electronic means.''.

(b) CONFORMING AMENDMENT RELATING TO TIMING OF REGISTRATION PRIOR TO ELECTIONS.—Section 8(a)(1)(A) of such Act (52 U.S.C. 20507(a)(1)(A)) is amended to read as follows:

''(A) in the case of registration through a motor vehicle authority under section 5—

''(i) if the valid voter registration form of the applicant is submitted to the motor vehicle authority under section 5(a), not later than the lesser of 30 days, or the period provided by State law, before the date of the election; or

''(ii) in the case of registration under section 5(b), if the voter registration information described in section 5(b)(2) which is transmitted by the motor vehicle authority is submitted by the applicant to the authority, not later than the lesser of 30 days, or the period provided by State law, before the date of the election; or''.

(c) OTHER CONFORMING AMENDMENT.—Section 4(a)(1) of such Act (52 U.S.C. 20503(a)(1)) is amended to read as follows:

''(1) through the State motor vehicle authority pursuant to section 5;''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act.

SA 4418. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fast Track Healthcare Apprenticeships Act''.

SEC. 2. HEALTH CARE APPRENTICESHIP REGISTRATION.

The Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) is amended—

(1) by redesignating section 4 as section 6; and

(2) by inserting after section 3 the following:

''SEC. 4. HEALTH CARE APPRENTICESHIP REGISTRATION.

''(a) IN GENERAL.—In administering this Act, the Secretary of Labor shall establish a national apprenticeship system that provides, with respect to any application submitted seeking to register a program in the health care field as an apprenticeship program under this Act, that—

''(1) a decision shall be provided to the applicant on the application not later than 45 days after receipt of the application; and

''(2) if a decision is not made within the 45 days after receipt, a written explanation for the delay and an estimated timeline for a determination (that is not more than 90 days after the date of such written explanation) shall be provided to the applicant.

''(b) DEFINITIONS.—In this section:

''(1) HEALTH CARE FIELD.—The term 'health care field' means the following occupations:

''(A) Healthcare practitioners and technical occupations, as described in the Bureau of Labor Statistics Standard Occupational Classification System (or any corresponding occupation in any corresponding System).

''(B) Healthcare support occupations, as described in such System (or any corresponding occupation in any corresponding System).

''(2) NATIONAL APPRENTICESHIP SYSTEM.—The term 'national apprenticeship system' means the system established by the Secretary of Labor to carry out the activities authorized and directed to be carried out under section 1.''.

SEC. 3. DIGITIZATION OF APPRENTICESHIP AGREEMENT FORMS.

The Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), as amended by section 2, is further amended by inserting after section 4 (as added by section 2) the following:

''SEC. 5. DIGITIZATION OF APPRENTICESHIP AGREEMENT FORMS.

''In administering this Act, the Secretary of Labor shall establish a national apprenticeship system (as such term is defined in section 4) that provides that any apprenticeship agreement form for such system (including any employer agreement form or any disability disclosure form) shall be digitized.''.

SA 4419. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''People Over Long Lines Act'' or the ''POLL Act''.

SEC. 2. PREVENTING UNREASONABLE VOTER WAITING TIMES.

(a) STATE PLANS REQUIRED.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended—

(1) by redesignating sections 305 and 306 as sections 306 and 307; and

(2) by inserting after section 304 the following new section:

''SEC. 305. UNREASONABLE VOTER WAITING TIMES.

''(a) STATE PLANS.—

''(1) IN GENERAL.—Not later than 60 days before each election for Federal office, each State shall make public (including through the website of the State on which election information is normally published) and submit to the Election Assistance Commission (hereinafter in this section referred to as the 'Commission') a written plan which meets the public notice and comment requirements of paragraph (2) and describes the measures it is implementing to ensure, to the greatest extent possible, an equitable waiting time for all voters in the State, including for voters with disabilities, and a waiting time of less than 30 minutes at any polling place in the election.

''(2) PUBLIC NOTICE COMMENT REQUIREMENT.—The public notice and comment requirements of this paragraph are met if—

''(A) not later than 30 days prior to the submission of the plan to the Commission, the State made a preliminary version of the plan available for public inspection and comment;

''(B) the State publishes notice that the preliminary version of the plan is so available; and

''(C) the State took the public comments made regarding the preliminary version of the plan into account in preparing the plan which was submitted to the Commission under paragraph (1).

''(b) PROHIBITION ON UNREASONABLE VOTER WAITING TIMES.—Each State shall ensure that no person voting in an election for Federal office shall wait for more than 30 minutes at any polling place for purposes of casting a vote in such election.

''(c) REMEDIAL PLANS FOR STATES WITH EXCESSIVE VOTER WAIT TIMES.—

''(1) REVIEW OF VOTER WAIT TIMES.—After each election for Federal office, the Commission shall review voter waiting times for each jurisdiction for which voting in such election took place and make publicly available a report on its findings.

''(2) STATE REMEDIAL PLANS.—

''(A) REMEDIAL PLANS.—Each jurisdiction for which the Commission, after the review conducted under paragraph (1), determines that a substantial number of voters, including voters with disabilities, waited more than 60 minutes to cast a vote, or in which there were substantial violations of the standards established under section 299, shall comply with a State remedial plan established by the Attorney General to provide for the effective allocation of resources to administer elections for Federal office held in the State and to reduce the waiting time of voters.

''(B) COORDINATION.—Each remedial plan established by the Attorney General shall provide for coordination between the Commission, the Attorney General, and the State involved to monitor the compliance of the State with the remedial plan during the period leading up to the election and on the

date of the election and to respond to serious delays in the ability of voters, including voters with disabilities, to cast their ballots at polling places.

''(C) TERMINATION.—A jurisdiction shall not be required to comply with a State remedial plan required under subparagraph (A) if the Commission determines that the voter waiting times were less than 60 minutes for 2 consecutive regularly scheduled general elections for Federal office.

''(3) JURISDICTION DEFINED.—For purposes of this subsection, the term 'jurisdiction' has the meaning given the term 'registrar's jurisdiction' in section 8(j) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(j)).

''(4) STANDARDS.—Not later than 180 days after the date of the enactment of this section, the Attorney General shall establish standards for conducting the review under paragraph (1) and for establishing remedial plans under paragraph (2)(A).

''(5) ROLE OF CIVIL RIGHTS DIVISION AND COMMISSION.—The Attorney General shall carry out this section acting through the Civil Rights Division of the Department of Justice and in consultation with the Commission.

''(6) APPROPRIATIONS.—In addition to other amounts authorized to be appropriated to the Commission, there are authorized to be appropriated for each of the fiscal years 2026 through 2035, $5,000,000 for each such year for the Commission to carry out this subsection.

''(d) EMERGENCY BALLOTS.—

''(1) IN GENERAL.—In the event of a failure of voting equipment or other circumstance at a polling place that causes an unreasonable delay, any individual who is waiting at the polling place to cast a ballot in an election for Federal office at the time of the failure shall be advised immediately of the individual's right to use an emergency paper ballot, and upon request shall be provided with such an emergency paper ballot for the election and the supplies necessary to mark the ballot.

''(2) BALLOT REQUIREMENTS.—Any emergency paper ballot provided under paragraph (1) shall—

''(A) include the names of each candidate for each Federal office for which voting occurs at such polling place; and

''(B) be available in each language for which other ballots provided at the polling place are available.

''(3) DISPOSITION OF BALLOT.—Any emergency paper ballot which is cast by an individual under this subsection shall be counted in the same manner as a regular ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot in the absence of the delay, in which case that ballot shall be treated in the same manner as a provisional ballot.''.

(b) PRIVATE RIGHT OF ACTION.—Title IV of the Help America Vote Act of 2002 (52 U.S.C. 21111 et seq.) is amended by adding at the end the following new section:

''SEC. 403. PRIVATE RIGHT OF ACTION FOR UNREASONABLE VOTER WAITING TIME.

''(a) IN GENERAL.—In the case of a violation of section 305(b), section 402 shall not apply and any person who is aggrieved by such violation may commence a civil action in any appropriate district court of the United States for relief.

''(b) RELIEF.—In any civil action commenced under subsection (a):

''(1) IN GENERAL.—If the court finds a violation of section 305(b), the court shall assess a civil penalty equal to the sum of—

''(A) $50; plus

''(B) an additional $50 for each additional hour the person waited at the polling place to cast a vote; plus

''(C) reasonable attorney fees, including litigation expenses, and costs.

''(2) SPECIAL RULE.—If the court determines that the violation was due to an intentional action to suppress votes or was made with reckless disregard of the requirements of section 305—

''(A) paragraph (1)(A) shall be applied by substituting '$650' for '$50'; and

''(B) paragraph (1(B) shall be applied by substituting '$150' for '$50'.''.

(c) CONFORMING AMENDMENT.—Section 202 of such Act (52 U.S.C. 20922) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) carrying out the duties described in section 305(c);''.

(d) CLERICAL AMENDMENTS.—The table of contents of the Help America Vote Act of 2002 is amended—

(1) by redesignating the items relating to sections 305 and 306 as relating to sections 306 and 307, and by inserting after the item relating to section 304 the following new item:

''Sec. 305. Unreasonable voter waiting times.'';

and

(2) by inserting after the item relating to section 402 the following new item:

''Sec. 403. Private right of action for unreasonable voter waiting time.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections held on or after the expiration of the 180-day period which begins on the date of the enactment of this Act.

SEC. 3. MINIMUM REQUIRED VOTING SYSTEMS, POLL WORKERS, AND ELECTION RESOURCES.

(a) MINIMUM REQUIREMENTS.—

(1) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle C—Additional Requirements

''SEC. 321. MINIMUM REQUIRED VOTING SYSTEMS AND POLL WORKERS.

''(a) IN GENERAL.—Each State shall provide for the minimum required number of voting systems, poll workers, and other election resources (including all other physical resources) for each voting site on the day of any Federal election and on any days during which such State allows early voting for a Federal election in accordance with the standards determined under section 299.

''(b) DEFINITIONS.—For purposes of this section and section 299—

''(1) the term 'voting site' means a polling location; and

''(2) the term 'voting system' means the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used at a voting site—

''(A) to check the official list of eligible voters for purposes of confirming that an individual is eligible to cast a vote at the site;

''(B) to cast and count votes; and

''(C) to maintain and produce any audit trail information.

''(c) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of this section on and after January 1, 2028.''.

(2) CONFORMING AMENDMENT.—Section 401 of the Help America Vote Act of 2002 (52 U.S.C. 21111) is amended by striking ''and 304'' and inserting ''304, and subtitle C''.

(3) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to title III the following:

''Subtitle C—Additional Requirements

''Sec. 321. Minimum required voting systems and poll workers.''.

(b) STANDARDS.—

(1) IN GENERAL.—Title II of the Help America Vote Act of 2002 (52 U.S.C. 20921 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle E—Guidance and Standards

''SEC. 299. STANDARDS FOR ESTABLISHING THE MINIMUM REQUIRED VOTING SYSTEMS AND POLL WORKERS.

''(a) IN GENERAL.—Not later than 6 months after the date of the enactment of the POLL Act, the Attorney General, acting through the Civil Rights Division of the Department of Justice and in consultation with the Commission, shall issue standards regarding the minimum number of voting systems, poll workers, and other election resources (including all other physical resources) required under section 321 on the day of any Federal election and on any days during which early voting is allowed for a Federal election.

''(b) DISTRIBUTION.—

''(1) IN GENERAL.—The standards described in subsection (a) shall provide for a uniform and nondiscriminatory distribution of such systems, workers, and other resources, and shall take into account, among other factors, the following with respect to any voting site (as defined in section 321(b)):

''(A) The voting-age population.

''(B) Voter turnout in past elections.

''(C) The number of voters registered.

''(D) The number of voters who have registered since the most recent Federal election.

''(E) Census data for the population served by such voting site.

''(F) The educational levels and socio-economic factors of the population served by such voting site.

''(G) The needs and numbers of disabled voters and voters with limited English proficiency.

''(H) The type of voting systems used.

''(2) NO FACTOR DISPOSITIVE.—The standards shall provide that any distribution of such systems shall take into account the totality of all relevant factors, including the effects of State laws on the availability of such systems and resources for use by local election officials, and no single factor shall be dispositive under the standards.

''(3) PURPOSE.—To the extent possible, the standards shall provide for a distribution of voting systems, poll workers, and other election resources, with the goals of—

''(A) ensuring an equal waiting time for all voters in the State; and

''(B) preventing a waiting time of over 30 minutes at any polling place.

''(4) SPECIAL RULE REGARDING ELECTRONIC POLL BOOKS.—Notwithstanding paragraphs (1), (2), and (3), in the case of any voting site that uses an electronic poll book, the standards described in subsection (a) shall require at least 1 paper poll book (containing all of the information necessary to confirm that an individual is eligible to cast a vote at the site) for each such electronic poll book used at such voting site.

''(c) DEVIATION.—The standards described in subsection (a) shall permit States, upon giving reasonable public notice, to deviate from any allocation requirements in the case of unforeseen circumstances such as a natural disaster or terrorist attack.''.

(2) CONFORMING AMENDMENT.—Section 202 of such Act (52 U.S.C. 20922), as amended by section 2(c), is amended—

(A) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(B) by inserting after paragraph (4) the following new paragraph:

''(5) carrying out the duties described in subtitle E;''.

(3) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to title II the following:

''Subtitle E—Guidance and Standards

''Sec. 299. Standards for establishing the minimum required voting systems and poll workers.''.

SEC. 4. PROHIBITION ON CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION ADMINISTRATION OFFICIALS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by inserting after section 319 the following new section:

''CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION ADMINISTRATION OFFICIALS

''SEC. 319A. (a) PROHIBITION.—It shall be unlawful for a chief State election administration official to take an active part in political management or in a political campaign with respect to any election for Federal office over which such official has supervisory authority.

''(b) CHIEF STATE ELECTION ADMINISTRATION OFFICIAL.—The term 'chief State election administration official' means the highest State official with responsibility for the administration of Federal elections under State law.

''(c) ACTIVE PART IN POLITICAL MANAGEMENT OR IN A POLITICAL CAMPAIGN.—The term 'active part in political management or in a political campaign' means—

''(1) serving as a member of an authorized committee of a candidate for Federal office;

''(2) the use of official authority or influence for the purpose of interfering with or affecting the result of an election for Federal office;

''(3) the solicitation, acceptance, or receipt of a contribution from any person on behalf of a candidate for Federal office; and

''(4) any other act which would be prohibited under paragraph (2) or (3) of section 7323(b) of title 5, United States Code, if taken by an individual to whom such paragraph applies (other than any prohibition on running for public office).

''(d) EXCEPTION IN CASE OF RECUSAL FROM ADMINISTRATION OF ELECTIONS INVOLVING ELECTION OFFICIAL OR IMMEDIATE FAMILY MEMBER.—

''(1) IN GENERAL.—This section does not apply to a chief State election administration official with respect to an election for Federal office in which such official or an immediate family member of the official is a candidate, but only if—

''(A) such official recuses himself or herself from all of the official's responsibilities for the administration of such election; and

''(B) the official who assumes responsibility for supervising the administration of the election does not report directly to such official.

''(2) IMMEDIATE FAMILY MEMBER DEFINED.—In paragraph (1), the term 'immediate family member' means, with respect to a candidate, a father, mother, son, daughter, brother, sister, husband, wife, father-in-law, or mother-in-law.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to elections for Federal office held after January 1, 2028.

SEC. 5. PAYMENTS TO STATES TO PREVENT UNREASONABLE WAIT TIMES AND PROMOTE WELL-RUN ELECTIONS.

(a) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is amended by adding at the end the following:

''PART VII—PAYMENTS FOR PREVENTING UNREASONABLE VOTER WAIT TIMES

''SEC. 297. PAYMENTS TO STATES.

''(a) IN GENERAL.—The Commission shall make a payment to each eligible State. Such payments shall be made not later than 30 days after the date of enactment of this part.

''(b) ELIGIBLE STATE.—For purposes of this section, a State is an eligible State if such State has filed with the Commission a State plan covering the fiscal year in which the State describes how it intends to use the funds provided under this section.

''(c) USE OF FUNDS.—An eligible State shall use the payment received under this part to meet the requirements of sections 305 and 321.

''(d) AMOUNT OF PAYMENT.—

''(1) IN GENERAL.—The amount of payment made to a State under this section shall be the minimum payment amount described in paragraph (2) plus the voting age population proportion amount described in paragraph (3).

''(2) MINIMUM PAYMENT AMOUNT.—The minimum payment amount described in this paragraph is—

''(A) in the case of any of the several States or the District of Columbia, one-half of 1 percent of the aggregate amount made available for payments under this section; and

''(B) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, or the United States Virgin Islands, one-tenth of 1 percent of such aggregate amount.

''(3) VOTING AGE POPULATION PROPORTION AMOUNT.—The voting age population proportion amount described in this paragraph is the product of—

''(A) the aggregate amount made available for payments under this section minus the total of all of the minimum payment amounts determined under paragraph (2); and

''(B) the voting age population proportion for the State (as defined in paragraph (4)).

''(4) VOTING AGE POPULATION PROPORTION DEFINED.—The term 'voting age population proportion' means, with respect to a State, the amount equal to the quotient of—

''(A) the voting age population of the State (as reported in the most recent decennial census); and

''(B) the total voting age population of all States (as reported in the most recent decennial census).

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated for payments under this section $500,000,000 for each fiscal year.

''(2) AVAILABILITY.—Any amounts appropriated pursuant to the authority of paragraph (1) shall remain available without fiscal year limitation until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 296 the following:

''PART VII—PAYMENTS FOR PREVENTING UNREASONABLE VOTER WAIT TIMES

''Sec. 297. Payments to States.''.

SA 4420. Mr. THUNE (for Mr. SCHMITT) proposed an amendment to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Safeguard American Voter Eligibility Act'' or the ''SAVE America Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SAVE AMERICAN VOTERS

Subtitle A—Ensuring Only Citizens Are Registered to Vote in Elections for Federal Office

Sec. 101. Ensuring only citizens are registered to vote in elections for Federal office.

Subtitle B—Requiring Voters to Provide Photo Identification

Sec. 111. Requiring voters to provide photo identification.

Subtitle C—Manner of Holding Elections for Federal Office

Sec. 121. Authority.
Sec. 122. Definitions.
Sec. 123. In-person voting required.
Sec. 124. Limited absentee voting in Federal elections.
Sec. 125. Ballot handling and receipt.
Sec. 126. Enforcement.
Sec. 127. Preemption.
Sec. 128. Severability.
Sec. 129. Effective date.

TITLE II—SAVE AMERICAN SPORTS

Sec. 201. Amendment.

TITLE III—SAVE AMERICAN CHILDREN

Sec. 301. Genital and bodily mutilation of a minor; chemical castration of a minor.

TITLE I—SAVE AMERICAN VOTERS

Subtitle A—Ensuring Only Citizens Are Registered to Vote in Elections for Federal Office

SEC. 101. ENSURING ONLY CITIZENS ARE REGISTERED TO VOTE IN ELECTIONS FOR FEDERAL OFFICE.

(a) DEFINITION OF DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP.—Section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502) is amended—

(1) by striking ''As used'' and inserting ''(a) IN GENERAL.—As used''; and

(2) by adding at the end the following:

''(b) DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP.—As used in this Act, the term 'documentary proof of United States citizenship' means, with respect to an applicant for voter registration, any of the following:

''(1) A form of identification issued consistent with the requirements of the REAL ID Act of 2005 that indicates the applicant is a citizen of the United States.

''(2) A valid United States passport that indicates the applicant is a citizen of the United States.

''(3) The applicant's official United States military identification card, together with an official United States military record showing that the applicant's place of birth was in the United States or that otherwise indicates the applicant is a citizen of the United States.

''(4) A valid government-issued photo identification card issued by a Federal, State or Tribal government showing that the applicant's place of birth was in the United States or that otherwise indicates the applicant is a citizen of the United States.

''(5) A valid government-issued photo identification card issued by a Federal, State or Tribal government other than an identification described in paragraphs (1) through (4), but only if presented together with one or more of the following:

''(A) A certified birth certificate issued by a State, a unit of local government in a State, or a Tribal government which—

''(i) was issued by the State, unit of local government, or Tribal government in which the applicant was born;

''(ii) was filed with the office responsible for keeping vital records in the State;

''(iii) includes the full name, date of birth, and place of birth of the applicant;

''(iv) lists the full names of one or both of the parents of the applicant;

''(v) has the signature of an individual who is authorized to sign birth certificates on behalf of the State, unit of local government, or Tribal government in which the applicant was born;

''(vi) includes the date that the certificate was filed with the office responsible for keeping vital records in the State; and

''(vii) has the seal of the State, unit of local government, or Tribal government that issued the birth certificate.

''(B) An extract from a United States hospital Record of Birth created at the time of the applicant's birth which indicates that the applicant's place of birth was in the United States.

''(C) A final adoption decree showing the applicant's name and that the applicant's place of birth was in the United States.

''(D) A Consular Report of Birth Abroad of a citizen of the United States or a certification of the applicant's Report of Birth of a United States citizen issued by the Secretary of State.

''(E) A Naturalization Certificate or Certificate of Citizenship issued by the Secretary of Homeland Security or any other document or method of proof of United States citizenship issued by the Federal government pursuant to the Immigration and Nationality Act.

''(F) An American Indian Card issued by the Department of Homeland Security with the classification 'KIC'.''.

(b) APPLICATION OF REQUIREMENTS.—Section 4 of the National Voter Registration Act of 1993 (52 U.S.C. 20503) is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection:

''(b) REQUIRING APPLICANTS TO PRESENT DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP.—Under any method of voter registration in a State, the State shall not accept and process an application to register to vote in an election for Federal office unless the applicant presents documentary proof of United States citizenship with the application.''.

(c) REGISTRATION WITH APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.—Section 5 of the National Voter Registration Act of 1993 (52 U.S.C. 20504) is amended—

(1) in subsection (a)(1), by striking ''Each State motor vehicle driver's license application'' and inserting ''Subject to the requirements under section 8(j), each State motor vehicle driver's license application'';

(2) in subsection (c)(1), by striking ''Each State shall include'' and inserting ''Subject to the requirements under section 8(j), each State shall include'';

(3) in subsection (c)(2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by adding ''and'' at the end; and

(C) by adding at the end the following new clause:

''(iii) verify that the applicant is a citizen of the United States;'';

(4) in subsection (c)(2)(C)(i), by striking ''(including citizenship)'' and inserting '', including the requirement that the applicant provides documentary proof of United States citizenship''; and

(5) in subsection (c)(2)(D)(iii), by striking ''; and'' and inserting the following: '', other than as evidence in a criminal proceeding or immigration proceeding brought against an applicant who knowingly attempts to register to vote and knowingly makes a false declaration under penalty of perjury that the applicant meets the eligibility requirements to register to vote in an election for Federal office; and''.

(d) REQUIRING DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP WITH NATIONAL MAIL VOTER REGISTRATION FORM.—Section 6 of the National Voter Registration Act of 1993 (52 U.S.C. 20505) is amended—

(1) in subsection (a)(1)—

(A) by striking ''Each State shall accept and use'' and inserting ''Subject to the requirements under section 8(j), each State shall accept and use''; and

(B) by striking ''Federal Election Commission'' and inserting ''Election Assistance Commission'';

(2) in subsection (b), by adding at the end the following: ''The chief State election official of a State shall take such steps as may be necessary to ensure that residents of the State are aware of the requirement to provide documentary proof of United States citizenship to register to vote in elections for Federal office in the State.'';

(3) in subsection (c)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) the person did not provide documentary proof of United States citizenship when registering to vote.''; and

(4) by adding at the end the following new subsection:

''(e) ENSURING PROOF OF UNITED STATES CITIZENSHIP.—

''(1) PRESENTING PROOF OF UNITED STATES CITIZENSHIP TO ELECTION OFFICIAL.—An applicant who submits the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2) or a form described in paragraph (1) or (2) of subsection (a) shall not be registered to vote in an election for Federal office unless—

''(A) the applicant presents documentary proof of United States citizenship in person to the office of the appropriate election official not later than the deadline provided by State law for the receipt of a completed voter registration application for the election; or

''(B) in the case of a State which permits an individual to register to vote in an election for Federal office at a polling place on the day of the election and on any day when voting, including early voting, is permitted for the election, the applicant presents documentary proof of United States citizenship to the appropriate election official at the polling place not later than the date of the election.

''(2) NOTIFICATION OF REQUIREMENT.—Upon receiving an otherwise completed mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2) or a form described in paragraph (1) or (2) of subsection (a), the appropriate election official shall transmit a notice to the applicant of the requirement to present documentary proof of United States citizenship under this subsection, and shall include in the notice instructions to enable the applicant to meet the requirement.

''(3) ACCESSIBILITY.—Each State shall, in consultation with the Election Assistance Commission, ensure that reasonable accommodations are made to allow an individual with a disability who submits the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2) or a form described in paragraph (1) or (2) of subsection (a) to present documentary proof of United States citizenship to the appropriate election official.''.

(e) REQUIREMENTS FOR VOTER REGISTRATION AGENCIES.—Section 7 of the National Voter Registration Act of 1993 (52 U.S.C. 20506) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A), by adding at the end the following new clause:

''(iv) Receipt of documentary proof of United States citizenship of each applicant to register to vote in elections for Federal office in the State.''; and

(B) in paragraph (6)—

(i) in subparagraph (A)(i)(I), by striking ''(including citizenship)'' and inserting '', including the requirement that the applicant provides documentary proof of United States citizenship'';

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) ask the applicant the question, 'Are you a citizen of the United States?' and if the applicant answers in the affirmative require documentary proof of United States citizenship prior to providing the form under subparagraph (C);''; and

(2) in subsection (c)(1), by inserting ''who are citizens of the United States'' after ''for persons''.

(f) REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.—

(1) IN GENERAL.—Section 8 of the National Voter Registration Act of 1993 (52 U.S.C. 20507) is amended—

(A) in subsection (a)—

(i) by striking ''In the administration of voter registration'' and inserting ''Subject to the requirements of subsection (j), in the administration of voter registration''; and

(ii) in paragraph (3)—

(I) in subparagraph (B), by striking ''or'' at the end; and

(II) by adding at the end the following new subparagraphs:

''(D) based on documentary proof or verified information that the registrant is not a United States citizen; or

''(E) the registration otherwise fails to comply with applicable State law;'';

(B) by redesignating subsection (j) as subsection (l); and

(C) by inserting after subsection (i) the following new subsections:

''(j) ENSURING ONLY CITIZENS ARE REGISTERED TO VOTE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, a State may not register an individual to vote in elections for Federal office held in the State unless, at the time the individual applies to register to vote, the individual provides documentary proof of United States citizenship.

''(2) REQUIREMENT IN CASES OF NAME DISCREPANCIES IN DOCUMENTATION.—Notwithstanding any other provision of law, a State shall accept and process an application to register to vote in an election for Federal office if the applicant—

''(A) presents with the application documentation that would constitute documentary proof of United States citizenship, except that the name on the documentation is not the name of the applicant; and

''(B) provides, through a process established by the State (which shall be subject to any relevant guidance adopted by the Election Assistance Commission)—

''(i) additional documentation as necessary to establish that the name on the documentation is a previous name of the applicant; or

''(ii) an affidavit signed by the applicant attesting that the name on the documentation is a previous name of the applicant.

''(3) ADDITIONAL PROCESSES IN CERTAIN CASES.—

''(A) PROCESS FOR THOSE WITHOUT DOCUMENTARY PROOF SUCH AS RECENTLY MARRIED WOMEN WHO DECIDE TO CHANGE THEIR SURNAME.—

''(i) IN GENERAL.—Subject to any relevant guidance adopted by the Election Assistance Commission, each State shall establish a process under which an applicant who cannot provide documentary proof of United States citizenship under paragraph (1) may, if the applicant signs an attestation under penalty of perjury that the applicant is a citizen of the United States and eligible to vote in elections for Federal office, submit such other evidence to the appropriate State or local official demonstrating that the applicant is a citizen of the United States and such official shall make a determination as to whether the applicant has sufficiently established United States citizenship for purposes of registering to vote in elections for Federal office in the State.

''(ii) AFFIDAVIT REQUIREMENT.—If a State or local official makes a determination under clause (i) that an applicant has sufficiently established United States citizenship for purposes of registering to vote in elections for Federal office in the State, such determination shall be accompanied by an affidavit developed under clause (iii) signed by the official swearing or affirming the applicant sufficiently established United States citizenship for purposes of registering to vote.

''(iii) DEVELOPMENT OF AFFIDAVIT BY THE ELECTION ASSISTANCE COMMISSION.—The Election Assistance Commission shall develop a uniform affidavit for use by State and local officials under clause (ii), which shall—

''(I) include an explanation of the minimum standards required for a State or local official to register an applicant who cannot provide documentary proof of United States citizenship to vote in elections for Federal office in the State; and

''(II) require the official to explain the basis for registering such applicant to vote in such elections.

''(B) PROCESS IN CASE OF CERTAIN DISCREPANCIES IN DOCUMENTATION.—Subject to any relevant guidance adopted by the Election Assistance Commission, each State shall establish a process under which an applicant can provide such additional documentation to the appropriate election official of the State as may be necessary to establish that the applicant is a citizen of the United States in the event of a discrepancy with respect to the applicant's documentary proof of United States citizenship.

''(4) STATE REQUIREMENTS.—Not later than 30 days after the date of the enactment of this subsection:

''(A) Each State shall take affirmative steps, on an ongoing basis, and not less than once every calendar year quarter, to ensure that only United States citizens are registered to vote under the provisions of this Act, and such affirmative steps shall include the establishment of a program described in subparagraphs (B) and (C).

''(B) Each State shall submit the complete, official list of individuals registered as eligible voters for Federal office in the State to the Department of Homeland Security for comparison through the Systematic Alien Verification for Entitlements ('SAVE') system for the purposes of identifying individuals who are not citizens of the United States and taking the necessary steps to remove such individuals who are not citizens from the official list, after notice is given to such individuals and such individuals are given the opportunity to provide documentary proof of United States citizenship, but a State with a memorandum of agreement for such purposes with the Department of Homeland Security on the date of the enactment of this subsection may comply with this subparagraph by carrying out such purposes under the memorandum.

''(C) Each State may utilize such other sources of data available to the State for the purposes of identifying individuals who are not citizens of the United States and removing such individuals from the official list of eligible voters for Federal office in the State, including (but not limited to) the following:

''(i) The Department of Homeland Security through the Systematic Alien Verification for Entitlements ('SAVE') system or otherwise.

''(ii) Other sources, including databases and information provided pursuant to an agreement with the Commissioner of Social Security under section 205(r)(9) of the Social Security Act, which can be used to confirm United States citizenship status, except that any such information provided by the Commissioner may not be the sole grounds for the removal of an individual from the official list of eligible voters for elections for Federal office in a State.

''(5) AVAILABILITY OF INFORMATION.—

''(A) IN GENERAL.—At the request of a State election official (including a request related to a process established by a State under paragraph (3)(A) or (3)(B)), any head of a Federal department or agency possessing information relevant to determining the eligibility of an individual to vote in elections for Federal office shall, not later than 24 hours after receipt of such request, provide the official with such information as may be necessary to enable the official to verify that an applicant for voter registration in elections for Federal office held in the State or a registrant on the official list of eligible voters in elections for Federal office held in the State is a citizen of the United States, which shall include providing the official with such batched information as may be requested by the official.

''(B) USE OF SAVE SYSTEM.—The Secretary of Homeland Security shall respond to a request received under subparagraph (A) by using the system for the verification of immigration status under the applicable provisions of section 1137 of the Social Security Act (42 U.S.C. 1320b–7), as established pursuant to section 121(c) of the Immigration Reform and Control Act of 1986 (Public Law 99–603).

''(C) SHARING OF INFORMATION.—The heads of Federal departments and agencies shall share information with each other with respect to an individual who is the subject of a request received under paragraph (A) in order to enable them to respond to the request.

''(D) INVESTIGATION FOR PURPOSES OF REMOVAL.—The Secretary of Homeland Security shall conduct an investigation to determine whether to initiate removal proceedings under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229) if it is determined pursuant to subparagraph (A) or (B) that an alien (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) is unlawfully registered to vote in elections for Federal office.

''(E) PROHIBITING FEES.—The head of a Federal department or agency may not charge a fee for responding to a State's request under paragraph (A).

''(k) REMOVAL OF NONCITIZENS FROM REGISTRATION ROLLS.—A State shall remove an individual who is not a citizen of the United States from the official list of eligible voters for elections for Federal office held in the State at any time upon receipt of documentation or verified information that a registrant is not a United States citizen.''.

(2) AGREEMENTS FOR THE SOCIAL SECURITY ADMINISTRATION TO SHARE APPLICABLE INFORMATION.—

(A) AGREEMENTS WITH STATE OFFICIALS.—Section 205(r)(9)(A) of the Social Security Act (42 U.S.C. 405(r)(9)(A)) is amended to read as follows:

''(9)(A)(i) The Commissioner of Social Security shall enter into an agreement with each official responsible for a State driver's license agency for the purpose of verifying that—

''(I) the applicable information of an individual matches information contained in the records of the Commissioner; and

''(II) for each individual registering to vote or who is registered to vote, the citizenship or immigration status of such individual is consistent with the information in the records of the Commissioner.

''(ii) Each State driver's license agency shall pay to the Commissioner of Social Security the full costs (including systems and administrative costs) associated with the verification under clause (i).

''(iii) Pursuant to an agreement described in clause (i), a State driver's license agency may disclose information related to the verification under clause (i) to State and local officials as necessary to verify the eligibility of individuals registering to vote or who are registered to vote within such State.

''(iv) Agreements under this subparagraph shall include safeguards to assure compliance with subparagraph (F).''.

(B) AGREEMENTS WITH THE DEPARTMENT OF HOMELAND SECURITY.—Section 205(r)(9) of the Social Security Act (42 U.S.C. 405(r)(9)) is amended by adding at the end the following:

''(G)(i) The Commissioner of Social Security shall enter into an agreement with the Secretary of Homeland Security under which—

''(I) the Secretary may provide the Commissioner with applicable information; and

''(II) if the Secretary provides such information, the Commissioner provides the Secretary with a notification regarding—

''(aa) whether the applicable information of an individual matches the information contained in the records of the Commissioner;

''(bb) the social security number associated with the individual matches; and

''(cc) the citizenship or immigration status shown on the social security number of such individual.

''(ii) The Secretary of Homeland Security shall pay to the Commissioner of Social Security the full costs (including systems and administrative costs) associated with providing any applicable information and notification under clause (i).

''(iii) The Secretary may, upon request, disclose any applicable information and notification under clause (i) to State and local officials to verify the eligibility of individuals registering to vote or who are registered to vote within such State.

''(iv) Agreements under this subparagraph shall include safeguards to assure compliance with subparagraph (F).''.

(C) APPLICABLE INFORMATION DEFINED.—Subparagraph (D)(i) of section 205(r)(9) of the Social Security Act (42 U.S.C. 405(r)(9)) is amended—

(i) in the matter preceding subclause (I), by striking ''information regarding whether'';

(ii) in subclause (I), by striking ''provided to the Commissioner match the information contained in the Commissioner's records''; and

(iii) in subclause (II), by inserting ''information regarding whether'' before ''such''.

(D) CONFIDENTIALITY.—Subparagraph (F) of section 205(r)(9) of the Social Security Act (42 U.S.C. 405(r)(9)) is amended by striking ''a State'' each place it appears and inserting ''an agency''

(g) CLARIFICATION OF AUTHORITY OF STATE TO REMOVE NONCITIZENS FROM OFFICIAL LIST OF ELIGIBLE VOTERS.—

(1) IN GENERAL.—Section 8(a)(4) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(4)) is amended—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by adding ''or'' at the end of subparagraph (B); and

(C) by adding at the end the following new subparagraph:

''(C) documentary proof or verified information that the registrant is not a United States citizen;''.

(2) CONFORMING AMENDMENT.—Section 8(c)(2)(B)(i) of such Act (52 U.S.C. 20507(c)(2)(B)(i)) is amended by striking ''(4)(A)'' and inserting ''(4)(A) or (C)''.

(h) REQUIREMENTS WITH RESPECT TO FEDERAL MAIL VOTER REGISTRATION FORM.—

(1) CONTENTS OF MAIL VOTER REGISTRATION FORM.—Section 9(b) of such Act (52 U.S.C. 20508(b)) is amended—

(A) in paragraph (2)(A), by striking ''(including citizenship)'' and inserting ''(including an explanation of what is required to present documentary proof of United States citizenship)'';

(B) in paragraph (3), by striking ''and'' at the end;

(C) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following new paragraph:

''(5) shall include a section, for use only by a State or local election official, to record the type of document the applicant presented as documentary proof of United States citizenship, including the date of issuance, the date of expiration (if any), the office which issued the document, and any unique identification number associated with the document.''.

(2) INFORMATION ON MAIL VOTER REGISTRATION FORM.—Section 9(b)(4) of such Act (52 U.S.C. 20508(b)(4)) is amended—

(A) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively; and

(B) in subparagraph (C) (as so redesignated and as amended by paragraph (1)(C)), by striking ''; and'' and inserting the following: '', other than as evidence in a criminal proceeding or immigration proceeding brought against an applicant who attempts to register to vote and makes a false declaration under penalty of perjury that the applicant meets the eligibility requirements to register to vote in an election for Federal office; and''.

(i) PRIVATE RIGHT OF ACTION.—Section 11(b)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20510(b)(1)) is amended by striking ''a violation of this Act'' and inserting ''a violation of this Act, including the act of an election official who registers an applicant to vote in an election for Federal office who fails to present documentary proof of United States citizenship,''.

(j) CRIMINAL PENALTIES.—Section 12(2) of such Act (52 U.S.C. 20511(2)) is amended—

(1) by striking ''or'' at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) in the case of an officer or employee of the executive branch, providing material assistance to a noncitizen in attempting to register to vote or vote in an election for Federal office;

''(C) purposefully registering an applicant to vote in an election for Federal office who fails to present documentary proof of United States citizenship; or''.

(k) APPLICABILITY OF REQUIREMENTS TO CERTAIN STATES.—

(1) IN GENERAL.—Subsection (c) of section 4 of the National Voter Registration Act of 1993 (52 U.S.C. 20503), as redesignated by subsection (b), is amended by striking ''This Act does not apply to a State'' and inserting ''Except with respect to the requirements under subsection (j) and (k) of section 8 in the case of a State described in paragraph (2), this Act does not apply to a State''.

(2) PERMITTING STATES TO ADOPT REQUIREMENTS AFTER ENACTMENT.—Section 4 of such Act (52 U.S.C. 20503) is amended by adding at the end the following new subsection:

''(d) PERMITTING STATES TO ADOPT CERTAIN REQUIREMENTS AFTER ENACTMENT.—Subsections (j) and (k) of section 8 shall not apply to a State described in subsection (c)(2) if the State, by law or regulation, adopts requirements which are identical to the requirements under such subsections not later than 60 days prior to the date of the first election for Federal office which is held in the State after the date of the enactment of the SAVE America Act.''.

(l) ELECTION ASSISTANCE COMMISSION GUIDANCE.—Not later than 10 days after the date of the enactment of this Act, the Election Assistance Commission shall adopt and transmit to the chief State election official of each State guidance with respect to the implementation of the requirements under the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), as amended by this section.

(m) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Subchapter I of chapter 35 of title 44 (commonly referred to as the ''Paperwork Reduction Act'') shall not apply with respect to the development or modification of voter registration materials under the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), as amended by this section, including the development or modification of any voter registration application forms.

(n) DUTY OF SECRETARY OF HOMELAND SECURITY TO NOTIFY ELECTION OFFICIALS OF NATURALIZATION.—Upon receiving information that an individual has become a naturalized citizen of the United States, the Secretary of Homeland Security shall promptly provide notice of such information to the appropriate chief election official of the State in which such individual is domiciled.

(o) RULE OF CONSTRUCTION REGARDING PROVISIONAL BALLOTS.—Nothing in this section or in any amendment made by this section may be construed to supersede, restrict, or otherwise affect the ability of an individual to cast a provisional ballot in an election for Federal office or to have the ballot counted in the election if the individual is verified as a citizen of the United States pursuant to section 8(j) of the National Voter Registration Act of 1993 (as added by subsection (f)).

(p) RULE OF CONSTRUCTION REGARDING EFFECT ON STATE EXEMPTIONS FROM OTHER FEDERAL LAWS.—Nothing in this section or in any amendment made by this section may be construed to affect the exemption of a State from any requirement of any Federal law other than the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

(q) EXCEPTION FOR ABSENT UNIFORMED SERVICES VOTERS.—The requirements in this section shall not apply with respect to an applicant who is an absent uniformed services voter, as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1)).

(r) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this section, and shall apply with respect to applications for voter registration which are submitted on or after such date.

Subtitle B—Requiring Voters to Provide Photo Identification

SEC. 111. REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION.

(a) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION AS CONDITION OF CASTING BALLOT.—

(1) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. PHOTO IDENTIFICATION REQUIREMENTS.

''(a) PROVISION OF IDENTIFICATION REQUIRED AS CONDITION OF CASTING BALLOT.—

''(1) INDIVIDUALS VOTING IN PERSON.—

''(A) REQUIREMENT TO PROVIDE IDENTIFICATION.—Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not provide a ballot for an election for Federal office to an individual who desires to vote in person unless the individual presents to the official a valid physical photo identification.

''(B) AVAILABILITY OF PROVISIONAL BALLOT.—

''(i) IN GENERAL.—If an individual does not present the identification required under subparagraph (A), the individual shall be permitted to cast a provisional ballot with respect to the election under section 302(a), except that the appropriate State or local election official may not make a determination under section 302(a)(4) that the individual is eligible under State law to vote in the election unless, not later than 3 days after casting the provisional ballot, the individual presents to the official—

''(I) the identification required under subparagraph (A); or

''(II) an affidavit developed and made available to the individual by the State attesting that the individual does not possess the identification required under subparagraph (A) because the individual has a religious objection to being photographed.

''(ii) NO EFFECT ON OTHER PROVISIONAL BALLOTING RULES.—Nothing in clause (i) may be construed to apply to the casting of a provisional ballot pursuant to section 302(a) or any State law for reasons other than the failure to present the identification required under subparagraph (A).

''(2) INDIVIDUALS VOTING OTHER THAN IN PERSON.—

''(A) IN GENERAL.—Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not accept any ballot for an election for Federal office provided by an individual who votes other than in person unless the individual submits with the ballot—

''(i) a copy of a valid photo identification; or

''(ii) the last four digits of the individual's Social Security number and an affidavit developed and made available to the individual by the State attesting that the individual is unable to obtain a copy of a valid photo identification after making reasonable efforts to obtain such a copy.

''(B) EXCEPTIONS.—Subparagraph (A) does not apply with respect to a ballot provided by—

''(i) an absent uniformed services voter, as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1)); or

''(ii) an individual provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20102(b)(2)(B)(ii)).

''(b) PROVIDING PUBLIC ACCESS TO DIGITAL IMAGING DEVICES.—With respect to each State, the appropriate State or local government official of the State shall ensure, to the extent practicable, public access to a digital imaging device, which shall include a printer, copier, image scanner, or multifunction machine, at State and local government buildings in the State, including courts, libraries, and police stations, for the purpose of allowing individuals to use such a device at no cost to the individual to make a copy of a valid photo identification.

''(c) VALID PHOTO IDENTIFICATIONS DESCRIBED.—For purposes of this section, a 'valid photo identification' means, with respect to an individual who seeks to vote in a State, any of the following:

''(1) A valid State-issued motor vehicle driver's license that includes a photo of the individual and an expiration date.

''(2) A valid State-issued identification card that includes a photo of the individual and an expiration date issued by a State motor vehicle authority.

''(3) A valid United States passport for the individual.

''(4) A valid military identification for the individual.

''(5) A valid identification document issued by a Tribal government that includes a photo of the individual and an expiration date.

''(d) NOTIFICATION OF IDENTIFICATION REQUIREMENT TO APPLICANTS FOR VOTER REGISTRATION.—

''(1) IN GENERAL.—Each State shall ensure that, at the time an individual applies to register to vote in elections for Federal office in the State, the appropriate State or local election official notifies the individual of the photo identification requirements of this section.

''(2) SPECIAL RULE FOR INDIVIDUALS APPLYING TO REGISTER TO VOTE ONLINE.—Each State shall ensure that, in the case of an individual who applies to register to vote in elections for Federal office in the State online, the online voter registration system notifies the individual of the photo identification requirements of this section before the individual completes the online registration process.

''(e) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this section, and shall apply with respect to elections for Federal office held on or after such date.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Photo identification requirements.''.

(b) CONFORMING AMENDMENT RELATING TO VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 311(b) of such Act (52 U.S.C. 21101(b)) is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(4) in the case of the recommendations with respect to section 303A, the date of enactment of the Safeguard American Voter Eligibility Act.''.

(c) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''sections 301, 302, 303, and 304'' and inserting ''subtitle A of title III''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this section, and shall apply with respect to elections for Federal office held on or after such date.

Subtitle C—Manner of Holding Elections for Federal Office

SEC. 121. AUTHORITY.

Congress enacts this subtitle pursuant to Article I, section 4, clause 1 of the Constitution of the United States.

SEC. 122. DEFINITIONS.

In this subtitle:

(1) ABSENTEE BALLOT.—The term ''absentee ballot'' means a ballot transmitted to a voter for voting by mail or outside of the physical presence of election officials during the voting period.

(2) ABSENT UNIFORMED SERVICES VOTER.—The term ''absent uniformed services voter'' has the meaning given that term in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310).

(3) CHAIN OF CUSTODY.—The term ''chain of custody'' means documented procedures ensuring that absentee ballots are securely tracked from issuance through delivery, receipt, and tabulation, including records of each transfer of custody of such ballots.

(4) ELECTION.—The term ''election'' means—

(A) a general, special, primary, or runoff election;

(B) a convention or caucus of a political party which has authority to nominate a candidate;

(C) a primary election held for the selection of delegates to a national nominating convention of a political party; and

(D) a primary election held for the expression of a preference for the nomination of individuals for election to the office of President.

(5) FEDERAL OFFICE.—The term ''Federal office'' means the office of President or Vice President, Senator, Representative in, or Delegate or Resident Commissioner to, the Congress.

(6) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'' means a spouse, parent, child, sibling, grandparent, grandchild, parent-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law of the voter.

(7) LEGAL GUARDIAN.—The term ''legal guardian'' means an individual appointed by a court of competent jurisdiction to serve as guardian of the person of the voter.

(8) STATE.—The term ''State'' has the meaning given that term in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502).

(9) VERIFIED TRAVEL.—The term ''verified travel'' means travel that will result in a voter being physically absent from the jurisdiction in which the voter is eligible to vote for the entire voting period and that is supported by documentation reasonably sufficient to establish such absence. Such term does not include residence outside the United States.

(10) VOTING PERIOD.—The term ''voting period'' means the period beginning on the first day on which in-person voting is permitted under State law for an election for Federal office and ending at the time the polls close on the date of the election.

(11) UNIVERSAL VOTE-BY-MAIL.—The term ''universal vote-by-mail'' means any system under which a State automatically mails ballots to registered voters for an election for Federal office without the voter first submitting a request that meets the requirements of section 124.

SEC. 123. IN-PERSON VOTING REQUIRED.

(a) GENERAL RULE.—Except as provided in section 124, a State shall require an individual to vote in person in an election for Federal office.

(b) PROHIBITION ON UNIVERSAL VOTE-BY-MAIL.—A State may not conduct an election for Federal office by universal vote-by-mail.

(c) EARLY IN-PERSON VOTING NOT AFFECTED.—Nothing in this subtitle shall be construed to prohibit or limit the authority of a State to permit voting in person prior to the date of the election for an election for Federal office.

(d) CONSTRUCTION.—

(1) IN GENERAL.—Nothing in this subtitle shall be construed—

(A) to regulate elections for State or local office;

(B) to establish, modify, or alter the qualifications of individuals eligible to vote in elections for Federal office;

(C) to prohibit a State from permitting the use of absentee ballots or voting by mail in elections for State or local office;

(D) to permit a State to transmit or distribute by mail a ballot that includes any office for which this subtitle applies unless the issuance of such ballot complies with the requirements of this subtitle; or

(E) to limit or modify the rights of absent uniformed services voters under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(2) CLARIFICATION.—A State that permits absentee voting or voting by mail for State or local office may provide a separate ballot for such offices but may not include any Federal office on a mailed ballot unless the voter has submitted a valid absentee ballot request under section 124.

SEC. 124. LIMITED ABSENTEE VOTING IN FEDERAL ELECTIONS.

(a) IN GENERAL.—

(1) EXEMPTION CATEGORIES.—A State may permit an individual to vote by absentee ballot in an election for Federal office only if the individual submits a request in accordance with this section and certifies under penalty of perjury that the individual—

(A) is an absent uniformed services voter;

(B) is unable to appear in person during the entire voting period due to illness, infirmity, hospitalization, or physical disability;

(C) is the primary caregiver of an individual who is medically incapacitated during the entire voting period;

(D) will be absent from the jurisdiction during the entire voting period due to verified travel; or

(E) is unable to appear in person during the voting period due to another hardship that would make in-person voting unreasonable or impracticable, as determined by the State election authority based on a sworn certification submitted by the voter describing the nature of the hardship, as described in subsection (c)(4).

(2) RULE OF CONSTRUCTION.—For purposes of paragraph (1)(E), the term ''hardship'' shall be construed narrowly. A voter may not be considered to have a hardship unless the applicable circumstance, by itself, prevents the voter from appearing in person during the entire voting period

(b) REQUEST REQUIREMENTS.—A request for an absentee ballot in an election for Federal office under this section shall—

(1) be in writing and signed by the applicant;

(2) be submitted not later than 14 days before the date of the election;

(3) include a copy of a valid photo identification as defined in section 303A(c) of the Help America Vote Act of 2002, as added by section 102 of this Act; and

(4) include a sworn certification specifying the category under subsection (a)(1) upon which eligibility is based.

(c) CERTIFICATION AND SUPPORTING DOCUMENTATION FOR EXEMPTION CATEGORIES.—

(1) ILLNESS OR DISABILITY.—An individual seeking an absentee ballot under subsection

(a)(1)(B) shall submit, together with the request required under subsection (b), a sworn certification describing the illness, infirmity, hospitalization, or physical disability of the individual and certifying that such illness, infirmity, hospitalization, or physical disability will prevent the individual from appearing in person during the entire voting period, including documentation that is reasonably sufficient to establish such illness, infirmity, hospitalization, or physical disability.

(2) PRIMARY CAREGIVER.—An individual seeking an absentee ballot under subsection (a)(1)(C) shall submit, together with the request required under subsection (b), a sworn certification describing the medical incapacitation of the individual for whom the individual is a primary caregiver and certifying that such role as a primary caregiver will prevent the individual from appearing in person during the entire voting period, including documentation reasonably sufficient to establish such role as a primary caregiver of an individual who is medically incapacitated.

(3) VERIFIED TRAVEL.—An individual seeking an absentee ballot under subsection (a)(1)(D) shall submit, together with the request required under subsection (b), a sworn certification describing the nature of the travel that will result in the individual being absent from the jurisdiction for the entire voting period, including documentation reasonably sufficient to verify such travel.

(4) OTHER HARDSHIP.—An individual seeking an absentee ballot under subsection (a)(1)(E) shall submit, together with the request required under subsection (b), a sworn certification describing the hardship and certifying that such hardship will prevent the individual from appearing in person during the entire voting period, including documentation reasonably sufficient to establish the existence and duration of such hardship.

(5) FORM OF CERTIFICATION.—A certification under this subsection shall be signed under penalty of perjury and submitted in such form as the State may require, consistent with any standards established by the Election Assistance Commission.

(d) VERIFICATION.—A State shall verify compliance with subsection (b) prior to issuing an absentee ballot and shall maintain a record of such verification for purposes of audit and enforcement.

(e) FALSE STATEMENT.—Any individual who knowingly makes or abets a false statement under this section shall be fined in accordance with title 18, United States Code (which fines shall be paid into the general fund of the Treasury, miscellaneous receipts (pursuant to section 3302 of title 31, United States Code), notwithstanding any other law), or imprisoned not more than 5 years, or both.

(f) STANDARD REQUEST FORM.—Not later than 180 days after enactment of this Act, the Election Assistance Commission shall develop and make available a standardized absentee ballot request form that States may use to comply with this section.

(g) RULE OF CONSTRUCTION REGARDING PROOF OF CITIZENSHIP.—Nothing in this section shall be construed to require an applicant requesting an absentee ballot to transmit or mail documentary proof of United States citizenship if the appropriate election official is able to verify that the applicant has previously provided documentary proof of United States citizenship as required under section 8(j) of the National Voter Registration Act of 1993, as added by section 101 of this Act.

SEC. 125. BALLOT HANDLING AND RECEIPT.

(a) REQUIREMENTS FOR ABSENTEE BALLOT REQUESTS.—

(1) ELECTION-SPECIFIC REQUEST REQUIRED.—

(A) IN GENERAL.—Notwithstanding any other provision of law, except as provided in subparagraph (B), a request for an absentee ballot in an election for Federal office shall apply only with respect to the election for which the request is submitted. Eligibility for, or receipt of, an absentee ballot in a prior election shall not establish eligibility to receive an absentee ballot in a subsequent election.

(B) EXCEPTION FOR ABSENT UNIFORMED SERVICES VOTERS.—Subparagraph (A) shall not apply with respect to an absent uniformed services voter.

(2) PROHIBITION ON RELIANCE ON PRIOR ABSENTEE STATUS.—A State may not issue or mail an absentee ballot to an individual for an election for Federal office based solely on the individual's receipt of, or request for, an absentee ballot in a prior election.

(3) REQUESTED BALLOTS ONLY.—A State may not issue or mail an absentee ballot for an election for Federal office unless a valid request under section 124 has been received and verified for that election.

(b) RETURN OF BALLOTS.—

(1) IN GENERAL.—An absentee ballot in an election for Federal office may only be returned by 1 of the following methods:

(A) By the voter, in person, to an office of the appropriate election official or to a polling place or other location designated by the State for the return of absentee ballots.

(B) By the United States Postal Service, certified mail with signature verification paid for by the State or municipality administering the election, and shall be tracked under a reasonable tracking system established by the United States Postal Service.

(C) By a family member, legal guardian, or caregiver of the voter casting the ballot, who shall present identification and shall sign an affidavit upon delivery that identifies the person as eligible to return the voter's ballot.

(D) In the case of an absent uniformed services voter, by a method authorized under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(2) LIMITATION.—The authority provided under paragraph (1)(D) shall only apply with respect to an absentee ballot of an absent uniformed services voter and may not be used by a State as a general method of transmitting or returning absentee ballots for voters who are not eligible under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(c) DEADLINE.—

(1) IN GENERAL.—An absentee ballot in an election for Federal office shall not be counted unless received by the appropriate election official not later than the closing of polls on the date of the election.

(2) RECORD OF RECEIPT.—Each State shall record the time and date of receipt of each absentee ballot in an election for Federal office for purposes of determining compliance with this subsection.

(d) CHAIN OF CUSTODY.—Each State shall establish uniform chain-of-custody procedures and ballot tracking systems for absentee ballots cast in elections for Federal office, including a system that allows the voter to track the status of the absentee ballot from issuance through receipt and acceptance or rejection of the absentee ballot. Such procedures shall be established by the State and local election officials responsible for the administration of elections for Federal office.

(e) NOTICE AND CURE PROCESS.—

(1) IN GENERAL.—If an election official determines that an absentee ballot in an election for Federal office does not comply with the requirements of this subtitle, the State shall promptly notify the voter of the deficiency and provide the voter a standardized opportunity, which shall extend until not later than 48 hours after the closing of the polls, to cure the deficiency.

(2) PROCESS.—Each State shall determine the process for the standardized opportunity to cure a deficiency with respect to an absentee ballot in an election for Federal office prior to the beginning of the voting period for such election.

(f) RECORD RETENTION.—

(1) IN GENERAL.—Each State shall retain records relating to absentee ballot requests, verification, transmission, receipt, and cure with respect to an election for Federal office for a period of not less than 22 months after the date of the election.

(2) ACCESS BY ATTORNEY GENERAL.—Each State shall make available to the Attorney General, upon request, any record retained under this subsection. The Attorney General may inspect, copy, or obtain such records for purposes of investigating or enforcing compliance with this subtitle.

SEC. 126. ENFORCEMENT.

(a) ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this subtitle.

(b) PRIVATE RIGHT OF ACTION.—A person who is aggrieved by a violation of this subtitle may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(c) EXPEDITED REVIEW.—Any action brought under this section shall be heard by a district court of 3 judges convened pursuant to section 2284 of title 28, United States Code, with direct appeal to the Supreme Court of the United States.

(d) FUNDING CONDITION.—After providing the State notice and an opportunity to respond within 10 days, if the Attorney General determines that a State is not in compliance with this subtitle, the Attorney General may notify the Election Assistance Commission, and for the fiscal year immediately following such determination, the State shall be ineligible to receive any grant or funding provided by the Election Assistance Commission or any other agency of the Federal government for the purpose of administration of elections for Federal office, including any grant authorized under sections 101, 103, or 104 of the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) or any other provision of Federal law.

SEC. 127. PREEMPTION.

The requirements of this subtitle shall supersede any provision of State law governing absentee voting in elections for Federal office that is inconsistent with this subtitle.

SEC. 128. SEVERABILITY.

If any provision of this subtitle, or the application thereof to any person or circumstance, is held invalid, the remainder of this subtitle and the application of the remaining provisions shall not be affected.

SEC. 129. EFFECTIVE DATE.

This subtitle shall apply with respect to elections for Federal office occurring after the date of enactment of this subtitle.

TITLE II—SAVE AMERICAN SPORTS

SEC. 201. AMENDMENT.

Section 901 of the Education Amendments of 1972 (20 U.S.C. 1681) is amended by adding at the end the following:

''(d)(1) It shall be a violation of subsection (a) for a recipient of Federal funds who operates, sponsors, or facilitates athletic programs or activities to permit a person whose sex is male to participate in an athletic program or activity that is designated for women or girls.

''(2) For purposes of this subsection, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.''.

TITLE III—SAVE AMERICAN CHILDREN

SEC. 301. GENITAL AND BODILY MUTILATION OF A MINOR; CHEMICAL CASTRATION OF A MINOR.

(a) IN GENERAL.—Section 116 of title 18, United States Code, is amended to read as follows:

''§ 116. Genital and bodily mutilation of a minor; chemical castration of a minor

''(a) GENITAL OR BODILY MUTILATION.—Except as provided in subsection (g), whoever, in any circumstance described in subsection (d), knowingly performs, or attempts to perform, genital or bodily mutilation on another person who is a minor, shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) CHEMICAL CASTRATION OF A MINOR.—Except as provided in subsection (g), whoever, in any circumstance described in subsection (d), knowingly chemically castrates a minor shall be fined under this title, imprisoned not more than 10 years, or both.

''(c) CERTAIN OFFENSE RELATED TO FEMALE GENITAL MUTILATION.—Except as provided in subsection (g), whoever, in any circumstance described in subsection (d), knowingly—

''(1) facilitates or consents to female genital mutilation of a minor; or

''(2) transports a minor for the purpose of the performance of female genital mutilation on such minor,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(d) CIRCUMSTANCES DESCRIBED.—For the purposes of subsections (a) and (b), the circumstances described in this subsection are that—

''(1) the defendant or victim traveled in interstate or foreign commerce, or traveled using a means, channel, facility, or instrumentality of interstate or foreign commerce, in furtherance of or in connection with the conduct described in subsection (a) or (b);

''(2) the defendant used a means, channel, facility, or instrumentality of interstate or foreign commerce in furtherance of or in connection with the conduct described in subsection (a) or (b);

''(3) any payment of any kind was made, directly or indirectly, in furtherance of or in connection with the conduct described in subsection (a) or (b) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in interstate or foreign commerce;

''(4) the defendant transmitted in interstate or foreign commerce any communication relating to or in furtherance of the conduct described in subsection (a) or (b) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in interstate or foreign commerce by any means or in manner, including by computer, mail, wire, or electromagnetic transmission;

''(5) any instrument, item, substance, or other object that has traveled in interstate or foreign commerce was used to perform the conduct described in subsection (a) or (b);

''(6) the conduct described in subsection (a) or (b) occurred within the special maritime and territorial jurisdiction of the United States, or any territory or possession of the United States; or

''(7) the conduct described in subsection (a) or (b) otherwise occurred in interstate or foreign commerce.

''(e) PROHIBITION ON CERTAIN DEFENSE.—It shall not be a defense to a prosecution under subsection (a) that female genital mutilation is required as a matter of religion, custom, tradition, ritual, or standard practice.

''(f) PROHIBITION ON PROSECUTION OF VICTIM.—No person who is chemically castrated or on whom genital or bodily mutilation is performed may be arrested or prosecuted for an offense under this section.

''(g) EXCEPTIONS.—

''(1) PROCEDURES.—

''(A) IN GENERAL.—Genital or bodily mutilation or chemical castration is not a violation of this section if such genital or bodily mutilation or chemical castration is—

''(i) necessary to the health of the minor on whom it is conducted, and is conducted by a person licensed in the place of such conduct as a medical practitioner; or

''(ii) in the case of female genital mutilation, performed on a minor in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

''(B) HEALTH OF A MINOR.—For the purposes of subparagraph (A), the health of a minor does not include—

''(i) mental, behavioral, or emotional distress; or

''(ii) a mental, behavioral, or emotional disorder.

''(2) EXEMPTION.—Genital or bodily mutilation or chemical castration is not a violation of this section if such genital or bodily mutilation or chemical castration is conducted with respect to any of the following individuals:

''(A) An individual with both ovarian and testicular tissue.

''(B) An individual with respect to whom a physician has determined through genetic or biochemical testing that the individual does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action.

''(C) An individual experiencing infection, disease, injury, or disorder caused or exacerbated by a previous genital or bodily mutilation procedure or chemical castration.

''(D) An individual suffering from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the individual in imminent danger of impairment of a major bodily function unless the procedure is performed.

''(E) An individual diagnosed with precocious puberty, to the extent such genital or bodily mutilation or chemical castration is for the purpose of normalizing puberty.

''(h) CIVIL ACTION.—

''(1) IN GENERAL.—Any individual on whom a genital or bodily mutilation was performed in violation of this section may bring a civil action in an appropriate district court of the United States against the person who performed, facilitated, or otherwise caused the violation.

''(2) RELIEF.—In a civil action brought under this subsection, the court may award—

''(A) compensatory damages;

''(B) punitive damages;

''(C) reasonable attorney's fees and costs; and

''(D) any other appropriate relief.

''(3) LIMITATION PERIOD.—An action under this subsection may be brought not later than 20 years after the date on which the individual reaches 18 years of age.

''(i) DEFINITIONS.—In this section:

''(1) CHEMICAL CASTRATION.— The term 'chemical castration' means administering, supplying, prescribing, dispensing, distributing, or otherwise conveying to an individual medications for the purposes described in paragraph (1)(B), including—

''(A) gonadotropin-releasing hormone (GnRH) analogues or other puberty-blocking drugs to stop or delay normal puberty; and

''(B) testosterone, estrogen, or other androgens to an individual at doses that are higher than would normally be produced endogenously in a healthy individual of the same age and sex.

''(2) FEMALE.—The term 'female' means a person who naturally has, had, will have, or would have, but for a congenital anomaly, historical accident, or intentional or unintentional disruption, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

''(3) FEMALE GENITAL MUTILATION.—The term 'female genital mutilation' means any procedure performed for non-medical reasons that involves partial or total removal of, or other injury to, the external female genitalia, and includes—

''(A) a clitoridectomy or the partial or total removal of the clitoris or the prepuce or clitoral hood;

''(B) excision or the partial or total removal (with or without excision of the clitoris) of the labia minora or the labia majora, or both;

''(C) infibulation or the narrowing of the vaginal opening (with or without excision of the clitoris); or

''(D) other procedures that are harmful to the external female genitalia, including pricking, incising, scraping, or cauterizing the genital area.

''(4) GENITAL OR BODILY MUTILATION.—The term 'genital or bodily mutilation' means, with respect to an individual, any of the following:

''(A) Female genital mutilation.

''(B) Any surgery performed for the purpose of intentionally changing the body of such individual (including by disrupting the body's development, inhibiting its natural functions, or modifying its appearance) to no longer correspond to the individual's sex, including—

''(i) castration;

''(ii) orchiectomy;

''(iii) scrotoplasty;

''(iv) vasectomy;

''(v) hysterectomy;

''(vi) oophorectomy;

''(vii) ovariectomy;

''(viii) metoidioplasty;

''(ix) penectomy;

''(x) phalloplasty;

''(xi) vaginoplasty;

''(xii) vaginectomy;

''(xiii) vulvoplasty;

''(xiv) reduction thyrochondroplasty;

''(xv) chondrolaryngoplasty; and

''(xvi) mastectomy.

''(C) Any plastic surgery that feminizes or masculinizes the facial or other physiological features for the purposes described in subparagraph (B).

''(D) Any placement of chest implants to create feminine breasts for the purposes described in subparagraph (B).

''(E) Any placement of fat or artificial implants in the gluteal region for the purposes described in subparagraph (B).

''(F) Any surgery to reconstruct the fixed part of the urethra, whether or not such surgery includes a metoidioplasty or a phalloplasty, for the purposes described in subparagraph (B).

''(5) MALE.—The term 'male' means a person who naturally has, had, will have, or would have, but for a congenital anomaly, historical accident, or intentional or unintentional disruption, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

''(6) MINOR.—The term 'minor' means any person under the age of eighteen years.

''(7) SEX.—The term 'sex' means the immutable biological classification of an individual as either male or female.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 7 of title 18, United States Code, is amended by striking the item related to section 116 and inserting the following:

''116. Genital and bodily mutilation of a minor; chemical castration of a minor.''.

SA 4421. Mr. THUNE (for Mr. TUBERVILLE (for himself and Mrs. BLACKBURN)) proposed an amendment to amendment SA 4420 proposed by Mr. THUNE (for Mr. SCHMITT) to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; as follows:

Strike title II and insert the following:

TITLE II—SAVE AMERICAN SPORTS

SEC. 201. AMENDMENT.

Section 901 of the Education Amendments of 1972 (20 U.S.C. 1681) is amended by adding at the end the following:

''(d)(1) It shall be a violation of subsection (a) for a recipient of Federal funds who operates, sponsors, or facilitates athletic programs or activities to permit a person whose sex is male to participate in an athletic program or activity that is designated for women or girls.

''(2) For purposes of this subsection, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.''.

SEC. 202. DATE.

This title takes effect 1 day after the date of enactment of this Act.

SA 4422. Mr. THUNE proposed an amendment to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; as follows:

At the end add the following.

''This Act shall take effect 1 days after the date of enactment.''

SA 4423. Mr. THUNE proposed an amendment to amendment SA 4422 proposed by Mr. THUNE to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; as follows:

Strike ''1 day'' and insert ''2 days''

SA 4424. Mr. THUNE proposed an amendment to amendment SA 4423 proposed by Mr. THUNE to the amendment SA 4422 proposed by Mr. THUNE to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; as follows:

Strike ''2 days'' and insert ''3 days''

SA 4425. Mrs. BLACKBURN (for herself and Mr. TUBERVILLE) submitted an amendment intended to be proposed to amendment SA 4420 proposed by Mr. THUNE (for Mr. SCHMITT) to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike title III and insert the following:

TITLE III—SAVE AMERICAN CHILDREN

SEC. 301. GENITAL AND BODILY MUTILATION OF A MINOR; CHEMICAL CASTRATION OF A MINOR.

(a) IN GENERAL.—Section 116 of title 18, United States Code, is amended to read as follows:

''§ 116. Genital and bodily mutilation of a minor; chemical castration of a minor

''(a) GENITAL OR BODILY MUTILATION.—Except as provided in subsection (g), whoever, in any circumstance described in subsection (d), knowingly performs, or attempts to perform, genital or bodily mutilation on another person who is a minor, shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) CHEMICAL CASTRATION OF A MINOR.—Except as provided in subsection (g), whoever, in any circumstance described in subsection (d), knowingly chemically castrates a minor shall be fined under this title, imprisoned not more than 10 years, or both.

''(c) CERTAIN OFFENSE RELATED TO FEMALE GENITAL MUTILATION.—Except as provided in subsection (g), whoever, in any circumstance described in subsection (d), knowingly—

''(1) facilitates or consents to female genital mutilation of a minor; or

''(2) transports a minor for the purpose of the performance of female genital mutilation on such minor,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(d) CIRCUMSTANCES DESCRIBED.—For the purposes of subsections (a) and (b), the circumstances described in this subsection are that—

''(1) the defendant or victim traveled in interstate or foreign commerce, or traveled using a means, channel, facility, or instrumentality of interstate or foreign commerce, in furtherance of or in connection with the conduct described in subsection (a) or (b);

''(2) the defendant used a means, channel, facility, or instrumentality of interstate or foreign commerce in furtherance of or in connection with the conduct described in subsection (a) or (b);

''(3) any payment of any kind was made, directly or indirectly, in furtherance of or in connection with the conduct described in subsection (a) or (b) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in interstate or foreign commerce;

''(4) the defendant transmitted in interstate or foreign commerce any communication relating to or in furtherance of the conduct described in subsection (a) or (b) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in interstate or foreign commerce by any means or in manner, including by computer, mail, wire, or electromagnetic transmission;

''(5) any instrument, item, substance, or other object that has traveled in interstate or foreign commerce was used to perform the conduct described in subsection (a) or (b);

''(6) the conduct described in subsection (a) or (b) occurred within the special maritime and territorial jurisdiction of the United States, or any territory or possession of the United States; or

''(7) the conduct described in subsection (a) or (b) otherwise occurred in interstate or foreign commerce.

''(e) PROHIBITION ON CERTAIN DEFENSE.—It shall not be a defense to a prosecution under subsection (a) that female genital mutilation is required as a matter of religion, custom, tradition, ritual, or standard practice.

''(f) PROHIBITION ON PROSECUTION OF VICTIM.—No person who is chemically castrated or on whom genital or bodily mutilation is performed may be arrested or prosecuted for an offense under this section.

''(g) EXCEPTIONS.—

''(1) PROCEDURES.—

''(A) IN GENERAL.—Genital or bodily mutilation or chemical castration is not a violation of this section if such genital or bodily mutilation or chemical castration is—

''(i) necessary to the health of the minor on whom it is conducted, and is conducted by a person licensed in the place of such conduct as a medical practitioner; or

''(ii) in the case of female genital mutilation, performed on a minor in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

''(B) HEALTH OF A MINOR.—For the purposes of subparagraph (A), the health of a minor does not include—

''(i) mental, behavioral, or emotional distress; or

''(ii) a mental, behavioral, or emotional disorder.

''(2) EXEMPTION.—Genital or bodily mutilation or chemical castration is not a violation of this section if such genital or bodily mutilation or chemical castration is conducted with respect to any of the following individuals:

''(A) An individual with both ovarian and testicular tissue.

''(B) An individual with respect to whom a physician has determined through genetic or biochemical testing that the individual does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action.

''(C) An individual experiencing infection, disease, injury, or disorder caused or exacerbated by a previous genital or bodily mutilation procedure or chemical castration.

''(D) An individual suffering from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the individual in imminent danger of impairment of a major bodily function unless the procedure is performed.

''(E) An individual diagnosed with precocious puberty, to the extent such genital or bodily mutilation or chemical castration is for the purpose of normalizing puberty.

''(h) CIVIL ACTION.—

''(1) IN GENERAL.—Any individual on whom a genital or bodily mutilation was performed in violation of this section may bring a civil action in an appropriate district court of the United States against the person who performed, facilitated, or otherwise caused the violation.

''(2) RELIEF.—In a civil action brought under this subsection, the court may award—

''(A) compensatory damages;

''(B) punitive damages;

''(C) reasonable attorney's fees and costs; and

''(D) any other appropriate relief.

''(3) LIMITATION PERIOD.—An action under this subsection may be brought not later than 20 years after the date on which the individual reaches 18 years of age.

''(i) DEFINITIONS.—In this section:

''(1) CHEMICAL CASTRATION.— The term 'chemical castration' means administering, supplying, prescribing, dispensing, distributing, or otherwise conveying to an individual medications for the purposes described in paragraph (1)(B), including—

''(A) gonadotropin-releasing hormone (GnRH) analogues or other puberty-blocking drugs to stop or delay normal puberty; and

''(B) testosterone, estrogen, or other androgens to an individual at doses that are higher than would normally be produced endogenously in a healthy individual of the same age and sex.

''(2) FEMALE.—The term 'female' means a person who naturally has, had, will have, or would have, but for a congenital anomaly, historical accident, or intentional or unintentional disruption, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

''(3) FEMALE GENITAL MUTILATION.—The term 'female genital mutilation' means any procedure performed for non-medical reasons that involves partial or total removal of, or other injury to, the external female genitalia, and includes—

''(A) a clitoridectomy or the partial or total removal of the clitoris or the prepuce or clitoral hood;

''(B) excision or the partial or total removal (with or without excision of the clitoris) of the labia minora or the labia majora, or both;

''(C) infibulation or the narrowing of the vaginal opening (with or without excision of the clitoris); or

''(D) other procedures that are harmful to the external female genitalia, including pricking, incising, scraping, or cauterizing the genital area.

''(4) GENITAL OR BODILY MUTILATION.—The term 'genital or bodily mutilation' means, with respect to an individual, any of the following:

''(A) Female genital mutilation.

''(B) Any surgery performed for the purpose of intentionally changing the body of such individual (including by disrupting the body's development, inhibiting its natural functions, or modifying its appearance) to no longer correspond to the individual's sex, including—

''(i) castration;
''(ii) orchiectomy;
''(iii) scrotoplasty;
''(iv) vasectomy;
''(v) hysterectomy;
''(vi) oophorectomy;
''(vii) ovariectomy;
''(viii) metoidioplasty;
''(ix) penectomy;
''(x) phalloplasty;
''(xi) vaginoplasty;
''(xii) vaginectomy;
''(xiii) vulvoplasty;
''(xiv) reduction thyrochondroplasty;
''(xv) chondrolaryngoplasty; and
''(xvi) mastectomy.

''(C) Any plastic surgery that feminizes or masculinizes the facial or other physiological features for the purposes described in subparagraph (B).

''(D) Any placement of chest implants to create feminine breasts for the purposes described in subparagraph (B).

''(E) Any placement of fat or artificial implants in the gluteal region for the purposes described in subparagraph (B).

''(F) Any surgery to reconstruct the fixed part of the urethra, whether or not such surgery includes a metoidioplasty or a phalloplasty, for the purposes described in subparagraph (B).

''(5) MALE.—The term 'male' means a person who naturally has, had, will have, or would have, but for a congenital anomaly, historical accident, or intentional or unintentional disruption, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

''(6) MINOR.—The term 'minor' means any person under the age of eighteen years.

''(7) SEX.—The term 'sex' means the immutable biological classification of an individual as either male or female.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 7 of title 18, United States Code, is amended by striking the item related to section 116 and inserting the following:

''116. Genital and bodily mutilation of a minor; chemical castration of a minor.''.

SEC. 302. EFFECTIVE DATE.

This title takes effect 1 day after the date of enactment of this Act.

SA 4426. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR SHORT-BARRELED RIFLE PURCHASES.

Section 5861 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (l), by striking the period at the end and inserting ''; or'', and

(2) by adding at the end the following new subsection:

''(m) to receive or possess a firearm described in paragraph (3) or (4) of section 5845(a) unless such person presents documentary proof of United States citizenship, as defined in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502).''.

SA 4427. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR SILENCER PURCHASES.

Section 5861 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (l), by striking the period at the end and inserting ''; or'', and

(2) by adding at the end the following new subsection:

''(m) to receive or possess a silencer (as defined in section 921 of title 18, United States Code) unless such person presents documentary proof of United States citizenship, as defined in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502).''.

SA 4428. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR FIREARM PURCHASES.

Section 5861 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (l), by striking the period at the end and inserting ''; or'', and

(2) by adding at the end the following new subsection:

''(m) to receive or possess a firearm unless such person presents documentary proof of United States citizenship, as defined in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502).''.

SA 4429. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONDEMNING THE TRUMP ADMINISTRATION'S RECENT DECISION TO EASE SANCTIONS ON THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress finds the following:

(1) On February 28, 2026, the United States launched strikes on the Islamic Republic of Iran.

(2) In retaliation, Iran has attacked United States assets and facilities and civilian infrastructure in 12 countries in the region.

(3) Reporting has indicated that the Russian Federation is helping Iran target United States personnel and assets across the region.

(4) As of March 16, 2026, 13 members of the United States Armed Forces have been killed as a result of Iranian attacks.

(5) On March 5, 2026, the Trump administration eased sanctions on Russia by authorizing transactions related to the purchase of Russian oil by India, the second-largest importer of Russian oil, for 30 days.

(6) In issuing that license during a spike in oil prices, the Trump administration is helping Russia and its oil-trading intermediaries benefit financially while Russia targets our servicemembers.

(7) Easing sanctions on the Russian Federation will enable it to further finance its war effort against Ukraine.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress condemns easing sanctions on the Russian Federation as it is continuing its brutal war against Ukraine and helping Iran target United States personnel and assets across the region.

SA 4430. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS FOR IDENTIFICATIONS ISSUED BY TRIBAL GOVERNMENTS.

Section 303A(c)(5) of the Help America Vote Act of 2002, as added by this Act, is amended by striking ''that includes a photo of the individual and an expiration date''.

SA 4431. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS RELATING TO MAIL VOTER REGISTRATION.

Notwithstanding any other provision of this Act, the amendments made by subsections (d) and (h) of section 2 shall not take effect until the date on which the national average price of gasoline is less than $3 per gallon.

SA 4432. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. PROHIBITION ON USE OF FUNDS FOR AN INVASION OF A NATO COUNTRY OR TERRITORY OF A NATO COUNTRY.

No Federal funds may be used for an invasion of a NATO country or territory of a NATO country without the consent of that country or invocation of the collective defense provisions of Article 5 of the North Atlantic Treaty, done at Washington April 4, 1949.

SA 4433. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TERMINATION OF GENERAL LICENSES RELATING TO RUSSIAN OIL EXPORTS.

On and after the date of the enactment of this Act, the following licenses issued the Office of Foreign Assets Control of the Department of the Treasury shall have no force or effect:

(1) General License 133, entitled ''Authorizing the Delivery and Sale of Crude Oil and Petroleum Products of Russian Federation Origin Loaded on Vessels as of March 5, 2026 to India''.

(2) General License 134, entitled ''Authorizing the Delivery and Sale of Crude Oil and Petroleum Products of Russian Federation Origin Loaded on Vessels as of March 12, 2026''.

SA 4434. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY OF ASHLI BABBITT FOR MILITARY FUNERAL HONORS.

Ashli Babbitt shall be considered to be ineligible for military funeral honors under section 985 of title 10, United States Code. Her illegal actions of participating in the January 6, 2021 insurrection, including crawling through a broken window of a barricaded door leading to the House Speaker's Lobby, disqualify her from such honors.

SA 4435. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TERMINATION OF INCREASED TARIFF-RATE QUOTA ON BEEF IMPORTED FROM ARGENTINA.

On and after the date of the enactment of this Act—

(1) the increase in the tariff-rate quota on beef imported from Argentina proclaimed by the President in Proclamation 11010 (91 Fed. Reg. 7107) shall have no force or effect; and

(2) the tariff-rate quota on such beef in effect on February 5, 2026, shall apply.

SA 4436. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _. RATE OF COMPENSATION FOR WORK PERFORMED ON LEGAL PUBLIC HOLIDAYS.

(a) IN GENERAL.—The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended—

(1) in section 3 (29 U.S.C. 203), by adding at the end the following:

''(z) 'Legal public holiday' means any legal public holiday specified in section 6103(a) of title 5, United States Code.''; and

(2) by inserting after section 7 (29 U.S.C. 207) the following:

''SEC. 8. RATE OF COMPENSATION FOR WORK PERFORMED ON LEGAL PUBLIC HOLIDAYS.

''No employer shall employ an employee who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for work performed on a legal public holiday unless such employee receives compensation for such work at a rate not less than one and one-half times the regular rate (as determined under section 7(e)) at which the employee is employed.''.

(b) EXCLUSION FROM COMPENSATION CREDITABLE TOWARDS OVERTIME COMPENSATION.—Section 7(h)(2) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(h)(2)) is amended by inserting ''(other than for work performed on a legal public holiday as required under section 8)'' after ''(6)''.

(c) EXEMPTIONS.—Section 13(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(f)) is amended by striking ''6, 7, 11, and 12'' and inserting ''6, 7, 8, 11, and 12''.

(d) PROHIBITED ACTS; ENFORCEMENT.—The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended—

(1) in section 15(a) (29 U.S.C. 215(a))—

(A) in paragraph (1), by striking ''section 6 or section 7,'' and inserting ''section 6, 7, or 8,''; and

(B) in paragraph (2), by striking ''section 6 or section 7,'' and inserting ''section 6, 7, or 8,'';

(2) in section 16 (29 U.S.C. 216)—

(A) in subsection (b)—

(i) by striking ''section 6 or section 7'' each place it appears and inserting ''section 6, 7, or 8'';

(ii) by striking ''their unpaid minimum wages, or the unpaid overtime compensation,'' and inserting ''their unpaid minimum wages, unpaid overtime compensation, or unpaid legal public holiday compensation,''; and

(iii) by inserting ''or unpaid legal public holiday compensation'' after ''the amount of unpaid overtime compensation'';

(B) in subsection (c)—

(i) in the first sentence—

(I) by striking ''the unpaid minimum wages or the unpaid overtime compensation'' and inserting ''the unpaid minimum wages, unpaid overtime compensation, or unpaid legal public holiday compensation'';

(II) by striking ''section 6 or 7'' and inserting ''section 6, 7, or 8''; and

(III) by striking ''such unpaid minimum wages or unpaid overtime compensation'' and inserting ''such unpaid minimum wages, unpaid overtime compensation, or unpaid legal public holiday compensation'';

(ii) in the second sentence, by striking ''unpaid minimum wages or overtime compensation'' inserting ''unpaid minimum wages, unpaid overtime compensation, or unpaid legal public holiday compensation''; and

(iii) in the third sentence, by striking ''unpaid minimum wages or unpaid overtime compensation under sections 6 and 7'' and inserting ''unpaid minimum wages, unpaid overtime compensation, or unpaid legal public holiday compensation under section 6, 7, or 8''; and

(C) in subsection (e)(2), by striking ''section 6 or 7'' and inserting ''section 6, 7, or 8''; and

(3) in section 17 (29 U.S.C. 217), by striking ''minimum wages or overtime compensation'' and inserting ''minimum wages, overtime compensation, or legal public holiday compensation''.

(e) RELATION TO OTHER LAWS.—Section 18 of the Fair Labor Standards Act of 1938 (29 U.S.C. 218) is amended by adding at the end the following:

''(c) No provision of this Act or of any order thereunder shall excuse noncompliance with any Federal or State law or municipal ordinance—

''(1) establishing a rate of compensation for work performed on a legal public holiday that is higher than the rate required under section 8; or

''(2) otherwise requiring compensation for work performed on any other holiday that is greater than the compensation required under this Act.''.

(f) ADDITIONAL CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended—

(A) in section 3(o) (29 U.S.C. 203(o)), by striking ''sections 6 and 7'' and inserting ''sections 6, 7, and 8'';

(B) in section 4(f), by striking ''unpaid minimum wages, or unpaid overtime compensation,'' and inserting ''unpaid minimum wages, unpaid overtime compensation, or unpaid legal public holiday compensation,''; and

(C) by repealing section 10 (29 U.S.C. 210).

(2) STATUTE OF LIMITATIONS.—Section 6 of the Portal-to-Portal Act of 1947 (29 U.S.C. 255) is amended by inserting ''unpaid legal public holiday compensation,'' after ''unpaid overtime compensation,''.

SA 4437. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON SURVEILLANCE-BASED PRICE SETTING.

(a) SHORT TITLE.—This section may be cited as the ''One Fair Price Act of 2026''.

(b) SURVEILLANCE-BASED PRICE SETTING.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), it shall be unlawful for a person to offer or charge different prices to different consumers for the same, or a substantially similar, product or service using, informed by, or based on, in whole or in part, surveillance data.

(2) SAFE HARBOR.—

(A) IN GENERAL.—The following shall not be considered surveillance-based price setting for purposes of paragraph (1) if the conditions of subparagraph (B) are met:

(i) A difference in price that is based solely on reasonable costs associated with providing the product or service to different consumers.

(ii) A bona fide discount that is offered to any member of a broadly defined group, including teachers, active duty personnel, veterans, senior citizens, or students.

(iii) A bona fide discount that is offered to any consumer who affirmatively and knowingly enrolls in a loyalty program.

(B) CONDITIONS FOR EXCEPTION.—The conditions described in this subparagraph are the following:

(i) Any basis for a difference in reasonable costs associated with providing a product or service to different consumers is disclosed to the consumer prior to purchase.

(ii) Any eligibility condition or criteria for receiving or earning a bona fide discount is clearly and conspicuously disclosed.

(iii) Any bona fide discount is offered uniformly to any consumer who meets the disclosed eligibility conditions or criteria.

(iv) Any surveillance data used solely to offer or administer a bona fide discount is not used for any other purpose, including profiling, targeted advertising, or individualized price setting.

(v) Any loyalty program that allows a user to accrue and exchange points, credits, or any similar nonmonetary system of value for a product or service does not charge a different price for those points, credits, or similar nonmonetary system of value to different consumers for the same or substantially similar product or service.

(3) INAPPLICABILITY TO INSURANCE OR CREDIT PRODUCTS.—The prohibition under paragraph (1) shall not apply to the business of insurance or any credit product.

(c) ENFORCEMENT BY THE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES; UNFAIR METHODS OF COMPETITION.—A violation of subsection (b) or a regulation promulgated under such subsection shall be treated as a violation of a rule defining an unfair or deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) and as a violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) regarding unfair methods of competition.

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Commission shall enforce subsection (b) and any regulation promulgated under such subsection in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Except as provided in subparagraph (C), any person who violates such subsection or a regulation promulgated under such subsection shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act.

(C) COMMON CARRIERS, NONPROFIT ORGANIZATIONS, AND AIR CARRIERS.—Notwithstanding section 4, 5(a)(2), or 6 of the Federal Trade Commission Act (15 U.S.C. 44, 45(a)(2), 46) or any jurisdictional limitation of the Commission, the Commission shall also enforce subsection (b) or a regulation promulgated under subsection (b), in the same manner provided in subparagraphs (A) and (B), with respect to—

(i) common carriers subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.) and all Acts amendatory thereof and supplementary thereto;

(ii) organizations not organized to carry on business for their own profit or that of their members; and

(iii) air carriers and foreign air carriers subject to the Federal Aviation Act of 1958.

(D) RULEMAKING.—

(i) IN GENERAL.—The Commission may promulgate in accordance with section 553 of title 5, United States Code, such rules as may be necessary to carry out this section, including guidance regarding how to comply with subsection (b).

(ii) SMALL BUSINESS CONCERNS.—The Commission shall consider rules necessary to carry out this Act as having a significant economic impact on a substantial number of small entities for purposes of chapter 6 of title 5, United States Code (commonly referred to as the ''Regulatory Flexibility Act'').

(E) AUTHORITY PRESERVED.—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(d) ACTIONS BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State, or an official or agency of a State, has reason to believe that an interest of the residents of such State has been or is threatened or adversely affected by the engagement of any person in an act or practice in violation of subsection (b) or a regulation promulgated under such subsection, the attorney general of the State, may as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate State court or an appropriate district court of the United States to—

(A) enjoin such act or practice;

(B) enforce compliance with such subsection or such regulation;

(C) obtain, for each violation, the greater of—

(i) the actual monetary damages incurred from the violation; or

(ii) $3,000; or

(D) obtain, for each violation, any other restitution, penalties, and other legal or equitable relief as the court may deem appropriate.

(2) RULE OF CONSTRUCTION.—For purposes of bringing a civil action under this subsection, nothing in this section shall be construed to prevent an attorney general, official, or agency of a State from exercising the powers conferred on the attorney general, official, or agency by the laws of such State to conduct investigations, administer oaths and affirmations, or compel the attendance of witnesses or the production of documentary and other evidence.

(e) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—An individual who has been injured by a person in violation of subsection (b) or a regulation promulgated under such subsection may bring a civil action against such person in an appropriate State court or an appropriate district court of the United States to—

(A) enjoin the violation;

(B) obtain, for each violation, the greater of—

(i) the actual monetary damages incurred from the violation; or

(ii) $3,000; or

(C) obtain, for each violation, any other restitution, penalties, and other legal or equitable relief as the court may deem appropriate.

(2) WILLFUL VIOLATIONS.—If the court finds that the defendant acted willfully in committing a violation described in paragraph (1), the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under paragraph (1)(B).

(3) PRIMA FACIE CASE; REBUTTAL.—

(A) PRIMA FACIE CASE.—In any proceeding commenced pursuant to paragraph (1), the defendant shall be presumed to be in violation of subsection (b) if the plaintiff can demonstrate that—

(i) two or more individuals were offered different prices by the defendant for the same, or a substantially similar, product or service during the same, or a substantially similar, period of time; or

(ii) one individual was offered different prices by the defendant for the same, or a substantially similar, product or service during the same, or a substantially similar, period of time while using different means of viewing the price.

(B) BURDEN OF REBUTTING PRIMA FACIE CASE.—The defendant may rebut the presumption described in subparagraph (A) by demonstrating that the alleged difference in price was—

(i) not informed, in whole or in part, by surveillance data; or

(ii) fully explained by the safe harbors described in subsection (b)(2).

(4) COSTS AND ATTORNEY'S FEES.—The court shall award to a prevailing plaintiff in an action under this subsection the litigation costs of such action and reasonable attorney's fees, as determined by the court.

(5) LIMITATION.—An action may be commenced under this subsection not later than 5 years after the date on which the individual first discovered or had a reasonable opportunity to discover the violation.

(6) NONEXCLUSIVE REMEDY.—Bringing a civil action under this subsection shall be in addition to any other remedy available to the individual bringing such civil action.

(7) INVALIDITY OF PRE-DISPUTE ARBITRATION AND JOINT ACTION WAIVERS.—Notwithstanding chapter 1 of title 9, United States Code (commonly known as the ''Federal Arbitration Act''), or any other provision of law, a pre-dispute arbitration agreement or pre-dispute joint action waiver between a person in violation of subsection (b) and an individual is not valid or enforceable for purposes of the individual bringing a civil action against such person under this subsection.

(f) JOINT STUDY AND REPORT.—

(1) STUDY.—Not later than 1 year after the date of enactment of this section, the Office of Advocacy of the Small Business Administration (in this subsection referred to as the ''Office of Advocacy''), in consultation with the Commission, shall conduct a joint study to evaluate the impact of this section on—

(A) small business concerns; and

(B) promoting competition between large and small business enterprises.

(2) REPORT.—Not later than 180 days after the Office of Advocacy completes the study under paragraph (1), the Commission and the Office of Advocacy shall submit to Congress a report on such study, including any relevant findings and recommendations resulting from such study.

(g) DEFINITIONS.—In this section:

(1) BONA FIDE DISCOUNT.—The term ''bona fide discount'' means an offered price that is lower than the genuine price at which a product or service is widely offered to the public on a regular basis for a reasonably substantial period of time and not for the purpose of establishing a fictitious price to enable the subsequent offer of a reduction.

(2) BUSINESS OF INSURANCE; CREDIT.—The terms ''business of insurance'' and ''credit'' have the meaning given such terms in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) GENETIC INFORMATION.—The term ''genetic information'' has the meaning given such term in section 2791(d) of the Public Health Service Act (42 U.S.C. 300gg–91(d)).

(5) PERSONAL INFORMATION.—The term ''personal information'' means any quality, feature, attribute, or trait of an individual, including any immutable characteristic (such as race and eye color), mutable characteristic (such as address, weight, citizenship, family, or parenthood status), genetic information, and any other information that could reasonably be linked, directly or indirectly, with a particular individual or household.

(6) PRE-DISPUTE ARBITRATION AGREEMENT.—The term ''pre-dispute arbitration agreement'' means any agreement to arbitrate a dispute that has not arisen at the time of making the agreement.

(7) PRE-DISPUTE JOINT ACTION WAIVER.—The term ''pre-dispute joint action waiver'' means an agreement, including as part of a pre-dispute arbitration agreement, that would prohibit, or waive the right of, one of the parties to the agreement to participate in a joint, class, or collective action in a judicial, arbitral, administrative, or other forum, concerning a dispute that has not arisen at the time of making the agreement.

(8) PRICE.—The term ''price'' means the amount charged or offered to a consumer in

relation to a transaction, including any related cost and fee and any other material term of the transaction that has direct bearing on the amount paid by the consumer or the value of the product or service offered or provided to the consumer.

(9) SMALL BUSINESS CONCERN.—The term ''small business concern''—

(A) has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632); and

(B) shall not include a small business concern involved in developing, training, or selling a product or service for the primary purpose of aiding a business to determine a price.

(10) SURVEILLANCE DATA.—The term ''surveillance data''—

(A) means data that is related to the personal information, behavior, or biometrics of an individual; and

(B) includes data gathered, purchased, or otherwise acquired.

(h) APPLICATION OF PROHIBITION ON SURVEILLANCE-BASED PRICE SETTING TO AIR CARRIERS AND TICKET AGENTS.—

(1) IN GENERAL.—Section 41712 of title 49, United States Code, is amended by adding at the end the following:

''(d) PROHIBITION ON SURVEILLANCE-BASED PRICE SETTING.—It shall be an unfair or deceptive practice under subsection (a) for an air carrier, foreign air carrier, or ticket agent to engage in surveillance-based price setting, as described in subsection (b) of the One Fair Price Act of 2026.''.

(2) NO PREEMPTION OF CONSUMER PROTECTION CLAIMS.—Section 41713(b)(4) of title 49, United States Code, is amended by adding at the end the following:

''(D) NO PREEMPTION OF SURVEILLANCE-BASED PRICE SETTING CLAIMS.—Nothing in subparagraphs (A) through (C) may be construed—

''(i) to preempt, displace, or supplant any action for civil damages or injunctive relief based on a violation of subsection (b) of the One Fair Price Act of 2026; or

''(ii) to restrict the authority of any government entity, including an attorney general of a State, from bringing a legal claim on behalf of the citizens of the State with respect to any such violation.''.

SA 4438. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. WEEKLY PUBLICATION OF VALUE OF RUSSIAN OIL EXPORTS PERMITTED BY SANCTIONS WAIVERS.

Not later than 7 days after the date of the enactment of this Act, and every 7 days thereafter, the Director of the Office of Management and Budget shall post on a publicly accessible website of the Federal Government an estimate, for the preceding 7 days, of the dollar value of exports of crude oil and petroleum products from the Russian Federation enabled by each active waiver of the application of sanctions relating to such exports.

SA 4439. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that former Minneapolis residents Alex Jeffrey Pretti and Renée Nicole Good, who were both killed by Federal immigration enforcement officers in January 2026 during Operation Metro Surge, were not domestic terrorists.

SA 4440. Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that the Fourth and Fourteenth Amendments to the Constitution of the United States prohibit Federal immigration officers and agents from conducting investigatory stops or making arrests based solely on race, ethnicity, or membership in any other protected class.

SA 4441. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF EXECUTIVE DOCUMENTS.

(a) IN GENERAL.—Effective beginning on the date of enactment of this Act, the Executive documents described in subsection (b) shall have no force or effect and no Federal funds may be used to implement, administer, enforce, or carry out those Executive documents.

(b) EXECUTIVE DOCUMENTS DESCRIBED.—The Executive documents referred to in subsection (a) are the following:

(1) Executive Order 14154 (90 Fed. Reg. 8353; relating to unleashing American energy).

(2) Executive Order 14162 (90 Fed. Reg. 8455; relating to putting America first in international environmental agreements).

(3) Executive Order 14156 (90 Fed. Reg. 8433; relating to declaring a national energy emergency).

(4) Presidential memorandum entitled ''Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects'' issued January 20, 2025 (90 Fed. Reg. 8363).

(c) SAVINGS PROVISION.—Nothing in this section shall be construed to impair any authority granted to the President.

SA 4442. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH.

(a) COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.—

(1) PROGRAM DEVELOPMENT AND IMPLEMENTATION GRANTS.—Section 406 of the Federal Water Pollution Control Act (33 U.S.C. 1346) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting '', including nearby shallow upstream waters,'' after ''coastal recreation waters''; and

(II) by inserting ''or present on'' after ''adjacent to'';

(ii) in paragraph (3)(A)—

(I) in clause (i), by striking ''and'' at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

''(ii) in the case of a State that uses such grant to identify specific sources of contamination pursuant to paragraph (5), any data relating to such identified sources of contamination; and''; and

(iii) by adding at the end the following:

''(5) IDENTIFICATION OF SPECIFIC SOURCES OF CONTAMINATION.—A State or local government receiving a grant under this subsection may use such grant to identify specific sources of contamination for coastal recreation waters, including nearby shallow upstream waters, adjacent to or present on beaches or similar points of access that are used by the public.'';

(B) in subsection (g)(1), in the matter preceding subparagraph (A)—

(i) by inserting '', including nearby shallow upstream waters,'' after ''coastal recreation waters''; and

(ii) by inserting ''or present on'' after ''adjacent to''; and

(C) in subsection (i), by striking ''$30,000,000 for each of fiscal years 2001 through 2005'' and inserting ''$30,000,000 for each of fiscal years 2027 through 2031''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Beaches Environmental Assessment and Coastal Health Act of 2000 (Public Law 106–284; 114 Stat. 877) is amended by striking ''2001 through 2005'' and inserting ''2027 through 2031''.

(b) GUIDANCE.—In providing guidance to States and local governments receiving grants under section 406 of the Federal Water Pollution Control Act (33 U.S.C. 1346), the Administrator of the Environmental Protection Agency shall ensure that such guidance reflects innovations in testing technologies for water contamination.

SA 4443. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AGRITOURISM.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) agritourism provides a range of unique experiences to the public, including—

(i) education, such as school tours, garden and nursery tours, winery tours, historical agricultural exhibits, hops and microbrewery tours, and distillery tours;

(ii) outdoor recreation, such as river activities, mountain biking, horseback riding, wildlife viewing and photography, fee fishing and hunting, wagon and sleigh rides, cross-country skiing, game preserves, and clay bird shooting;

(iii) entertainment, such as concerts and special events, culinary experiences, festivals, fairs, interaction with farm animals, and weddings;

(iv) direct sales, such as on-farm sales, farm stands, agriculture-related crafts and gifts, u-pick operations, u-cut tree farms, wineries, breweries, cideries, distilleries, and cut flowers;

(v) accommodations, such as bed-and-breakfast inns, farm and ranch vacations, yurts, sheep wagons, and guest ranches; and

(vi) dining on a farm;

(B) agritourism has financial, educational, and social benefits to communities; and

(C) agritourism continues—

(i) to offer educational opportunities for children and families;

(ii) to generate supplemental income for owners of agricultural enterprises, which are often small or family-run businesses;

(iii) to spur economic development in rural communities;

(iv) to preserve agricultural heritage;

(v) to help farms diversify; and

(vi) to provide alternative revenue opportunities to keep working farms in production.

(2) SENSE OF CONGRESS.—It is the sense of Congress that, to further realize the benefits of agritourism to communities, the Secretary of Agriculture should incorporate agritourism into the Department of Agriculture comprehensively.

(b) AGRITOURISM ADVISOR.—

(1) IN GENERAL.—Subtitle C of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941 et seq.) is amended by adding at the end the following:

''SEC. 237. AGRITOURISM ADVISOR.

''(a) DEFINITIONS.—In this section:

''(1) ADVISOR.—The term 'Advisor' means the Agritourism Advisor described in subsection (b).

''(2) STATE.—The term 'State' means—

''(A) each of the several States of the United States;

''(B) the District of Columbia; and

''(C) any territory of the United States.

''(b) ADVISOR.—The Secretary shall designate a senior official in the Office of the Under Secretary for Rural Development to serve as the Agritourism Advisor.

''(c) DUTIES.—The Advisor shall encourage and promote, in each State and on land under the jurisdiction of Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), agritourism activities and agritourism businesses, including—

''(1) educational experiences;

''(2) outdoor recreation;

''(3) entertainment and special events;

''(4) direct sales;

''(5) accommodations; and

''(6) any other activity or business relating to agritourism, as determined by the Secretary.

''(d) MEANS OF ACHIEVING.—In carrying out subsection (c), the Advisor shall—

''(1) coordinate with the agencies and officials of the Department;

''(2) advise the Secretary on issues relating to agritourism;

''(3) ensure that the programs of the Department are updated to address best agritourism practices;

''(4) conduct outreach to stakeholders and coordinate external partnerships to share best practices, provide mentorship, and offer technical assistance to agritourism businesses;

''(5) facilitate interagency program coordination and develop interagency tools for the promotion of agritourism programs and resources;

''(6) review and improve farm enterprise development programs that provide information about financial literacy, business planning, and marketing for agritourism;

''(7) coordinate networks of agritourism businesses;

''(8) consolidate access to Federal resources to help agritourism businesses effectively navigate available programs and assistance; and

''(9) collaborate with other Federal agencies, as needed.''.

(2) TECHNICAL AMENDMENT.—The Department of Agriculture Reorganization Act of 1994 is amended by redesignating the first section 225 (7 U.S.C. 6925) (relating to the Food Access Liaison) as section 224A.

(3) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:

''(11) The authority of the Secretary to carry out section 237.''.

SA 4444. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICE OF THE SPECIAL INVESTIGATOR FOR COMPETITION MATTERS.

(a) IN GENERAL.—The Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 216 (7 U.S.C. 6916) the following:

''SEC. 217. OFFICE OF THE SPECIAL INVESTIGATOR FOR COMPETITION MATTERS.

''(a) ESTABLISHMENT.—There is established in the Department an office, to be known as the 'Office of the Special Investigator for Competition Matters' (referred to in this section as the 'Office').

''(b) SPECIAL INVESTIGATOR FOR COMPETITION MATTERS.—The Office shall be headed by the Special Investigator for Competition Matters (referred to in this section as the 'Special Investigator'), who shall be a senior career employee appointed by the Secretary.

''(c) DUTIES.—The Special Investigator shall—

''(1) use all available tools, including subpoenas, to investigate and prosecute violations of the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), by packers and live poultry dealers with respect to competition and trade practices in the food and agriculture sector;

''(2) serve as a Department liaison to, and act in consultation with, the Department of Justice and the Federal Trade Commission with respect to competition and trade practices in the food and agricultural sector;

''(3) act in consultation with the Department of Homeland Security with respect to national security and critical infrastructure security in the food and agricultural sector;

''(4) maintain a staff of attorneys and other professionals with appropriate expertise; and

''(5) in carrying out paragraphs (1) through (4), coordinate with the Office of the General Counsel and the Packers and Stockyards Division of the Agricultural Marketing Service.

''(d) PROSECUTORIAL AUTHORITY.—

''(1) IN GENERAL.—Notwithstanding title 28, United States Code, the Special Investigator shall have the authority to bring any civil or administrative action authorized under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), against a packer or a live poultry dealer.

''(2) NOTIFICATION.—With respect to any action brought under this section in Federal district court, the Special Investigator shall notify the Attorney General.

''(3) EFFECT.—Nothing in this section alters the authority of the Secretary to issue a subpoena pursuant to the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.).

''(e) LIMITATION ON SCOPE.—The Special Investigator may not bring an action under this section with respect to an entity that is not regulated under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.).''.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:

''(11) The authority of the Secretary to carry out section 217.''.

(c) TECHNICAL AMENDMENT.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by redesignating the first section 225 (relating to Food Access Liaison) (7 U.S.C. 6925) as section 224A.

SA 4445. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROGRAM FOR PROCUREMENT OF DOMESTICALLY GROWN UNPROCESSED FRUITS AND VEGETABLES.

Section 6(f) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(f)) is amended—

(1) in the subsection heading, by striking ''PILOT PROJECT FOR PROCUREMENT OF'' and inserting ''PROGRAM FOR PROCUREMENT OF DOMESTICALLY GROWN'';

(2) in paragraph (1)—

(A) by striking ''conduct a pilot project'' and inserting ''carry out a program (referred to in this subsection as the 'program')'';

(B) by inserting ''domestically grown'' before ''unprocessed''; and

(C) by striking ''8'' and inserting ''14'';

(3) by striking ''pilot project'' each place it appears and inserting ''program'';

(4) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''domestically grown'' before ''unprocessed'';

(5) in paragraph (3)(B), in the matter preceding clause (i), by striking ''1 project is located in a State'' and inserting ''2 projects are located in 1 or more States'';

(6) in paragraph (4)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) the demonstrated commitment of the State to support small, local, and socially disadvantaged farmers;

''(C) the demonstrated commitment of the State to support Tribal agricultural producers and communities utilizing traditional foods;

''(D) whether the State will serve a high proportion of children from socially disadvantaged backgrounds in carrying out the program;'';

(7) in paragraph (5)—

(A) in the paragraph heading, by striking ''RECORDKEEPING AND REPORTING'' and inserting ''RECORDKEEPING, REPORTING, AND EVALUATION'';

(B) in subparagraph (B)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) the challenges and opportunities presented by the program in the State.''; and

(C) by adding at the end the following:

''(C) PROGRAM EVALUATION.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of this subparagraph, the Secretary shall evaluate the impact of the program, including with respect to—

''(I) the quantity and cost of each type of unprocessed fruit and vegetable procured by each State under the program;

''(II) the benefit of the procured unprocessed fruits and vegetables to school food service in each State, including the benefit to meeting school meal requirements;

''(III) the economic impact of the program on agricultural producers in the State;

''(IV) the economic, geographic, social, and administrative barriers to participation, including the reimbursement process, experienced by agricultural producers and school food authorities; and

''(V) eligibility requirements for agricultural producers, including any barriers to becoming approved vendors.

''(ii) REPORT.—Not later than 4 years after the date of enactment of this subparagraph, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the evaluation conducted under clause (i) and an analysis of that evaluation.''; and

(8) by adding at the end the following:

''(6) FUNDING.—

''(A) MANDATORY FUNDING.—There is appropriated to carry out this subsection $25,000,000 for each of fiscal years 2026 through 2030.

''(B) RESERVATION FOR ADMINISTRATIVE COSTS; TECHNICAL ASSISTANCE.—

''(i) IN GENERAL.—Of the funds appropriated under subparagraph (A) for each fiscal year, $10,000,000 shall be reserved for States selected under the program under paragraph (1) to carry out the activities described in clause (ii)(I).

''(ii) ADMINISTRATIVE COSTS; TECHNICAL ASSISTANCE.—

''(I) IN GENERAL.—The funds reserved under clause (i) shall be used—

''(aa) for the administrative costs of carrying out the program, including costs of satisfying record keeping and reporting requirements;

''(bb) to coordinate among or share with agencies and departments involved in carrying out the program in the State; and

''(cc) to provide technical assistance and outreach to—

''(AA) vendors to become certified to participate in the program; and

''(BB) school food authorities, regional food hubs, State and local agencies, Indian Tribal organizations, agricultural producers, socially disadvantaged farmers, and other entities to participate in the program.

''(II) MINIMUM ALLOTMENT.—Of the funds reserved under clause (i), each State selected under paragraph (3)(A) shall receive not less than $500,000 for each fiscal year during which the State participates in the program.

''(C) RESERVATION FOR TECHNICAL ASSISTANCE TO NONPARTICIPATING STATES.—Of the funds appropriated under subparagraph (A) for each fiscal year, $1,000,000 shall be reserved—

''(i) only if there are fewer than 14 States participating in the program that fiscal year; and

''(ii) to provide technical assistance with eligibility requirements for States seeking to participate in the program.''.

SA 4446. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENHANCED CYBERSECURITY FOR EBT CARDS.

(a) IN GENERAL.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by adding at the end the following:

''(15) CYBERSECURITY OF EBT CARDS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) CHIP-ENABLED.—

''(I) IN GENERAL.—The term 'chip-enabled', with respect to a payment card, means a payment card that uses industry standard secure payment technology, as identified by the Administrator of the Food and Nutrition Service in consultation with the Secretary of the Treasury and the Director of the National Institute of Standards and Technology, that—

''(aa) provides for secure card-based payment; and

''(bb) is resistant to cloning.

''(II) CHIP CARD TECHNOLOGY.—The Administrator of the Food and Nutrition Service, in consultation with the Secretary of the Treasury and the Accredited Standards Committee X9, shall consider whether the secure payment technology described in subclause (I) should meet the industry standards for contact and contactless payments.

''(ii) MOBILE FRIENDLY.—The term 'mobile friendly' has the meaning given the term in section 3559(b) of title 44, United States Code.

''(iii) NIST PIN AND PASSWORD STANDARDS.—The term 'NIST PIN and password standards' means the PIN and password standards described in Special Publication 800–63B entitled 'Digital Identity Guidelines' (or a successor document) of the National Institute of Standards and Technology.

''(iv) PIN.—The term 'PIN' has the meaning given the term 'personal identification number (PIN)' in section 271.2 of title 7, Code of Federal Regulations (or successor regulations).

''(B) REGULATIONS.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall promulgate, and every 5 years thereafter, the Secretary shall review and update as necessary, cybersecurity and digital service regulations relating to EBT cards and mobile technologies under the supplemental nutrition assistance program, including, at a minimum, to ensure that cybersecurity measures for EBT cards and mobile technologies keep pace with security safeguards used by the private sector and required by Federal agencies for credit, debit, and other payment cards and mobile technologies.

''(ii) REQUIREMENTS.—The Secretary shall ensure that the cybersecurity and digital service regulations described in clause (i) require the following:

''(I)(aa) Each State shall operate the user interfaces listed on the list of required user interfaces maintained by the Secretary under item (dd)(AA), in accordance with this subclause, 1 or more user interfaces of which households in the State may, at the election of the applicable household, use to manage the EBT account of the applicable household.

''(bb)(AA) A State may operate other user interfaces under item (aa) in addition to the required user interfaces on the list maintained by the Secretary under item (dd)(AA).

''(BB) Any web-based online portal operated by a State as a user interface shall be mobile friendly.

''(cc) Each user interface offered by a State under items (aa) and (bb), as applicable, shall—

''(AA) provide information in each language in which the State agency is required to make material available pursuant to section 272.4(b) of title 7, Code of Federal Regulations (or successor regulations);

''(BB) be available to households at least 99 percent of the time; and

''(CC) include any other features required by the Secretary.

''(dd)(AA) The Secretary shall maintain a list of required user interfaces for purposes of item (aa), which may include a web-based online portal and a mobile application.

''(BB) The list under subitem (AA) shall include an application programming interface through which at least 1 user interface offered by a State under item (aa) allows households to delegate access to some or all account features identified by the Secretary to third-party provided software. No fee shall be charged to any party for the use of that application programming interface.

''(CC) During the 10-year period following the date on which the regulations promulgated pursuant to clause (i) become final, unless the Secretary extends that period, the Secretary shall maintain on the list under subitem (AA) the following user interfaces: text message, voice telephone service, and a nondigital user interface that does not require the use of a phone or computer by the household.

''(II)(aa) Each State shall provide households on an opt-in basis—

''(AA) through each digital user interface offered under subclause (I), timely electronic notice of transactions using the EBT account of the household; and

''(BB) through each user interface offered under subclause (I), access to, including the ability to search, historical transactions for not less than the preceding 12 months.

''(bb) Transaction information under subitems (AA) and (BB) of item (aa) shall include the amount of the transaction, the merchant for the transaction, the city and State of the merchant for an in-person transaction, and the delivery address or collection address for an online transaction.

''(cc) Each State shall offer households the ability, through each user interface offered under subclause (I), to report a fraudulent transaction to the State.

''(dd) A State shall not require a household to respond to or acknowledge a notice of transaction delivered pursuant to item (aa)(AA).

''(ee) A State shall notify any household that has reported an instance of EBT card skimming or fraud, or is otherwise identified as being a victim of EBT card skimming or fraud, of any State or Federal funds that may be reimbursed if the household experiences fraud again.

''(III) Each State shall provide households issued an EBT card the ability, through each user interface offered under subclause (I) to check the enrollment status of the household, including the date on which the household is required to apply for recertification.

''(IV) Not later than 2 years after the date on which the regulations promulgated pursuant to clause (i) become final, States shall begin issuing chip-enabled EBT cards.

''(V) Not later than 4 years after the date on which the regulations promulgated pursuant to clause (i) become final, States may not issue new EBT cards with magnetic stripes.

''(VI) Not later than 5 years after the date on which the regulations promulgated pursuant to clause (i) become final, States shall be required to reissue any existing valid EBT cards with magnetic stripes as chip-enabled EBT cards without magnetic stripes.

''(VII) In the case of a chip-enabled EBT card reissued pursuant to any of subclauses (IV) through (VI), absent suspicion of fraud, as applicable, a State shall—

''(aa) reissue a new chip-enabled EBT card; and

''(bb) deactivate the current chip-enabled EBT card on the date that is the earlier of—

''(AA) the date on which the new chip-enabled EBT card is activated; and

''(BB) 60 days after the date on which the new chip-enabled EBT card is sent to the household.

''(iii) SUNSET FOR REQUIREMENT TO USE CHIP TECHNOLOGY.—Under the cybersecurity regulations described in clause (i), all EBT cards, except EBT cards issued to victims of a disaster pursuant to section 5(h) or solely for benefits under the summer electronic benefits transfer for children program established under section 13A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1762), issued during the 5-year period following the deadline for carrying out clause (ii)(VI) shall be chip-enabled, unless the Secretary extends that period.

''(iv) RULE OF CONSTRUCTION.—The cybersecurity and digital service regulations described in clause (i) shall supersede any regulations promulgated under paragraph (2) of section 501(a) of division HH of the Consolidated Appropriations Act, 2023 (7 U.S.C. 2016a(a)) (as in effect on the day before the date of enactment of the Save America Act).

''(C) REIMBURSEMENTS.—Each State upgrading EBT cards to comply with the regulations promulgated under subparagraph (B)(i) shall receive reimbursement from the Secretary in an amount determined by the Secretary to cover all reasonable costs incurred by the State, including—

''(i) the 1-time up-front costs paid by the State to card vendors;

''(ii) the additional annual fees associated with chip-enabled cards paid by States to card vendors; and

''(iii) postage or other delivery-related costs.

''(D) PROHIBITION ON PASSWORD AND PIN REQUIREMENTS INCONSISTENT WITH FEDERAL CYBERSECURITY STANDARDS.—Beginning 60 days after the date of enactment of this paragraph, a State agency may not require, with respect to a PIN for use of an EBT card or a password for access to an online account or mobile application managing the EBT card—

''(i) that the PIN or password be periodically changed in circumstances that are prohibited by the NIST PIN and password standards; or

''(ii) that the password meet complexity requirements that are prohibited by the NIST PIN and password standards.

''(E) GRANT PROGRAM FOR CHIP-ENABLED EBT CARDS.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ADMINISTERING ENTITY.—The term 'administering entity' means an entity awarded a grant under clause (ii) to provide subgrants to eligible entities.

''(II) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(aa) an entity described in paragraph (1) or (3) of section 3(o) that—

''(AA) is authorized to participate in the supplemental nutrition assistance program under section 9;

''(BB) does not have payment terminals that accept chip-enabled EBT cards; and

''(CC) is located in an area with limited grocery access, as determined by the Secretary; and

''(bb) an entity described in paragraph (2), (4), or (5) of section 3(o) that meets the requirements described in subitems (AA) and (BB) of item (aa).

''(ii) GRANTS.—The Secretary shall establish a grant program to award a grant to an administering entity to provide subgrants to eligible entities to upgrade to chip-compatible payment terminals that support contact and contactless payment card technology.

''(F) DATA COLLECTION.—The Secretary shall—

''(i) collect, and publish on the website of the Department of Agriculture, data on—

''(I) the length of time each user interface offered by each State pursuant to subparagraph (B)(ii)(I) was unavailable for use, including due to technical problems or maintenance needs; and

''(II) cybersecurity measures adopted for EBT cards in each State; and

''(ii) maintain and annually update the data collected under clause (i) to support States in implementing any regulations promulgated pursuant to subparagraph (B)(i).

''(G) PUBLIC REPORT.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, and every 2 years thereafter, the Secretary shall submit to the Committees on Appropriations and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Appropriations and Agriculture of the House of Representatives, and make publicly available on the website of the Department of Agriculture, a report that—

''(I) identifies trends relating to the theft of benefits, including the frequency of theft of benefits, the locations at which EBT cards are compromised, and the method by which EBT cards are compromised;

''(II) evaluates the effectiveness of existing cybersecurity regulations for the supplemental nutrition assistance program, including identifying ineffective measures and the compliance burden borne by individual benefit recipients;

''(III) describes the efforts of States—

''(aa) to update cybersecurity measures for EBT cards; and

''(bb) to reimburse stolen benefits; and

''(IV) examines usability issues of EBT cards, including issues that present barriers to households using benefits or affect fraud prevention goals.

''(ii) RESTRICTED ANNEX.—The report under clause (i) may include a nonpublicly available annex containing classified or law enforcement-sensitive information and any identifying merchant information.''.

(b) ONLINE TRANSACTION SECURITY.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) (as amended by subsection (a)) is amended by adding at the end the following:

''(16) ONLINE TRANSACTION SECURITY.—

''(A) IN GENERAL.—In promulgating and updating, as necessary, the regulations under paragraph (15)(B)(i), the Secretary shall, with respect to online transactions using EBT cards (or any successor financial product used for a substantially similar purpose)—

''(i) require security measures that—

''(I) are effective in detecting and preventing theft of benefits through online transactions, including the theft of data from online merchants that may compromise the ability of a household to use benefits in transactions with other merchants, either online or in-person; and

''(II) prevent sensitive data from being stolen during online transactions and securely manage sensitive data generated by online transactions, including through cybersecurity enhancements for online retailers;

''(ii) establish standard reporting methods for States to collect and share data with the Secretary on the scope of benefits and data being stolen through online transactions; and

''(iii) in carrying out clauses (i) and (ii), take into consideration the feasibility of cost, availability, and implementation for States.

''(B) CONSULTATION.—In carrying out subparagraph (A), the Secretary shall consult with the Director of the Administration for Children and Families, the Attorney General of the United States, State agencies, retail food stores, and EBT contractors—

''(i) on the measures, methods, and considerations under that subparagraph; and

''(ii) to determine—

''(I) how benefits are being stolen and sensitive data is being compromised through online transactions; and

''(II) how those stolen benefits and data are being used.

''(C) REPORT.—

''(i) IN GENERAL.—Not later than 3 years after the date of enactment of this paragraph, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report that includes—

''(I) to the maximum extent practicable, information on the frequency of theft of benefits, the number of reported thefts from online transactions, the amount of benefits stolen through online transactions, and the online retailers most commonly compromised;

''(II) a description of the measures and methods developed, and considerations taken, under subparagraph (A);

''(III) the determinations made under subparagraph (B)(ii); and

''(IV) recommendations on how to consistently detect, track, report, and prevent theft of benefits, including the theft of data described in subparagraph (A)(i)(I).

''(ii) CONFIDENTIAL ANNEX.—The report under clause (i) may include a nonpublicly available confidential annex containing any identifying merchant information.''.

(c) ENSURING NO LOSS OF ACCESS TO BENEFITS DUE TO EBT CARD DAMAGE, LOSS, OR FRAUD.—Section 7(h)(7) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(7)) is amended—

(1) by striking ''Regulations'' and inserting the following:

''(A) IN GENERAL.—Regulations''; and

(2) by adding at the end the following:

''(B) ENSURING NO LOSS OF ACCESS TO BENEFITS DUE TO EBT CARD DAMAGE, LOSS, OR FRAUD.—Not later than 180 days after the date of enactment of the Save America Act, the Secretary shall promulgate regulations requiring the following:

''(i) If an EBT card is damaged, no longer functions properly, is stolen, or is frozen due to fraud, the applicable State shall take the necessary steps to ensure that the household receives a replacement card, either by mail or in person, as selected by the household, not later than 3 business days after the household submits to the State a request for a replacement EBT card.

''(ii) A State shall not require, but shall offer as an option, in-person collection of a new or replacement EBT card.''.

(d) NO REPLACEMENT FEES FOR CERTAIN EBT CARDS.—Section 7(h)(8)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)(A)) is amended—

(1) by striking ''A State agency'' and inserting the following:

''(i) IN GENERAL.—Except as provided in clause (ii), a State agency''; and

(2) by adding at the end the following:

''(ii) EXCEPTIONS.—Beginning 60 days after the date of enactment of the Save America Act, a State agency may not collect a charge under clause (i) if the replacement of the EBT card is due to—

''(I) the EBT card malfunctioning;

''(II) suspected or reported fraud relating to that EBT card by an individual outside of the household to which the EBT card belongs;

''(III) the expiration of the EBT card; or

''(IV) required replacement of the EBT card in compliance with regulations promulgated pursuant to paragraph (15)(B).''.

(e) REQUIREMENT FOR RETAILER USE OF CHIP-ENABLED PAYMENT TERMINALS AS A CONDITION OF SNAP PARTICIPATION.—Section 9(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(a)) is amended—

(1) in paragraph (2)—

(A) by striking ''(2) The Secretary'' and inserting the following:

''(2) REGULATIONS.—The Secretary''; and

(B) by indenting the margins of subparagraphs (A) and (B) appropriately;

(2) by indenting the margin of paragraph (3) appropriately; and

(3) by adding at the end the following:

''(5) CHIP-ENABLED PAYMENT TERMINALS.—Beginning not later than 180 days after the date on which the regulations promulgated pursuant to section 7(h)(15)(B)(i) become final, the Secretary shall require retail food stores and wholesale food concerns seeking authorization or reauthorization to accept and redeem benefits under the supplemental nutrition assistance program to have a chip-enabled (as defined in section 7(h)(15)(A)) payment terminal at each retail location of the retail food store or wholesale food concern.''.

(f) REPORT ON EBT CARDS ISSUED IN PUERTO RICO.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committees on Appropriations and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Appropriations and Agriculture of the House of Representatives, and make publicly available on the website of the Department of Agriculture, a report on the security of EBT cards (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)) issued in the Commonwealth of Puerto Rico, including—

(A) the resistance of those EBT cards to cloning; and

(B) if appropriate, recommendations for improving the security of the electronic benefit transfer system against EBT card cloning-based fraud.

(2) RESTRICTED ANNEX.—The report under paragraph (1) may include a nonpublicly available annex containing classified or law enforcement-sensitive information.

(g) CONFORMING AMENDMENTS.—Section 501 of division HH of the Consolidated Appropriations Act, 2023 (7 U.S.C. 2016a), is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) and (2);

(B) by redesignating paragraphs (3) through (5) as paragraphs (1) through (3), respectively; and

(C) in paragraph (3) (as so redesignated)—

(i) in subparagraph (B), by adding ''and'' at the end;

(ii) by striking subparagraph (C); and

(iii) by redesignating subparagraph (D) as subparagraph (C); and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)(vi), by striking ''measures'' and all that follows through ''(a)(1)'' and inserting ''measures'';

(ii) in subparagraph (B), by adding ''and'' at the end;

(iii) in subparagraph (C), by striking ''and'' at the end; and

(iv) by striking subparagraph (D); and

(B) in paragraph (3), by striking ''subsection (a)(3)'' and inserting ''subsection (a)(1)''.

SA 4447. Ms. BLUNT ROCHESTER submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—RESTORING PATIENT PROTECTIONS AND AFFORDABILITY

Subtitle A—Consumer Protections

SEC. 201. RESTORATION OF TEMPORARY ENHANCED PREMIUM CREDITS.

(a) IN GENERAL.—Clause (iii) of section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''January 1, 2026'' and inserting ''January 1, 2029'', and

(2) by striking ''2025'' in the heading and inserting ''2028''.

(b) TAXPAYERS WHOSE HOUSEHOLD INCOME EXCEEDS 400 PERCENT OF THE POVERTY LINE.—Section 36B(c)(1)(E) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''January 1, 2026'' and inserting ''January 1, 2029'', and

(2) by striking ''2025'' in the heading and inserting ''2028''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2025.

SEC. 202. ADDITIONAL OPEN ENROLLMENT PERIOD FOR PLAN YEAR 2026.

With respect to plan year 2026, the Secretary of Health and Human Services shall require Exchanges to provide an additional open enrollment period under section 1311(c)(6) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(c)(6)) during the period beginning on the date of enactment of this Act and ending on December 31, 2026.

SEC. 203. RESTORING NAVIGATOR PROGRAM.

(a) FUNDING.—Section 1311(i)(6) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)(6)) is amended—

(1) by striking ''Grants under'' and inserting the following:

''(A) STATE EXCHANGES.—In the case of an Exchange established and operated by a State pursuant to subsection (b), grants under''; and

(2) by adding at the end the following:

''(B) FEDERAL EXCHANGES.—For purposes of carrying out this subsection with respect to an Exchange established and operated by the Secretary pursuant to section 1321(c), the Secretary shall obligate $100,000,000 out of amounts collected through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations) for fiscal year 2026. Such amount so obligated for a fiscal year shall remain available until expended.''.

(b) STANDARDS.—Section 1311(i)(4)(A) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)(4)(A)) is amended—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(iii) charge any fees to applicants or enrollees; or

''(iv) request any form of remuneration from or on behalf of any applicant or enrollee.''.

SEC. 204. REPEAL OF DISALLOWANCE OF PREMIUM TAX CREDIT IN CASE OF CERTAIN COVERAGE ENROLLED IN DURING SPECIAL ENROLLMENT PERIOD.

(a) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986, as amended by Public Law 119–21, is amended by striking clause (iii).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to plan years beginning after December 31, 2025.

Subtitle B—Health Plan Accountability

SEC. 211. MINIMUM NOTICE REQUIREMENTS FOR PLAN YEAR 2025 ENROLLEES.

The Secretary of Health and Human Services shall require each health insurance issuer that offered a qualified health plan through a Federal or State Exchange for plan year 2025 to notify, not later than 15 days after the date of enactment of this Act, all individuals enrolled in such plan for any month during plan year 2025 of—

(1) changes to eligibility for premium assistance credits, and to the premium assistance credit amounts, under section 36B of the Internal Revenue Code of 1986 that first take effect with respect to plan year 2026;

(2) the additional open enrollment period for plan year 2026 pursuant to section 202; and

(3) any additional information relating to such eligibility and enrollment, as the Secretary determines appropriate, including the website and phone number for the applicable Federal or State Exchange.

SEC. 212. MINIMUM NOTICE REQUIREMENTS FOR PLAN YEAR 2026 ENROLLEES.

(a) IN GENERAL.—The Secretary of Health and Human Services shall require each health insurance issuer that offers a qualified health plan through a Federal or State Exchange for plan year 2026 to notify all individuals enrolled in such plan for plan year 2026 of—

(1) changes to eligibility for premium assistance credits, and to the premium assistance credit amounts, under section 36B of the Internal Revenue Code of 1986 that first take effect with respect to plan year 2026;

(2) the additional open enrollment period for plan year 2026 pursuant to section 202; and

(3) any additional information relating to such eligibility and enrollment, as the Secretary determines appropriate, including the website and phone number for the applicable Federal or State Exchange.

(b) TIMING.—The notification by a health insurance issuer under subsection (a) shall be made—

(1) not later than 15 days after the date of enactment of this Act, with respect to individuals enrolled in such plan as of the date of enactment of this Act; and

(2) not later than 15 days after an individual's enrollment, with respect to individuals enrolling, after such date of enactment, in the plan during the additional open enrollment period under section 202 for plan year 2026.

SEC. 213. HEALTH INSURANCE ISSUER REPORTING REQUIREMENTS.

(a) REPORT FROM ISSUER.—Not later than 90 days after the date of enactment of this Act, each health insurance issuer that is subject to the reporting requirements under sections 201 and 202 shall submit to the Secretary of Health and Human Services a report attesting to compliance with the requirements under sections 201 and 202.

(b) CONSOLIDATED REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Ways and Means, the Committee on Energy and Commerce, and the Committee on Education and Workforce of the House of Representatives a report that consolidates the reports submitted by issuers under subsection (a).

SEC. 214. ENFORCEMENT.

(a) IN GENERAL.—Consistent with the process set forth in subsections (d) and (e) of section 156.805 of title 45, Code of Federal Regulations (or successor regulations), the Secretary of Health and Human Services may impose a civil monetary penalty upon any health insurance issuer who fails to comply with the notification requirements under section 201 or 202 or the reporting requirements under section 203.

(b) PENALTY AMOUNTS.—

(1) VIOLATIONS REGARDING NOTICE TO ENROLLEES.—In the case of a violation of section 201 or 202, such penalty shall be in the amount equal to $1,000 for each individual enrolled in a plan for plan year 2025 or 2026 who did not receive a notice as required under section 201 or 202, as applicable, for each day between the date on which such notice was due and the date on which the notice is provided.

(2) REPORTING VIOLATIONS.—In the case of a violation of section 203, such penalty shall be in the amount of $1,000 per day for each individual enrolled in health insurance coverage with respect to which the report is required, for each day between the date on which the report under section 302 was due and the date on which the report is submitted.

Subtitle C—Eliminating Red Tape

SEC. 221. APPLYING COMMERCIAL MARKET POLICY TO REENROLLMENT PROCESS.

(a) IN GENERAL.—Section 36B(c)(5)(A) of the Internal Revenue Code of 1986, as added by Public Law 119–21, is amended by striking '', using applicable enrollment information that shall be provided or verified by the applicant,''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2027.

SEC. 222. PROTECTION AGAINST BUREAUCRATIC COVERAGE DENIALS.

(a) IN GENERAL.—Section 1311(c)(6) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(c)(6)) is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(E) special enrollment periods for any individual denied the advance payment for which the individual applies for one or more months pending the verification prescribed by section 36B(c)(5)(A) of the Internal Revenue Code of 1986, to permit enrollment of any such individual following such verification; and''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to plan years beginning on or after January 1, 2028.

SEC. 223. AUTOMATIC ENROLLMENT FROM BRONZE TO SILVER LEVEL QUALIFIED HEALTH PLANS OFFERED ON EXCHANGES.

The Secretary of Health and Human Services shall revise section 155.335(j) of title 45, Code of Federal Regulations (or any successor regulation) to ensure that, with respect to reenrollments for plan years beginning on or after January 1, 2026, a Federal or State Exchange established under subtitle D of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18021 et seq.) may reenroll an individual who was enrolled in a bronze level qualified health plan in a silver level qualified health plan (as such terms are defined in section 1301(a) and described in 1302(d) of such Act (42 U.S.C. 18021(a); 18022(d))).

Subtitle D—Market Stabilization

SEC. 231. RESTORING MARKETPLACE FLEXIBILITY.

(a) IN GENERAL.—Section 1311(c)(6) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(c)(6)), as amended by section 222(a), is further amended by adding at the end the following:

''(F) a special enrollment period once per month for any individual who is eligible for the advance payment of premium tax credits under section 1412 and whose household income is not expected to exceed 150 percent of the poverty line for a family of the size involved.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to plan years beginning on or after January 1, 2026.

SEC. 232. NO HEALTH PLAN GOUGING.

The Secretary of Health and Human Services shall—

(1) revise section 156.140(c) of title 45, Code of Federal Regulations (or a successor regulation), to provide that, for plan years beginning on or after January 1, 2026, the allowable variation in the actuarial value of a health plan applicable under such section shall be the allowable variation for such plan applicable under such section for plan year 2025; and

(2) revise section 156.400 of title 45, Code of Federal Regulations (or a successor regulation), to provide that, for plan years beginning on or after January 1, 2026, the term ''de minimis variation for a silver plan variation'' means a minus 0 percentage point and plus 2 percentage point allowable actuarial value variation.

SEC. 233. PROTECTING CONTINUITY OF COVERAGE.

(a) IN GENERAL.—The Secretary of Health and Human Services shall revise section 155.305(f)(4) of title 45, Code of Federal Regulations (or a successor regulation) to provide that an Exchange may determine an enrollee ineligible for an advance premium tax credit under section 36B of the Internal Revenue Code of 1986 as described in such section 155.305(f)(4) only after a taxpayer (or a taxpayer's spouse, if married) has failed to file a Federal income tax return and reconcile their past advance premium tax credit for 2 consecutive years for which tax data will be utilized for verification of household income and family size.

(b) EFFECTIVE DATE.—The requirement described in subsection (a) shall apply with respect to plan years beginning on or after January 1, 2026.

SEC. 234. PROTECTING ENROLLEES FROM SURPRISE PREMIUM BILLS.

(a) IN GENERAL.—Section 36B(f)(2) of the Internal Revenue Code of 1986, as amended by Public Law 119–21, is amended—

(1) by striking ''If the advanced payments'' and inserting the following:

''(A) IN GENERAL.—If the advanced payments'', and

(2) by adding at the end the following new subparagraph:

''(B) LIMITATION ON INCREASE.—

''(i) IN GENERAL.—In the case of a taxpayer whose household income is less than 400 percent of the poverty line for the size of the family involved for the taxable year, the amount of the increase under subparagraph (A) shall in no event exceed the applicable dollar amount determined in accordance with the following table (one-half of such amount in the case of a taxpayer whose tax is determined under section 1(c) for the taxable year):

''If the household income (expressed as a percentage of the poverty line) is:	The applicable dollar amount is:
Less than 200%	$600
At least 200% but less than 300%	$1,500
At least 300% but less than 400%	$2,500.

''(ii) INDEXING OF AMOUNT.—In the case of any calendar year beginning after 2014, each of the dollar amounts in the table contained under clause (i) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2013' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

If the amount of any increase under clause (i) is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.''.

(b) CONFORMING AMENDMENT.—Section 35(g)(12)(B)(ii) of such Code is amended by striking ''the amount determined under clause (i) shall be substituted for the amount determined under section 36B(f)(2)'' and inserting ''then section 36B(f)(2)(B) shall be applied by substituting the amount determined under clause (i) for the amount determined under section 36(f)(2)(A)''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2025.

SEC. 235. NO ACA AND EMPLOYER COVERAGE PREMIUM SPIKES.

Section 1302(c)(4) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(c)(4)) is amended by adding at the end the following: ''For calendar year 2026 and each subsequent calendar year, the lower bound of the allowable premium adjustment percentage for purposes of paragraph (1)(B)(i) is the lower bound of the premium adjustment percentage that applied under this paragraph for plan year 2022 using National Health Expenditure Accounts projections of average per enrollee employer-sponsored insurance premiums.''.

SA 4448. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR FIREARM TRANSFERS.

Section 5812(a) of the Internal Revenue Code of 1986 is amended by striking ''and his photograph'' and inserting '', his photograph, and documentary proof of United States citizenship, as defined in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502)''.

SA 4449. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP REQUIRED FOR MACHINEGUN PURCHASES.

Section 5861 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (l), by striking the period at the end and inserting ''; or'', and

(2) by adding at the end the following new subsection:

''(m) to receive or possess a machinegun unless such person presents documentary proof of United States citizenship, as defined in section 3 of the National Voter Registration Act of 1993 (52 U.S.C. 20502).''.

SA 4450. Mr. PADILLA (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NO REWARDS FOR JANUARY 6 RIOTERS.

(a) LIMITATIONS ON USES OF FEDERAL FUNDS.—

(1) PROHIBITION ON USE OF FEDERAL FUNDS.—Notwithstanding any other provision of law, no Federal funds, including funds appropriated under section 1304 of title 31, United States Code (commonly known as the ''Judgment Fund''), or any victim compensation fund, may be used to compensate any individual prosecuted for involvement in the attack on the United States Capitol on January 6, 2021, including any individual so prosecuted and subsequently pardoned.

(2) PROHIBITION ON THE ESTABLISHMENT OF A COMPENSATION FUND.—No compensation fund shall be established for the purpose of compensating individuals described in paragraph (1).

(b) RESTITUTION AND FINES NOT TO BE REFUNDED.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no funds shall be disbursed from the United States Treasury to refund any court-ordered compensation, including restitution, fines, or special assessments, paid by any individual convicted for involvement in the attack on the United States Capitol on January 6, 2021, including any individual so convicted and subsequently pardoned.

(2) TRANSFER TO AOC.—The Secretary of the Treasury shall transfer any amounts described in paragraph (1) to the Architect of the Capitol.

SA 4451. Mr. WHITEHOUSE (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Settlements for January 6 Law Enforcement Assaulters Act''.

SEC. 2. LIMITATION ON LEGAL SETTLEMENTS FOR ANY INDIVIDUAL CONVICTED OF ASSAULTING A LAW ENFORCEMENT OFFICER IN CONNECTION WITH BREACHING THE CAPITOL ON JANUARY 6, 2021.

(a) DEFINITION.—In this section, the term ''covered individual'' means an individual who has been convicted of an offense involving assaulting a law enforcement officer, including a violation of section 111 of title 18, United States Code, or a violation of section 432 of the Revised Statutes of the District of Columbia (sec. 22–405, D.C. Official Code), in connection with the events that occurred at or near the Capitol on January 6, 2021.

(b) LIMITATION.—Notwithstanding any other provision of law, no Federal funds, including amounts appropriated under section 1304 of title 31, United States Code (commonly known as the ''Judgment Fund''), may be obligated or expended for any legal settlement to a covered individual if the claims giving rise to such settlement are based on alleged harm suffered by the covered individual—

(1) during the events that occurred at or near the Capitol on January 6, 2021; or

(2) from prosecution for an offense relating to such events.

SA 4452. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXCLUSION OF INDIVIDUALS NOT LAWFULLY PRESENT IN THE UNITED STATES FROM NUMBER OF PERSONS USED TO DETERMINE APPORTIONMENT OF REPRESENTATIVES AND NUMBER OF ELECTORAL VOTES.

(a) EXCLUSION.—Section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a(a)), is amended by inserting after ''not taxed'' the following: ''and individuals who are not lawfully present in the United States''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the apportionment of Representatives carried out pursuant to the decennial census conducted during 2030 and any succeeding decennial census.

SA 4453. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING VACCINES.

(a) FINDINGS.—Congress finds as follows:

(1) There is strong bipartisan support for wide access to vaccines, ensuring vaccines are affordable, trusting science and relying on peer-reviewed medical information, and protecting all individuals, especially children and vulnerable populations, from preventable illness.

(2) It is dangerous and harmful to children's health to promote conspiracy theories and restrict access to life-saving preventive medicine, including vaccines.

(3) Having a high rate of community adoption of vaccines is critical to protect individuals who medically cannot receive certain vaccinations, including infants and individuals with weakened immune systems, such as cancer patients.

(4) Routine childhood immunizations for children born between 1994 and 2023 have prevented approximately 508,000,000 cases of illness, approximately 32,000,000 hospitalizations, and over 1,100,000 deaths, according to the Centers for Disease Control and Prevention.

(5) Measles is a highly contagious and deadly disease with a range of serious health complications, and the measles, mumps, and rubella vaccine (MMR) is safe and effective in preventing this disease and has prevented over 60,000,000 deaths worldwide between 2000 and 2023.

(6) COVID–19 has caused over 1,200,000 deaths in the United States and over 7,100,000 deaths worldwide, with fatalities dropping dramatically once the COVID–19 vaccine became widely available.

(7) After the hepatitis A vaccine was introduced in 1995, between 1996 and 2011, the rate of hepatitis A infection dropped by 95 percent.

(8) After the hepatitis B vaccine was introduced with implementation of the birth dose recommendation, there has been a 95 percent reduction in infant hepatitis B infections, and an estimated 90,100 deaths have been prevented.

(9) Polio was a major cause of significant disability and paralysis of children prior to the polio vaccine being released in 1955, with over 21,000 paralytic cases in 1952, and the disease was eradicated in the United States by 1979 due to effectiveness of the vaccine.

(10) Diphtheria, described in history dating back to the 5th century, is a contagious disease that causes respiratory illness, has a 30 percent fatality rate (with higher fatality rates for young children), and caused up to 15,000 deaths in the United States annually in the 1920s, but due to widespread vaccination, there has been only 1 reported death from diphtheria in the United States between 1996 and 2018.

(11) Smallpox is a deadly disease that has existed for over 3000 years, with a fatality rate around 30 percent, that was eradicated in the United States by 1949 and worldwide by 1977, due to the effectiveness of vaccines.

(12) Vaccines for seniors, including vaccines for influenza, COVID–19, and shingles, are a critical prevention tool to keep older individuals healthy and out of the hospital.

(13) There are numerous additional diseases, including some cancers, that are preventable by vaccines.

(14) Vaccine research to discover new ways to prevent additional disease or treat disease should continue to receive Federal research funding with no political interference.

(15) Availability and insurance coverage of vaccines for the entire population through a wide range of medical and community settings, such as pharmacies, clinics, hospitals, physician offices, health departments, health centers, mobile clinics, and other locations, is essential to ensure access to vaccines and protect public health.

(16) Recommendations of the Advisory Committee on Immunization Practices and the Centers for Disease Control and Prevention on vaccines are tied to, and impact, a wide array of health programs, including the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the program under section 1928 of the Social Security Act (42 U.S.C. 1396s; commonly referred to as the ''Vaccines for Children program'') , the TRICARE program under chapter 55 of title 10, United States Code, hospital care and medical services furnished by the Department of Veterans Affairs under chapters 17 and 18 of title 38, United States

Code, the Medicare program under title XIX of the Social Security Act (42 U.S.C. 1395 et seq.), and private health insurance.

(17) A lack of private or public insurance coverage for vaccines could make vaccines prohibitively expensive for millions of patients to access, forcing patients to forego vaccinations due to cost.

(18) In June 2025, Secretary of Health and Human Services Robert F. Kennedy, Jr. took the unprecedented step of dismissing all 17 members of the previously independent Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention and appointed a new set of members.

(19) Such Advisory Committee has advised the Centers for Disease Control and Prevention on vaccine recommendations for more than 60 years.

(20) Secretary Kennedy's actions directly threatened access to the COVID–19 vaccine in several States, including Nevada, by making it more difficult for individuals who want the vaccine to get it.

(21) In September 2025, the State of Florida became the first State in modern history to take steps to eliminate its immunization requirements for schoolchildren, putting Florida children at a higher risk of contracting preventable diseases like measles, pertussis, and other life-threatening diseases.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) public health decisions should be based on science;

(2) the stance of the American Academy of Pediatrics and other professional medical organizations in strongly recommending immunization as the safest and most cost-effective way of preventing disease, disability, and death should be supported;

(3) States taking steps to weaken school immunization requirements puts children and vulnerable individuals at serious risk;

(4) the anti-vaccine policies proposed by the State of Florida in September 2025 should be opposed;

(5) the misguided policies of Secretary of Health and Human Services Robert F. Kennedy, Jr. that are based on anti-vaccine conspiracy theories and have resulted in confusion, fear, and lack of vaccine access for American families should be condemned;

(6) the politicization of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention and calls for a return to relying on unbiased and qualified medical professionals should be opposed;

(7) vaccines, including for COVID–19, should remain accessible, including through insurance coverage, and that the government should not mandate policies that make COVID–19 vaccines unavailable for those who want them; and

(8) vaccines—

(A) are critical to protecting public health, eliminating preventable illness and death, and reducing hospitalization and severity of illness;

(B) work best when adopted at a high rate within each community; and

(C) should remain easily accessible and affordable, without restriction.

SA 4454. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS CONDEMNING FINANCIAL COMPENSATION FROM THE DEPARTMENT OF JUSTICE TO PRESIDENT DONALD TRUMP TIED TO PREVIOUS FEDERAL INVESTIGATIONS INTO HIS UNLAWFUL ACTIONS.

(a) FINDINGS.—Congress finds the following:

(1) The President of the United States holds a constitutional duty to faithfully execute the laws of the United States and an obligation to respect the independence of the Department of Justice's prosecutorial role.

(2) The Department of Justice is the preeminent law enforcement agency of the United States and must remain free from personal influence, political coercion, or self-dealing by any elected official, including the President.

(3) Any demand by a President for personal financial compensation from the Department of Justice, an agency under the executive branch of the Federal Government that he or she oversees, represents an extraordinary abuse of the public trust and a breach of fundamental ethical norms.

(4) President Trump, as a private citizen, filed administrative complaints seeking payments from the Federal Government for alleged damages related to a Federal Bureau of Investigation and Special Counsel investigation into his conduct during the 2016 election and his handling of classified documents.

(5) These complaints may ultimately be reviewed by employees of the Department of Justice who have worked closely with President Trump in his capacity as a private citizen and political candidate.

(6) In January 2025, the Department of Justice removed Associate Deputy Attorney General Bradley Weinsheimer, the senior career ethics official in the Department, from his position.

(7) In March 2025, the Department of Justice fired Jeffrey Ragsdale, the Director and Chief Counsel of the Office of Professional Responsibility, who was responsible for overseeing the office within the Department of Justice that investigates attorney misconduct.

(8) In July 2025, the Department of Justice fired Joseph Tirrell, the Director of the Departmental Ethics Office, who was responsible for advising the Attorney General and Deputy Attorney General on ethics and overseeing the ethics program of the Department of Justice.

(9) On October 21, 2025, President Trump alleged that he had ''a lawsuit that was doing very well'' and stated that the Department of Justice would ''owe [him] a lot of money''.

(10) The public or private attempts by the President to extract $230,000,000 in personal payments from the Department of Justice raise serious questions about violations of article II, section 1, clause 7 of the Constitution of the United States (commonly known as the ''Domestic Emoluments Clause''), misuse of Government funds, and potential violations of Federal ethics and anti-corruption laws.

(11) Such actions erode public confidence in the impartial administration of justice.

(12) Taxpayer dollars will be used to pay for any financial award to the President.

(13) The people of the United States are struggling with an unprecedented housing affordability crisis, rising health care costs due to cuts by the Trump Administration and Republicans in Congress and their failure to address expiring tax credits that directly lower the cost of private health insurance, and other rising costs due to inflation and the tariffs imposed by President Trump.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) condemns in the strongest possible terms the calls by President Donald Trump for the Department of Justice to pay him $230,000,000;

(2) opposes the provision of financial compensation through lawsuits, paid from taxpayer money, to President Trump;

(3) urges any officials of the Department of Justice with personal or professional ties to President Trump to recuse themselves from any review or settlement of these administrative complaints;

(4) affirms the foundational principle that no public office may be used for personal enrichment;

(5) reaffirms its commitment to the independence of the Department of Justice's prosecutorial role and the rule of law; and

(6) calls upon all public officials, including the President of the United States, to uphold the highest ethical standards and to place the public interest above personal gain.

SA 4455. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NO PARDON FOR GHISLAINE MAXWELL.

(a) FINDINGS.—Congress finds the following:

(1) In December 2021, a jury in the United States District Court for the Southern District of New York found Ghislaine Maxwell guilty of multiple felony offenses relating to the sexual exploitation of minors, resulting from her illegal activities with convicted child trafficker Jeffrey Epstein.

(2) In June 2022, a judgment of conviction was entered against Ghislaine Maxwell in the United States District Court for the Southern District of New York of—

(A) conspiracy to transport minors with intent to engage in criminal sexual activity in violation section 371 of title 18, United States Code;

(B) transportation of a minor with intent to engage in criminal sexual activity in violation of section 2423(a) of title 18, United States Code; and

(C) sex trafficking of a minor in violation of subsections (a) and (b)(2) of section 1591 of title 18, United States Code.

(3) Ghislaine Maxwell was subsequently sentenced to 20 years in Federal prison for her role in facilitating and enabling the sexual abuse and exploitation of minors.

(4) The accountability of individuals convicted of crimes involving the sexual exploitation and trafficking of minors is essential to the protection of children and the integrity of the justice system.

(5) President Donald Trump has publicly stated that he possesses the authority to grant a pardon to Ghislaine Maxwell in this matter and has declined to categorically rule out exercising such authority.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the conviction and sentence imposed upon Ghislaine Maxwell reflect the seriousness and gravity of her offenses involving the sexual exploitation and trafficking of minors;

(2) granting a pardon, commutation, or any other form of executive clemency to Ghislaine Maxwell would be inconsistent with the interests of justice and accountability for crimes involving the sexual exploitation of children;

(3) the President should not grant a pardon, commutation, or any other form of executive clemency to Ghislaine Maxwell; and

(4) the Senate stands with the victims of sexual exploitation and trafficking and affirms its commitment to justice, accountability, and the protection of children.

SA 4456. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON TAXPAYER-FUNDED POLITICAL CONSULTING FIRMS AND POLITICAL ADVERTISING AND MARKETING FIRMS.

(a) DEFINITIONS.—In this section:

(1) CABINET MEMBER.—The term ''Cabinet Member'' means—

(A) an individual serving in a position at level I of the Executive Schedule under section 5312 of title 5, United States Code; and

(B) any other individual who occupies a position designated by the President as a Cabinet-level position.

(2) FINANCIAL RELATIONSHIP.—The term ''financial relationship'' means any relationship in which financial compensation is derived directly or indirectly from a pecuniary interest.

(3) OFFICIAL ADVERTISEMENT.—The term ''official advertisement'' means an advertisement sponsored by the executive branch to communicate any policy priority of a Government entity, including of a Federal agency or department or a presidential administration.

(4) POLITICAL ADVERTISING AND MARKETING FIRM.—The term ''political advertising and marketing firm'' means a professional business that is eligible for a contract with the Government that is dedicated to the creation and execution of promotional materials and marketing for the clients of the business, including the Government.

(5) POLITICAL CONSULTING FIRM.—The term ''political consulting firm'' means a professional services company that is eligible for a contract with the Government to provide advice, feedback, strategy, and skills.

(6) SENIOR EXECUTIVE POLITICAL APPOINTEE.—The term ''senior executive political appointee'' means an individual who is—

(A) employed in a position described in sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulation.

(7) SPECIAL GOVERNMENT EMPLOYEE.—The term ''special Government employee'' means a special Government employee, as defined in section 202(a) of title 18, United States Code, who is employed in the executive branch.

(b) PROHIBITION ON TAXPAYER-FUNDED POLITICAL CONSULTING FIRMS AND POLITICAL ADVERTISING AND MARKETING FIRMS.—A Cabinet Member may not use any funds authorized or appropriated by Federal law to hire a political consulting firm or political advertising and marketing firm to develop and disseminate any official advertisement relating to the position of the Cabinet Member, the agency or department of which the Cabinet Member is the head, or the official duties of the Cabinet Member if—

(1) the Cabinet Member is an officer or employee of the political consulting firm or political advertising and marketing firm;

(2) the Cabinet Member has a financial relationship with the political consulting firm or political advertising and marketing firm; or

(3) any senior executive political appointee or special Government employee who reports to the Cabinet Member or who is employed by the agency or department of which the Cabinet Member is the head has a financial relationship with the political consulting firm or political advertising and marketing firm.

(c) PROHIBITION ON EXPEDITING OPEN BIDDING FOR OFFICIAL ADVERTISEMENTS.—Except as otherwise provided by existing Federal law, a Cabinet Member shall, when entering into a contract for an official advertisement, comply with all applicable requirements related to the full and open competitive procedures required under chapter 33 of title 41, United States Code, and part 6 of the Federal Acquisition Regulation.

(d) PROHIBITION ON SELF-PROMOTION THROUGH OFFICIAL ADVERTISEMENTS.—A Cabinet Member may not use any official advertisement for the primary purpose of self-promotion.

SA 4457. Mrs. BLACKBURN (for herself and Mr. TUBERVILLE) submitted an amendment intended to be proposed to amendment SA 4420 proposed by Mr. THUNE (for Mr. SCHMITT) to the bill S. 1383, to establish the Veterans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

Strike title III and insert the following:

TITLE III—SAVE AMERICAN CHILDREN

SEC. 301. SHORT TITLE.

This title may be cited as the ''Chloe Cole Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) CHILD.—The term ''child'' means an individual under 18 years of age.

(2) COVERED INTERVENTIONS.—

(A) IN GENERAL.—

(i) INTERVENTIONS.—The term ''covered interventions'' means providing any of the items and services described in clause (ii) for the purpose of—

(I) intentionally delaying, halting, or disrupting the natural development of the individual's body, including the onset or progression of puberty, so that it does not develop or halts developing to correspond to the individual's sex; or

(II) intentionally changing the individual's body, including the individual's external appearance or biological functions, to no longer correspond to the individual's sex.

(ii) ITEMS AND SERVICES.—The items and services described in this clause are—

(I) the use of puberty blockers, including gonadotropin releasing hormone agonists and antagonists;

(II) the use of sex hormones, such as androgen blockers, estrogen, anti-estrogen, progesterone, testosterone, or dihydrotestosterone blockers; and

(III) surgical procedures that attempt to transform an individual's physical appearance or that attempt to alter or remove an individual's sexual organs.

(B) EXCLUSIONS.—The term ''covered interventions'' does not include any of the following:

(i) Appropriate and medically necessary procedures to treat a verifiable disorder of sexual development, including an individual born with 46 XX chromosomes with virilization, with 46 XY chromosomes with undervirilization, or having both ovarian and testicular tissue.

(ii) The treatment of any infection, injury, disease, or disorder that has been caused or exacerbated by the performance of an intervention described in subparagraph (A) without regard to whether the intervention was performed in accordance with State or Federal law or whether the intervention is covered by the private right of action under section 304.

(iii) Any intervention undertaken because the individual suffers from any diagnosed and verifiable condition of the body's organ systems, including the following:

(I) Traumatic bodily injuries (such as fractures, organ rupture, or penetrating trauma).

(II) Congenital structural anomalies of major organs or systems, including the cardiovascular, respiratory, renal, hepatic, neurological, or musculoskeletal systems.

(III) Acute illnesses with a high probability of rapid mortality.

(3) DETRANSITION TREATMENT.—The term ''detransition treatment'' means any treatment, medical intervention, or surgery, that stops, reverses the effects of, or aids in the recovery from the effects of, a prior covered intervention.

(4) HEALTH CARE PROFESSIONAL.—The term ''health care professional'' means an individual who is licensed, certified, or otherwise authorized by the laws of a State to administer health care in the ordinary course of the practice of his or her profession or performing such acts which require such licensure.

(5) PARTICIPATE.—The term ''participate'', with respect to acts constituting a covered intervention as defined in paragraph (1), means directly engaging in the planning, authorization, prescription, administration, or performance of any such act, including any of the following:

(A) Prescribing puberty blockers, sex hormones, or related medications with the intent to delay, halt, or interrupt an individual's puberty or to alter an individual's physical appearance or reproductive function to align with an identity differing from his or her sex.

(B) Administering medications or treatments described in subparagraph (A) with such intent, whether by injection, oral delivery, or other means.

(C) Performing surgical procedures that attempt to transform an individual's appearance to no longer correspond to the individual's sex as part of a covered intervention.

(D) Authorizing or directing such covered intervention as a supervising health care professional or institutional representative.

(E) Knowingly planning or coordinating the provision of treatments or procedures described above in subparagraph (A), (C), or (D) with the intent to facilitate a covered intervention.

(6) SEX.—The term ''sex'' means a person's immutable biological classification, determined at the moment of conception, as either male or female, as follows:

(A) The term ''female'' is a person who naturally has, had, will have, or would have but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that produces, transports, and utilizes the large gamete (ova) for fertilization.

(B) The term ''male'' is a person who naturally has, had, will have, or would have but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that produces, transports, and utilizes the small gamete (sperm) for fertilization.

SEC. 303. PROHIBITION ON COVERED INTERVENTIONS.

(a) IN GENERAL.—No health care professional, hospital, or clinic shall, in a circumstance described in subsection (b), participate in a covered intervention on a child, and a health care professional, hospital, or clinic may commence participation in a treatment that qualifies as an exception specified in clauses (i) through (iii) of section 302(1)(B) only after determining that clear and convincing evidence supports a determination that the treatment so qualifies.

(b) CIRCUMSTANCES DESCRIBED.—The circumstances described in this subsection are that—

(1) the defendant or child traveled in interstate or foreign commerce, or traveled using a means, channel, facility, or instrumentality of interstate or foreign commerce, in furtherance of or in connection with the participation in the covered intervention;

(2) the defendant used a means, channel, facility, or instrumentality of interstate or foreign commerce in furtherance of or in connection with the participation in the covered intervention;

(3) any payment of any kind was made, directly or indirectly, in furtherance of or in connection with the participation in the covered intervention using any means, channel, facility, or instrumentality of interstate or foreign commerce or in or affecting interstate or foreign commerce;

(4) the defendant transmitted in interstate or foreign commerce any communication relating to or in furtherance of the participation in the covered intervention using any means, channel, facility, or instrumentality of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means or in any manner, including by computer, mail, wire, or electromagnetic transmission;

(5) any instrument, item, substance, or other object that has traveled in interstate or foreign commerce was used to perform the covered intervention;

(6) the covered intervention occurred within the District of Columbia, the special maritime and territorial jurisdiction of the United States, or any territory or possession of the United States; or

(7) the covered intervention otherwise occurred in or affected interstate or foreign commerce.

SEC. 304. PRIVATE RIGHT OF ACTION.

(a) IN GENERAL.—An individual subjected as a child to a covered intervention prohibited by section 303, or the parents or legal guardians of such individual, may bring a civil action in an appropriate district court of the United States for damages against any health care professional, hospital, or clinic, who participates in the covered intervention on that child. Such a cause of action shall be available regardless of whether the alleged covered intervention occurred before, on, or after the date of enactment of this Act.

(b) DAMAGES.—Damages available pursuant to such an action may include—

(1) compensatory damages, including all economic damages associated with undoing, correcting, or ameliorating the effects or results of any covered intervention;

(2) non-economic damages for emotional distress and pain and suffering; and

(3) punitive damages, if the claimant proves by clear and convincing evidence that the defendant against whom punitive damages are sought acted maliciously, intentionally, fraudulently, or recklessly.

(c) STRICT LIABILITY.—Any health care professional, hospital, or clinic whose participation in a covered intervention on a child after the date of enactment of this Act is proven by clear and convincing evidence shall be strictly liable for damages for any such intervention. If a treatment qualifies under an exception specified in clauses (i) through (iii) of section 302(2)(B), and that is raised as an affirmative defense to a violation of this title, the health care professional, hospital, or clinic shall bear the burden of proving by clear and convincing evidence that such exception applies.

SEC. 305. RULES OF CONSTRUCTION.

In this title:

(1) No liability for a health care professional under these provisions may be waived.

(2) Any ambiguities shall be resolved against any party found to have engaged in participation, as defined in section 302(5), in the covered intervention on a child.

(3) In any cases in which a covered intervention on a child is shown to have occurred before the date of enactment of this Act, there is limited deference to prevailing standards of care to the extent that such standards contradict the intent of this title and it is shown that the health care professional knew or should have known that such standards of care were in serious, scientific, and medical dispute at the time of the covered intervention.

(4) Nothing in this title shall be construed to prohibit a health care professional from providing information about all available treatment options, discussing risks and benefits, or expressing professional medical opinions, so long as such actions do not constitute participation in a covered intervention.

SEC. 306. STATUTE OF LIMITATIONS.

An action under section 304 may be brought within 25 years from the date of the eighteenth birthday of an individual subjected to a covered intervention as a child or within 4 years from the time the cost of a detransition treatment is incurred, whichever date is later.

SEC. 307. SEVERABILITY.

If any provision of this title, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of this title, and the application of the provision held to be unconstitutional to any other person or circumstance, shall not be affected.

SA 4458. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 3183, to direct the Secretary of Agriculture to improve safety standards for wildland firefighters, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT.

Not later than 30 days after the date of enactment of this Act, the Department of Justice shall submit to the Committee on the Judiciary, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary, Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives of the House of Representatives, and make available on the public website of the Department, a report that includes the following information:

(1) All records reflecting or relating to communications between any official of the Office of the Pardon Attorney, Office of the Attorney General, or Office of the Deputy Attorney General of the Department of Justice and any White House official regarding the December 1, 2025, formal pardon of Mr. Juan Orlando Hernández, former President of Honduras, who was convicted of drug trafficking and related crimes and sentenced to 45 years in prison.

(2) Any records in the possession of the Department corroborating any claim that the prosecution of Mr. Hernández was politically motivated or otherwise unsupported by evidence of criminal conduct.

(3) Any evidence of legal errors, procedural defects, or evidentiary insufficiencies in the prosecution or conviction of Mr. Hernández.

(4) A narrative description of how any evidence exonerating Mr. Hernández overcomes the weight of the evidence introduced at trial, such as—

(A) pictures of Mr. Hernández with drug traffickers at the 2010 World Cup despite his claims he did not know them;

(B) the audio recordings of members of the MS–13 gang discussing their payments to Mr. Hernández;

(C) the ledgers of the trafficker-witness who was murdered in prison; and

(D) phone data showing co-conspirators physically visited the presidential palace of Mr. Hernández at least twice.

(5) A summary of the timeline of the Federal law enforcement investigation into Mr. Hernández and his associates.

(6) A detailed description of the role of Mr. Emil Bove in the investigation, prosecution, and conviction of Mr. Hernández and his associates.

SA 4459. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 3183, to direct the Secretary of Agriculture to improve safety standards for wildland firefighters, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FUNDING FOR COPS HIRING PROGRAM.

The Act titled ''An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14'' (Public Law 119–21) is amended—

(1) in section 100052—

(A) in the section heading, by striking ''**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**'' and inserting ''**COPS HIRING PROGRAM**'';

(B) by striking ''In addition to'' and inserting ''(a) IN GENERAL.—In addition to''; and

(C) in subsection (a), as so designated—

(i) by striking ''Secretary of Homeland Security for U.S. Immigration and Customs Enforcement'' and inserting ''Attorney General''; and

(ii) by striking ''September 30, 2029'' and all that follows through ''removal proceedings'' and inserting the following: ''September 30, 2030, for grants made pursuant to paragraphs (1) and (2) of section 1701(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)).

''(b) WAIVER.—For grants made from funds made available under this section, the requirements of section 1701(g) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(g)) shall be waived for the following jurisdictions:

''(1) A county, municipality, town, township, village, parish, borough, or other unit of general government below the State level that employs fewer than 175 law enforcement officers.

''(2) A Tribal government that employs fewer than 175 law enforcement officers.''; and

(2) by striking section 90003 and inserting the following:

''SEC. 90003. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.

''In addition to any amounts otherwise appropriated, there is appropriated to the Attorney General for the Department of Justice for fiscal year 2025, out of any money in the Treasury not otherwise appropriated, to

remain available until September 30, 2029, $45,000,000,000, for the Edward Byrne Memorial Justice Assistance Grant Program.''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BANKS. Mr. President, I have two requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, March 17, 2026, at 10 a.m., to conduct a subcommittee hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, March 17, 2026, at 10 a.m., to conduct a hearing.

The PRESIDING OFFICER (Ms. LUMMIS). The Democratic leader.

MEASURES READ THE FIRST TIME—S. 4124, S. 4125, S. 4126, S. 4127

Mr. SCHUMER. Madam President, I understand that there are four bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 4124) to prohibit funds made available to the Department of Justice from being used to make a personal payment to the President in connection with a claim that is subject to the Federal Tort Claims Act, whether in the form of a settlement or any other payment from the Judgment Fund for the personal benefit of the President.

A bill (S. 4125) to amend the Internal Revenue Code of 1986 to impose a tax on damages received by certain officers of the United States on account of any civil action filed against the United States, and for other purposes.

A bill (S. 4126) to address the ineligibility of Ashli Babbitt for military funeral honors.

A bill (S. 4127) making continuing appropriations for essential Transportation Security Administration pay and operations during the lapse in appropriations beginning on February 14, 2026, and for other purposes.

Mr. SCHUMER. Madam President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive their second reading on the next legislative day.

Mr. SCHUMER. I yield the floor.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Chairman of the Senate Committee on Armed Services, pursuant to the provisions of Public Law 117–81, appoints the following individual to serve as a member of the Commission on the National Defense Strategy: General John M ''Jack'' Keane, US Army, Retired of Virginia.

The PRESIDING OFFICER. The Senator from Ohio.

ORDERS FOR WEDNESDAY, MARCH 18, 2026

Mr. MORENO. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon on Wednesday, March 18; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate resume the House message with respect to S. 1383.

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

ORDER FOR ADJOURNMENT

Mr. MORENO. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senators SCHIFF, LEE, CANTWELL, and myself.

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

The Senator from California.

SAVE AMERICA ACT

Mr. SCHIFF. Madam President, the author George Orwell wrote about a dystopian future in which the party in power spoke in doublespeak, a language in which up meant down and down meant up, good meant bad, and nothing was as it seemed.

In the language of Orwellian doublespeak, to save something meant to destroy it, which brings me to the so-called SAVE America Act.

This legislation will not save anything about America, but it will destroy something precious about this country. It is not meant to empower people to determine the direction of the Nation but to deprive them of that power; not to encourage citizen participation in government but to discourage it; not to heal a nation that is badly divided but to cause further division, disunion, and democratic decay—because this is perhaps one of the most cravenly political efforts undertaken by Congress in a generation.

The President knows that his policies are deeply unpopular. He knows that his war of choice with Iran is deeply unpopular. He understands that he has betrayed the promises he made to the American people to bring down costs and improve the quality of their lives. He knows that the voters are prepared to hold him accountable in the midterms and vote his party out of power.

But rather than address his many policy failures, he wishes, instead, to prevent people from voting. It is as cynical a device as it is destructive of the foundation of our democracy—the right to vote.

Our Nation is facing a series of challenges that are touching every facet of people's lives. They are paying more at the pump. They are paying more on groceries. They are paying more to heat their home, and this summer, they will pay more to cool it. This is all from a President that has gone from promising to break inflation on day one to now saying, ''If prices rise, they rise.'' Imagine that. If prices rise, they rise.

But that is not all. If the cost of oil goes up, he declares, that is good because it means we make more money.

Well, maybe he does. Maybe, the oil industry friends do. But the American people who are paying through the nose at gas stations all across the country are not making more money. They are spending it on gas at the pump, and they cannot afford it.

This war of choice is costing America billions. More importantly, 13 brave servicemembers have lost their lives in a new foreign war we were promised would never be started.

Now, we have heard a whole host of rationalizations for this war, explanations for this war. None of them add up. At one point, the President said that we had to go to war with Iran because Iran was 2 weeks away from having a nuclear bomb.

Well, beside the fact that there is no intelligence suggesting even remotely that that is true, the President himself said, only 9 months ago, that we had obliterated Iran's nuclear capability.

Well, it can't be both. The President was either telling the truth 9 months ago or he wasn't; or he is telling the truth now or he isn't. But it can't be both. And, of course, everything we know about Iran's nuclear program indicates they are not 2 weeks away from having a nuclear bomb.

So it was also said by the Secretary of State: We are at war with Iran because Israel was going to go to war with Iran, and we knew that Iran would retaliate against us; and, therefore, we had to go to war with Iran.

But the President disputes that rationale for the war. The President says, basically, that his Secretary of State is wrong, that he forced Israel's hand.

OK, so what is the President's rationale then for this war? Well, we all see that the President and the Secretary say it was necessary to destroy Iran's missile capability because those missiles could soon hit the United States of America, except that isn't remotely true either. The Defense Intelligence Agency concluded that it would not be 9 years before Iran would have that kind of capability. It would take 9 years for that country to develop missiles capable of hitting the United States.

So there was no imminent missile threat to the United States. There was no immediate nuclear threat.