

THUNE (for Mr. SCHMITT) to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4723. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4724. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4725. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4726. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4727. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4728. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4729. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4730. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4731. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4732. Mr. HUSTED 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 4733. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4734. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4735. Mr. RICKETTS (for himself and Mrs. FISCHER) 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 4736. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4737. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4738. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4739. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4740. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4741. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

SA 4742. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1383, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4709. Mr. KIM 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. 4. AUDITS OF DETENTION FACILITIES.

(a) SHORT TITLE.—This section may be cited as the “Private Detention Accountability Act”.

(b) AUDIT REPORTS.—Not later than 30 days after the Office of Detention Oversight of the Department of Homeland Security completes an audit of a detention facility at which aliens are being detained, the Director of U.S. Immigration and Customs Enforcement shall submit a report containing the results of such audit and describing the actions that have been taken to remediate any deficiencies discovered through such audit to—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives; and

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

(c) RESTRICTION ON DETENTION FACILITIES.—

(1) IN GENERAL.—Aliens may not be newly housed at any detention facility operated by U.S. Immigration and Customs Enforcement unless—

(A) the Office of Detention Oversight has completed an audit of such facility;

(B) any deficiencies discovered through such audit have been properly remediated; and

(C) the report required under subsection (b) has been properly submitted.

(2) APPLICABILITY.—The restriction set forth in paragraph (1) shall apply to any detention facility—

(A) commencing operations on or after the date of the enactment of this Act; or

(B) operating before such date of enactment and about which the Office of Detention Oversight has completed an audit.

SA 4710. Mr. KIM 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. SPENDING LIMITATION.

(a) SHORT TITLE.—This section may be cited as the “ICE Funding Accountability Act”.

(b) SPENDING LIMITATION.—Notwithstanding any other provision of law, amounts appropriated or otherwise made available under Public Law 119-21 may not be expended—

(1) to pay the salaries of agents or officers of U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection who were hired on or after the date of the enactment of this Act; or

(2) to recruit, advertise for hiring, or pay retention or sign on bonuses to such agents or officers.

SA 4711. Ms. BLUNT ROCHESTER 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:

At the end of title I insert the following:

Subtitle D—Protection Military, Military Family, and Overseas Voters

SEC. ____ PROTECTING MILITARY, MILITARY FAMILY, AND OVERSEAS VOTERS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of this title or the amendments made by this Act, the provisions of and the amendments made by this title shall not apply before the date that is 2 years after the following have been submitted to Congress:

(A) A certification meeting the requirement of subsection (b).

(B) The findings of each member of the Election Assistance Commission with respect to the matters required to be certified under subsection (b)(1).

(C) A report prepared by the Presidential designee documenting the basis for the certification under subsection (b)(1) and including a State-by-State impact analysis of effects of such provisions and amendments on absent uniformed services voters (as defined in section 107(1) of the Uniformed and Absentee Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) and overseas voters (as defined in section 107(5) of such Act (52 U.S.C. 20310(5))).

(2) EXTENSION.—

(A) SUBMISSION OF REQUEST.—The chief State election official of a State may submit to the Commission a request up to a 1-year extension of the applicable date under paragraph (1) with respect to the application of any provision of this title to the State.

(B) CONSIDERATION.—The Commission may grant such extension upon a finding of good cause that the State is not yet operationally ready to implement this title without materially impairing or burdening the ability of absent uniformed services voters (as defined in section 107(1) of the Uniformed and Absentee Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) and overseas voters (as defined in section 107(5) of such Act (52 U.S.C. 20310(5))) to register, request, receive, cast, and have counted absentee ballots in elections for Federal office.

(b) CERTIFICATION.—A certification under subsection (a)(1)(A) meets the requirements of this subsection if such certification includes—

(1) a statement, signed by the Presidential designee under section 101 of the Uniformed and Absentee Overseas Citizens Absentee Voting Act (52 U.S.C. 20301), the Attorney General, and each member of the Election Assistance Commission, that the implementation of the provisions of and amendments made by this Act will not materially impair, delay, burden, or reduce the ability of absent uniformed services voters (as defined in section 107(1) of the Uniformed and Absentee Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) and overseas voters (as defined in section 107(5) of such Act (52 U.S.C. 20310(5))) to register, request, receive, cast, and have counted absentee ballots in elections for Federal office;

(2) a statement, signed by the Presidential designee under section 101 of such Act that the chief State election official of each State has been consulted and has no unresolved objections to the certification under paragraph (1);

(3) a statement, signed by the Inspector General for the Department of Homeland Security, the Department of Defense, and the Election Assistance Commission, that plans for the implementation of this Act and the amendments made by this Act—

(A) will not conflict with the provisions of the Uniformed and Absentee Overseas Citizens Absentee Voting Act (52 U.S.C. 20301) or the Military Overseas Voting Empowerment

Act, including the use of the official post card form prescribed under section 101(b)(2) of such Act (52 U.S.C. 20301(b)(2)), the use of the Federal write-in absentee ballot prescribed under section 103 of such Act (52 U.S.C. 20303), or the requirement that States timely transmit ballots before Federal elections under section 102(a)(8) of such Act (52 U.S.C. 20302(a)(8)); and

(B) contain adequate safeguards to protect the rights of such voters under such Act; and

(4) a determination by the Election Assistance Commission that Congress has appropriated funding specifically for State implementation of this title, including funding for election official training, voter education, and any required safeguards or accommodations.

SA 4712. Mr. KIM 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. ____ . EXTENSION OF THE STATUTES OF LIMITATIONS FOR OFFENSES UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) **SHORT TITLE.**—This section may be cited as the “FECA Reinforcement Act of 2026”.

(b) **CIVIL OFFENSES.**—Section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)) is amended by inserting after paragraph (9) the following new paragraph:

“(10) No person shall be subject to a civil penalty under this subsection with respect to a violation of this Act unless a complaint is filed with the Commission with respect to the violation under paragraph (1), or the Commission responds to information with respect to the violation which is ascertained in the normal course of carrying out its supervisory responsibilities under paragraph (2), not later than 10 years after the date on which the violation occurred.”

(c) **CRIMINAL OFFENSES.**—Section 406(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30145(a)) is amended by striking “5 years” and inserting “10 years”.

(d) **SUNSET.**—The amendments made under subsections (b) and (c) shall sunset on the date that is 8 years after the date of enactment of this Act.

SA 4713. 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. ____ . REFUND OF DUTIES IMPOSED UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

(a) **IN GENERAL.**—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Commissioner of U.S. Customs and Border Protection shall, not later than 180 days after the date of the enactment of this Act, refund, with interest, to each importer of a covered article all duties imposed under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and paid with respect to the article.

(b) **RELIQUIDATION AUTHORITY.**—In the case of an entry of a covered article that was liquidated before the date of the enactment of this Act, the Commissioner shall reliquidate

the entry at the rate of duty applicable to the article in the absence of any duty imposed under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) in order to pay a refund required under subsection (a).

(c) **PRIORITIZATION OF SMALL BUSINESSES.**—The Commissioner shall, to the extent practicable, prioritize the payment of refunds under subsection (a) to small business concerns.

(d) **OUTREACH TO SMALL BUSINESSES.**—The Commissioner shall coordinate with the Administrator of the Small Business Administration to disseminate information to small business concerns about the payment of refunds under subsection (a), including any required documentation, actions small business concerns should take, and the expected timeline for refunds.

(e) **REPORTS REQUIRED.**—Not later than 30 days after the date of the enactment of this Act, and every 30 days thereafter until the payment of all refunds required under subsection (a) has been completed, the Commissioner shall submit to the Committee on Finance and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Ways and Means and the Committee on Small Business of the House of Representatives a report on the implementation of this section that includes—

(1) a statement of the number of refunds issued and the amount of duties refunded under subsection (a) during the 30-day period preceding submission of the report, including a breakdown between small business concerns and other business concerns; and

(2) an estimate of the time anticipated to be required to complete the payment of refunds of all duties under subsection (a).

(f) **GUIDANCE ON DRAWBACKS.**—Not later than 60 days after the date of the enactment of this Act, the Commissioner shall issue guidance with respect to how to address claims for drawback under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) of duties described in subsection (a).

(g) **DEFINITIONS.**—In this section:

(1) **COVERED ARTICLE.**—The term “covered article” means an article with respect to which the President imposed duties under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(2) **ENTER; ENTRY.**—The terms “enter” and “entry” include a withdrawal from warehouse for consumption.

(3) **SMALL BUSINESS CONCERN.**—The term “small business concern” has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

SA 4714. 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. ____ . TERMINATION OF CERTAIN DUTIES PROCLAIMED BY PRESIDENT.

On and after the date of the enactment of this Act, no duties proclaimed by the President in Proclamation 11012 (91 Fed. Reg. 9339) pursuant to the authority provided by section 122 of the Trade Act of 1974 (19 U.S.C. 2132) shall have any force or effect.

SA 4715. 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. ____ . PUBLICATION AND TRANSMISSION TO CONGRESS OF REPORTS ON INVESTIGATIONS UNDER SECTION 232 OF THE TRADE EXPANSION ACT OF 1962.

(a) **PUBLICATION AND TRANSMISSION OF PAST REPORTS.**—Not later than one day after the date of the enactment of this Act, the Secretary of Commerce shall—

(1) publish in the Federal Register all reports submitted by the Secretary to the President on the findings of investigations initiated under section 232(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1862(b)) on or after January 20, 2025, and before the date of the enactment of this Act, excluding any portions of those reports that contain classified or proprietary information, as required under paragraph (3)(B) of that section; and

(2) transmit to Congress any portion of those reports that contain classified information, which may be viewed only by Members of Congress and their staff with appropriate security clearances.

(b) **PUBLICATION OF FUTURE REPORTS.**—Section 232(b)(3)(B) of the Trade Expansion Act of 1962 (19 U.S.C. 1862(b)(3)(B)) is amended to read as follows:

“(B) On the same day that the Secretary submits a report to the President under subparagraph (A), any portion of the report that does not contain classified information or proprietary information shall be published in the Federal register.”

SA 4716. Mr. KIM (for himself and Mr. BOOKER) 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. PROHIBITING THE USE OF CERTAIN FEDERAL FUNDS FOR DETENTION FACILITIES IN WAREHOUSES.

(a) **SHORT TITLE.**—This section may be cited as the “End Warehouse Detention Act”.

(b) **IN GENERAL.**—Notwithstanding any other provision of law, amounts appropriated or otherwise made available under Public Law 119-21 may not be expended—

(1) to purchase a warehouse or to contract with the owner of a warehouse for the purpose of detaining noncitizens; or

(2) to repurpose, operate, staff, or maintain any warehouse owned by U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection to accommodate the detention of noncitizens.

SA 4717. 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 appropriate place, insert the following:

SEC. ____ . PROHIBITION ON CIVIL IMMIGRATION ENFORCEMENT ACTIONS AT OR NEAR POLLING PLACES AND VOTER REGISTRATION SITES.

(a) **IN GENERAL.**—The Secretary of Homeland Security shall not, and shall ensure that an officer, employee, or agent of the Department of Homeland Security (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection) does not, at a covered location—

(1) conduct any civil immigration enforcement action;

(2) question any individual about citizenship or immigration status;

(3) request any immigration document;
 (4) conduct surveillance of any individual entering or exiting a covered location; or
 (5) station any officer, employee, agent, or vehicle of the Department of Homeland Security in a manner that could reasonably be expected to deter an individual from registering to vote or casting a ballot.

(b) EXCEPTION.—Subsection (a) shall not apply in the case of—
 (1) the execution of a criminal warrant issued by a court upon probable cause;
 (2) hot pursuit of an individual who poses an imminent threat of death or serious bodily harm; or
 (3) conduct necessary to respond to an imminent threat of death or serious bodily harm.

(c) IMPLEMENTATION GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General and the Election Assistance Commission, shall issue guidance for the implementation of subsection (a), including with respect to training to be provided to officers, employees, and agents of the Department of Homeland Security on compliance with such subsection.
 (d) REPORT.—In the case of an alleged violation of subsection (a), not later than 30 days after the date on which the alleged violation occurs, the Secretary of Homeland Security shall submit to Congress and the Inspector General of the Department of Homeland Security a notification of the alleged violation.
 (e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—
 (1) to prohibit, at a covered location, the conduct of criminal law enforcement activities unrelated to immigration status;
 (2) to authorize intimidation, threats, coercion, or interference with any individual registering to vote or voting in a Federal election; or
 (3) to permit inquiry into citizenship or immigration status as a condition of entering a covered location, except as expressly required by Federal law.

(f) DEFINITIONS.—In this section:
 (1) CIVIL ENFORCEMENT ACTION.—The term “civil enforcement action”—
 (A) means any arrest, detention, interview, questioning, surveillance, search, service of a notice to appear or other process, document check, or any other civil immigration-related investigative or enforcement activity undertaken to identify, apprehend, monitor, or deter an individual based on actual or suspected immigration status; and
 (B) includes the deployment of visible civil immigration enforcement presence, including personnel or a vehicle, in a manner that could reasonably be expected to deter an individual from registering to vote or casting a ballot.

(2) COVERED LOCATION.—The term “covered location” means—

(A) a polling place;
 (B) an early voting site;
 (C) a voter registration site, including any office or location at which in-person voter registration or election-day registration for a Federal election is taking place;
 (D) a location within 100 feet of an entrance or exit of a location described in any of subparagraphs (A) through (C); and
 (E) a location within 100 feet of an individual waiting to enter a location described in any of subparagraphs (A) through (C).

(3) COVERED LOCATION.—The term “covered location” means—

(A) a polling place;
 (B) an early voting site;
 (C) a voter registration site, including any office or location at which in-person voter registration or election-day registration for a Federal election is taking place;
 (D) a location within 100 feet of an entrance or exit of a location described in any of subparagraphs (A) through (C); and
 (E) a location within 100 feet of an individual waiting to enter a location described in any of subparagraphs (A) through (C).

(4) COVERED LOCATION.—The term “covered location” means—

(A) a polling place;
 (B) an early voting site;
 (C) a voter registration site, including any office or location at which in-person voter registration or election-day registration for a Federal election is taking place;
 (D) a location within 100 feet of an entrance or exit of a location described in any of subparagraphs (A) through (C); and
 (E) a location within 100 feet of an individual waiting to enter a location described in any of subparagraphs (A) through (C).

SA 4718. Ms. BLUNT ROCHESTER 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 Vet-

erans Advisory Committee on Equal Access, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 101, insert the following:

(s) PROTECTION OF VOTER INFORMATION.—Section 8(j) of the National Voter Registration Act of 1993, as added by subsection (f), is amended—

(1) in paragraph (4)—
 (A) in subparagraph (A), by striking “subparagraphs (B) and (C)” and inserting “subparagraph (B)”;
 (B) by striking subparagraph (B); and
 (C) by redesignating subparagraph (C) as subparagraph (B); and
 (2) by adding at the end the following new paragraph:

“(6) PROTECTION OF VOTER INFORMATION.—Notwithstanding any other provision of law, a State shall not be required to submit voter registration data or other identifying information of a registered voter to the Federal Government or a Federal agency for purposes of citizenship verification.”.

SA 4719. Ms. BLUNT ROCHESTER 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:

At the end of title I, insert the following:

Subtitle D—Delayed Implementation to Protect Voters With Disabilities

SEC. 131. DELAYED IMPLEMENTATION.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the provisions of and amendments made by this title shall not take effect until the date on which the Election Assistance Commission, in consultation with the United States Access Board, unanimously—

(1) certifies that each State has accessible and no-cost methods for voters with disabilities that do not require the voter to appear in person (such as remote, home-based, designated-agent, or other methods permitted under State law) to satisfy the documentary proof of citizenship, photo identification, absentee voting, ballot return, and ballot-cure requirements under such provisions and amendments with respect to elections for Federal office; and
 (2) determines that Congress has appropriated funding specifically for State implementation of this title, including funding for election official training, voter education, and any required safeguards or accommodations.

(b) STATE REQUIREMENTS.—Each State shall—

(1) maintain accessible procedures, including remote and, where necessary, home-based or designated-agent options, so that a voter with a disability is not required to appear in person if the voter cannot reasonably do so because of disability; and
 (2) require accessible notice and cure processes for any defect in a voter registration or ballot and make clear that implementation may not proceed unless disabled voters have a real and workable path to register to vote and vote under the provisions of and amendments made by this title.

(3) STATE REQUIREMENTS.—Each State shall—

SA 4720. 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 of the bill, add the following:

SEC. 4. PROHIBITION AGAINST SURVEILLANCE FOR THE PURPOSE OF CREATING DATABASE OF UNITED STATES CITIZENS.

The Department of Homeland Security, including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection (directly or indirectly), may not conduct any surveillance on United States citizens, including through any contract, grant, cooperative agreement, or other arrangement, to create, assemble, maintain, purchase, license, subscribe to, access, or otherwise obtain information for the purpose of compiling, enriching, or aggregating a database that identifies United States citizens.

SA 4721. 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 appropriate place, insert the following:

SEC. . . . PROHIBITION ON DNA DATABASES.

The Department of Homeland Security, including any component thereof or any contractor, grantee, or other entity acting on behalf of the Department, may not create, maintain, purchase, license, access, or otherwise obtain a database of information relating to the DNA of United States citizens.

SA 4722. Ms. BLUNT ROCHESTER 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:

At the end of title I, insert the following:

Subtitle D—Safe Harbor for Certain States

SEC. 131. SAFE HARBOR FOR CERTAIN STATES.

(a) DEFINITION.—In this section, the term “covered election procedures” means the laws or procedures of a State with respect to—

(1) verification of voter eligibility for elections for Federal office;

(2) maintenance of official lists of individuals registered as eligible voters for Federal office;

(3) authentication of absentee ballots in elections for Federal office;

(4) identification and resolution of discrepancies in voter registration, documentary proof of citizenship, identity information, or other eligibility-related information;

(5) curing deficiencies with respect to absentee ballots in elections for Federal office; and

(6) audits, reconciliation, or other review conducted after an election for Federal office to assess compliance and the accuracy, security, and integrity of election administration.

(b) SAFE HARBOR.—Notwithstanding any other provision of this Act, any State that, on the date of enactment of this Act, has in effect covered election procedures or comparable election integrity safeguards for elections for Federal office in the State—

(1) shall be deemed in compliance with sections 101 and 111 and the amendments made by those sections; and

(2) shall be exempt from taking any further action to comply with sections 101 and 111 and the amendments made by those sections.

SEC. 132. NO PREEMPTION OF STATE ELECTION PROCEDURES.

Notwithstanding any other provision of this Act, nothing in this title shall be construed to modify, conflict with, preempt, or otherwise affect any covered election procedure, as defined in section 131(a), of a State.

SA 4723. Mr. MERKLEY 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 “Savings Opportunity and Affordable Repayment Act”.

SEC. 2. AMENDMENTS TO THE OBBBA.

(a) IN GENERAL.—Section 82001 of the Act titled “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14” (Public Law 119-21; 139 Stat. 72) is amended by striking subsections (a) and (c).

(b) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 428(b)(9)(A)(v), by inserting “who has a partial financial hardship” after “enables a borrower”;

(2) in section 455—

(A) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “before July 1, 2026, who has not received a loan made under this part on or after July 1, 2026,”;

(II) in subparagraph (D)—

(aa) by striking “before June 30, 2028,”; and

(bb) by inserting “and” after the semicolon;

(III) in subparagraph (E)—

(aa) by inserting “that enables borrowers who have a partial financial hardship to make a lower monthly payment” after “an income-based repayment plan”; and

(bb) by striking “an excepted Consolidation Loan (as defined in section 493C(a)(2)); and” and inserting “a Federal Direct Consolidation Loan, if the proceeds of such loan were used to discharge the liability on such Federal Direct PLUS Loan or a loan under section 428B made on behalf of a dependent student.”; and

(IV) by striking subparagraph (F);

(ii) in paragraph (5), by striking subparagraph (B) and inserting the following:

“(B) repay the loan pursuant to an income contingent repayment plan.”; and

(iii) by striking paragraphs (6) and (7);

(B) in subsection (g), by striking paragraph (3);

(C) by striking subsection (q); and

(3) in section 493C—

(A) in subsection (a)—

(i) by striking paragraph (2) and inserting the following:

“(2) EXCEPTED CONSOLIDATION LOAN.—The term ‘excepted consolidation loan’ means a consolidation loan under section 428C, or a Federal Direct Consolidation Loan, if the proceeds of such loan were used to the discharge the liability on an excepted PLUS loan.”; and

(ii) by striking paragraph (3) and inserting the following:

“(3) PARTIAL FINANCIAL HARDSHIP.—The term ‘partial financial hardship’, when used with respect to a borrower, means that for such borrower—

“(A) the annual amount due on the total amount of loans made, insured, or guaranteed under part B or D (other than an excepted PLUS loan or excepted consolidation

loan) to a borrower as calculated under the standard repayment plan under section 428(b)(9)(A)(i) or 455(d)(1)(A), based on a 10-year repayment period; exceeds

“(B) 15 percent of the result obtained by calculating, on at least an annual basis, the amount by which—

“(i) the borrower’s, and the borrower’s spouse’s (if applicable), adjusted gross income; exceeds

“(ii) 150 percent of the poverty line applicable to the borrower’s family size as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).”;

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) a borrower of any loan made, insured, or guaranteed under part B or D (other than an excepted PLUS loan or excepted consolidation loan) who has a partial financial hardship (whether or not the borrower’s loan has been submitted to a guaranty agency for default aversion or had been in default) may elect, during any period the borrower has the partial financial hardship, to have the borrower’s aggregate monthly payment for all such loans not exceed the result described in subsection (a)(3)(B) divided by 12.”; and

(ii) by striking paragraph (6) and inserting the following:

“(6) if the borrower no longer has a partial financial hardship or no longer wishes to continue the election under this subsection, then—

“(A) the maximum monthly payment required to be paid for all loans made to the borrower under part B or D (other than an excepted PLUS loan or excepted consolidation loan) shall not exceed the monthly amount calculated under section 428(b)(9)(A)(i) or 455(d)(1)(A), based on a 10-year repayment period, when the borrower first made the election described in this subsection; and

“(B) the amount of time the borrower is permitted to repay such loans may exceed 10 years.”;

(C) by striking subsection (c) and inserting the following:

“(c) ELIGIBILITY DETERMINATIONS.—

“(1) IN GENERAL.—The Secretary shall establish procedures for annually determining the borrower’s eligibility for income-based repayment, including verification of a borrower’s annual income and the annual amount due on the total amount of loans made, insured, or guaranteed under part B or D (other than an excepted PLUS loan or excepted consolidation loan), and such other procedures as are necessary to effectively implement income-based repayment under this section.

“(2) PROCEDURES FOR ELIGIBILITY.—The Secretary shall—

“(A) consider, but is not limited to, the procedures established in accordance with section 455(e)(1) or in connection with income sensitive repayment schedules under section 428(b)(9)(A)(iii) or 428C(b)(1)(E); and

“(B) carry out, with respect to borrowers of any loan made under part D (other than an excepted PLUS loan or excepted consolidation loan), procedures for income-based repayment plans that are equivalent to the procedures carried out under section 455(e)(8) with respect to income-contingent repayment plans.”; and

(D) in subsection (e)—

(i) in the subsection heading, by striking “AND BEFORE JULY 1, 2026”; and

(ii) by striking “and before July 1, 2026”.

SEC. 3. SAVINGS OPPORTUNITY AND AFFORDABLE REPAYMENT PLAN.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by section 2, is further amended—

(1) in section 428(b)(9)(A)—

(A) in clause (iv), by striking “and” after the semicolon;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) beginning on the date that is 180 days after the date of enactment of the Savings Opportunity and Affordable Repayment Act, an income contingent repayment plan known as the ‘Savings Opportunity and Affordable Repayment plan’, consistent with section 493E.”;

(2) in section 428C(c)(2)(A)—

(A) in the first sentence, by striking “or income-based” and inserting “income-based, or income contingent Savings Opportunity and Affordable Repayment (consistent with section 493E)”;

(B) in the second sentence, by striking “or income-based” and inserting “income-based, or income contingent Savings Opportunity and Affordable Repayment”;

(3) in section 455(d)—

(A) in paragraph (1), by striking subparagraph (D) and inserting the following:

“(D) except as provided in paragraph (6), an income contingent repayment plan—

“(i) with varying annual repayment amounts based on the income of the borrower, paid over an extended period of time prescribed by the Secretary, not to exceed 25 years, except that the plan described in this clause shall not be available to the borrower of a Federal Direct PLUS loan made on behalf of a dependent student; and

“(ii) which, beginning on the date that is 180 days after the date of enactment of the Savings Opportunity and Affordable Repayment Act, shall include the ‘Savings Opportunity and Affordable Repayment plan’, consistent with section 493E; and”;

(B) by adding at the end the following:

“(6) PHASE OUTS.—

“(A) PAYE REPAYMENT PLAN.—

“(i) IN GENERAL.—A borrower may choose the Pay As You Earn Repayment Plan, as described in section 685.209 of title 34, Code of Federal Regulations (as in effect on January 19, 2025), as an income contingent repayment plan pursuant to paragraph (1)(D)—

“(I) before the date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act, only if the borrower—

“(aa) has loans eligible for repayment under such plan, as described in such section as in effect on such date; and

“(bb) has a partial financial hardship when the borrower initially enters such plan, as described in such section as in effect on such date; and

“(II) on or after the date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act, only if the borrower meets the conditions described in subclause (I) and was repaying a loan under such plan before such date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act.

“(ii) PROHIBITION AGAINST RE-ENROLLMENT.—Beginning on the date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act, a borrower who was repaying a loan under the Pay As You Earn Repayment Plan, as described in clause (i), and changes to a different repayment plan may not re-enroll in the Pay As You Earn Repayment Plan.

“(B) INCOME CONTINGENT REPAYMENT PLAN.—

“(i) IN GENERAL.—A borrower may choose the ICR plan, as described in section 685.209 of title 34, Code of Federal Regulations (as in effect on January 19, 2025), as an income contingent repayment plan pursuant to paragraph (1)(D)—

“(I) before the date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act, only if the borrower has loans eligible for repayment under such plan, as described in such section as in effect on such date, except as provided in clause (iii); and

“(II) on or after the date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act, only if the borrower has loans eligible for repayment under such plan, as described in such section as in effect on such date, except as provided in clause (iii), and was repaying a loan under such plan before such date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act.

“(ii) PROHIBITION AGAINST RE-ENROLLMENT.—Beginning on the date that is 2 years after the date of enactment of the Savings Opportunity and Affordable Repayment Act, a borrower who was repaying a loan under the ICR plan, as described in clause (i), and changes to a different repayment plan may not re-enroll in the ICR plan.

“(iii) ELIGIBLE LOANS FOR PURPOSES OF ICR REPAYMENT.—In addition to the loans eligible for repayment under the ICR plan as described in section 685.209 of title 34, Code of Federal Regulations (as in effect on January 19, 2025), an eligible loan for purposes of repayment under the ICR plan may include—

“(I) a Federal Direct PLUS Loan made on behalf of a dependent student;

“(II) a Federal Direct Consolidation Loan for which the proceeds were used to discharge the liability on a Federal Direct PLUS Loan or a loan under section 428B made on behalf of a dependent student;

“(III) a loan under section 428B made on behalf of a dependent student; or

“(IV) a loan under section 428C for which the proceeds were used to discharge the liability on a Federal Direct PLUS Loan or a loan under section 428B made on behalf of a dependent student.”;

(4) by inserting after section 493D the following:

“SEC. 493E. SAVINGS OPPORTUNITY AND AFFORDABLE REPAYMENT PLAN.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE LOAN.—The term ‘eligible loan’ means a loan made, insured, or guaranteed under part B or D.

“(2) MONTHLY PAYMENT OBLIGATION.—

“(A) IN GENERAL.—The term ‘monthly payment obligation’, when used with respect to a borrower, means that for such borrower the monthly payment amount due on the total amount of eligible loans made to such borrower that is equal to, except as provided in subparagraph (B)—

“(i) \$0 for the portion of the borrower’s, and the borrower’s spouse’s (if applicable), adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) that is less than or equal to 250 percent of the poverty line applicable to the borrower’s family size as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)); plus

“(ii) 5 percent of the portion of the borrower’s, and the borrower’s spouse’s (if applicable), adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) that is greater than 250 percent of the poverty line applicable to the borrower’s family size as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), prorated by the percentage that is the result of dividing the borrower’s original total loan balance attributable to eligible loans received for the borrower’s undergraduate study by the original total loan balance attributable to all eligible loans, divided by 12; plus

“(iii) for loans not subject to clause (ii), 10 percent of the portion of the borrower’s, and the borrower’s spouse’s (if applicable), adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) that is greater than 250 percent of the poverty line applicable to the borrower’s family size as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), prorated by the percentage that is the result of dividing the borrower’s original total loan balance minus the original total loan balance of loans subject to clause (ii) by the borrower’s original total loan balance attributable to all eligible loans, divided by 12.

“(B) MINIMAL PAYMENT OBLIGATION.—If the calculation of the monthly payment amount due under subparagraph (A) for a borrower is—

“(i) less than \$5, then the monthly payment obligation for such borrower is equal to \$0; and

“(ii) equal to or greater than \$5 but less than \$10, then the monthly payment obligation for such borrower is equal to \$10.

“(b) SAVINGS OPPORTUNITY AND AFFORDABLE REPAYMENT AUTHORIZED.—Notwithstanding any other provision of this Act, the Secretary shall carry out a Savings Opportunity and Affordable Repayment plan program that complies with the following:

“(1) A borrower of any eligible loan may elect to have the borrower’s aggregate monthly payment for all such loans not exceed the monthly payment obligation of such borrower.

“(2) The holder of such eligible loan shall apply—

“(A) 50 percent of the borrower’s monthly payment under this subsection toward outstanding principal; and

“(B) 50 percent of the borrower’s monthly payment under this subsection—

“(i) first toward accrued charges and collection costs on the loan;

“(ii) then toward outstanding interest; and

“(iii) then toward outstanding principal.

“(3) During all periods of repayment on all loans being repaid under the Savings Opportunity and Affordable Repayment plan, the Secretary shall not charge the borrower’s account any accrued interest that is not covered by the borrower’s monthly payment obligation.

“(4) Any principal due and not paid under paragraph (2) shall be deferred.

“(5) In the case of a borrower repaying under the Savings Opportunity and Affordable Repayment plan, the Secretary shall cancel the remaining balance due on all eligible loans for a borrower in the case the borrower—

“(A) is repaying only eligible loans received for undergraduate study, or a consolidation loan that repaid only loans received for such study, for which the borrower’s attendance in such undergraduate study was not more than 2 years, after the borrower has satisfied 120 monthly payments or the equivalent (as described in paragraph (6)), over a period of at least 10 years; and

“(B) is repaying at least one eligible loan not described in subparagraph (A), after the borrower has satisfied 180 monthly payments or the equivalent (as described in paragraph (6)), over a period of at least 15 years.

“(6) A monthly payment or the equivalent shall be satisfied by any of the following:

“(A) A month in which the borrower—

“(i) makes a monthly payment that is equal to not less than the monthly payment obligation of the borrower; or

“(ii) has a monthly payment obligation of \$0.

“(B) A month in which the borrower receives a deferment or forbearance of repayment under any of the following:

“(i) A cancer treatment deferment under section 455(f)(3).

“(ii) A rehabilitation training program deferment.

“(iii) An unemployment deferment.

“(iv) An economic hardship deferment, which includes volunteer service in the Peace Corps as an economic hardship condition.

“(v) A military service deferment.

“(vi) A post active-duty student deferment.

“(vii) A national service forbearance.

“(viii) A national guard duty forbearance.

“(ix) A Department of Defense Student Loan Repayment forbearance.

“(x) An administrative forbearance under a period—

“(I) during which the Secretary has authorized forbearance due to a national military mobilization or other local or national emergency;

“(II) necessary for the Secretary to collect and process documentation supporting the borrower’s request for a deferment, forbearance, change in repayment plan, or consolidation loan; or

“(III) determined necessary by the Secretary.

“(xi) A bankruptcy forbearance if the borrower made the required payments on a confirmed bankruptcy plan.

“(C) A month in which the borrower receives a deferment or forbearance of repayment not described in subparagraph (B), but for which the borrower makes an additional payment equal to or greater than their monthly payment obligation (including a monthly payment obligation of \$0), for a deferment or forbearance that ended within 3 years of the date of such additional payment and occurred on or after the date that is 180 days after the date of enactment of the Savings Opportunity and Affordable Repayment Act.

“(D) A month in which the borrower—

“(i) makes a payment pursuant to a repayment plan under section 493C or section 455(d)(1)(E), or another income contingent repayment plan under section 455(d)(1)(D), or had a monthly payment obligation under such a plan of \$0;

“(ii) makes a payment under the standard repayment plan, as described in section 428(b)(9)(A)(i); or

“(iii) makes a payment under a repayment plan with payments that are as least as much as they would have been under the standard repayment plan, as described in section 428(b)(9)(A)(i).

“(7) A borrower who is repaying an eligible loan pursuant to this section may elect, at any time, to terminate repayment pursuant to this section and repay such loan under any other repayment plan for which the borrower is eligible.

“(8) A borrower who is repaying an eligible loan pursuant to this section may—

“(A) pay in multiple installments that equal the full scheduled monthly payment obligation of such borrower; or

“(B) pay a lump sum or monthly payment amount that is equal to or greater than the full scheduled monthly payment obligation of such borrower in advance of the borrower’s scheduled payment due date for a period of months not to exceed the period from the Secretary’s receipt of the payment until the borrower’s next annual repayment plan recertification date.

“(c) ELIGIBILITY DETERMINATIONS.—

“(1) IN GENERAL.—The Secretary shall establish procedures for annually determining the borrower’s eligibility for repayment under this section, including verification of a borrower’s annual income and the annual amount due on the total amount of eligible

loans, and such other procedures as are necessary to effectively implement repayment under this section.

“(2) PROCEDURES FOR ELIGIBILITY.—The Secretary shall—

“(A) consider, but is not limited to, the procedures established in accordance with section 455(e)(1); and

“(B) carry out, with respect to borrowers of any eligible loan, procedures for repayment plans that are equivalent to the procedures carried out under section 455(e)(8) with respect to other income contingent repayment plans.

“(3) FAILURE TO TIMELY CERTIFY INFORMATION.—If the Secretary requires information from the borrower to recalculate the borrower’s monthly payment obligation under this section, and the borrower does not provide the necessary documentation to the Secretary by the time the Secretary requires such documentation, the Secretary shall remove the borrower from the Savings Opportunity and Affordable Repayment plan under this section and place the borrower on an alternative repayment plan under which the borrower’s required monthly payment is the amount the borrower would have paid on a 10-year standard repayment plan based on the current eligible loan balances and interest rates on the eligible loans at the time the borrower is removed from the plan under this section.

“(4) PROCEDURES.—

“(A) APPROVAL FOR THE DISCLOSURE OF TAX INFORMATION.—A borrower shall provide approval for the disclosure of applicable tax information to the Secretary to initially enter repayment, or recertify the borrower’s intent to repay, under this section either as part of the process of completing a Direct Loan Master Promissory Note or a Direct Consolidation Loan Application and Promissory Note in accordance with sections 455(e)(8) and 493C(c)(2) or on an application form approved by the Secretary.

“(B) FAILURE TO PROVIDE APPROVAL.—If a borrower does not provide approval for the disclosure of applicable tax information pursuant to subparagraph (A), the borrower shall provide documentation of the borrower’s income and family size to the Secretary.

“(C) INABILITY TO OBTAIN INFORMATION FROM THE IRS.—If the Secretary has received approval for disclosure of applicable tax information pursuant to subparagraph (A), but cannot obtain the borrower’s income and family size from the Internal Revenue Service, the borrower and, if applicable, the borrower’s spouse, shall provide documentation of income and family size to the Secretary.

“(D) CALCULATION OF PAYMENT AMOUNT.—After the Secretary obtains sufficient information to calculate the borrower’s monthly payment obligation, the Secretary shall—

“(i) calculate the borrower’s monthly payment obligation; and

“(ii) establish the 12-month period during which the borrower will be obligated to make payments in the amount of the monthly payment obligation.

“(E) REPAYMENT DISCLOSURE.—The Secretary shall send to each borrower a repayment disclosure that—

“(i) specifies the borrower’s calculated monthly payment obligation;

“(ii) explains how the payment was calculated;

“(iii) informs the borrower of the terms and conditions of repayment under this section; and

“(iv) informs the borrower of how to contact the Secretary if the calculated monthly payment obligation amount is not reflective of the borrower’s current income or family size.

“(F) REQUEST FOR RECALCULATION.—

“(i) IN GENERAL.—If a borrower believes that the calculated monthly payment obligation amount is not reflective of the borrower’s current income or family size, the borrower may request that the Secretary recalculate the monthly payment obligation amount.

“(ii) ALTERNATIVE DOCUMENTATION.—To support a request under clause (i), the borrower shall submit alternative documentation of income or family size not based on tax information to account for circumstances such as a decrease in income since the borrower last filed a tax return, the borrower’s separation from a spouse with whom the borrower had previously filed a joint tax return, the birth or impending birth of a child, or other comparable circumstances.

“(G) FORBEARANCE.—If a borrower provides alternative documentation under subparagraph (F) or if the Secretary receives documentation from the borrower or the borrower’s spouse under subparagraph (C), the Secretary shall grant forbearance to provide time for the Secretary to recalculate the borrower’s monthly payment obligation based on the documentation.

“(H) 3 MONTHLY PAYMENTS REMAINING.—Once a borrower has 3 monthly payments remaining under a 12-month period specified under subparagraph (D), the Secretary shall follow the procedures described in subparagraphs (C) through (G).

“(I) RESETTING OF 12-MONTH PERIOD.—At any point during a 12-month period specified under subparagraph (D), a borrower may request that the Secretary recalculate the borrower’s monthly payment obligation earlier than would have otherwise been the case to account for a change in the borrower’s circumstances, such as a loss of income or employment or divorce. In such a case, the 12-month period specified under subparagraph (D) shall be reset based on the borrower’s new information.

“(J) TRACKING FORGIVENESS.—The Secretary shall track a borrower’s progress toward eligibility for loan cancellation under subsection (b)(5) and cancel loans that meet the criteria under such subsection without the need for an application or documentation from the borrower.

“(d) MARRIED BORROWERS.—

“(1) CALCULATION BASED SOLELY ON BORROWER’S INFORMATION.—In the case of a married borrower, the Secretary shall calculate the amount of the borrower’s monthly payment obligation under this section solely on the basis of the borrower’s eligible loan debt and adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) if—

“(A) the borrower files a separate Federal income tax return; or

“(B) the borrower files a joint Federal income tax return and certifies that the borrower is currently separated from the borrower’s spouse or is currently unable to reasonably access the spouse’s income.

“(2) CALCULATION INCLUDING SPOUSE’S INFORMATION.—In the case of a married borrower not described in subparagraph (A) or (B), the Secretary shall—

“(A) include the spouse’s income in the calculation of the borrower’s monthly payment obligation under this section; and

“(B) if the spouse has eligible loan debt, adjust the borrower’s monthly payment obligation under this section by—

“(i) dividing the outstanding principal and interest balance of the borrower’s eligible loans by the couple’s combined outstanding principal and interest balance on eligible loans; and

“(ii) multiplying the borrower’s payment amount as calculated under subsection (a)(5)

by the percentage determined under clause (i).”; and

(5) in section 494(a)(2)(A)—

(A) in the matter preceding clause (i), by inserting “or a Savings Opportunity and Affordable Repayment plan for a loan under part B” after “part D”; and

(B) in clause (ii)(I), by inserting “or section 493E(c)(2)(B)” after “section 493C(c)(2)(B)”.

SA 4724. Mr. WELCH 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 PARDON OF CHANGPENG ZHAO.

(a) FINDINGS.—Congress finds the following:

(1) Changpeng Zhao, the founder and Chief Executive Officer of Binance Holdings Ltd., pleaded guilty to failing to maintain an effective anti-money laundering program.

(2) Mr. Zhao was sentenced to 4 months in prison for his conduct.

(3) At the same time, Binance Holdings Ltd. admitted it engaged in anti-money laundering, unlicensed money transmitting, and sanctions violations.

(4) As part of the plea agreement, Binance Holdings Ltd. agreed to forfeit \$2,510,650,588 and pay a criminal fine of \$1,805,475,575.

(5) World Liberty Financial, which is owned in part by President Donald J. Trump and members of his family, have numerous business ties to Binance Holdings Ltd.

(6) On October 23, 2025, President Donald J. Trump pardoned Mr. Zhao.

(b) CONDEMNING PARDON.—Congress condemns the pardon issued to Changpeng Zhao.

SA 4725. Mr. WELCH 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 PARDON OF FORMER HONDURAN PRESIDENT JUAN ORLANDO HERNÁNDEZ.

(a) FINDINGS.—Congress finds the following:

(1) According to court documents, beginning at least as early as 2004, and continuing through 2022, Juan Orlando Hernández, the former president of the Honduran National Congress and former two-term President of Honduras, was at the center of one of the largest and most violent drug-trafficking conspiracies in the world.

(2) During his political career, President Hernández abused his positions and authority in Honduras to facilitate the importation of over 400 tons of cocaine into the United States, enough for approximately 4,500,000,000 individual doses.

(3) President Hernández’s co-conspirators were armed with machine guns and other weapons, including AK-47s, AR-15s, and grenade launchers, which they used to protect their cocaine shipments as they transited across Honduras on route to the United States, protect the money they made from the sale of the cocaine, and guard their drug-trafficking territory from rivals.

(4) President Hernández and his co-conspirators abused Honduran institutions, including the Honduran National Police and

the Honduran military, to protect and grow their conspiracy, using heavily armed Honduran National Police officers to protect their cocaine shipments as they transited across Honduras.

(5) President Hernández received millions of dollars of drug money from some of the largest and most violent drug-trafficking organizations in Honduras, Mexico, and elsewhere, and used those bribes to fuel his rise in Honduran politics, including a \$1,000,000 bribe from El Chapo, one of the world's most notorious drug kingpins.

(6) As President Hernández rose to power in Honduras, he provided increased support and protection for his co-conspirators, allowing them to move tons of cocaine, commit acts of violence and murder, and turn Honduras into one of the most dangerous countries in the world.

(7) During his time in office, President Hernández protected and enriched the drug traffickers in his inner circle and those who provided him with cocaine-fueled bribes that allowed him to obtain and stay in power.

(8) President Hernández selectively supported and took credit for extraditions to the United States of certain drug traffickers who threatened his grip on power, while at the same time promising drug traffickers who bribed him and followed his instructions that they would remain safe in Honduras.

(9) The threat of being extradited to the United States made drug traffickers eager to bribe anyone who could protect them, and according to Federal prosecutors, they came to know they could rely on President Hernández.

(10) President Hernández directed the Honduran National Police and military to protect smugglers who paid him off and he promised to shield them from extradition to the United States, reportedly telling one cocaine trafficker that “by the time the gringos find out, we will have eliminated extradition.”

(11) President Hernández reportedly boasted, “We are going to stuff the drugs up the gringos’ noses, and they’re never even going to know it.”

(12) Several of President Hernández’s co-conspirators were convicted and sentenced to prison in the United States, including the following:

(A) President Hernández’s brother, Juan Antonio Hernández Alvarado, also known as “Tony Hernández”, who was convicted and sentenced to life in prison.

(B) Geovanny Fuentes Ramirez, a violent cocaine trafficker who met with President Hernández multiple times to discuss their drug trafficking partnership and who was convicted and sentenced to life in prison.

(C) Juan Carlos Bonilla Valladares, also known as “El Tigre”, the former chief of the Honduran National Police, who pleaded guilty to his participation in the cocaine importation conspiracy and was sentenced to 19 years in prison.

(13) President Hernández was convicted of drug trafficking and weapons conspiracy after a jury trial that lasted nearly 3 weeks, and sentenced to 45 years in prison and fined \$8,000,000.

(14) President Hernández claimed that he was the victim of “political persecution”, but no credible evidence to support that claim has been presented.

(15) President Hernández’s conviction and sentence were upheld on appeal.

(16) President Donald J. Trump’s pardon of Juan Orlando Hernández is an affront to the Federal law enforcement and judicial officials who investigated and prosecuted him and to the jurors who performed their civil duty in convicting him, weakens the rule of law, and severely harms the credibility of

the United States in combating drug trafficking in this hemisphere and beyond.

(b) CONDEMNING PARDON.—Congress condemns the pardon to convicted cocaine kingpin Juan Orlando Hernández.

SA 4726. Mr. WELCH 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. DEPARTMENT OF HOMELAND SECURITY HIRING LIMITATION.

Beginning on the date of the enactment of this Act, U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection may not hire any applicant for an officer or agent position if the employment of such applicant as a law enforcement officer was previously terminated as a result of misconduct.

SA 4727. Mr. WELCH 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. PROHIBITION AGAINST IMMIGRATION ENFORCEMENT BASED SOLELY ON CERTAIN PERSONAL CHARACTERISTICS.

An officer or agent of the Department of Homeland Security may not initiate any immigration enforcement action based solely on the sex, race, gender, or sexual orientation of the subject of such action.

SA 4728. Mr. WELCH 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. _____. SENSE OF THE SENATE RECOGNIZING THE OUTCOME OF THE 2020 PRESIDENTIAL ELECTION.

It is the sense of the Senate that—

(1) Joseph R. Biden was duly elected President of the United States in the 2020 presidential election; and

(2) Donald J. Trump lost the 2020 presidential election.

SA 4729. Mr. WELCH 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. _____. DHS CONTRACT INFORMATION.

Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to Congress a copy of each contract and subcontract associated with an advertising campaign of the Department of Homeland Security entered into on or after January 20, 2025.

SA 4730. Mr. WELCH 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. _____. RESTITUTION PAYMENTS FOR VICTIMS OF OFFENDERS WHO RECEIVED PARDONS OR COMMUTATIONS.

Of the unobligated balances of amounts appropriated under section 100052 of the Act entitled “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14”, approved July 4, 2025 (Public Law 119–21; 139 Stat. 387) (commonly known as the “One Big Beautiful Bill Act”), \$2,000,000,000 shall be transferred to the Attorney General and shall be available to the Attorney General to provide restitution payments to victims who will not receive restitution from an offender because of a pardon or commutation issued on or after January 20, 2025.

SA 4731. Mr. WELCH 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 COMMUTATION OF THE SENTENCE OF GEORGE ANTHONY DEVOLDER SANTOS.

(a) FINDINGS.—Congress finds the following:

(1) Former Congressman George Anthony Devolder Santos pleaded guilty to committing wire fraud and aggravated identity theft.

(2) As part of his guilty plea, Mr. Santos admitted to filing fraudulent reports with the Federal Election Commission, embezzling funds from campaign donors, charging credit cards without authorization, stealing identities, obtaining unemployment benefits through fraud, and lying in a report to the House of Representatives.

(3) Mr. Santos was sentenced to 87 months in prison, ordered to pay \$373,749.97 in restitution, and forfeited \$205,002.97.

(4) On October 17, 2025, President Donald J. Trump commuted Mr. Santos’s sentence.

(b) CONDEMNING COMMUTATION.—Congress condemns the commutation of the sentence of George Anthony Devolder Santos.

SA 4732. Mr. HUSTED 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 section 111 and insert the following:

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) VALID MILITARY IDENTIFICATION DEFINED.—For purposes of this section, the term ‘valid military identification’ means any photo identification card issued by the Department of Defense or the Department of Veterans Affairs.

“(f) EFFECTIVE DATE.—This section shall take effect 1 day after 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 this paragraph.”

(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 1 day after the date of the enactment of this Act, and shall apply with respect to elections for Federal office held on or after such date.

SA 4733. Mr. WARNOCK 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 “Capping Prescription Costs Act of 2026”.

SEC. 2. CAP ON PRESCRIPTION DRUG COST-SHARING.

(a) QUALIFIED HEALTH PLANS.—Section 1302(c) of the Patient Protection and Afford-

able Care Act (42 U.S.C. 18022(c)) is amended—

(1) in paragraph (3)(A)(i), by inserting “, including cost-sharing with respect to prescription drugs covered by the plan” after “charges”; and

(2) by adding at the end the following:

“(5) PRESCRIPTION DRUG COST-SHARING.—

“(A) 2027.—For plan years beginning in 2027, the cost-sharing incurred under a health plan with respect to prescription drugs covered by the plan shall not exceed \$2,000 per year for each enrolled individual, or \$4,000 per year for each family.

“(B) 2028 AND LATER.—

“(i) IN GENERAL.—In the case of any plan year beginning in a calendar year after 2027, the limitation under this paragraph shall be equal to the applicable dollar amount under subparagraph (A) for plan years beginning in 2027, increased by an amount equal to the product of that amount and the medical care component of the consumer price index for all urban consumers (as published by the Bureau of Labor Statistics) for that year.

“(ii) ADJUSTMENT TO AMOUNT.—If the amount of any increase under clause (i) is not a multiple of \$5, such increase shall be rounded to the next lowest multiple of \$5.”

(b) GROUP HEALTH PLANS.—

(1) PUBLIC HEALTH SERVICE ACT.—Part D of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-111 et seq.) is amended by inserting after section 2799A-5 (42 U.S.C. 300gg-115) the following:

“SEC. 2799A-6. CAP ON PRESCRIPTION DRUG COST-SHARING FOR GROUP HEALTH PLANS.

“A group health plan and health insurance issuer offering group health insurance coverage shall ensure that any cost-sharing imposed under the plan or coverage with respect to prescription drugs covered by the plan or coverage does not exceed the limitations provided for under paragraph (5) of section 1302(c) of the Patient Protection and Affordable Care Act.”

(2) EMPLOYEE RETIREMENT INCOME SECURITY ACT.—

(A) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act (29 U.S.C. 1185 et seq.) is amended by inserting after section 720 (29 U.S.C. 1185i) the following:

“SEC. 721. CAP ON PRESCRIPTION DRUG COST-SHARING.

“A group health plan and health insurance issuer offering group health insurance coverage shall ensure that any cost-sharing imposed under the plan or coverage with respect to prescription drugs covered by the plan or coverage does not exceed the limitations provided for under paragraph (5) of section 1302(c) of the Patient Protection and Affordable Care Act.”

(B) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 note) is amended by inserting after the item relating to section 720 the following:

“Sec. 721. Cap on prescription drug cost-sharing”.

(3) INTERNAL REVENUE CODE OF 1986.—

(A) IN GENERAL.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended by inserting after section 9820 the following:

“SEC. 9821. CAP ON PRESCRIPTION DRUG COST-SHARING.

“A group health plan shall ensure that any cost-sharing imposed under the plan with respect to prescription drugs covered by the plan does not exceed the limitations provided for under paragraph (5) of section 1302(c) of the Patient Protection and Affordable Care Act.”

(B) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 100 of

the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 9820 the following:

“Sec. 9821. Cap on prescription drug cost-sharing”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect with respect to plan years beginning on or after January 1, 2027.

SA 4734. Mr. WARNOCK 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. REPEAL OF CHANGES TO MEDICAID STATE DIRECTED PAYMENTS.

(a) REPEAL.—Section 71116 of the Act titled “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14” (Public Law 119-21) is repealed and the provisions of such section shall have no force and effect.

(b) RESCISSION.—The amounts appropriated under section 71116(e) of the Act titled “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14” (Public Law 119-21) are hereby rescinded.

SA 4735. Mr. RICKETTS (for himself and Mrs. FISCHER) 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:

On page 42, line 21, strike “or”.

On page 43, line 3, strike “subsection (c)(4).” and insert “subsection (c)(4); or”.

On page 43, between lines 3 and 4, insert the following:

(F) is a resident of a rural county with a population of 10,000 residents or less that has been certified to conduct elections for Federal office by mail in accordance with subsection (c)(5)(B).

On page 45, between lines 17 and 18, insert the following:

(5) RURAL COUNTIES.—

(A) INDIVIDUAL REQUIREMENT.—An individual seeking an absentee ballot under subsection (a)(1)(F) shall submit, together with the request required under subsection (b), a sworn certification that the individual is a resident of a rural county with a population of 10,000 residents or less that has been certified to conduct elections for Federal office by mail under subparagraph (B) of this paragraph, including documentation that is reasonably sufficient to establish such residency.

(B) RURAL COUNTY REQUIREMENTS.—

(i) IN GENERAL.—A rural county with a population of 10,000 residents or less may conduct elections for Federal office by mail if the chief election official of the State in which the rural county is located submits to the Election Assistance Commission—

(I) a certification that the rural county has a population of 10,000 residents or less; and

(II) a written plan for the conduct of elections for Federal office by mail in the applicable rural county, certifying that the rural county shall—

(aa) maintain not fewer than 1 in-person voting locations; and

(bb) provide an option for the return of ballots 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.

(ii) RESPONSIBILITIES OF THE ELECTION ASSISTANCE COMMISSION.—

(I) REVIEW.—The Election Assistance Commission shall review each certification submitted under clause (i).

(II) GUIDANCE.—The Election Assistance Commission shall issue guidance relating to additional requirements for the conduct of elections for Federal office by mail in rural counties with populations of 10,000 residents or less under this subparagraph and certifications under clause (i).

On page 45, line 18, strike “(5)” and insert “(6)”.

SA 4736. Mr. DURBIN 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. ____ . CRYPTO ATM FRAUD PREVENTION.

(a) REGISTRATION WITH THE SECRETARY OF THE TREASURY.—Section 5330 of title 31, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)(A), by inserting “, any person who owns, operates, or manages a virtual currency kiosk in the United States or its territories,” after “similar instruments”; and

(B) by adding at the end the following:

“(3) VIRTUAL CURRENCY; VIRTUAL CURRENCY ADDRESS; VIRTUAL CURRENCY KIOSK; VIRTUAL CURRENCY KIOSK OPERATOR.—The terms ‘virtual currency’, ‘virtual currency address’, ‘virtual currency kiosk’, and ‘virtual currency kiosk operator’ have the meanings given those terms, respectively, in section 5337.”; and

(2) by adding at the end the following:

“(f) REGISTRATION OF VIRTUAL CURRENCY KIOSK LOCATIONS.—

“(1) IN GENERAL.—Not later than 90 days after the effective date of this subsection, and not less than once every 90 days thereafter, the Secretary of the Treasury shall require virtual currency kiosk operators to submit an updated list containing the physical address of each virtual currency kiosk owned or operated by the virtual currency kiosk operator.

“(2) FORM AND MANNER OF REGISTRATION.—Each submission by a virtual currency kiosk operator pursuant to paragraph (1) shall include—

“(A) the legal name of the virtual currency kiosk operator;

“(B) any fictitious or trade name of the virtual currency kiosk operator;

“(C) the physical address of each virtual currency kiosk owned, operated, or managed by the virtual currency kiosk operator that is located in the United States or the territories of the United States;

“(D) the start date of operation of each virtual currency kiosk;

“(E) the end date of operation of each virtual currency kiosk, if applicable; and

“(F) each virtual currency address used by the virtual currency kiosk operator.

“(3) FALSE AND INCOMPLETE INFORMATION.—The filing of false or materially incomplete information in a submission required under paragraph (1) shall be deemed a failure to comply with the requirements of this subsection.”.

(b) PREVENTING FRAUDULENT TRANSACTIONS AT VIRTUAL CURRENCY KIOSKS.—

(1) IN GENERAL.—Subchapter II of Chapter 53 of Title 31, United States Code, is amended by adding at the end the following:

“§ 5337. Virtual currency kiosk fraud prevention

“(a) DEFINITIONS.—In this section:

“(1) BLOCKCHAIN ANALYTICS.—The term ‘blockchain analytics’ means the analysis of data from blockchains or public distributed ledgers, and associated transaction information, to provide risk-specific information about virtual currency transactions and virtual currency addresses.

“(2) CUSTOMER.—The term ‘customer’ means any person that purchases or sells virtual currency through a virtual currency kiosk.

“(3) EXISTING CUSTOMER.—The term ‘existing customer’ means a customer other than a new customer.

“(4) FINCEN.—The term ‘FinCEN’ means the Financial Crimes Enforcement Network of the Department of the Treasury.

“(5) NEW CUSTOMER.—The term ‘new customer’, with respect to a virtual currency kiosk operator, means a customer during the 14-day period beginning on the date of the first virtual currency kiosk transaction of the customer with the virtual currency kiosk operator.

“(6) TRANSACTION HASH.—The term ‘transaction hash’ means a unique identifier made up of a string of characters that act as a record of and provide proof that a transaction was verified and added to the blockchain.

“(7) VIRTUAL CURRENCY.—The term ‘virtual currency’ means any digital representation of value that is recorded on a cryptographically secured distributed ledger or any similar technology or another implementation, which was designed and built as part of a system to leverage or replace blockchain, distributed ledger technology, or their derivatives.

“(8) VIRTUAL CURRENCY ADDRESS.—The term ‘virtual currency address’ means an alphanumeric identifier associated with a virtual currency wallet identifying the location to which virtual currency purchased through a virtual currency kiosk can be sent or from which virtual currency sold through a virtual currency kiosk can be accessed.

“(9) VIRTUAL CURRENCY KIOSK.—The term ‘virtual currency kiosk’ means a stand-alone machine—

“(A) that is capable of accepting or dispensing legal tender in exchange for virtual currency; or

“(B) through which a person acting on the behalf of, or a mechanical agent of, the virtual currency kiosk operator of the machine may enable the virtual currency kiosk operator to facilitate the exchange of legal tender for virtual currency, including by—

“(i) connecting directly to a separate virtual currency exchange that performs a virtual currency kiosk transaction; or

“(ii) drawing upon the virtual currency in the possession of the virtual currency kiosk operator.

“(10) VIRTUAL CURRENCY KIOSK OPERATOR.—The term ‘virtual currency kiosk operator’ means a person who owns, operates, or manages a virtual currency kiosk located in the United States or its territories.

“(11) VIRTUAL CURRENCY KIOSK TRANSACTION.—The term ‘virtual currency kiosk transaction’ means the purchase or sale of virtual currency via a virtual currency kiosk.

“(12) VIRTUAL CURRENCY WALLET.—The term ‘virtual currency wallet’ means a software application or other mechanism providing a means for holding, storing, and transferring virtual currency.

“(b) DISCLOSURES.—Before entering into a virtual currency transaction with a customer, a virtual currency kiosk operator shall disclose in a clear, conspicuous, and easily readable manner—

“(1) all relevant terms and conditions of the virtual currency kiosk transaction, including—

“(A) the amount of the virtual currency kiosk transaction;

“(B) the type and nature of the virtual currency kiosk transaction;

“(C) a warning that the virtual currency kiosk transaction is final, is not refundable, and may not be reversed;

“(D) the type and amount of any fees or other expenses paid by the customer; and

“(E) the exchange rates of—

“(i) the virtual currency to United States dollars, with respect to the virtual currency kiosk transaction; and

“(ii) the virtual currency to United States dollars on the global marketplace;

“(2) a warning relating to consumer fraud including—

“(A) a warning that consumer fraud often starts with contact from a stranger, and that the customer should never send money to someone they do not know;

“(B) a warning about the most common types of fraudulent schemes involving virtual currency kiosks, such as—

“(i) impersonation of a government official or a bank representative;

“(ii) threats of jail time or financial penalties;

“(iii) offers of a job or reward in exchange for payment, or offers of deals that seem too good to be true;

“(iv) claims of a frozen bank account or credit card; or

“(v) requests for donations to charity or disaster relief; and

“(C) a statement that the customer should contact the virtual currency kiosk operator’s customer service helpline or State or local law enforcement if they suspect fraudulent activity; and

“(3) a disclosure relating to the material risks associated with virtual currency and virtual currency transactions, including disclosures to the effect of—

“(A) virtual currency is not issued or backed by the United States Government and is not legal tender;

“(B) a virtual currency is not subject to protections by the Federal Deposit Insurance Corporation, National Credit Union Administration, or Securities Investor Protection Corporation;

“(C) virtual currency transactions involve risk as the value of virtual currencies is derived from supply and demand in the global marketplace and virtual currencies may lose value; and

“(D) a person or business that accepts virtual currency as payment today may not accept virtual currency as payment in the future.

“(C) ACKNOWLEDGMENT OF DISCLOSURES.—

“(1) IN GENERAL.—Each time a customer uses a virtual currency kiosk, the virtual currency kiosk operator shall ensure acknowledgment of all disclosures required under subsection (b) via confirmation of consent of the customer at the virtual currency kiosk.

“(2) REFUND ELIGIBILITY.—Many disclosures under this section are intended to serve as warnings to customers who may be conducting a virtual currency kiosk transaction as a result of a scam. The acknowledgment of the disclosures required under this section shall not affect eligibility or prevent a fraud victim from being eligible for a refund.

“(d) RECEIPTS.—Upon completion of each virtual currency kiosk transaction, the virtual currency kiosk operator shall provide the customer with a receipt, which shall include the following information:

“(1) The name and contact information of the virtual currency kiosk operator, includ-

ing a telephone number for a customer service helpline.

“(2) The name of the customer.

“(3) The type, value, date, and precise time of the virtual currency kiosk transaction, transaction hash, and each applicable virtual currency address.

“(4) The amount of the virtual currency kiosk transaction expressed in United States dollars.

“(5) All fees charged.

“(6) A statement that the customer may be entitled by law to a refund if the customer reports fraudulent activity in conjunction with the virtual currency kiosk transaction not later than 30 days after the date of the virtual currency kiosk transaction.

“(7) The refund policy of the virtual currency kiosk operator or a Uniform Resource Locator where the refund policy of the virtual currency kiosk operator can be found.

“(8) A statement that the customer should contact law enforcement if they suspect fraudulent activity, such as scams, including contact information for a relevant law enforcement or government agency.

“(9) Any additional information the virtual currency kiosk operator determines appropriate.

“(e) PHYSICAL RECEIPTS REQUIRED.—Not later than 1 year after the effective date of this section, each receipt required under subsection (d) shall be issued to the customer as a physical receipt at the virtual currency kiosk at the time of the virtual currency kiosk transaction, but such receipt may also be provided in additional forms or communications.

“(f) ANTI-FRAUD POLICY.—

“(1) IN GENERAL.—Each virtual currency kiosk operator shall take reasonable steps to detect and prevent fraud, including establishing and maintaining a written anti-fraud policy that includes—

“(A) the identification and assessment of fraud-related risk areas;

“(B) procedures and controls to protect against risks identified under subparagraph (A);

“(C) allocation of responsibility for monitoring the risks identified under subparagraph (A); and

“(D) procedures for the periodic evaluation and revision of the anti-fraud procedures, controls, and monitoring mechanisms under subparagraphs (B) and (C).

“(2) SUBMISSION OF ANTI-FRAUD POLICY TO FINCEN.—Each virtual currency kiosk operator shall submit to FinCEN the anti-fraud policy required under paragraph (1) not later than 90 days after the later of—

“(A) the effective date of this section; or

“(B) the date on which the virtual currency kiosk operator begins operating.

“(g) APPOINTMENT OF COMPLIANCE OFFICER.—Each virtual currency kiosk operator shall designate and employ a compliance officer who—

“(1) is qualified to coordinate and monitor compliance with this section and all other applicable Federal and State laws, rules, and regulations;

“(2) is employed full-time by the virtual currency kiosk operator;

“(3) is not the chief executive officer of the virtual currency kiosk operator; and

“(4) does not own or control more than 20 percent of any interest in the virtual currency kiosk operator.

“(h) USE OF BLOCKCHAIN ANALYTICS.—

“(1) IN GENERAL.—Each virtual currency kiosk operator shall use blockchain analytics to prevent sending virtual currency to a virtual currency wallet known to be affiliated with fraudulent activity at the time of a virtual currency kiosk transaction and to detect transaction patterns indicative of fraud or other illicit activities.

“(2) COMPLIANCE.—The Director of FinCEN may request evidence from any virtual currency kiosk operator to confirm compliance with this subsection.

“(i) VERBAL CONFIRMATION REQUIRED BEFORE NEW CUSTOMER TRANSACTIONS.—

“(1) IN GENERAL.—Before entering into a virtual currency kiosk transaction valued at 300 dollars or more with a new customer, a virtual currency kiosk operator shall obtain verbal confirmation from the new customer that—

“(A) the new customer wishes to proceed with the virtual currency kiosk transaction;

“(B) the new customer understands the nature of the virtual currency kiosk transaction; and

“(C) the new customer is not being fraudulently induced to engage in the transaction.

“(2) REASONABLE EFFORT.—A virtual currency kiosk operator shall make a reasonable effort to determine whether the customer is being fraudulently induced to engage in the virtual currency kiosk transaction.

“(3) METHOD OF CONFIRMATION.—Each verbal confirmation required under paragraph (1) shall be given by way of a live telephone or video call to a person employed by, or on behalf of, the virtual currency kiosk operator.

“(j) REFUNDS.—

“(1) IN GENERAL.—

“(A) NEW CUSTOMERS.—Not later than 30 days after receiving an application under paragraph (2), a virtual currency kiosk operator shall issue a refund to a customer for the full amount of each virtual currency kiosk transaction, including the dollar value of virtual currency exchanged and all transaction fees, made during the period in which the customer was a new customer and for which the customer was fraudulently induced to engage in the virtual currency kiosk transaction.

“(B) EXISTING CUSTOMERS.—Not later than 30 days after receiving an application under paragraph (2), a virtual currency kiosk operator shall issue a refund to a customer for the full amount of all transaction fees associated with each virtual currency kiosk transaction made during the period in which the customer was an existing customer and for which the customer was fraudulently induced to engage in the virtual currency kiosk transaction.

“(2) APPLICATION.—A customer seeking a refund under paragraph (1) shall, not later than 90 days after the date of the virtual currency kiosk transaction, submit an application to the virtual currency kiosk operator that includes the following:

“(A) The name, address, and phone number of the customer.

“(B) The transaction hash of the virtual currency kiosk transaction or information sufficient to determine the type, value, date, and time of the virtual currency kiosk transaction.

“(C) A copy of a report to a State or local law enforcement or government agency, made not later than 90 days after the virtual currency kiosk transaction, that includes a sworn affidavit attesting that the customer was fraudulently induced to engage in the virtual currency kiosk transaction.

“(3) ENHANCED DAMAGES.—Any person who knowingly denies a refund to a customer who is entitled to a refund pursuant to paragraph (1) shall be liable to the customer for 3 times the amount of the refund owed under that paragraph or \$10,000, whichever is greater. A penalty under this paragraph shall be in addition to any penalty under subsection (o).

“(k) TRANSACTION LIMITS.—

“(1) IN A 24-HOUR PERIOD.—During any 24-hour period, a virtual currency kiosk operator shall not accept more than—

“(A) \$1,000, or the equivalent amount in virtual currency, from any new customer; or
 “(B) \$2,000, or the equivalent amount in virtual currency, from any existing customer.

“(2) TOTAL.—A virtual currency kiosk operator shall not accept a total of more than \$5,000, or the equivalent amount in virtual currency, from any new customer.

“(1) TRANSACTION FREEZES WITH RESPECT TO NEW CUSTOMERS.—

“(1) IN GENERAL.—Each virtual currency kiosk operator shall place a 48-hour transaction freeze for new customer for each transaction made during 14-day period during which a customer is a new customer.

“(2) LIFTING OF THE TRANSACTION FREEZE.—A virtual currency kiosk operator may automatically lift a transaction freeze under paragraph (1) after the 48-hours freeze period unless the customer contacts the virtual currency kiosk operator before the end of the 48-hour freeze period to report fraudulent activity.

“(m) CUSTOMER SERVICE HELPLINE.—Each virtual currency kiosk operator shall provide live customer service during all hours that the virtual currency kiosk operator accepts virtual currency kiosk transactions, the phone number for which is regularly monitored and displayed in a clear, conspicuous, and easily readable manner upon each virtual currency kiosk.

“(n) COMMUNICATIONS WITH LAW ENFORCEMENT.—

“(1) IN GENERAL.—Each virtual currency kiosk operator shall provide a dedicated and frequently monitored phone number and email address for relevant law enforcement and government agencies to facilitate communication with the virtual currency kiosk operator in the event of reported or suspected fraudulent activity.

“(2) SUBMISSION.—Not later than 90 days after the effective date of this section, each virtual currency kiosk operator shall submit the phone number and email address described in paragraph (1) to FinCEN and all other relevant law enforcement and government agencies.

“(o) CIVIL PENALTIES.—

“(1) IN GENERAL.—Any person who fails to comply with any requirement of this section, or any regulation prescribed under this section, shall be liable to the United States for a civil monetary penalty of \$10,000 for each such violation.

“(2) CONTINUING VIOLATION.—Each day that a violation described in paragraph (1) continues shall constitute a separate violation for purposes of such paragraph.

“(3) ASSESSMENTS.—Any penalty imposed under this section shall be assessed and collected by the Secretary of the Treasury as provided in section 5321 and any such assessment shall be subject to the provisions of that section.

“(p) RELATIONSHIP TO STATE LAWS.—The provisions of this section shall preempt any State law, rule, or regulation only to the extent that such State law, rule, or regulation conflicts with a provision of this section. Nothing in this section shall be construed to prohibit a State from enacting a law, rule, or regulation that provides greater protection to customers than the protection provided by the provisions of this section.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5336 the following:

“5337. Virtual currency kiosk fraud prevention.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SA 4737. Mr. DURBIN 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. INVESTIGATION INTO THE DEPARTMENT OF GOVERNMENT EFFICIENCY.

(a) AUDIT.—The Inspector General of the Social Security Administration shall investigate the actions of the Department of Government Efficiency with respect to the Social Security Administration to examine—

(1) the extent to which members of the Department of Government Efficiency illegally accessed or disclosed information from any beneficiary data system; and

(2) whether any such members of the Department of Government Efficiency should be referred to the Department of Justice for criminal prosecution.

(b) DEPARTMENT OF GOVERNMENT EFFICIENCY.—For purposes of this section, the term “Department of Government Efficiency” means—

(1) the United States DOGE Service;
 (2) the United States DOGE Service Temporary Organization;

(3) any DOGE team (as defined in any of the Executive orders described in subsection (c)(1));

(4) any entity established in accordance with, or to implement, any Executive order described in subsection (c); and

(5) any successor entity to an entity described in paragraphs (1) through (4).

(c) EXECUTIVE ORDERS.—The Executive orders described in this subsection are—

(1) Executive Orders 14158, 14210, 14219, and 14222 (90 Fed. Reg. 8441, 9669, 10583, 11095); and

(2) any other Executive order relating to any entity described in paragraph (1), (2), (3), or (5) of subsection (b).

(d) BENEFICIARY DATA SYSTEM DEFINED.—In this section, the term “beneficiary data system” means a system that is maintained by the Social Security Administration for the purposes of administering the Social Security Act that—

(1) issues or records social security account numbers;

(2) is used to determine eligibility for benefits under such Act;

(3) to pay benefits under such Act; or

(4) otherwise contains records of personally identifiable information, personal health information, or Federal tax information of individuals receiving or applying for a benefit under such Act.

SA 4738. Mr. DURBIN 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. ____ SENSE OF CONGRESS ON LIFTING OIL SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION AND IRAN.

It is the sense of Congress that neither the President nor any other official of the executive branch should waive, suspend, or terminate sanctions with respect to oil of Russian or Iranian origin or related vessels while the Russian Federation continues to bomb Ukraine or refuses to constructively participate in peace talks brokered by the United States between the Russian Federation and Ukraine.

SA 4739. Mr. DURBIN 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. ____ PROTECTIONS RELATING TO FREQUENT FLYER PROGRAMS AND CO-BRANDED CREDIT CARDS.

(a) IN GENERAL.—Chapter 423 of title 49, United States Code, is amended by adding at the end the following new section:

“SEC. 42309. PROTECTIONS RELATING TO FREQUENT FLYER PROGRAMS AND CO-BRANDED CREDIT CARDS.

“(a) PROTECTIONS RELATED TO POINTS, MILES, AND OTHER ACCRUED VALUE.—

“(1) VALUE DISCLOSURE.—Not later than 90 days after the date of enactment of this section, each covered air carrier shall—

“(A) prominently display on each page of the website and mobile application of the air carrier information regarding the financial value of one point, mile, or other accrued value promised or offered in connection with a frequent flyer program;

“(B) in the case that any such financial value differs between various co-branded credit cards, or tiers or iterations of loyalty programs, display information regarding each differing financial value in a central location on the website and mobile application of the air carrier; and

“(C) update, in real time, any change to the information displayed pursuant to subparagraph (A) or (B).

“(2) EXPIRATION OF POINTS.—A covered air carrier shall not place an expiration date on any points, miles, or other accrued value promised or offered in connection with a frequent flyer program.

“(3) TRANSFER OF POINTS.—

“(A) IN GENERAL.—A covered air carrier shall—

“(i) allow a consumer participating in a frequent flyer program to transfer any amount of points, miles, or other accrued value of the consumer to another participant (chosen by the consumer) of the same frequent flyer program; and

“(ii) guarantee that, with respect to any such transfer, the points, miles, or other accrued value remain equal in value once transferred.

“(B) LIMITATIONS.—A covered air carrier shall not—

“(i) limit the number of points, miles, or other accrued value that a consumer may transfer to another participant of the frequent flyer program, except to protect a consumer from fraud or scams as prescribed by regulation; or

“(ii) impose a fee or other penalty on the consumer in connection with such transfer.

“(4) FEES FOR POINTS.—A covered air carrier shall not impose a fee or other penalty on the consumer to access, use, redeem, or redeposit points, miles, or other accrued value.

“(5) DISPLAY OF AIRFARE VALUE.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, each covered air carrier shall display on any travel booking page of the website and mobile application of the air carrier—

“(i) the cost of airfare or other ancillary fees both in dollar value and in the value of points, miles, or other accrued value promised or offered in connection with a frequent flyer program; and

“(ii) in the case that any cost described in clause (i) differs between various co-branded credit cards, or tiers or iterations of loyalty

programs, information regarding each such differing cost.

“(B) MANNER.—An air carrier shall display the information required under subparagraph (A) in a manner that—

“(i) displays all costs described in such subparagraph concurrently; and

“(ii) does not require a consumer to alternate between methods to display such costs.

“(C) UPDATES.—An air carrier shall update, in real time, any change to the information required to be displayed under subparagraph (A).

“(6) DISPLAY OF REDEMPTION RATES.—Not later than 1 year after the date of enactment of this section, each covered air carrier shall—

“(A) display on a page of the website and mobile application of the air carrier the percentage rate of points, miles, or other accrued value that consumers successfully used or redeemed in the preceding 12 months; and

“(B) update such percentage rate on an annual basis.

“(7) AIRFARE AND ANCILLARY FEE TRANSACTIONS.—Not later than 1 year after the date of enactment of this section, each covered air carrier shall offer to consumers the ability to purchase airfare or other ancillary fees in any combination of dollars and points, miles, or other accrued value promised or offered in connection with a frequent flyer program.

“(8) ACCOUNT SECURITY.—Not later than 90 days after the date of enactment of this section, each covered air carrier shall—

“(A) require multi-factor authentication for access to a frequent flyer program account; and

“(B) implement other reasonable data security protections as the Secretary may require.

“(b) CONSUMER NOTICE OF CHANGES TO TERMS OF SERVICE.—

“(1) CHANGES TO TERMS OF SERVICES.—With respect to the terms of service, contract of carriage, or other customer agreement of any frequent flyer program or airline co-branded credit card of a covered air carrier, the covered air carrier shall not include any provision that reserves the right of the covered air carrier to make changes to the terms of service, contract of carriage, or other customer agreement without providing to the consumer at least 1 year of notice of any such change.

“(2) NOTICE TO CONSUMERS.—A covered air carrier shall not take any action that would allow the covered air carrier to devalue a consumer’s accrued points, miles, or other accrued value promised or offered in connection with a frequent flyer program, including any action to decrease the dollar value, eliminate, reduce, suspend, forfeit, invalidate, impose new limits on the access, use, redemption, or validity, or impose new requirements or expense for the redemption or use of any such points, miles, or other accrued value unless the covered air carrier has provided to consumers not fewer than 1 year of notice of any such action.

“(3) COORDINATION WITH CFPB AND FTC.—In carrying out paragraphs (1) and (2), the Secretary shall coordinate with the Director of the Consumer Financial Protection Bureau and the Commissioners of the Federal Trade Commission, as necessary.

“(c) DEFINITIONS.—In this section:

“(1) ANCILLARY FEE.—The term ‘ancillary fee’ means any fee paid for service that a consumer may add to a flight booking for an additional cost, or may purchase as an in-flight service, including seating options, baggage, beverages, food, early boarding, lounge access, internet or wifi access, or any other service determined appropriate by the Secretary.

“(2) CO-BRANDED CREDIT CARD.—The term ‘co-branded credit card’ means a credit card jointly offered by a covered air carrier in partnership with a credit card issuer, with an emphasis on rewarding brand loyalty.

“(3) COVERED AIR CARRIER.—The term ‘covered air carrier’ means an air carrier (including any program partner of such air carrier or a foreign airline partnership that includes such air carrier) conducting passenger operations under part 121 of title 14, Code of Federal Regulations, that offers a frequent flyer program.

“(4) FREQUENT FLYER PROGRAM.—The term ‘frequent flyer program’ means a program in which a covered air carrier promises or offers points, miles, or other accrued value for tickets purchased from the covered air carrier.

“(5) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(d) REGULATIONS.—The Secretary may issue such regulations as may be necessary to implement this section.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 423 of title 49, United States Code, is amended by inserting after the item relating to section 42308 the following:

“42309. Protections relating to frequent flyer programs and co-branded credit cards.”

SA 4740. Mr. DURBIN 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 BAILOUTS OF DIGITAL ASSET MARKET PARTICIPANTS.

(a) DEFINITIONS.—In this section:

(1) BLOCKCHAIN.—The term “blockchain” means technology—

(A) through which data is shared across a network that creates a public blockchain of verified transactions or information among network participants; and

(B) in which cryptography is used to link the data described in subparagraph (A)—

(i) to maintain the integrity of the blockchain described in that subparagraph; and

(ii) to execute other functions

(2) DECENTRALIZED FINANCE TRADING PROTOCOL.—The term “decentralized finance trading protocol” means a blockchain system through which multiple participants can execute a financial transaction—

(A) in accordance with an automated rule or algorithm that is predetermined and non-discretionary; and

(B) without reliance on any other person to maintain control of the digital assets of the user during any part of the financial transaction.

(3) DIGITAL ASSET INTERMEDIARY.—The term “digital asset intermediary” means any person that provides services that are financial in nature, as defined in section 4(k)(4) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)), with respect to any digital asset.

(4) FINANCIAL SERVICE PROVIDER.—The term “financial service provider” means a financial service provider that is regulated by a Federal banking agency, as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(5) GENIUS ACT TERMS.—The terms “digital asset”, “digital asset service provider”, and “distributed ledger protocol” have the meanings given those terms, respectively, in section 2 of the GENIUS Act (12 U.S.C. 5901).

(b) PROHIBITION ON FINANCIAL ASSISTANCE.—A Federal agency may not provide financial assistance to a digital asset intermediary, digital asset service provider, distributed ledger protocol, decentralized finance trading protocol, or financial service provider with respect to digital asset activities, to prevent the failure or bankruptcy of the digital asset commodity intermediary.

(c) EMERGENCY LIQUIDITY FACILITIES.—A digital asset intermediary, digital asset service provider, distributed ledger protocol, decentralized finance trading protocol, or financial service provider with respect to digital asset activities may not have access to any emergency liquidity facility established under section 13(3) of the Federal Reserve Act (12 U.S.C. 343).

(d) EXCHANGE STABILIZATION FUND.—The Secretary of the Treasury may not use any amounts in the Exchange Stabilization Fund established under section 5302 of title 31, United States Code, for the benefit of any digital asset intermediary, digital asset service provider, distributed ledger protocol, decentralized finance trading protocol or financial service provider with respect to digital asset activities.

(e) RULE OF CONSTRUCTION.—The prohibition under subsection (b) shall not alter the Federal Reserve’s authority to lend to depository institutions under section 10B of the Federal Reserve Act (12 U.S.C. 347b).

SA 4741. Mr. DURBIN 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. ____. DATA CENTER WATER AND ENERGY TRANSPARENCY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) DATA CENTER TERMS.—The terms “data center” and “data center operator” have the meanings given those terms in section 453(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112(a)).

(3) ENERGY USE.—The term “energy use”, with respect to data centers, means the total quantity of electricity and other forms of energy consumed on site by that data center, as measured in kilowatt-hours.

(4) POWER USAGE EFFECTIVENESS.—The term “power usage effectiveness” has the meaning given the term in ISO/IEC 30134-2:2026 of the International Organization for Standardization (or a successor standard).

(5) SECRETARIES.—The term “Secretaries” means the Secretary of Energy and the Secretary of Agriculture.

(6) STATE.—The term “State” means—

(A) each of the several States;

(B) a territory of the United States;

(C) the Federated States of Micronesia;

(D) the Republic of the Marshall Islands;

(E) the Republic of Palau;

(F) an Indian tribe included on the list most recently published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131); and

(G) the District of Columbia.

(7) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” means any county, parish, city, town, township, village, or other general purpose political subdivision of a State with the power to levy taxes, expend Federal, State, and local funds, and exercise governmental powers.

(8) WATER USAGE EFFECTIVENESS.—The term “water usage effectiveness” has the

meaning given the term in ISO/IEC 30134-9:2022 of the International Organization for Standardization (or a successor standard).

(9) WATER USE.—The term “water use”, with respect to a data center, means the total amount of water consumed on-site by a data center, including water used for cooling, as measured in gallons.

(b) DATA CENTER MANDATORY REPORTING AND INFORMATION REQUIREMENT.—

(1) DATA COLLECTION.—

(A) REPORT TO STATE.—

(i) IN GENERAL.—Beginning not later than 1 year after the date of enactment of this Act but subject to subparagraph (B), each data center operator with 1 or more data centers in a State shall submit to that State an annual report that, with respect to each data center in the State with a peak demand of not less than 25 megawatts operated by that data center operator, describes—

(I) on-site energy use and water use for the preceding calendar year, including—

(aa) total energy use during each month of that calendar year;

(bb) if the data center relies on behind-the-meter power generation, the method to generate that power;

(cc) total water use and the source of that water during each month of that calendar year; and

(dd) annual average power usage effectiveness and water usage effectiveness;

(II) projected on-site energy use and water use for not less than the following 5 calendar years, which shall include proposals for reducing the energy use and water use of the data center and the increases in efficiency that are anticipated to result from those proposals; and

(III) such other information as the State may require.

(ii) FORM.—A data center operator shall submit a report under clause (i) in such form and in such manner as the applicable State may require.

(iii) FEES AUTHORIZED.—A State may, in requiring the reports described in this subparagraph, assess fees on data center operators to support data collection under this subparagraph.

(B) REPORT TO ADMINISTRATOR AND SECRETARIES.—

(i) IN GENERAL.—If a State does not have a program to collect the information described in subclauses (I) and (II) of subparagraph (A)(i)—

(I) the State shall inform the Administrator and the Secretaries jointly; and

(II) a data center operator with data centers in such a State shall submit to the Administrator and Secretaries jointly a report that, with respect to each data center in such a State with a peak demand of not less than 25 megawatts operated by that data center operator, describes—

(aa) the information described in those subclauses; and

(bb) such other information as the Administrator and Secretaries may jointly require.

(ii) FORM.—A data center operator shall submit a report under clause (i) in such form and in such manner as the Administrator and Secretaries may jointly require.

(C) REPORTS TO LOCAL GOVERNMENTS.—A report to a State or the Administrator and the Secretaries jointly under subparagraph (A) or (B) shall be made available to an affected unit of local government on request and, if applicable, in compliance with any program established by the State for the collection of those reports.

(2) REPORTS ON PROSPECTIVE AND EXPANDED DATA CENTERS.—

(A) REPORT TO STATE.—

(i) IN GENERAL.—Subject to subparagraph (B), each person seeking to construct a data center with a projected energy use of not less

than 25 megawatts and each data center operator seeking to expand a data center with a projected energy use of not less than 25 megawatts shall submit to the State in which the new or expanded data center would operate a report that describes—

(I) as applicable—

(aa) the projected energy use and water use and the sources of energy and water of the new data center during the first 5 calendar years after the data center begins operation; or

(bb) the projected increase in energy use and water use as a result of the expansion of a data center during the first 5 calendar years after completion of the expansion; and

(II) proposals for reducing the energy use and water use of the data center and the increases in efficiency that are anticipated to result from those proposals.

(ii) FORM.—A report submitted under clause (i) shall be submitted in such form and in such manner as the applicable State may require.

(B) REPORT TO ADMINISTRATOR AND SECRETARIES.—

(i) IN GENERAL.—If a State does not have a program to collect the information described in subparagraph (A)(i)—

(I) the State shall inform the Administrator and the Secretaries jointly; and

(II) a person seeking to construct a data center and each data center operator seeking to expand a data center in such a State shall submit to the Administrator and the Secretaries jointly a report that describes, with respect to the proposed data center or the expansion of the data center, the information described in that subparagraph.

(ii) FORM.—A person or data center operator shall submit a report under clause (i) in such form and in such manner as the Administrator and Secretaries may jointly require.

(C) REPORTS TO LOCAL GOVERNMENTS.—A report to a State or the Administrator and the Secretaries jointly under subparagraph (A) or (B) shall be made available to an affected unit of local government on request and, if applicable, in compliance with any program established by the State for the collection of those reports.

(3) AGGREGATED REPORTS.—

(A) REPORTS FROM STATES.—

(i) IN GENERAL.—Each State that receives a report under paragraph (1)(A) or (2)(A) shall submit to the Administrator and the Secretaries jointly an annual report that describes the data collected pursuant to all such reports submitted to the State under paragraph (1)(A) or (2)(A), as applicable, during the previous year in such a manner as may be required jointly by the Administrator and the Secretaries.

(ii) ANONYMIZED DATA.—The reports submitted under clause (i) shall only include anonymized and aggregated information.

(B) PUBLIC REPORT.—The Administrator and the Secretaries shall jointly make publicly available on an annual basis a report that—

(i) describes—

(I) using information collected from the reports under paragraphs (1)(B) and (2)(B) and subparagraph (A)(i), the aggregated total energy use and water use of data centers in the United States, by region, during the calendar year covered by the report;

(II) regional impacts of data centers on water and electricity rates for consumers and communities;

(III) the environmental impacts resulting from the operation of data centers, including—

(aa) water and energy sources, supply, quality, and reliability impacts on consumers and communities; and

(bb) other direct or indirect impacts; and

(IV) recommendations for best practices to limit the impacts described in subclauses (II) and (III);

(ii) includes, based on the reports received by the Administrator and the Secretaries jointly under paragraphs (1)(B) and (2)(B) and subparagraph (A)(i) for the calendar year covered by the report, the aggregated projection of energy use and water use by data centers for the 5 years following that calendar year; and

(iii) does not include any information that the Administrator and the Secretaries jointly determine is proprietary.

(4) RULEMAKING.—

(A) FEDERAL AUTHORITY.—The Administrator and the Secretaries may jointly promulgate such regulations as may be necessary to carry out this subsection.

(B) STATE AUTHORITY.—A State may promulgate such regulations in accordance with the laws of the State as may be necessary to carry out this subsection.

(5) ENFORCEMENT.—

(A) STATE ENFORCEMENT.—If a State establishes a program for collecting data pursuant to paragraphs (1)(A) and (2)(A), the State may issue fines and otherwise engage in other enforcement activities to comply with the requirements of this section and applicable State laws.

(B) FEDERAL ENFORCEMENT.—

(i) IN GENERAL.—Subject to clause (ii), the Administrator and the Secretaries shall jointly fine a data center operator that negligently violates a requirement of paragraph (1)(B) or (2)(B) \$20,000 for each day that the data center operator is in violation of that requirement.

(ii) INFLATION ADJUSTMENT.—On the date that is 3 years after the date of enactment of this Act, and every 3 years thereafter, the Administrator and the Secretaries shall jointly adjust the amount described in clause (i) to reflect changes for the 36-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(c) FEES.—The Administrator and the Secretaries shall jointly assess fees on data center operators that submit a report under paragraph (1)(B) or (2)(B) of subsection (b) in an amount necessary to carry out this section and may, without further appropriation, use the amounts collected to carry out those paragraphs.

SA 4742. Mr. DURBIN 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. ____. **RESTORING STATE AUTHORITY TO WAIVE THE 35-MILE RULE FOR CERTAIN MEDICARE CRITICAL ACCESS HOSPITAL DESIGNATIONS.**

(a) IN GENERAL.—Section 1820 of the Social Security Act (42 U.S.C. 1395i-4) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (B)(i)—

(i) in subclause (I), by striking “or” at the end;

(ii) in subclause (II), by inserting “or” at the end; and

(iii) by adding at the end the following new subclause:

“(III) subject to subparagraph (F), is a hospital described in subparagraph (F) and is certified, on or after the date of the enactment of this subclause, and before the date that is 9 years after the date of enactment of

this subclause, by the State as being a necessary provider of health care services to residents in the area.”; and

(B) by adding at the end the following new subparagraphs:

“(F) HOSPITAL DESCRIBED.—For purposes of subparagraph (B)(i)(III), a hospital described in this subparagraph is a hospital that—

“(i) is a sole community hospital (as defined in section 1886(d)(5)(D)(iii)), a medicare dependent, small rural hospital (as defined in section 1886(d)(5)(G)(iv)), a low-volume hospital that in 2021 receives a payment adjustment under section 1886(d)(12), or a subsection (d) hospital (as defined in section 1886(d)(1)(B));

“(ii) is located in a rural area, as defined in section 1886(d)(2)(D), or a rural census tract of a metropolitan statistical area (as determined under the most recent modification of the Goldsmith Modification, originally published in the Federal Register on February 27, 1992 (57 Fed. Reg. 6725));

“(iii)(I) is located—

“(aa) in a county that has a percentage of individuals with income at or below the Federal poverty level in 2023 or 2024 that is higher than the national or statewide average in that year; or

“(bb) in a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act); or

“(II) has a percentage of inpatient days of individuals entitled to benefits under part A of this title in 2023 or 2024 that is higher than the national or statewide average in that year;

“(iv) has attested to the Secretary that the hospital—

“(I) was operating as of the date of enactment of this subparagraph; and

“(II) had 2 consecutive years of negative operating margins preceding the date of certification described in subparagraph (B)(i)(III), as defined by the Secretary in the regulations or program instruction issued pursuant to subparagraph (I); and

“(v) submits to the Secretary, at such time and in such manner as the Secretary may require, an application for certification of the facility as a critical access hospital, including an attestation outlining—

“(I) the good governance qualifications and strategic plan for multi-year financial solvency of the hospital; and

“(II) the hospital’s commitment to open and maintain, for the duration of the hospital’s designation as a critical access hospital under this section, a new service line or expanded service capacity for a service that is in high demand or limited supply in the hospital’s service area (determined based on the hospital’s most recent community health needs assessment under section 501(r)(3) of the Internal Revenue Code of 1986 (or other comparable assessment)), such as obstetrics or behavioral health care services.

“(G) LIMITATION ON CERTAIN DESIGNATIONS.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii), the Secretary may not under subsection (e) certify pursuant to a certification by a State under subparagraph (B)(i)(III)—

“(I) more than a total of 120 facilities as critical access hospitals; and

“(II) within any one State, more than 5 facilities as critical access hospitals.

“(ii) PROCESS.—The Secretary shall follow the following process in carrying out clause (i) with respect to each year in which the Secretary determines that the limitation under clause (i)(I) has not been reached:

“(I) INITIAL ASSESSMENT.—The Secretary shall conduct an initial assessment of the total number of hospitals described in paragraph (2)(F).

“(II) INITIAL ALLOCATION.—Of the total number of designations available under

clause (i), the Secretary shall allocate 1 for a hospital in each State that the Secretary determines (based on the initial assessment under subclause (I)) has one or more hospitals described in paragraph (2)(F).

“(III) REMAINING ALLOCATION.—Of the total number of designations available under clause (i), after application of subclause (II), the Secretary shall allocate the remaining number on a proportional basis based on the total number of hospitals described in paragraph (2)(F) in each State that are eligible (as determined based on the initial assessment under subclause (I)).

“(iii) SUNSET.—Effective beginning on the date that is 9 years after the date of enactment of this subparagraph, the Secretary may not certify a hospital as a critical access hospital pursuant to a certification by a State under subparagraph (B)(i)(III).

“(H) INFORMATION SUBMISSION REQUIREMENTS FOR HOSPITALS CERTIFIED PURSUANT TO RURAL HOSPITAL CLOSURE RELIEF ACT.—

“(i) IN GENERAL.—A critical access hospital that is certified under subsection (e) pursuant to a certification by a State under subparagraph (B)(i)(III) shall submit to the Secretary the following at a time, and in a manner, specified by the Secretary:

“(I) REPORTS.—Reports containing such information as the Secretary may specify with respect to items and services furnished as part of the new service line or expanded service capacity for a service as described in the attestation submitted by the critical access hospital under subparagraph (F)(v)(II). To the extent practicable, the Secretary shall align such reporting with other reporting requirements applicable to critical access hospitals under this subsection.

“(II) NOTICE.—If the critical access hospital materially changes the new service line or expanded capacity for a service as so described, notice of such changes along with a plan to satisfactorily maintain access to care (as determined by the Secretary).

“(i) REVOCATION OF CERTIFICATION FOR NONCOMPLIANCE.—If the Secretary determines that a critical access hospital described in clause (i) has failed to submit an annual report required under subclause (I) of such clause or a notice required under subclause (II) of such clause, the Secretary may, as the Secretary determines appropriate, revoke the certification of the critical access hospital under subsection (e).

“(I) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this subparagraph, the Secretary shall issue final regulations or program instruction to carry out subparagraphs (B)(i)(III), (F), (G), and (H).”; and

(2) in subsection (e), by inserting “, subject to subsection (c)(2)(G),” after “The Secretary shall”.

(b) CLARIFICATION REGARDING FACILITIES THAT MEET DISTANCE OR OTHER CRITERIA AND APPLICATION OF OTHER CRITERIA.—Nothing in this section shall affect—

(1) the application of criteria for designation as a critical access hospital described in subclause (I) or (II) of section 1820(c)(2)(B)(i) of the Social Security Act (42 U.S.C. 1395i-4(c)(2)(B)(i)); or

(2) the application of criteria for designation as a critical access hospital described in clauses (ii) through (v) of section 1820(c)(2)(B) of the Social Security Act (42 U.S.C. 1395i-4(c)(2)(B)).

(c) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the implementation of the amendments made by subsection (a). To the extent such data are available and reliable, such study shall include—

(A) an analysis of—

(i) the characteristics of facilities designated as critical access hospitals pursuant to section 1820(c)(2)(B)(i)(III) of the Social Security Act, as added by subsection (a);

(ii) an analysis of the financial status and outlook for such facilities based on their designation as a critical access hospital pursuant to such section; and

(iii) an analysis of any increase in expenditures under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) as a result of such designation, relative to the expected baseline expenditures under the Medicare program if such facilities had not received such designation; and

(B) an assessment of whether the authority to designate facilities as critical access hospitals pursuant to such section 1820(c)(2)(B)(i)(III) promotes access to care in rural areas.

(2) REPORT.—Not later than 6 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

(d) MEDPAC STUDY AND REPORT ON PAYMENT SYSTEMS FOR RURAL HOSPITALS.—

(1) STUDY.—The Medicare Payment Advisory Commission (in this subsection referred to as the “Commission”) shall conduct a study, using data from 2018 through 2028, on payment systems for rural hospitals under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.). Such study shall include an analysis of—

(A) facilities designated as critical access hospitals pursuant to section 1820(c)(2)(B)(i)(III) of the Social Security Act, as added by subsection (a);

(B) features of payment systems for rural hospitals, including value-based payment systems, that would—

(i) ensure financial sustainability for the Medicare program; and

(ii) preserve access to care for Medicare beneficiaries; and

(C) if the Commission recommends any new payment system for rural hospitals under the Medicare program, to the extent feasible, the impacts of transition from existing payment systems to such new payment system.

(2) REPORT.—Not later than 8 years after the date of enactment of this Act, the Commission shall submit to Congress a report on the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Commission determines appropriate.

(3) DEFINITION OF RURAL HOSPITAL.—In this subsection, the term “rural hospital” means—

(A) a critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1)));

(B) a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))) that is located in a rural census tract of a metropolitan statistical area (as determined under the most recent modification of the Goldsmith Modification, originally published in the Federal Register on February 27, 1992 (57 Fed. Reg. 6725));

(C) a sole community hospital (as defined in section 1886(d)(5)(D)(iii) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(D)(iii)));

(D) a medicare dependent, small rural hospital (as defined in section 1886(d)(5)(G)(iv) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)(iv))); and

(E) a low-volume hospital (as defined in section 1886(d)(12)(C)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(12)(C)(i))).

(e) SUNSET.—Not later than 9 years after the date of enactment of this Act, the Secretary shall establish a mechanism and provide guidance and technical assistance under which any facility that was designated as a critical access hospital pursuant to a certification by a State under section 1820(c)(2)(B)(i)(III) of the Social Security Act, as added by subsection (a), may transition within 1 year to one of the following payment models:

(1) Such new model or models recommended by the Medicare Payment Advisory Commission in the report submitted under subsection d.

(2) The prospective payment model (or models) under which the facility received payment under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) prior to being so designated pursuant to such certification.

(3) Payment as a rural emergency hospital under section 1834(x) of the Social Security Act (42 U.S.C. 1395m(x)).

SEC. —. REPEAL OF OBBBA HEALTH PROVISIONS.

Subtitle B of title VII of the Act titled “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14” (Public Law 119–21) (other than sections 71202 and 71401 of such subtitle) is repealed and any law or regulation referred to in such subtitle shall be applied as if such subtitle and the amendments made by such subtitle (other than such sections) had not been enacted.

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.

Mr. BARRASSO. Mr. President, for the information of my colleagues, we expect two votes at approximately 1 p.m. tomorrow.

ORDERS FOR SATURDAY, MARCH 21, 2026

Mr. BARRASSO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon on Saturday, March 21; that following the prayer and pledge, the Journal of proceedings be approved to date, the

ADJOURNMENT UNTIL TOMORROW

Mr. BARRASSO. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Saturday, March 21, 2026, at 12 noon.