

a closure or disapproval of an educational institution on individuals who do not transfer credits from such institution was ordered to a third reading, was read the third time, and passed.

AMENDING TITLE 38, UNITED STATES CODE, TO IMPROVE HEARINGS BEFORE THE BOARD OF VETERANS' APPEALS REGARDING CLAIMS INVOLVING MILITARY SEXUAL TRAUMA

A bill (H.R. 6961) to amend title 38, United States Code, to improve hearings before the Board of Veterans' Appeals regarding claims involving military sexual trauma was ordered to a third reading, was read the third time, and passed.

STRENGTHENING VA CYBERSECURITY ACT OF 2022

A bill (H.R. 7299) to require the Secretary of Veterans Affairs to obtain an independent cybersecurity assessment of information systems of the Department of Veterans Affairs, and for other purposes was ordered to a third reading, was read the third time, and passed.

MST CLAIMS COORDINATION ACT

A bill (H.R. 7335) to improve coordination between the Veterans Health Administration and the Veterans Benefits Administration with respect to claims for compensation arising from military sexual trauma, and for other purposes was ordered to a third reading, was read the third time, and passed.

NATIONAL CEMETERIES PRESERVATION AND PROTECTION ACT OF 2022

A bill (S. 4949) to amend title 38, United States Code, to address green burial sections in national cemeteries, and for other purposes was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 4949

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Cemeteries Preservation and Protection Act of 2022".

SEC. 2. PLOT AND INTERMENT ALLOWANCES FOR VETERANS BURIED BEFORE MARCH 15, 2022, IN CEMETERIES ON TRUST LAND OWNED BY, OR HELD IN TRUST FOR, TRIBAL ORGANIZATIONS.

The Secretary of Veterans Affairs shall pay a plot or interment allowance under paragraph (1) of section 2303(b) of title 38, United States Code, for a veteran if—

(1) the veteran was buried, before March 15, 2022, in a cemetery, or in a section of a cemetery, that is on trust land owned by, or held in trust for, a tribal organization;

(2) the tribal organization that is responsible for operating and maintaining the cem-

etry, or the section of cemetery, applies for such allowance;

(3) a plot or interment allowance was not already paid for the burial of such veteran under paragraph (2) of such section; and

(4) the burial of the veteran otherwise meets the requirements under paragraph (1) of such section.

SEC. 3. GREEN BURIAL SECTIONS AT NATIONAL CEMETERIES.

Section 2404 of title 38, United States Code, is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (C), by striking “; and” and inserting a semicolon;

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

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

“(E) in the case of grave sites in a green burial section designated under subsection (i), the Secretary may provide for grave markers of such type as the Secretary considers appropriate.”; and

(2) by adding at the end the following new subsection:

“(1)(1) The Secretary may designate one or more sections in any national cemetery as green burial sections.

“(2) In this subsection, the term ‘green burial section’ means a section of a cemetery in which the remains of individuals interred in that section—

“(A) have been prepared for interment in a manner that does not involve chemicals or embalming fluids; and

“(B) have been interred in a natural manner or in completely biodegradable burial receptacles.”.

SEC. 4. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER LAND AT FORT BLISS, TEXAS, FOR EXPANSION OF FORT BLISS NATIONAL CEMETERY.

(a) TRANSFER AUTHORIZED.—The Secretary of the Army may transfer to the Secretary of Veterans Affairs administrative jurisdiction over a parcel of real property consisting of approximately two acres located at Fort Bliss, Texas, directly adjacent to, and contiguous with, Fort Bliss National Cemetery.

(b) CONDITION OF TRANSFER.—

(1) IN GENERAL.—As a condition of the transfer authorized by subsection (a), the Secretary of Veterans Affairs may complete appropriate environmental, cultural resource, and other due diligence activities on the real property described in subsection (c) before determining whether the property is suitable for cemetery purposes.

(2) COORDINATION.—The Secretary of Veterans Affairs shall coordinate with the Secretary of the Army as needed during the performance of the activities described in paragraph (1).

(c) DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary the Army.

(2) COST OF SURVEY.—The cost of the survey described in paragraph (1) shall be borne by the Secretary of Veterans Affairs.

(d) ADDITIONAL TERMS AND CONDITIONS; COSTS OF TRANSFER.—

(1) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the transfer under this section as the Secretary considers appropriate to protect the interests of the United States.

(2) REIMBURSEMENT OF COSTS.—

(A) IN GENERAL.—The Secretary of Veterans Affairs shall reimburse the Secretary of the Defense for costs incurred by the Secretary of the Army in implementing this section, including the costs of any surveys.

(B) NO PAYMENT FOR VALUE OF REAL PROPERTY.—Notwithstanding any other legal re-

quirement that might otherwise apply, the Secretary of Veterans Affairs shall not be required to make payment of any kind for the value of the real property described in subsection (c).

SEC. 5. TRANSFER OF DEPARTMENT OF THE INTERIOR LAND FOR USE AS A NATIONAL CEMETERY.

Section 2406 of title 38, United States Code, is amended—

(1) by striking “As additional lands” and inserting “(a) IN GENERAL.—As additional lands”; and

(2) by adding at the end the following new subsection:

“(b) TRANSFER OF DEPARTMENT OF THE INTERIOR LAND FOR USE AS A NATIONAL CEMETERY.—Notwithstanding section 204(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714(d)), if the Secretary and the Secretary of the Interior agree to a transfer under subsection (a) of any land for use by the Department as a national cemetery, the land shall be—

“(1) withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws;

“(2) subject to valid existing rights;

“(3) transferred to the administrative jurisdiction of the Secretary of Veterans Affairs; and

“(4) deemed to be property (as defined in section 102(9) of title 40) for as long as the land remains under the administrative jurisdiction of the Secretary of Veterans Affairs.”.

SEC. 6. EXPANSION OF PROHIBITION AGAINST INTERMENT OR MEMORIALIZATION IN THE NATIONAL CEMETERY ADMINISTRATION OR ARLINGTON NATIONAL CEMETERY OF PERSONS COMMITTING CERTAIN CRIMES.

(a) IN GENERAL.—Section 2411 of title 38, United States Code, is amended—

(1) in the section heading—

(A) by inserting “certain” before “Federal”; and

(B) by striking “capital”;

(2) in subsection (b)—

(A) in paragraph (4)—

(i) in subparagraph (A), by striking “(42 U.S.C. 16901 et seq.);” and inserting “(34 U.S.C. 20901 et seq.); and”; and

(ii) in subparagraph (B), by inserting “or to a period of 99 years or more” after “life imprisonment”; and

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

“(5) A person who—

“(A) is found (as provided in subsection (c)) to have committed a Federal or State crime that would cause the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (34 U.S.C. 20901 et seq.); but

“(B) has not been convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.”;

(3) in subsection (c), by striking “subsection (b)(3)” and inserting “paragraph (3) or (5) of subsection (b)”;

(4) in subsection (d)(2)(A)(ii), by striking “or a State capital crime” and inserting “, a State capital crime, or a Federal or State crime that would cause the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (34 U.S.C. 20901 et seq.);” and

(5) in subsection (e)(1)(B), by striking “or a State capital crime” and inserting “, a State capital crime, or a Federal or State crime that would cause the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (34 U.S.C. 20901 et seq.).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of

such title is amended by striking the item relating to section 2411 and inserting the following new item:

“2411. Prohibition against interment or memorialization in the National Cemetery Administration or Arlington National Cemetery of persons committing certain Federal or State crimes.”.

ELIMINATE NETWORK DISTRIBUTION OF CHILD EXPLOITATION ACT

Mr. KELLY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 365 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 365) to amend title 18, United States Code, to require a provider of a report to the CyberTipline related to online sexual exploitation of children to preserve the contents of such report for 180 days, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. I ask unanimous consent that the Blackburn substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 6548) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Eliminate Network Distribution of Child Exploitation Act” or the “END Child Exploitation Act”.

SEC. 2. PRESERVATION OF REPORTS TO CYBERTIPLINE RELATED TO ONLINE SEXUAL EXPLOITATION OF CHILDREN.

Section 2258A(h) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “90 days” and inserting “180 days”; and

(2) by adding at the end the following:

“(5) EXTENSION OF PRESERVATION.—A provider of a report to the CyberTipline under subsection (a)(1) may voluntarily preserve the contents provided in the report (including any comingled content described in paragraph (2)) for longer than 180 days after the submission to the CyberTipline for the purpose of reducing the proliferation of online child sexual exploitation or preventing the online sexual exploitation of children.

“(6) METHOD OF PRESERVATION.—Not later than 1 year after the date of enactment of this paragraph, a provider of a report to the CyberTipline under subsection (a)(1) shall preserve materials under this subsection in a manner that is consistent with most recent version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or a successor resource.”.

The bill (S. 365), as amended, was ordered to be engrossed for a third read-

ing, was read the third time, and passed.

PREVENTING CHILD SEX ABUSE ACT OF 2022

Mr. KELLY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 4719, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4719) to protect children against sexual abuse and exploitation, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. I ask unanimous consent that the Grassley substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 6549) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Child Sex Abuse Act of 2022”.

SEC. 2. SENSE OF CONGRESS.

The sense of Congress is the following:

(1) The safety of children should be a top priority for public officials and communities in the United States.

(2) According to the Rape, Abuse & Incest National Network, an individual in the United States is sexually assaulted every 68 seconds. And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

(3) The effects of child sexual abuse can be long-lasting and affect the victim’s mental health.

(4) Victims are more likely than non-victims to experience the following mental health challenges:

(A) Victims are about 4 times more likely to develop symptoms of drug abuse.

(B) Victims are about 4 times more likely to experience post-traumatic stress disorder as adults.

(C) Victims are about 3 times more likely to experience a major depressive episode as adults.

(5) The criminal justice system should and has acted as an important line of defense to protect children and hold perpetrators accountable.

(6) However, the horrific crimes perpetuated by Larry Nassar demonstrate firsthand the loopholes that still exist in the criminal justice system. While Larry Nassar was found guilty of several State-level offenses, he was not charged federally for his illicit sexual contact with minors, despite crossing State and international borders to commit this conduct.

(7) The Department of Justice has also identified a growing trend of Americans who use charitable or missionary work in a foreign country as a cover for sexual abuse of children.

(8) It is the intent of Congress to prohibit Americans from engaging in sexual abuse or exploitation of minors under the guise of work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser’s intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as “sexual activity”.

(12) Congress can address this issue by amending the definition of the term “sexual activity” to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

SEC. 3. INTERSTATE CHILD SEXUAL ABUSE.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “with a motivating purpose of engaging in any illicit sexual conduct with another person” and inserting “with intent to engage in any illicit sexual conduct with another person”;

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking “with a motivating purpose of engaging in any illicit sexual conduct” and inserting “with intent to engage in any illicit sexual conduct”; and

(4) by inserting after subsection (g), as so redesignated, the following:

“(h) RULE OF CONSTRUCTION.—As used in this section, the term ‘intent’ shall be construed as any intention to engage in illicit sexual conduct at the time of the travel.”.

SEC. 4. ABUSE UNDER THE GUISE OF CHARITY.

Section 2423 of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by inserting after subsection (c) the following:

“(d) ILLICIT SEXUAL CONDUCT IN CONNECTION WITH CERTAIN ORGANIZATIONS.—Any citizen of the United States or alien admitted for permanent residence who—

“(1) is an officer, director, employee, or agent of an organization that affects interstate or foreign commerce;

“(2) makes use of the mails or any means or instrumentality of interstate or foreign commerce through the connection or affiliation of the person with such organization; and

“(3) commits an act in furtherance of illicit sexual conduct through the connection or affiliation of the person with such organization, shall be fined under this title, imprisoned for not more than 30 years, or both.”;

(2) in subsection (f), as so redesignated, by striking “or (d)” and inserting “(d), or (e)”; and

(3) in subsection (i), as so redesignated, by striking “(f)(2)” and inserting “(g)(2)”.

SEC. 5. SEXUAL ACTIVITY WITH MINORS.

Section 2427 of title 18, United States Code, is amended by inserting “does not require interpersonal physical contact, and” before “includes”.