SA 1737. Ms. LUMMIS submitted an amendment intended to be proposed by her to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1738. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1739. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1740. Mr. BUDD submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1741. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1742. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1743. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1744. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1745. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1746. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1747. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1748. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1749. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1750. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1751. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1752. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1753. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1754. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1755. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1756. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1757. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1758. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1759. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1760. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1761. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1762. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1763. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1764. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1765. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1766. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1767. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1768. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1769. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1770. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1771. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1772. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1773. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1774. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1775. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1776. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1777. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1778. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1779. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

SA 1780. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1695. Mr. MARSHALL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) This section may be cited as the ''Credit Card Competition Act of 2024''.

(b) Section 921 of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) COMPETITION IN CREDIT CARD TRANSACTIONS.—

''(A) NO EXCLUSIVE NETWORK.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Credit Card Competition Act of 2024, the Board shall prescribe regulations providing that a covered card issuer or payment card network shall not directly or through any agent, processor, or licensed member of a payment card network, by contract, requirement, condition, penalty, technological specification, or otherwise, restrict the number of payment card networks on which an electronic credit transaction may be processed to—

''(I) 1 such network;

''(II) 2 or more such networks, if—

''(aa) each such network is owned, controlled, or otherwise operated by—

''(AA) affiliated persons; or

''(BB) networks affiliated with such issuer; or

''(bb) any such network is identified on the list established and updated under subparagraph (D); or

''(III) subject to clause (ii), the 2 such networks that hold the 2 largest market shares with respect to the number of credit cards issued in the United States by licensed members of such networks (and enabled to be processed through such networks), as determined by the Board on the date on which the Board prescribes the regulations.

''(ii) DETERMINATIONS BY BOARD.—

''(I) IN GENERAL.—The Board, not later than 3 years after the date on which the regulations prescribed under clause (i) take effect, and not less frequently than once every 3 years thereafter, shall determine whether the 2 networks identified under clause (i)(III) have changed, as compared with the most recent such determination by the Board.

''(II) EFFECT OF DETERMINATION.—If the Board, under subclause (I), determines that the 2 networks described in clause (i)(III) have changed (as compared with the most recent such determination by the Board), clause (i)(III) shall no longer have any force or effect.

''(B) NO ROUTING RESTRICTIONS.—Not later than 1 year after the date of enactment of the Credit Card Competition Act of 2024, the Board shall prescribe regulations providing that a covered card issuer or payment card network shall not—

''(i) directly or through any agent, processor, or licensed member of the network, by contract, requirement, condition, penalty, or otherwise—

''(I) inhibit the ability of any person who accepts credit cards for payments to direct the routing of electronic credit transactions for processing over any payment card network that—

''(aa) may process such transactions; and

''(bb) is not on the list established and updated by the Board under subparagraph (D);

''(II) require any person who accepts credit cards for payments to exclusively use, for transactions associated with a particular credit card, an authentication, tokenization, or other security technology that cannot be used by all of the payment card networks that may process electronic credit transactions for that particular credit card; or

''(III) inhibit the ability of another payment card network to handle or process electronic credit transactions using an authentication, tokenization, or other security technology for the processing of those electronic credit transactions; or

''(ii) impose any penalty or disadvantage, financial or otherwise, on any person for—

''(I) choosing to direct the routing of an electronic credit transaction over any payment card network on which the electronic credit transaction may be processed; or

''(II) failing to ensure that a certain number, or aggregate dollar amount, of electronic credit transactions are handled by a particular payment card network.

''(C) APPLICABILITY.—The regulations prescribed under subparagraphs (A) and (B) shall not apply to a credit card issued in a 3-party payment system model.

''(D) DESIGNATION OF NATIONAL SECURITY RISKS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Credit Card Competition Act of 2024, the Board, in consultation with the Secretary of the Treasury, shall prescribe regulations to establish a public list of any payment card network—

''(I) the processing of electronic credit transactions by which is determined by the Board to pose a risk to the national security of the United States; or

''(II) that is owned, operated, or sponsored by a foreign state entity.

''(ii) UPDATING OF LIST.—Not less frequently than once every 2 years after the date on which the Board establishes the public list required under clause (i), the Board, in consultation with the Secretary of the Treasury, shall update that list.

''(E) DEFINITIONS.—In this paragraph—

''(i) the terms 'card issuer' and 'creditor' have the meanings given the terms in section 103 of the Truth in Lending Act (15 U.S.C. 1602);

''(ii) the term 'covered card issuer' means a card issuer that, together with the affiliates of the card issuer, has assets of more than $100,000,000,000;

''(iii) the term 'credit card issued in a 3-party payment system model' means a credit card issued by a card issuer that is—

''(I) the payment card network with respect to the credit card; or

''(II) under common ownership with the payment card network with respect to the credit card;

''(iv) the term 'electronic credit transaction'—

''(I) means a transaction in which a person uses a credit card; and

''(II) includes a transaction in which a person does not physically present a credit card for payment, including a transaction involving the entry of credit card information onto, or use of credit card information in conjunction with, a website interface or a mobile telephone application; and

''(v) the term 'licensed member' includes, with respect to a payment card network—

''(I) a creditor or card issuer that is authorized to issue credit cards bearing any logo of the payment card network; and

''(II) any person, including any financial institution and any person that may be referred to as an 'acquirer', that is authorized to—

''(aa) screen and accept any person into any program under which that person may accept, for payment for goods or services, a credit card bearing any logo of the payment card network;

''(bb) process transactions on behalf of any person who accepts credit cards for payments; and

''(cc) complete financial settlement of any transaction on behalf of a person who accepts credit cards for payments.''; and

(2) in subsection (d)(1), by inserting '', except that the Bureau shall not have authority to enforce the requirements of this section or any regulations prescribed by the Board under this section'' after ''section 918''.

(c) Each set of regulations prescribed by the Board of Governors of the Federal Reserve System under paragraph (2) of section 921(b) of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2(b)), as amended by subsection (b) of this section, shall take effect on the date that is 180 days after the date on which the Board prescribes the final version of that set of regulations.

SA 1696. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used for surgical procedures or hormone therapies for the purpose of gender affirming care.

SA 1697. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF CERTAIN FORMS OF IDENTIFICATION BY ALIENS.

None of the funds appropriated or otherwise made available by this Act for the Transportation Security Administration may be obligated or expended to enforce any rule or program that permits an alien (as defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) to use any of the following as a valid identification document for the purpose of boarding an aircraft in the United States:

(1) The CBP One Mobile Application.

(2) Department of Homeland Security Form I–385, Notice to Report.

(3) Department of Homeland Security Form I–862, Notice to Appear.

SA 1698. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____. (a) DEFINITIONS.—In this section:

(1) FLAG OF THE UNITED STATES.—The term ''flag of the United States'' has the meaning given the term in section 700(b) of title 18, United States Code.

(2) PUBLIC BUILDING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''public building'' has the meaning given the term in section 3301(a) of title 40, United States Code.

(B) INCLUSION.—The term ''public building'' includes—

(i) a military installation (as defined in section 2801(c) of title 10, United States Code); and

(ii) any embassy or consulate of the United States.

(b) PROHIBITIONS.—Notwithstanding any other provision of law and except as provided in subsection (c), no flag that is not the flag of the United States may be flown, draped, or otherwise displayed—

(1) on the exterior of a public building; or

(2) in the hallway of a public building.

(c) EXCEPTIONS.—The prohibitions under subsection (b) shall not apply to—

(1) a National League of Families POW/MIA flag (as designated by section 902 of title 36, United States Code);

(2) any flag that represents the nation of a visiting diplomat;

(3) the State flag of the State represented by a member of Congress, outside or within the office of the member;

(4) in the case of a military installation, any flag that represents a unit or branch of the Armed Forces;

(5) any flag that represents an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(6) any flag that represents the State, territory, county, city, or local jurisdiction in which the public building is located;

(7) a historical flag on display in a historical area of a public building;

(8) any flag that represents a State or territory in a public building located in the District of Columbia; or

(9) the service or leadership flag of a Federal agency.

SA 1699. Mr. VANCE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division _____, add the following:

SEC. _____. Notwithstanding any other provision of this division, none of the funds appropriated or made available by this division for the Centers for Disease Control and Prevention or any other agency of the Department of Health and Human Services for fiscal year 2024 shall be used to enforce a mask mandate in response to COVID–19.

SEC. _____. Nothing in this division or any other division of this Act may be construed to prevent a hospital, public health center, outpatient medical facility, rehabilitation facility, facility for long-term care, or medical facility, as those terms are defined in section 1624 of the Public Health Service Act (42 U.S.C. 300s–3), from requiring employees to wear masks in response to the COVID–19 virus.

SA 1700. Mr. VANCE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division _____, add the following:

SEC. _____. Notwithstanding any other provision of this division, none of the funds appropriated or made available by this division for the Transportation Security Administration or any other agency of the Department of Homeland Security for fiscal year

2024 shall be used to enforce a mask mandate in response to COVID–19.

SA 1701. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION _____—BAN STOCK TRADING FOR GOVERNMENT OFFICIALS ACT OF 2024

SECTION 1. SHORT TITLE.

This division may be cited as the ''Ban Stock Trading for Government Officials Act of 2024''.

TITLE I—ELIMINATING EXECUTIVE BRANCH INSIDER CONFLICTS OF INTEREST

SEC. 101. SHORT TITLE.

This title may be cited as the ''Eliminating Executive Branch Insider Conflicts of Interest Act''.

SEC. 102. SENSE OF CONGRESS.

It is the sense of Congress that executive branch officials should not have a personal financial interest in the outcome of Government policy decisions.

SEC. 103. BANNING CONFLICTED INTERESTS IN THE EXECUTIVE BRANCH.

(a) IN GENERAL.—Chapter 131 of title 5, United States Code, is amended by adding at the end the following:

''Subchapter IV—Banning Conflicted Interests in the Executive Branch

''§ 13151. Definitions

''In this subchapter:

''(1) ADJACENT INDIVIDUAL.—The term 'adjacent individual' means—

''(A) each officer or employee in the executive branch holding a Senior Executive Service position, as defined under section 3132(a)(2) of title 5;

''(B) each member of a uniformed service whose pay grade is at or in excess of O–7 under section 201 of title 37;

''(C) each officer or employee in any other position determined by the Special Counsel of the United States, in consultation with the Director of the Office of Government Ethics, to be of equal classification to a position described in subparagraph (A) or (B); or

''(D) the spouse or dependent child of any individual described in subparagraph (A), (B), or (C).

''(2) COVERED FINANCIAL INTEREST.—

''(A) IN GENERAL.—The term 'covered financial interest' means—

''(i) any investment in—

''(I) a security (as defined in section 3(a) of Securities Exchange Act of 1934 (15 U.S.C. 78c(a)));

''(II) a security future (as defined in that section); or

''(III) a commodity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)); or

''(ii) any economic interest comparable to an interest described in clause (i) that is acquired through synthetic means, such as the use of a derivative, including an option, warrant, or other similar means.

''(B) EXCLUSIONS.—The term 'covered financial interest' does not include—

''(i) a diversified mutual fund;

''(ii) a diversified exchange-traded fund;

''(iii) a United States Treasury bill, note, or bond;

''(iv) compensation from the primary occupation of a covered individual or adjacent individual; or

''(v) any financial interest exempted under paragraph (1) or (2) of section 208(b) of title 18.

''(3) COVERED INDIVIDUAL.—The term 'covered individual' means—

''(A) the President;

''(B) the Vice President; or

''(C) the spouse or dependent child of any individual described in subparagraph (A) or (B).

''(4) DEPENDENT CHILD.—The term dependent child has the meaning given the term in section 13101.

''§ 13152. Prohibition on certain transactions and holdings involving covered financial interests

''(a) PROHIBITION.—Except as provided in subsection (b), a covered individual or an adjacent individual may not, during the term of service of the covered individual or adjacent individual, or during the 180-day period beginning on the date on which the service of such covered individual or adjacent individual is terminated, hold, purchase, sell, or conduct any type of transaction with respect to a covered financial interest.

''(b) EXCEPTIONS.—The prohibition under subsection (a) shall not apply to a sale by a covered individual or an adjacent individual that is completed by the date that is—

''(1) for a covered individual or an adjacent individual serving on the date of enactment of this section, 180 days after the date of enactment; and

''(2) for a covered individual or an adjacent individual who commences service as a covered individual after the date of enactment of this section, 180 days after the first date of the term of service.

''(c) ADJACENT INDIVIDUALS.—With respect to adjacent individuals—

''(1) this section shall be supplementary in nature to section 208 of title 18; and

''(2) nothing in this section shall be construed to limit the application of section 208 of title 18.

''(d) PENALTIES.—

''(1) DISGORGEMENT.—A covered individual or adjacent individual shall disgorge to the Treasury of the United States any profit from a transaction or holding involving a covered financial interest that is conducted in violation of this section.

''(2) FINES.—A covered individual or an adjacent individual who holds, purchases, sells, or conducts a transaction involving a covered financial interest in violation of this section—

''(A) shall be assessed a fine by the Office of the Special Counsel, in consultation with the Director of the Office of Government Ethics, of not more than $10,000 or the amount of compensation, if any, that the covered individual or adjacent individual received for the prohibited conduct, whichever is greater; and

''(B) may be referred to the Department of Justice and assessed a civil fine pursuant to section 13153 if the Office of the Special Counsel, in consultation with the Director of the Office of Government Ethics, find such case comparatively substantial in monetary value or extraordinary in nature.

''§ 13153. Civil penalties

''(a) CIVIL ACTION.—The Attorney General may bring a civil action in any appropriate United States district court against any covered individual or adjacent individual who violates any provision of section 13152.

''(b) CIVIL PENALTY.—The court in which any action is brought under subsection (a) may assess against a covered individual or an adjacent individual a civil penalty of not more than the amount recommended by the Attorney General.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 131 of title 5, United States Code, is amended by adding at the end the following:

''SUBCHAPTER IV—BANNING CONFLICTED INTERESTS IN THE EXECUTIVE BRANCH

''13151. Definitions.

''13152. Prohibition on certain transactions and holdings involving covered financial interests.

''13153. Civil penalties.''.

TITLE II—STOCK ACT 2.0

SEC. 201. SHORT TITLE.

This title may be cited as the ''STOCK Act 2.0''.

SEC. 202. REPORTING OF APPLICATIONS FOR, OR RECEIPT OF, PAYMENTS FROM FEDERAL GOVERNMENT.

(a) IN GENERAL.—Section 13103 of title 5, United States Code, is amended by adding at the end the following:

''(i) REPORTING OF APPLICATIONS FOR, OR RECEIPT OF, PAYMENTS FROM FEDERAL GOVERNMENT.—

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

''(A) COVERED PAYMENT.—

''(i) IN GENERAL.—The term 'covered payment' means a payment of money or any other item of value made, or promised to be made, by the Federal Government.

''(ii) INCLUSIONS.—The term 'covered payment' includes—

''(I) a loan agreement, contract, or grant made, or promised to be made, by the Federal Government; and

''(II) such other types of payment of money or items of value as the Secretary of the Treasury, in consultation with the Director of the Office of Government Ethics, may establish, by regulation.

''(iii) EXCLUSIONS.—The term 'covered payment' does not include—

''(I) any salary or compensation for service performed as, or reimbursement of personal outlay by, an officer or employee of the Federal Government; or

''(II) any tax refund (including a refundable tax credit).

''(B) COVERED PERSON.—The term 'covered person' means a person described in any of paragraphs (1) through (10) of section 13105(l).

''(2) REPORTING REQUIREMENT.—Not later than 30 days after the date of receipt of a notice of any application for, or receipt of, a covered payment by a covered person, the spouse of the covered person, or a dependent child of the covered person (including any business owned and controlled by the covered person or spouse or dependent child of the covered person), but in no case later than 45 days after the date on which the covered payment is made or promised to be made, the covered person shall submit to the applicable supervising ethics office a report describing the covered payment.

''(3) FINE FOR FAILURE TO REPORT.—Notwithstanding section 13106(d), a covered person shall be assessed a fine, pursuant to regulations issued by the applicable supervising ethics office, of $500 in each case in which the covered person fails to file a report required under this subsection.''.

(b) REPORT CONTENTS.—Section 13104 of title 5, United States Code, is amended by adding at the end the following:

''(j) PAYMENTS FROM FEDERAL GOVERNMENT.—Each report filed pursuant to subsection (i) of section 13103 shall include—

''(1) an identification of each type of payment or item of value applied for, or received, from the Federal Government;

''(2)(A) the name of each recipient of each payment or item of value identified under paragraph (1); and

''(B) the relationship of each recipient named under subparagraph (A) to the person filing the report;

''(3) a description of the date on which, as applicable—

''(A) an application for a payment or other item of value was submitted to the Federal Government; and

''(B) the payment or item of value was received from the Federal Government; and

''(4) a description of the amount of each applicable payment or item of value.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) PERSONS REQUIRED TO FILE.—Section 13103(f) of title 5, United States Code, is amended—

(A) in paragraph (9), by striking ''as defined in section 13101'';

(B) in paragraph (10), by striking ''as defined in section 13101'';

(C) in paragraph (11), by striking ''as defined in section 13101''; and

(D) in paragraph (12), by striking ''as defined in section 13101''.

(2) CONTENTS OF REPORTS.—Section 13104(a) of title 5, United States Code, is amended in the matter preceding paragraph (1), by striking ''section 13103(d) and (e)'' and inserting ''subsection (d) or (e) of section 13103''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to relevant applications submitted to, and payments made or promised to be made by, the Federal Government on or after the date that is 90 days after the date of enactment of this Act.

SEC. 203. PENALTY FOR STOCK ACT NONCOMPLIANCE.

(a) IN GENERAL.—The STOCK Act (Public Law 112–105; 126 Stat. 291; 126 Stat. 1310; 127 Stat. 438; 132 Stat. 4167) is amended by adding at the end the following:

''SEC. 20. FINES FOR FAILURE TO REPORT.

''(a) IN GENERAL.—Notwithstanding any other provision of law (including regulations), an individual shall be assessed a fine, pursuant to regulations issued by the applicable supervising ethics office (including the Administrative Office of the United States Courts, as applicable), of $500 in each case in which the individual fails to file a transaction report required under this Act.

''(b) DEPOSIT IN TREASURY.—The fines paid under this section shall be deposited in the miscellaneous receipts of the Treasury.''.

(b) RULES, REGULATIONS, GUIDANCE, AND DOCUMENTS.—Not later than 1 year after the date of enactment of this Act, each supervising ethics office (as defined in section 2 of the STOCK Act (5 U.S.C. 13101 note)) (including the Administrative Office of the United States Courts, as applicable) shall amend the rules, regulations, guidance, documents, papers, and other records of the supervising ethics office in accordance with the amendment made by this section.

SEC. 204. BANNING CONFLICTED INTERESTS IN CONGRESS.

(a) IN GENERAL.—

(1) BANNING CONFLICTED TRADES.—Chapter 131 of title 5, United States Code, as amended by section 103 of this division, is amended by adding at the end the following:

''Subchapter V—Banning Conflicted Trades in Congress

''SEC. 13161. DEFINITIONS.

''In this subchapter:

''(1) COMMODITY.—The term 'commodity' has the meaning given the term in section 1a of the Commodity Exchange Act (7 U.S.C. 1a).

''(2) COVERED FINANCIAL INTEREST.—

''(A) IN GENERAL.—The term 'covered financial interest' means—

''(i) any investment in—

''(I) a security (as defined in section 3(a) of Securities Exchange Act of 1934 (15 U.S.C. 78c(a)));

''(II) a security future (as defined in that section); or

''(III) a commodity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)); or

''(ii) any economic interest comparable to an interest described in clause (i) that is acquired through synthetic means, such as the use of a derivative, including an option, warrant, or other similar means.

''(B) EXCLUSIONS.—The term 'covered financial interest' does not include—

''(i) a diversified mutual fund;

''(ii) a diversified exchange-traded fund;

''(iii) a United States Treasury bill, note, or bond;

''(iv) compensation from the primary occupation of a covered individual; or

''(v) any financial interest exempted under paragraph (1) or (2) of section 208(b) of title 18.

''(3) COVERED INDIVIDUAL.—The term 'covered individual' means—

''(A) a Member of Congress (as defined in section 13101); or

''(B) a spouse or dependent child of a Member of Congress.

''(4) DEPENDENT CHILD.—The term dependent child has the meaning given the term in section 13101.

''(5) FUTURE.—The term 'future' means a financial contract obligating a buyer to purchase, or a seller to sell, an asset, such as a physical commodity or a financial instrument, at a predetermined future date and price.

''(6) SECURITY.—The term 'security' has the meaning given the term in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

''(7) SUPERVISING ETHICS OFFICE.—The term 'supervising ethics office', with respect to a covered individual, has the meaning given the term in section 13101 with respect to that covered individual.

''SEC. 13162. PROHIBITIONS.

''(a) TRANSACTIONS.—Except as provided in sections 13163 and 13164, and during the 180-day period beginning on the date on which the service of such covered individual is terminated, no covered individual may—

''(1) hold, purchase, sell, or conduct any type of transaction with respect to a covered financial interest; or

''(2) enter into a transaction that creates a net short position in any security.

''(b) POSITIONS.—A covered individual may not serve as an officer or member of any board of any for-profit association, corporation, or other entity.

''SEC. 13163. DIVESTITURE.

''With respect to any covered financial interest held by a covered individual, the covered individual shall sell the covered financial interest during the 180-day period beginning on the later of—

''(1) the date on which the covered individual assumes office or employment as a covered individual; and

''(2) the date of enactment of this Act.

''SEC. 13164. ADMINISTRATION AND ENFORCEMENT.

''(a) ADMINISTRATION.—Each supervising ethics office may issue guidance relating to any matter covered by this subchapter, including—

''(1) whether a covered individual may hold an employee stock option or other, similar instrument that has not vested before the date on which the covered individual assumes office or employment as a covered individual; and

''(2) the process and timeline for determining the date on which a covered individual shall no longer serve as an officer or member of any board of any for-profit association, corporation, or other entity.

''(b) ENFORCEMENT.—A covered individual who knowingly fails to comply with this subchapter—

''(1) shall disgorge to the Treasury of the United States any profit from a transaction or holding involving a covered financial interest that is conducted in violation of this subchapter; and

''(2) shall be assessed a fine by the supervising ethics office of not less than 10 percent of the value of the covered financial interest that was purchased or sold, or the security in which a net short position was created, in violation of this subchapter, as applicable.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 131 of title 5, United States Code, as amended by section 103 of this division, is amended by adding at the end the following:

''SUBCHAPTER V—BANNING CONFLICTED TRADES IN CONGRESS

''13161. Definitions.
''13162. Prohibitions.
''13163. Divestiture.
''13164. Administration and enforcement.''.

(b) CONFORMING AMENDMENTS.—

(1) AUTHORITY AND FUNCTIONS.—Section 13122(f)(2)(B) of title 5, United States Code, is amended—

(A) by striking ''Subject to clause (iv) of this subparagraph, before'' each place it appears and inserting ''Before''; and

(B) by striking clause (iv).

(2) LOBBYING DISCLOSURE ACT OF 1995.—Section 3(4)(D) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(4)(D)) is amended by striking ''legislative branch employee serving in a position described under section 13101(13) of title 5, United States Code'' and inserting ''officer or employee of Congress (as defined in section 13101 of title 5, United States Code)''.

(3) STOCK ACT.—Section 2 of the STOCK Act (5 U.S.C. 13101 note) is amended—

(A) in paragraph (2)(B), by striking ''(11)'';

(B) in paragraph (4), by striking ''(10)'';

(C) in paragraph (5), by striking ''(9)''; and

(D) in paragraph (6), by striking ''(18)''.

(4) SECURITIES EXCHANGE ACT OF 1934.—Section 21A of the Securities Exchange Act of 1934 (15 U.S.C. 78u–1) is amended—

(A) in subsection (g)(2)(B)(ii), by striking ''(11)''; and

(B) in subsection (h)(2)—

(i) in subparagraph (B), by striking ''(9)''; and

(ii) in subparagraph (C), by striking ''(10)''.

SEC. 205. ELECTRONIC FILING AND ONLINE PUBLIC AVAILABILITY OF FINANCIAL DISCLOSURE FORMS.

(a) MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF.—Section 8(b)(1) of the STOCK Act (5 U.S.C. 13107 note) is amended—

(1) in the matter preceding subparagraph (A), by inserting '', pursuant to subchapter I of chapter 131 of title 5, United States Code, through databases maintained on the official websites of the Senate and House of Representatives'' after ''enable'';

(2) in subparagraph (A), by striking ''reports received by them pursuant to section 13105(h)(1)(A) of title 5, United States Code, and'' and inserting ''each report received under section 13105(h)(1)(A) of that subchapter; and''; and

(3) by striking subparagraph (B) and the undesignated matter following that subparagraph and inserting the following:

''(B) public access—

''(i) to each—

''(I) financial disclosure report filed by a Member of Congress or a candidate for Congress;

''(II) transaction disclosure report filed by a Member of Congress or a candidate for Congress pursuant to section 13105(l) of that subchapter; and

''(III) notice of extension or amendment with respect to a report described in subclause (I) or (II), pursuant to that subchapter; and

''(ii) in a manner that—

''(I) allows the public to search, sort, and download data contained in the reports described in subclause (I) or (II) of clause (i) by criteria required to be reported, including by filer name, asset, transaction type, ticker symbol, notification date, amount of transaction, and date of transaction;

''(II) allows access through an application programming interface; and

''(III) is fully compliant with—

''(aa) section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

''(bb) the most recent Web Content Accessibility Guidelines (or successor guidelines).''.

(b) VERY SENIOR EXECUTIVE BRANCH EMPLOYEES.—Section 11(b)(1) of the STOCK Act (Public Law 112–105; 126 Stat. 299) is amended—

(1) in the matter preceding subparagraph (A), by inserting '', pursuant to subchapter I of chapter 131 of title 5, United States Code, through databases maintained on the official website of the Office of Government Ethics'' after ''enable''; and

(2) by striking subparagraph (B) and the undesignated matter following that subparagraph and inserting the following:

''(B) public access—

''(i) to each—

''(I) financial disclosure report filed by an officer occupying a position listed in section 5312 or 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position;

''(II) transaction disclosure report filed by an individual described in subclause (I) pursuant to section 13105(l) of title 5, United States Code; and

''(III) notice of extension or amendment with respect to a report described in subclause (I) or (II), pursuant to subchapter I of chapter 131 of title 5, United States Code; and

''(ii) in a manner that—

''(I) allows the public to search, sort, and download data contained in the reports described in subclause (I) or (II) of clause (i) by criteria required to be reported, including by filer name, asset, transaction type, ticker symbol, notification date, amount of transaction, and date of transaction;

''(II) allows access through an application programming interface; and

''(III) is fully compliant with—

''(aa) section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

''(bb) the most recent Web Content Accessibility Guidelines (or successor guidelines).''.

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the date that is 18 months after the date of enactment of this Act.

SA 1702. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION _____

—PREVENTING CHILD LABOR EXPLOITATION IN FEDERAL CONTRACTING ACT

SEC. _____1. SHORT TITLE.

This division may be cited as the ''Preventing Child Labor Exploitation in Federal Contracting Act''.

SEC. _____2. DEFINITIONS.

In this division:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Oversight and Accountability of the House of Representatives.

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given such term in section 133 of title 41, United States Code.

SEC. _____3. PROMOTION OF WORKPLACE ACCOUNTABILITY.

(a) REQUIRED REPRESENTATIONS AND CERTIFICATIONS.—Not later than 18 months after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to—

(1) require any entity that enters into a contract with an executive agency to represent, on an annual basis and to the best of the knowledge of the entity, whether, within the preceding 3-year period, any final administrative merits determination, arbitral award or decision, or civil judgment, as defined in coordination with the Secretary of Labor, has been issued against the entity for any violation of section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 212), relating to child labor;

(2) provide (through a revision of the Certification Regarding Knowledge of Child Labor for Listed End Products as described in section 52.222–18 of the Federal Acquisition Regulation or through, if necessary, another certification) a requirement that an offeror—

(A) certify, to the best of the knowledge of the entity, whether, within the preceding 3-year period, any final administrative merits determination, arbitral award or decision, or civil judgment, as defined in coordination with the Secretary of Labor, for a violation described in paragraph (1) has been issued against the entity; and

(B) require such a certification from each of the subcontractors or service providers to be used in performing, or that were considered for the performance of, the contract for which the offeror is submitting an offer and provide such certifications with the certification by the offeror under subparagraph (A);

(3) prohibit executive agencies from awarding a contract to—

(A) an entity that provides an affirmative response to a representation under paragraph (1) and has failed to implement any corrective measure negotiated under subsection (b); or

(B) an offeror that—

(i) provides an affirmative response to a certification under paragraph (2) and has failed to implement any corrective measure negotiated under subsection (b); or

(ii) intends to use a subcontractor or service provider in the performance of the contract that was identified as having violations in such an affirmative response and has failed to implement any corrective measure negotiated under such subsection;

(4) require the name and address of each entity that provides an affirmative response to a representation under paragraph (1), and the name and address of each offeror, subcontractor, or service provider identified as having violations in an affirmative response to a certification under paragraph (2), to be referred to the Secretary of Labor for purposes of negotiating with that entity, offeror, subcontractor, or service provider on corrective measures under subsection (b) and preparing the list and conducting suspension and debarment proceedings under subsection (c);

(5) provide procedures for consultation with the Secretary of Labor by an offeror described in paragraph (2) to assist the offeror in evaluating the information on compliance with section 12 of the Fair Labor Standards Act of 1938, relating to child labor, submitted to the offeror by a subcontractor or service provider pursuant to such paragraph; and

(6) make any other changes necessary to implement the requirements of this division.

(b) CORRECTIVE MEASURES.—An entity that makes an affirmative response to a representation under subsection (a)(1) or offeror, subcontractor, or service provider that makes an affirmative response in a certification under subsection (a)(2)—

(1) shall update the representation or certification, respectively, based on any steps taken by the entity, offeror, subcontractor, or service provider to correct violations of or improve compliance with section 12 of the Fair Labor Standards Act of 1938, relating to child labor, including any agreements entered into with the Secretary of Labor; and

(2) may negotiate with the Secretary of Labor regarding corrective measures that the entity, offeror, subcontractor, or service provider may take in order to avoid being placed on the list under subsection (c) and referred for suspension and debarment proceedings under such subsection, in the case the entity, offeror, subcontractor, or service provider meets the criteria for such list and proceedings under such subsection.

(c) LIST OF INELIGIBLE ENTITIES.—

(1) IN GENERAL.—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, the Secretary of Labor, in coordination with other executive agencies as necessary, shall prepare a list and conduct suspension and debarment proceedings for—

(A) each entity that provided an affirmative response to a representation under subsection (a)(1) and has failed to implement any corrective measure negotiated under subsection (b) for the year of the list; and

(B) each offeror, subcontractor, or service provider that was identified as having violations in an affirmative response to a certification under subsection (a)(2) and has failed to implement any corrective measure negotiated under subsection (b) for the year of the list.

(2) INELIGIBILITY.—

(A) IN GENERAL.—The head of an executive agency shall not, during the period of time described in subparagraph (B), solicit offers from, award contracts to, or consent to subcontracts with any entity, offeror, subcontractor, or service provider that is listed—

(i) under paragraph (1); and

(ii) as an active exclusion in the System for Award Management.

(B) PERIOD OF TIME.—The period of time described in this subparagraph is a period of time determined by the suspension and debarment official that is not less than 4 years from the date on which the entity, offeror, subcontractor, or service provider is listed as an exclusion in the System for Award Management.

(3) ADDITIONAL CONSIDERATIONS.—In determining the entities to consider for suspension and debarment proceedings under paragraph (1), the Secretary of Labor shall ensure procedures for such determination are consistent with the procedures set forth in subpart 9.4 of the Federal Acquisition Regulation for the suspension and debarment of Federal contractors.

(d) PENALTIES FOR FAILURE TO REPORT.—

(1) OFFENSE.—It shall be unlawful for a person to knowingly fail to make a representation or certification required under paragraph (1) or (2), respectively, of subsection (a).

(2) PENALTY.—

(A) IN GENERAL.—A violation of paragraph (1) shall be referred by any executive agency

with knowledge of such violation for suspension and debarment proceedings, to be conducted by the suspension and debarment official of the Department of Labor.

(B) LOSS TO GOVERNMENT.—A violation of paragraph (1) shall be subject to the penalties under sections 3729 through 3733 of title 31, United States Code (commonly known as the ''False Claims Act'').

(e) ANNUAL REPORTS TO CONGRESS.—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, the Secretary of Labor shall submit to the appropriate committees of Congress, and make publicly available on a public website, a report that includes—

(1) the number of entities, offerors, subcontractors, or service providers on the list under subsection (c) for the year of the report;

(2) the number of entities, offerors, subcontractors, or service providers that agreed to take corrective measures under subsection (b) for such year;

(3) the amount of the applicable contracts for the entities, offerors, subcontractors, or service providers described in paragraph (1) or (2); and

(4) an assessment of the effectiveness of the implementation of this division for such year.

SEC. _____4. GAO STUDY.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the prevalence of violations of section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 212), relating to child labor, among Federal contractors and submit to the appropriate committees of Congress a report with the findings of the study.

SEC. _____ 5. USE OF CIVIL PENALTIES COLLECTED FOR CHILD LABOR LAW VIOLATIONS.—

Section 16(e)(5) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(e)(5)) is amended—

(1) by striking ''Except'' and all that follows through ''sums'' and inserting ''Sums''; and

(2) by striking the second sentence.

SEC. _____6. NO ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated for the purpose of carrying out this division.

SA 1703. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCREASE OF DUTY ON AUTOS ORIGINATING IN PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Effective on the date of the enactment of this Act, heading 8703 of the HTS shall be applied and administered with respect to imports originating in the People's Republic of China—

(1) in the column 1 general rate of duty column, by substituting ''100%'' for the rate of duty otherwise applicable; and

(2) in the column 2 rate of duty column, by substituting ''100%'' for the rate of duty otherwise applicable.

(b) MODIFICATION OF SCHEDULE OF CONCESSIONS TO GATT 1994.—With due regard for the international obligations of the United States, particularly Article XXXVIII of the GATT 1947 requiring any suspension of trade agreement concessions to be made on a most-favored nation basis, the United States Trade Representative shall take the necessary steps to modify the Schedule of Concessions to accommodate the increase under subsection (a) in the rate of duty applicable to articles covered under heading 8703 of the HTS that originate in the People's Republic of China.

(c) RULES OF ORIGIN.—For purposes of this section, an article covered under heading 8703 of the HTS originates in the People's Republic of China if the article is—

(1) produced in the People's Republic of China;

(2) produced by an entity organized under the laws of or otherwise subject to the jurisdiction of the People's Republic of China, without regard to the country in which that entity is located; or

(3) produced by an entity over which control is exercised by an entity organized under the laws of or otherwise subject to the jurisdiction of the People's Republic of China, without regard to the country in which either such entity is located.

(d) DEFINITIONS.—In this section:

(1) CONTROL.—The term ''control'' has the meaning given that term in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(2) GATT 1947.—The term ''GATT 1947'' has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

(3) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States.

(4) SCHEDULE OF CONCESSIONS.—The term ''Schedule of Concessions'' has the meaning given the term ''Schedule XX'' in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

SA 1704. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE V—STOP CSAM ACT

SEC. 501. SHORT TITLE.

This title may be cited as the ''Strengthening Transparency and Obligations to Protect Children Suffering from Abuse and Mistreatment Act of 2024'' or the ''STOP CSAM Act of 2024''.

SEC. 502. PROTECTING CHILD VICTIMS AND WITNESSES IN FEDERAL COURT.

(a) IN GENERAL.—Section 3509 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking ''or exploitation'' and inserting ''exploitation, or kidnapping, including international parental kidnapping'';

(B) in paragraph (3), by striking ''physical or mental injury'' and inserting ''physical injury, psychological abuse'';

(C) by striking paragraph (5) and inserting the following:

''(5) the term 'psychological abuse' includes—

''(A) a pattern of acts, threats of acts, or coercive tactics intended to degrade, humiliate, intimidate, or terrorize a child; and

''(B) the infliction of trauma on a child through—

''(i) isolation;

''(ii) the withholding of food or other necessities in order to control behavior;

''(iii) physical restraint; or

''(iv) the confinement of the child without the child's consent and in degrading conditions;'';

(D) in paragraph (6), by striking ''child prostitution'' and inserting ''child sex trafficking'';

(E) by striking paragraph (7) and inserting the following:

''(7) the term 'multidisciplinary child abuse team' means a professional unit of individuals working together to investigate child abuse and provide assistance and support to a victim of child abuse, composed of representatives from—

''(A) health, social service, and legal service agencies that represent the child;

''(B) law enforcement agencies and prosecutorial offices; and

''(C) children's advocacy centers;'';

(F) in paragraph (9)(D)—

(i) by striking ''genitals'' and inserting ''anus, genitals,''; and

(ii) by striking ''or animal'';

(G) in paragraph (11), by striking ''and'' at the end;

(H) in paragraph (12)—

(i) by striking ''the term 'child abuse' does not'' and inserting ''the terms 'physical injury' and 'psychological abuse' do not''; and

(ii) by striking the period and inserting a semicolon; and

(I) by adding at the end the following:

''(13) the term 'covered person' means a person of any age who—

''(A) is or is alleged to be—

''(i) a victim of a crime of physical abuse, sexual abuse, exploitation, or kidnapping, including international parental kidnapping; or

''(ii) a witness to a crime committed against another person; and

''(B) was under the age of 18 when the crime described in subparagraph (A) was committed; and

''(14) the term 'protected information', with respect to a covered person, includes—

''(A) personally identifiable information of the covered person, including—

''(i) the name of the covered person;

''(ii) an address;

''(iii) a phone number;

''(iv) a user name or identifying information for an online, social media, or email account; and

''(v) any information that can be used to distinguish or trace the identity of the covered person, either alone or when combined with other information that is linked or linkable to the covered person;

''(B) medical, dental, behavioral, psychiatric, or psychological information of the covered person;

''(C) educational or juvenile justice records of the covered person; and

''(D) any other information concerning the covered person that is deemed 'protected information' by order of the court under subsection (d)(5).'';

(2) in subsection (b)—

(A) in paragraph (1)(C), by striking ''minor'' and inserting ''child''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''VIDEOTAPED'' and inserting ''RECORDED'';

(ii) in subparagraph (A), by striking ''that the deposition be recorded and preserved on videotape'' and inserting ''that a video recording of the deposition be made and preserved'';

(iii) in subparagraph (B)—

(I) in clause (ii), by striking ''that the child's deposition be taken and preserved by videotape'' and inserting ''that a video recording of the child's deposition be made and preserved'';

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking ''videotape'' and inserting ''recorded''; and

(bb) in subclause (IV), by striking ''videotape'' and inserting ''recording''; and

(III) in clause (v)—

(aa) in the heading, by striking ''VIDEOTAPE'' and inserting ''VIDEO RECORDING'';

(bb) in the first sentence, by striking ''made and preserved on video tape'' and inserting ''recorded and preserved''; and

(cc) in the second sentence, by striking ''videotape'' and inserting ''video recording'';

(iv) in subparagraph (C), by striking ''child's videotaped'' and inserting ''video recording of the child's'';

(v) in subparagraph (D)—

(I) by striking ''videotaping'' and inserting ''deposition''; and

(II) by striking ''videotaped'' and inserting ''recorded'';

(vi) in subparagraph (E), by striking ''videotaped'' and inserting ''recorded''; and

(vii) in subparagraph (F), by striking ''videotape'' each place the term appears and inserting ''video recording'';

(3) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in clause (i), by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(ii) in clause (ii)—

(I) by striking ''documents described in clause (i) or the information in them that concerns a child'' and inserting ''a covered person's protected information''; and

(II) by striking '', have reason to know such information'' and inserting ''(including witnesses or potential witnesses), have reason to know each item of protected information to be disclosed'';

(B) in paragraph (2)—

(i) by striking ''the name of or any other information concerning a child'' each place the term appears and inserting ''a covered person's protected information'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(iii) by striking ''All papers'' and inserting the following:

''(A) IN GENERAL.—All papers''; and

(iv) by adding at the end the following:

''(B) ENFORCEMENT OF VIOLATIONS.—The court may address a violation of subparagraph (A) in the same manner as disobedience or resistance to a lawful court order under section 401(3).'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking ''a child from public disclosure of the name of or any other information concerning the child'' and inserting ''a covered person's protected information from public disclosure''; and

(II) by striking '', if the court determines that there is a significant possibility that such disclosure would be detrimental to the child'';

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''a child witness, and the testimony of any other witness'' and inserting ''any witness''; and

(bb) by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) in clause (ii), by striking ''child'' and inserting ''covered person''; and

(iii) by adding at the end the following:

''(C)(i) For purposes of this paragraph, there shall be a presumption that public disclosure of a covered person's protected information would be detrimental to the covered person.

''(ii) The court shall deny a motion for a protective order under subparagraph (A) only if the court finds that the party opposing the motion has rebutted the presumption under clause (i) of this subparagraph.'';

(D) in paragraph (4)—

(i) by striking ''This subsection'' and inserting the following:

''(A) DISCLOSURE TO CERTAIN PARTIES.—This subsection'';

(ii) in subparagraph (A), as so designated—

(I) by striking ''the name of or other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) by striking ''or an adult attendant, or to'' and inserting ''an adult attendant, a law enforcement agency for any intelligence or investigative purpose, or''; and

(iii) by adding at the end the following:

''(B) REQUEST FOR PUBLIC DISCLOSURE.—If any party requests public disclosure of a covered person's protected information to further a public interest, the court shall deny the request unless the court finds that—

''(i) the party seeking disclosure has established that there is a compelling public interest in publicly disclosing the covered person's protected information;

''(ii) there is a substantial probability that the public interest would be harmed if the covered person's protected information is not disclosed;

''(iii) the substantial probability of harm to the public interest outweighs the harm to the covered person from public disclosure of the covered person's protected information; and

''(iv) there is no alternative to public disclosure of the covered person's protected information that would adequately protect the public interest.''; and

(E) by adding at the end the following:

''(5) OTHER PROTECTED INFORMATION.—The court may order that information shall be considered to be 'protected information' for purposes of this subsection if the court finds that the information is sufficiently personal, sensitive, or identifying that it should be subject to the protections and presumptions under this subsection.'';

(4) by striking subsection (f) and inserting the following:

''(f) VICTIM IMPACT STATEMENT.—

''(1) PROBATION OFFICER.—In preparing the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, the probation officer shall request information from the multidisciplinary child abuse team, if applicable, or other appropriate sources to determine the impact of the offense on a child victim and any other children who may have been affected by the offense.

''(2) GUARDIAN AD LITEM.—A guardian ad litem appointed under subsection (h) shall—

''(A) make every effort to obtain and report information that accurately expresses the views of a child victim, and the views of family members as appropriate, concerning the impact of the offense; and

''(B) use forms that permit a child victim to express the child's views concerning the personal consequences of the offense, at a level and in a form of communication commensurate with the child's age and ability.'';

(5) in subsection (h), by adding at the end the following:

''(4) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $25,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.'';

(6) in subsection (i)—

(A) by striking ''A child testifying at or attending a judicial proceeding'' and inserting the following:

''(1) IN GENERAL.—A child testifying at a judicial proceeding, including in a manner described in subsection (b),'';

(B) in paragraph (1), as so designated—

(i) in the third sentence, by striking ''proceeding'' and inserting ''testimony''; and

(ii) by striking the fifth sentence; and

(C) by adding at the end the following:

''(2) RECORDING.—If the adult attendant is in close physical proximity to or in contact with the child while the child testifies—

''(A) at a judicial proceeding, a video recording of the adult attendant shall be made and shall become part of the court record; or

''(B) in a manner described in subsection (b), the adult attendant shall be visible on the closed-circuit television or in the recorded deposition.

''(3) COVERED PERSONS ATTENDING PROCEEDING.—A covered person shall have the right to be accompanied by an adult attendant when attending any judicial proceeding.'';

(7) in subsection (j)—

(A) by striking ''child'' each place the term appears and inserting ''covered person''; and

(B) in the fourth sentence—

(i) by striking ''and the potential'' and inserting '', the potential'';

(ii) by striking ''child's'' and inserting ''covered person's''; and

(iii) by inserting before the period at the end the following: '', and the necessity of the continuance to protect the defendant's rights'';

(8) in subsection (k), by striking ''child'' each place the term appears and inserting ''covered person''; and

(9) in subsection (l), by striking ''child'' each place the term appears and inserting ''covered person''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to conduct that occurs before, on, or after the date of enactment of this Act.

SEC. 503. FACILITATING PAYMENT OF RESTITUTION; TECHNICAL AMENDMENTS TO RESTITUTION STATUTES.

Title 18, United States Code, is amended—

(1) in section 1593(c)—

(A) by inserting ''(1)'' after ''(c)'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court'';

(2) in section 2248(c)—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) ASSUMPTION OF CRIME VICTIM'S RIGHTS.—In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court'';

(3) in section 2259—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''DIRECTIONS.—Except as provided in paragraph (2), the'' and inserting ''RESTITUTION FOR CHILD PORNOGRAPHY PRODUCTION.—If the defendant was convicted of child pornography production, the''; and

(ii) in paragraph (2)(B), by striking ''$3,000.'' and inserting the following: ''—

''(i) $3,000; or

''(ii) 10 percent of the full amount of the victim's losses, if the full amount of the victim's losses is less than $3,000.''; and

(B) in subsection (c)—

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

''(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term 'child pornography production' means—

''(A) a violation of subsection (a), (b), or (c) of section 2251, or an attempt or conspiracy to violate any of those subsections under subsection (e) of that section;

''(B) a violation of section 2251A;

''(C) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) produced by the defendant; or

''(ii) that the defendant attempted or conspired to produce;

''(D) a violation of section 2252A(g) if the series of felony violations involves not fewer than 1 violation—

''(i) described in subparagraph (A), (B), (E), or (F) of this paragraph;

''(ii) of section 1591; or

''(iii) of section 1201, chapter 109A, or chapter 117, if the victim is a minor;

''(E) a violation of subsection (a) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(1) of that section;

''(F) a violation of section 2260B(a)(2) for promoting or facilitating an offense—

''(i) described in subparagraph (A), (B), (D), or (E) of this paragraph; or

''(ii) under section 2422(b); and

''(G) a violation of chapter 109A or chapter 117, if the offense involves the production or attempted production of, or conspiracy to produce, child pornography.''; and

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

''(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term 'trafficking in child pornography' means—

''(A) a violation of subsection (d) of section 2251 or an attempt or conspiracy to violate that subsection under subsection (e) of that section;

''(B) a violation of paragraph (1), (2), or (3) of subsection (a) of section 2252, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(C) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) not produced by the defendant; or

''(ii) that the defendant did not attempt or conspire to produce;

''(D) a violation of paragraph (1), (2), (3), (4), or (6) of subsection (a) of section 2252A, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(E) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section;

''(F) a violation of section 2252A(g) if the series of felony violations exclusively involves violations described in this paragraph;

''(G) a violation of subsection (b) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(2) of that section; and

''(H) a violation of subsection (a)(1) of section 2260B, or a violation of subsection (a)(2) of that section for promoting or facilitating an offense described in this paragraph.'';

(4) in section 2259A(a)—

(A) in paragraph (1), by striking ''under section 2252(a)(4) or 2252A(a)(5)'' and inserting ''described in section 2259(c)(3)(C)''; and

(B) in paragraph (2), by striking ''any other offense for trafficking in child pornography'' and inserting ''any offense for trafficking in child pornography other than an offense described in section 2259(c)(3)(C)'';

(5) in section 2429—

(A) in subsection (b)(3), by striking ''2259(b)(3)'' and inserting ''2259(c)(2)''; and

(B) in subsection (d)—

(i) by inserting ''(1)'' after ''(d)'';

(ii) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(iii) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court''; and

(6) in section 3664, by adding at the end the following:

''(q) TRUSTEE OR OTHER FIDUCIARY.—

''(1) IN GENERAL.—

''(A) APPOINTMENT OF TRUSTEE OR OTHER FIDUCIARY.—When the court issues an order of restitution under section 1593, 2248, 2259, 2429, or 3663, or subparagraphs (A)(i) and (B) of section 3663A(c)(1), for a victim described in subparagraph (B) of this paragraph, the court, at its own discretion or upon motion by the Government, may appoint a trustee or other fiduciary to hold any amount paid for restitution in a trust or other official account for the benefit of the victim.

''(B) COVERED VICTIMS.—A victim referred to in subparagraph (A) is a victim who is—

''(i) under the age of 18 at the time of the proceeding;

''(ii) incompetent or incapacitated; or

''(iii) subject to paragraph (3), a foreign citizen or stateless person residing outside the United States.

''(2) ORDER.—When the court appoints a trustee or other fiduciary under paragraph (1), the court shall issue an order specifying—

''(A) the duties of the trustee or other fiduciary, which shall require—

''(i) the administration of the trust or maintaining an official account in the best interests of the victim; and

''(ii) disbursing payments from the trust or account—

''(I) to the victim; or

''(II) to any individual or entity on behalf of the victim;

''(B) that the trustee or other fiduciary—

''(i) shall avoid any conflict of interest;

''(ii) may not profit from the administration of the trust or maintaining an official account for the benefit of the victim other than as specified in the order; and

''(iii) may not delegate administration of the trust or maintaining the official account to any other person;

''(C) if and when the trust or the duties of the other fiduciary will expire; and

''(D) the fees payable to the trustee or other fiduciary to cover expenses of administering the trust or maintaining the official account for the benefit of the victim, and the schedule for payment of those fees.

''(3) FACT-FINDING REGARDING FOREIGN CITIZENS AND STATELESS PERSON.—In the case of a victim who is a foreign citizen or stateless person residing outside the United States and is not under the age of 18 at the time of the proceeding or incompetent or incapacitated, the court may appoint a trustee or other fiduciary under paragraph (1) only if the court finds it necessary to—

''(A) protect the safety or security of the victim; or

''(B) provide a reliable means for the victim to access or benefit from the restitution payments.

''(4) PAYMENT OF FEES.—

''(A) IN GENERAL.—The court may, with respect to the fees of the trustee or other fiduciary—

''(i) pay the fees in whole or in part; or

''(ii) order the defendant to pay the fees in whole or in part.

''(B) APPLICABILITY OF OTHER PROVISIONS.—With respect to a court order under subparagraph (A)(ii) requiring a defendant to pay fees—

''(i) subsection (f)(3) shall apply to the court order in the same manner as that subsection applies to a restitution order;

''(ii) subchapter C of chapter 227 (other than section 3571) shall apply to the court order in the same manner as that subchapter applies to a sentence of a fine; and

''(iii) subchapter B of chapter 229 shall apply to the court order in the same manner as that subchapter applies to the implementation of a sentence of a fine.

''(C) EFFECT ON OTHER PENALTIES.—Imposition of payment under subparagraph (A)(ii) shall not relieve a defendant of, or entitle a defendant to a reduction in the amount of, any special assessment, restitution, other fines, penalties, or costs, or other payments required under the defendant's sentence.

''(D) SCHEDULE.—Notwithstanding any other provision of law, if the court orders the defendant to make any payment under subparagraph (A)(ii), the court may provide a payment schedule that is concurrent with the payment of any other financial obligation described in subparagraph (C).

''(5) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $15,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.''.

SEC. 504. CYBERTIPLINE IMPROVEMENTS, AND ACCOUNTABILITY AND TRANSPARENCY BY THE TECH INDUSTRY.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) in section 2258A—

(A) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DUTY TO REPORT.—

''(1) DUTY.—In order to reduce the proliferation of online child exploitation and to prevent the online sexual exploitation of children, as soon as reasonably possible after obtaining actual knowledge of any facts or circumstances described in paragraph (2) or any apparent child pornography on the provider's service, and in any event not later than 60 days after obtaining such knowledge, a provider shall submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report containing—

''(A) the mailing address, telephone number, facsimile number, electronic mailing address of, and individual point of contact for, such provider; and

''(B) information described in subsection (b) concerning such facts or circumstances or apparent child pornography.

''(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances indicating an apparent, planned, or imminent violation of section 2251, 2251A, 2252, 2252A, 2252B, or 2260.

''(3) PERMITTED ACTIONS BASED ON REASONABLE BELIEF.—In order to reduce the proliferation of online child exploitation and to prevent the online sexual exploitation of children, if a provider has a reasonable belief that any facts or circumstances described in paragraph (2) exist, the provider may submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report described in paragraph (1).

''(b) CONTENTS OF REPORT.—

''(1) IN GENERAL.—In an effort to prevent the future sexual victimization of children, and to the extent the information is within the custody or control of a provider, each report provided under paragraph (1) or (3) of subsection (a)—

''(A) shall include, to the extent that it is applicable and reasonably available—

''(i) identifying information regarding any individual who is the subject of the report, including name, address, electronic mail address, user or account identification, Internet Protocol address, and uniform resource locator;

''(ii) the terms of service in effect at the time of—

''(I) the apparent violation; or

''(II) the detection of apparent child pornography or a planned or imminent violation;

''(iii) a copy of any apparent child pornography that is the subject of the report that was identified in a publicly available location;

''(iv) for each item of apparent child pornography included in the report under clause (iii) or paragraph (2)(C), information indicating whether—

''(I) the apparent child pornography was publicly available; or

''(II) the provider, in its sole discretion, viewed the apparent child pornography, or any copy thereof, at any point concurrent with or prior to the submission of the report; and

''(v) for each item of apparent child pornography that is the subject of the report, an indication as to whether the apparent child pornography—

''(I) has previously been the subject of a report under paragraph (1) or (3) of subsection (a); or

''(II) is the subject of multiple contemporaneous reports due to rapid and widespread distribution; and

''(B) may, at the sole discretion of the provider, include the information described in paragraph (2) of this subsection.

''(2) OTHER INFORMATION.—The information referred to in paragraph (1)(B) is the following:

''(A) HISTORICAL REFERENCE.—Information relating to when and how a customer or subscriber of a provider uploaded, transmitted, or received content relating to the report or when and how content relating to the report was reported to, or discovered by the provider, including a date and time stamp and time zone.

''(B) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual or website, which may include the Internet Protocol address or verified address, or, if not reasonably available, at least one form of geographic identifying information, including area code or zip code, provided by the customer or subscriber, or stored or obtained by the provider.

''(C) APPARENT CHILD PORNOGRAPHY.—Any apparent child pornography not described in paragraph (1)(A)(iii), or other content related to the subject of the report.

''(D) COMPLETE COMMUNICATION.—The complete communication containing any apparent child pornography or other content, including—

''(i) any data or information regarding the transmission of the communication; and

''(ii) any visual depictions, data, or other digital files contained in, or attached to, the communication.

''(E) TECHNICAL IDENTIFIER.—An industry-standard hash value or other similar industry-standard technical identifier for any reported visual depiction as it existed on the provider's service.

''(F) DESCRIPTION.—For any item of apparent child pornography that is the subject of the report, an indication of whether—

''(i) the depicted sexually explicit conduct involves—

''(I) genital, oral, or anal sexual intercourse;

''(II) bestiality;

''(III) masturbation;

''(IV) sadistic or masochistic abuse; or

''(V) lascivious exhibition of the anus, genitals, or pubic area of any person; and

''(ii) the depicted minor is—

''(I) an infant or toddler;

''(II) prepubescent;

''(III) pubescent;

''(IV) post-pubescent; or

''(V) of an indeterminate age or developmental stage.'';

''(c) FORWARDING OF REPORT AND OTHER INFORMATION TO LAW ENFORCEMENT.—

''(1) IN GENERAL.—Pursuant to its clearinghouse role as a private, nonprofit organization, and at the conclusion of its review in furtherance of its nonprofit mission, NCMEC shall make available each report submitted under paragraph (1) or (3) of subsection (a) to one or more of the following law enforcement agencies:

''(A) Any Federal law enforcement agency that is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(B) Any State or local law enforcement agency that is involved in the investigation of child sexual exploitation.

''(C) A foreign law enforcement agency designated by the Attorney General under subsection (d)(3) or a foreign law enforcement agency that has an established relationship with the Federal Bureau of Investigation, Immigration and Customs Enforcement, or INTERPOL, and is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(2) TECHNICAL IDENTIFIERS.—If a report submitted under paragraph (1) or (3) of subsection (a) contains an industry-standard hash value or other similar industry-standard technical identifier—

''(A) NCMEC may compare that hash value or identifier with any database or repository of visual depictions owned or operated by NCMEC; and

''(B) if the comparison under subparagraph (A) results in a match, NCMEC may include the matching visual depiction from its database or repository when forwarding the report to an agency described in subparagraph (A) or (B) of paragraph (1).'';

(B) in subsection (d)—

(i) in paragraph (2), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(1)(A)''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)''; and

(II) in subparagraph (C), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)'';

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

''(e) FAILURE TO COMPLY WITH REQUIREMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) OFFENSE.—It shall be unlawful for a provider to knowingly—

''(i) fail to submit a report under subsection (a)(1) within the time period required by that subsection; or

''(ii) fail to preserve material as required under subsection (h).

''(B) PENALTY.—

''(i) IN GENERAL.—A provider that violates subparagraph (A) shall be fined—

''(I) in the case of an initial violation, not more than $150,000; and

''(II) in the case of any second or subsequent violation, not more than $300,000.

''(ii) HARM TO INDIVIDUALS.—The maximum fine under clause (i) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(2) CIVIL PENALTY.—

''(A) VIOLATIONS RELATING TO CYBERTIPLINE REPORTS AND MATERIAL PRESERVATION.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $50,000 and not more than $100,000 if the provider knowingly—

''(i) fails to submit a report under subsection (a)(1) within the time period required by that subsection;

''(ii) fails to preserve material as required under subsection (h); or

''(iii) submits a report under paragraph (1) or (3) of subsection (a) that—

''(I) contains materially false or fraudulent information; or

''(II) omits information described in subsection (b)(1)(A) that is reasonably available.

''(B) ANNUAL REPORT VIOLATIONS.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $100,000 and not more than $1,000,000 if the provider knowingly—

''(i) fails to submit an annual report as required under subsection (i); or

''(ii) submits an annual report under subsection (i) that—

''(I) contains a materially false, fraudulent, or misleading statement; or

''(II) omits information described in subsection (i)(1) that is reasonably available.

''(C) HARM TO INDIVIDUALS.—The amount of a civil penalty under subparagraph (A) or (B) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(D) COSTS OF CIVIL ACTIONS.—A provider that commits a violation described in subparagraph (A) or (B) shall be liable to the United States Government for the costs of a civil action brought to recover a civil penalty under that subparagraph.

''(E) ENFORCEMENT.—This paragraph shall be enforced in accordance with sections 3731, 3732, and 3733 of title 31, except that a civil action to recover a civil penalty under subparagraph (A) or (B) of this paragraph may only be brought by the United States Government.

''(3) DEPOSIT OF FINES AND PENALTIES.—Notwithstanding any other provision of law, any criminal fine or civil penalty collected under this subsection shall be deposited into the Child Pornography Victims Reserve as provided in section 2259B.'';

(D) in subsection (f), by striking paragraph (3) and inserting the following:

''(3) affirmatively search, screen, or scan for—

''(A) facts or circumstances described in subsection (a)(2);

''(B) information described in subsection (b)(2); or

''(C) any apparent child pornography.'';

(E) in subsection (g)—

(i) in paragraph (2)(A)—

(I) in clause (iii), by inserting ''or personnel at a children's advocacy center'' after ''State)''; and

(II) in clause (iv), by striking ''State or subdivision of a State'' and inserting ''State, subdivision of a State, or children's advocacy center'';

(ii) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''paragraph (1) or (3) of'' before ''subsection (a)''; and

(iii) in paragraph (4), by striking ''subsection (a)(1)'' and inserting ''paragraph (1) or (3) of subsection (a)'';

(F) in subsection (h)—

(i) in paragraph (1), by striking ''subsection (a)(1)'' and inserting ''paragraph (1) or (3) of subsection (a)''; and

(ii) by adding at the end the following:

''(5) RELATION TO REPORTING REQUIREMENT.—Submission of a report as described in paragraph (1) or (3) of subsection (a) does

not satisfy the obligations under this subsection.''; and

(G) by adding at the end the following:

''(i) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than March 31 of the second year beginning after the date of enactment of the STOP CSAM Act of 2024, and of each year thereafter, a provider that had more than 1,000,000 unique monthly visitors or users during each month of the preceding year and accrued revenue of more than $50,000,000 during the preceding year shall submit to the Attorney General and the Chair of the Federal Trade Commission a report, disaggregated by subsidiary, that provides the following information for the preceding year to the extent such information is applicable and reasonably available:

''(A) CYBERTIPLINE DATA.—

''(i) The total number of reports that the provider submitted under paragraph (1) or (3) of subsection (a).

''(ii) Which items of information described in subsection (b)(2) are routinely included in the reports submitted by the provider under paragraph (1) or (3) of subsection (a).

''(B) REPORT AND REMOVE DATA.—With respect to section 506 of the STOP CSAM Act of 2024—

''(i) a description of the provider's designated reporting system;

''(ii) the number of complete notifications received;

''(iii) the number of proscribed visual depictions involving a minor that were removed; and

''(iv) the total amount of any fine ordered and paid.

''(C) OTHER REPORTING TO THE PROVIDER.—

''(i) The measures the provider has in place to receive other reports concerning child sexual exploitation and abuse using the provider's product or on the provider's service.

''(ii) The average time for responding to reports described in clause (i).

''(iii) The number of reports described in clause (i) that the provider received.

''(iv) A summary description of the actions taken upon receipt of the reports described in clause (i).

''(D) POLICIES.—

''(i) A description of the policies of the provider with respect to the commission of child sexual exploitation and abuse using the provider's product or on the provider's service, including how child sexual exploitation and abuse is defined.

''(ii) A description of possible consequences for violations of the policies described in clause (i).

''(iii) The methods of informing users of the policies described in clause (i).

''(iv) The process for adjudicating potential violations of the policies described in clause (i).

''(E) CULTURE OF SAFETY.—

''(i) The measures and technologies that the provider deploys to protect children from sexual exploitation and abuse using the provider's product or service.

''(ii) The measures and technologies that the provider deploys to prevent the use of the provider's product or service by individuals seeking to commit child sexual exploitation and abuse.

''(iii) Factors that interfere with the provider's ability to detect or evaluate instances of child sexual exploitation and abuse.

''(iv) An assessment of the efficacy of the measures and technologies described in clauses (i) and (ii) and the impact of the factors described in clause (iii).

''(F) SAFETY BY DESIGN.—The measures that the provider takes before launching a new product or service to assess—

''(i) the safety risks for children with respect to sexual exploitation and abuse; and

''(ii) whether and how individuals could use the new product or service to commit child sexual exploitation and abuse.

''(G) TRENDS AND PATTERNS.—Any information concerning emerging trends and changing patterns with respect to the commission of online child sexual exploitation and abuse.

''(2) AVOIDING DUPLICATION.—Notwithstanding the requirement under the matter preceding paragraph (1) that information be submitted annually, in the case of any report submitted under that paragraph after the initial report, a provider shall submit information described in subparagraphs (D) through (G) of that paragraph not less frequently than once every 3 years or when new information is available, whichever is more frequent.

''(3) LIMITATION.—Nothing in paragraph (1) shall require the disclosure of trade secrets or other proprietary information.

''(4) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Attorney General and the Chair of the Federal Trade Commission shall publish the reports received under this subsection.

''(B) REDACTION.—

''(i) IN GENERAL.—The Attorney General and Chair of the Federal Trade Commission shall redact from a report published under subparagraph (A) any information as necessary to avoid—

''(I) undermining the efficacy of a safety measure described in the report; or

''(II) revealing how a product or service of a provider may be used to commit online child sexual exploitation and abuse.

''(ii) ADDITIONAL REDACTION.—

''(I) REQUEST.—In addition to information redacted under clause (i), a provider may request the redaction, from a report published under subparagraph (A), of any information that is law enforcement sensitive or otherwise not suitable for public distribution.

''(II) AGENCY DISCRETION.—The Attorney General and Chair of the Federal Trade Commission—

''(aa) shall consider a request made under subclause (I); and

''(bb) may, in their discretion, redact from a report published under subparagraph (A) any information that is law enforcement sensitive or otherwise not suitable for public distribution, whether or not requested.'';

(2) in section 2258B—

(A) in subsection (a)—

(i) by striking ''may not be brought in any Federal or State court''; and

(ii) by striking ''Except as provided in subsection (b), a civil claim or criminal charge'' and inserting the following:

''(1) LIMITED LIABILITY.—Except as provided in subsection (b), a civil claim or criminal charge described in paragraph (2) may not be brought in any Federal or State court.

''(2) COVERED CLAIMS AND CHARGES.—A civil claim or criminal charge referred to in paragraph (1) is a civil claim or criminal charge''; and

(B) in subsection (b)(1), by inserting ''or knowingly failed to comply with a requirement under section 2258A'' after ''misconduct'';

(3) in section 2258C—

(A) in subsection (a)(1), by inserting ''use of the provider's products or services to commit'' after ''stop the'';

(B) in subsection (b)—

(i) by striking ''Any provider'' and inserting the following:

''(1) IN GENERAL.—Any provider'';

(ii) in paragraph (1), as so designated, by striking ''receives'' and inserting '', in its sole discretion, obtains''; and

(iii) by adding at the end the following:

''(2) LIMITATION ON SHARING WITH OTHER ENTITIES.—A provider that obtains elements under subsection (a)(1) may not distribute those elements, or make those elements available, to any other entity, except for the sole and exclusive purpose of stopping the online sexual exploitation of children.''; and

(C) in subsection (c)—

(i) by striking ''subsections'' and inserting ''subsection'';

(ii) by striking ''providers receiving'' and inserting ''a provider to obtain'';

(iii) by inserting '', or'' after ''NCMEC''; and

(iv) by inserting ''use of the provider's products or services to commit'' after ''stop the'';

(4) in section 2258E—

(A) in paragraph (6), by striking ''electronic communication service provider'' and inserting ''electronic communication service'';

(B) in paragraph (7), by striking ''and'' at the end;

(C) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(9) the term 'publicly available', with respect to a visual depiction on a provider's service, means the visual depiction can be viewed by or is accessible to all users of the service, regardless of the steps, if any, a user must take to create an account or to gain access to the service in order to access or view the visual depiction.'';

(5) in section 2259B(a), by inserting '', any fine or penalty collected under section 2258A(e) or subparagraph (A) of section 506(g)(24) of the STOP CSAM Act of 2024 (except as provided in clauses (i) and (ii)(I) of subparagraph (B) of such section 506(g)(24)),'' after ''2259A''; and

(6) by adding at the end the following:

''§ 2260B. Liability for certain child exploitation offenses

''(a) OFFENSE.—It shall be unlawful for a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), that operates through the use of any facility or means of interstate or foreign commerce or in or affecting interstate or foreign commerce, through such service to knowingly—

''(1) host or store child pornography or make child pornography available to any person; or

''(2) otherwise knowingly promote or facilitate a violation of section 2251, 2251A, 2252, 2252A, or 2422(b).

''(b) PENALTY.—A provider of an interactive computer service that violates subsection (a)—

''(1) subject to paragraph (2), shall be fined not more than $1,000,000; and

''(2) if the offense involves a conscious or reckless risk of serious personal injury or an individual is harmed as a direct and proximate result of the violation, shall be fined not more than $5,000,000.

''(c) RULES OF CONSTRUCTION.—

''(1) APPLICABILITY TO LEGAL PROCESS.—Nothing in this section shall be construed to apply to any action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.

''(2) KNOWLEDGE WITH RESPECT TO EACH ITEM REQUIRED.—For purposes of subsection (a)(1), the term 'knowingly' shall be construed to mean knowledge of each item of child pornography that the provider hosted, stored, or made available.

''(d) DEFENSE.—In a prosecution under subsection (a)(1), it shall be a defense, which the provider must establish by a preponderance of the evidence, that—

''(1) the provider disabled access to or removed the child pornography as soon as possible, and in any event not later than 48

hours after obtaining knowledge that the child pornography was being hosted, stored, or made available by the provider (or, in the case of a provider that, for the most recent calendar year, averaged fewer than 10,000,000 active users on a monthly basis in the United States, as soon as possible, and in any event not later than 2 business days after obtaining such knowledge); or

''(2) the provider—

''(A) exercised its best effort to disable access to or remove the child pornography but was unable to do so for reasons outside the provider's control; and

''(B) determined it is technologically impossible for the provider to disable access to or remove the child pornography.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by adding at the end the following:

''2260B. Liability for certain child exploitation offenses.''.

SEC. 505. EXPANDING CIVIL REMEDIES FOR VICTIMS OF ONLINE CHILD SEXUAL EXPLOITATION.

Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title'' and inserting ''a child exploitation violation or conduct relating to child exploitation'';

(B) by inserting ''or conduct'' after ''as a result of such violation''; and

(C) by striking ''sue in any'' and inserting ''bring a civil action in the''; and

(2) by adding at the end the following:

''(d) DEFINITIONS.—In this section—

''(1) the term 'child exploitation violation' means a violation of section 1589, 1590, 1591, 1594(a) (involving a violation of section 1589, 1590, or 1591), 1594(b) (involving a violation of section 1589 or 1590), 1594(c), 2241, 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title;

''(2) the term 'conduct relating to child exploitation' means—

''(A) with respect to a provider of an interactive computer service or a software distribution service operating through the use of any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce, the intentional, knowing, or reckless promotion or facilitation of a violation of section 1591, 1594(c), 2251, 2251A, 2252, 2252A, or 2422(b) of this title; and

''(B) with respect to a provider of an interactive computer service operating through the use of any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce, the intentional, knowing, or reckless hosting or storing of child pornography or making child pornography available to any person;

''(3) the term 'interactive computer service' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

''(4) the term 'software distribution service' means an online service, whether or not operated for pecuniary gain, from which individuals can purchase, obtain, or download software that—

''(A) can be used by an individual to communicate with another individual, by any means, to store, access, distribute, or receive any visual depiction, or to transmit any live visual depiction; and

''(B) was not developed by the online service.

''(e) RELATION TO SECTION 230 OF THE COMMUNICATIONS ACT OF 1934.—Nothing in section 230 of the Communications Act of 1934 (47 U.S.C. 230) shall be construed to impair or limit any claim brought under this section for conduct relating to child exploitation.

''(f) RULES OF CONSTRUCTION.—

''(1) APPLICABILITY TO LEGAL PROCESS.—Nothing in this section shall be construed to apply to any action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.

''(2) KNOWLEDGE WITH RESPECT TO EACH ITEM REQUIRED.—For purposes of conduct relating to child exploitation described in subsection (d)(2)(B), the term 'knowing' shall be construed to mean knowledge of each item of child pornography that the provider hosted, stored, or made available.

''(g) ENCRYPTION TECHNOLOGIES.—

''(1) IN GENERAL.—Notwithstanding subsection (a), none of the following actions or circumstances shall serve as an independent basis for liability of a provider of an interactive computer service for conduct relating to child exploitation:

''(A) The provider utilizes full end-to-end encrypted messaging services, device encryption, or other encryption services.

''(B) The provider does not possess the information necessary to decrypt a communication.

''(C) The provider fails to take an action that would otherwise undermine the ability of the provider to offer full end-to-end encrypted messaging services, device encryption, or other encryption services.

''(2) CONSIDERATION OF EVIDENCE.—Nothing in paragraph (1) shall be construed to prohibit a court from considering evidence of actions or circumstances described in that paragraph if the evidence is otherwise admissible.

''(h) DEFENSE.—In a claim under subsection (a) involving knowing conduct relating to child exploitation described in subsection (d)(2)(B), it shall be a defense, which the provider must establish by a preponderance of the evidence, that—

''(1) the provider disabled access to or removed the child pornography as soon as possible, and in any event not later than 48 hours after obtaining knowledge that the child pornography was being hosted, stored, or made available by the provider (or, in the case of a provider that, for the most recent calendar year, averaged fewer than 10,000,000 active users on a monthly basis in the United States, as soon as possible, and in any event not later than 2 business days after obtaining such knowledge); or

''(2) the provider—

''(A) exercised its best effort to disable access to or remove the child pornography but was unable to do so for reasons outside the provider's control; and

''(B) determined it is technologically impossible for the provider to disable access to or remove the child pornography.''.

SEC. 506. REPORTING AND REMOVAL OF PROSCRIBED VISUAL DEPICTIONS RELATING TO CHILDREN; ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.

(a) FINDINGS.—Congress finds the following:

(1) Over 40 years ago, the Supreme Court of the United States ruled in New York v. Ferber, 458 U.S. 747 (1982), that child sexual abuse material (referred to in this subsection as ''CSAM'') is a ''category of material outside the protections of the First Amendment''. The Court emphasized that children depicted in CSAM are harmed twice: first through the abuse and exploitation inherent in the creation of the materials, and then through the continued circulation of the imagery, which inflicts its own emotional and psychological injury.

(2) The Supreme Court reiterated this point 9 years ago in Paroline v. United States, 572 U.S. 434 (2014), when it explained that CSAM victims suffer ''continuing and grievous harm as a result of [their] knowledge that a large, indeterminate number of individuals have viewed and will in the future view images of the sexual abuse [they] endured''.

(3) In these decisions, the Supreme Court noted that the distribution of CSAM invades the privacy interests of the victims.

(4) The co-mingling online of CSAM with other, non-explicit depictions of the victims links the victim's identity with the images of their abuse. This further invades a victim's privacy and disrupts their sense of security, thwarting what the Supreme Court has described as ''the individual interest in avoiding disclosure of personal matters''.

(5) The internet is awash with child sexual abuse material. In 2021, the CyberTipline, operated by the National Center for Missing & Exploited Children to combat online child sexual exploitation, received reports about 39,900,000 images and 44,800,000 videos depicting child sexual abuse.

(6) Since 2017, Project Arachnid, operated by the Canadian Centre for Child Protection, has sent over 26,000,000 notices to online providers about CSAM and other exploitive material found on their platforms. According to the Canadian Centre, some providers are slow to remove the material, or take it down only for it to be reposted again a short time later.

(7) This legislation is needed to create an easy-to-use and effective procedure to get CSAM and harmful related imagery quickly taken offline and kept offline to protect children, stop the spread of illegal and harmful content, and thwart the continued invasion of the victims' privacy.

(b) IMPLEMENTATION.—

(1) IMPLEMENTATION.—Except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the Child Online Protection Board established under subsection (d), shall begin operations, at which point providers shall begin receiving notifications as set forth in subsection (c)(2).

(2) EXTENSION.—The Commission may extend the deadline under paragraph (1) by not more than 180 days if the Commission provides notice of the extension to the public and to Congress.

(3) PUBLIC NOTICE.—The Commission shall provide notice to the public of the date that the Child Online Protection Board established under subsection (d) is scheduled to begin operations on—

(A) the date that is 60 days before such date that the Board is scheduled to begin operations; and

(B) the date that is 30 days before such date that the Board is scheduled to begin operations.

(c) REPORTING AND REMOVAL OF PROSCRIBED VISUAL DEPICTIONS RELATING TO CHILDREN.—

(1) IN GENERAL.—If a provider receives a complete notification as set forth in paragraph (2)(A) that the provider is hosting a proscribed visual depiction relating to a child, as soon as possible, but in any event not later than 48 hours after such notification is received by the provider (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), the provider shall—

(A)(i) remove the proscribed visual depiction relating to a child; and

(ii) notify the complainant that it has done so; or

(B) notify the complainant that the provider—

(i) has determined that visual depiction referenced in the notification does not constitute a proscribed visual depiction relating to a child;

(ii) is unable to remove the proscribed visual depiction relating to a child using reasonable means; or

(iii) has determined that the notification is duplicative under paragraph (2)(C)(i).

(2) NOTIFICATION REQUIREMENTS.—

(A) IN GENERAL.—To be complete under this subsection, a notification must be a written communication to the designated reporting system of the provider (or, if the provider does not have a designated reporting system, a written communication that is served on the provider in accordance with subparagraph (F)) that includes the following:

(i) An identification of, and information reasonably sufficient to permit the provider to locate, the alleged proscribed visual depiction relating to a child. Such information may include, at the option of the complainant, a copy of the alleged proscribed visual depiction relating to a child or the uniform resource locator where such alleged proscribed visual depiction is located.

(ii) The complainant's name and contact information, to include a mailing address, telephone number, and an electronic mail address, except that, if the complainant is the victim depicted in the alleged proscribed visual depiction relating to a child, the complainant may elect to use an alias, including for purposes of the signed statement described in clause (v), and omit a mailing address.

(iii) If applicable, a statement indicating that the complainant has previously notified the provider about the alleged proscribed visual depiction relating to a child which may, at the option of the complainant, include a copy of the previous notification.

(iv) A statement indicating that the complainant has a good faith belief that the information in the notification is accurate.

(v) A signed statement under penalty of perjury indicating that the notification is submitted by—

(I) the victim depicted in the alleged proscribed visual depiction relating to a child;

(II) an authorized representative of the victim depicted in the alleged proscribed visual depiction relating to a child; or

(III) a qualified organization.

(B) INCLUSION OF MULTIPLE VISUAL DEPICTIONS IN SAME NOTIFICATION.—A notification may contain information about more than one alleged proscribed visual depiction relating to a child, but shall only be effective with respect to each alleged proscribed visual depiction relating to a child included in the notification to the extent that the notification includes sufficient information to identify and locate such visual depiction.

(C) LIMITATION ON DUPLICATIVE NOTIFICATIONS.—

(i) IN GENERAL.—After a complainant has submitted a notification to a provider, the complainant may submit additional notifications at any time only if the subsequent notifications involve—

(I) a different alleged proscribed visual depiction relating to a minor;

(II) the same alleged proscribed visual depiction relating to a minor that is in a different location; or

(III) recidivist hosting.

(ii) NO OBLIGATION.—A provider who receives any additional notifications that do not comply with clause (i) shall not be required to take any additional action except—

(I) as may be required with respect to the original notification; and

(II) to notify the complainant as provided in paragraph (1)(B)(iii).

(D) INCOMPLETE OR MISDIRECTED NOTIFICATION.—

(i) REQUIREMENT TO CONTACT COMPLAINANT REGARDING INSUFFICIENT INFORMATION.—

(I) REQUIREMENT TO CONTACT COMPLAINANT.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the visual depiction that is the subject of the notification but does contain the complainant contact information described in subparagraph (A)(ii), the provider shall, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to obtain such information.

(II) EFFECT OF COMPLAINANT PROVIDING SUFFICIENT INFORMATION.—If the provider is able to contact the complainant and obtain sufficient information to identify or locate the visual depiction that is the subject of the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the information needed to identify or locate the visual depiction.

(III) EFFECT OF COMPLAINANT INABILITY TO PROVIDE SUFFICIENT INFORMATION.—If the provider is able to contact the complainant but does not obtain sufficient information to identify or locate the visual depiction that is the subject of the notification, the provider shall so notify the complainant not later than 48 hours after the provider determines that it is unable to identify or locate the visual depiction (or, in the case of a small provider, not later than 2 business days after the small provider makes such determination), after which no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(IV) EFFECT OF COMPLAINANT FAILURE TO RESPOND.—If the complainant does not respond to the provider's attempt to contact the complainant under this clause within 14 days of such attempt, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(ii) TREATMENT OF INCOMPLETE NOTIFICATION WHERE COMPLAINANT CANNOT BE CONTACTED.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the visual depiction that is the subject of the notification and does not contain the complainant contact information described in subparagraph (A)(ii) (or if the provider is unable to contact the complainant using such information), no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) TREATMENT OF NOTIFICATION NOT SUBMITTED TO DESIGNATED REPORTING SYSTEM.—If a provider has a designated reporting system, and a complainant submits a notification under this subsection to the provider without using such system, the provider shall not be considered to have received the notification.

(E) OPTION TO CONTACT COMPLAINANT REGARDING THE PROSCRIBED VISUAL DEPICTION INVOLVING A MINOR.—

(i) CONTACT WITH COMPLAINANT.—If the provider believes that the proscribed visual depiction involving a minor referenced in the notification does not meet the definition of such term as provided in subsection (r)(10), the provider may, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to so indicate.

(ii) FAILURE TO RESPOND.—If the complainant does not respond to the provider within 14 days after receiving the notification, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) COMPLAINANT RESPONSE.—If the complainant responds to the provider within 14 days after receiving the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the complainant's response.

(F) SERVICE OF NOTIFICATION WHERE PROVIDER HAS NO DESIGNATED REPORTING SYSTEM; PROCESS WHERE COMPLAINANT CANNOT SERVE PROVIDER.—

(i) NO DESIGNATED REPORTING SYSTEM.—If a provider does not have a designated reporting system, a complainant may serve the provider with a notification under this subsection to the provider in the same manner that petitions are required to be served under subsection (g)(4).

(ii) COMPLAINANT CANNOT SERVE PROVIDER.—If a provider does not have a designated reporting system and a complainant cannot reasonably serve the provider with a notification as described in clause (i), the complainant may bring a petition under subsection (g)(1) without serving the provider with the notification.

(G) RECIDIVIST HOSTING.—If a provider engages in recidivist hosting of a proscribed visual depiction relating to a child, in addition to any action taken under this section, a complainant may submit a report concerning such recidivist hosting to the CyberTipline operated by the National Center for Missing and Exploited Children, or any successor to the CyberTipline operated by the National Center for Missing and Exploited Children.

(H) PRESERVATION.—A provider that receives a complete notification under this subsection shall preserve the information in such notification in accordance with the requirements of sections 2713 and 2258A(h) of title 18, United States Code. For purposes of this subparagraph, the period for which providers shall be required to preserve information in accordance with such section 2258A(h) may be extended in 90-day increments on written request by the complainant or order of the Board.

(I) NON-DISCLOSURE.—Except as otherwise provided in subsection (g)(19)(C), for 120 days following receipt of a notification under this subsection, a provider may not disclose the existence of the notification to any person or entity except to an attorney for purposes of obtaining legal advice, the Board, the Commission, a law enforcement agency described in subparagraph (A), (B), or (C) of section 2258A(g)(3) of title 18, United States Code, the National Center for Missing and Exploited Children, or as necessary to respond to legal process. Nothing in the preceding sentence shall be construed to infringe on the provider's ability to communicate general information about terms of service violations.

(d) ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.—

(1) IN GENERAL.—There is established in the Federal Trade Commission a Child Online Protection Board, which shall administer and enforce the requirements of subsection (e) in accordance with this section.

(2) OFFICERS AND STAFF.—The Board shall be composed of 3 full-time Child Online Protection Officers who shall be appointed by the Commission in accordance with paragraph (5)(A). A vacancy on the Board shall not impair the right of the remaining Child Online Protection Officers to exercise the functions and duties of the Board.

(3) CHILD ONLINE PROTECTION ATTORNEYS.—Not fewer than 2 full-time Child Online Protection Attorneys shall be hired to assist in the administration of the Board.

(4) TECHNOLOGICAL ADVISER.—One or more technological advisers may be hired to assist with the handling of digital evidence and consult with the Child Online Protection Officers on matters concerning digital evidence and technological issues.

(5) QUALIFICATIONS.—

(A) OFFICERS.—

(i) IN GENERAL.—Each Child Online Protection Officer shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 7 years of legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(ii) EXPERIENCE.—Two of the Child Online Protection Officers shall have substantial experience in the evaluation, litigation, or adjudication of matters relating to child sexual abuse material or technology-facilitated crimes against children.

(B) ATTORNEYS.—Each Child Online Protection Attorney shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 3 years of substantial legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(C) TECHNOLOGICAL ADVISER.—A technological adviser shall have at least one year of specialized experience with digital forensic analysis.

(6) COMPENSATION.—

(A) CHILD ONLINE PROTECTION OFFICERS.—

(i) DEFINITION.—In this subparagraph, the term ''senior level employee of the Federal Government'' means an employee, other than an employee in the Senior Executive Service, the position of whom is classified above GS–15 of the General Schedule.

(ii) PAY RANGE.—Each Child Online Protection Officer shall be compensated at a rate of pay that is not less than the minimum, and not more than the maximum, rate of pay payable for senior level employees of the Federal Government, including locality pay, as applicable.

(B) CHILD ONLINE PROTECTION ATTORNEYS.—Each Child Online Protection Attorney shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–15 of the General Schedule, including locality pay, as applicable.

(C) TECHNOLOGICAL ADVISER.—A technological adviser of the Board shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–14 of the General Schedule, including locality pay, as applicable.

(7) VACANCY.—If a vacancy occurs in the position of Child Online Protection Officer, the Commission shall act expeditiously to appoint an Officer for that position.

(8) SANCTION OR REMOVAL.—Subject to subsection (e)(2), the Chair of the Commission or the Commission may sanction or remove a Child Online Protection Officer.

(9) ADMINISTRATIVE SUPPORT.—The Commission shall provide the Child Online Protection Officers and Child Online Protection Attorneys with necessary administrative support, including technological facilities, to carry out the duties of the Officers and Attorneys under this section. The Department of Justice may provide equipment and guidance on the storage and handling of proscribed visual depictions relating to children.

(10) LOCATION OF BOARD.—The offices and facilities of the Child Online Protection Officers and Child Online Protection Attorneys shall be located at the headquarters or other office of the Commission.

(e) AUTHORITY AND DUTIES OF THE BOARD.—

(1) FUNCTIONS.—

(A) OFFICERS.—Subject to the provisions of this section and applicable regulations, the functions of the Officers of the Board shall be as follows:

(i) To render determinations on petitions that may be brought before the Officers under this section.

(ii) To ensure that petitions and responses are properly asserted and otherwise appropriate for resolution by the Board.

(iii) To manage the proceedings before the Officers and render determinations pertaining to the consideration of petitions and responses, including with respect to scheduling, discovery, evidentiary, and other matters.

(iv) To request, from participants and nonparticipants in a proceeding, the production of information and documents relevant to the resolution of a petition or response.

(v) To conduct hearings and conferences.

(vi) To facilitate the settlement by the parties of petitions and responses.

(vii) To impose fines as set forth in subsection (g)(24).

(viii) To provide information to the public concerning the procedures and requirements of the Board.

(ix) To maintain records of the proceedings before the Officers, certify official records of such proceedings as needed, and, as provided in subsection (g)(19)(A), make the records in such proceedings available to the public.

(x) To carry out such other duties as are set forth in this section.

(xi) When not engaged in performing the duties of the Officers set forth in this section, to perform such other duties as may be assigned by the Chair of the Commission or the Commission.

(B) ATTORNEYS.—Subject to the provisions of this section and applicable regulations, the functions of the Attorneys of the Board shall be as follows:

(i) To provide assistance to the Officers of the Board in the administration of the duties of those Officers under this section.

(ii) To provide assistance to complainants, providers, and members of the public with respect to the procedures and requirements of the Board.

(iii) When not engaged in performing the duties of the Attorneys set forth in this section, to perform such other duties as may be assigned by the Commission.

(C) DESIGNATED SERVICE AGENTS.—The Board may maintain a publicly available directory of service agents designated to receive service of petitions filed with the Board.

(2) INDEPENDENCE IN DETERMINATIONS.—

(A) IN GENERAL.—The Board shall render the determinations of the Board in individual proceedings independently on the basis of the records in the proceedings before it and in accordance with the provisions of this section, judicial precedent, and applicable regulations of the Commission.

(B) PERFORMANCE APPRAISALS.—Notwithstanding any other provision of law or any regulation or policy of the Commission, any performance appraisal of an Officer or Attorney of the Board may not consider the substantive result of any individual determination reached by the Board as a basis for appraisal except to the extent that result may relate to any actual or alleged violation of an ethical standard of conduct.

(3) DIRECTION BY COMMISSION.—Subject to paragraph (2), the Officers and Attorneys shall, in the administration of their duties, be under the supervision of the Chair of the Commission.

(4) INCONSISTENT DUTIES BARRED.—An Officer or Attorney of the Board may not undertake any duty that conflicts with the duties of the Officer or Attorney in connection with the Board, to include the obligation to render impartial determinations on petitions considered by the Board under this section.

(5) RECUSAL.—An Officer or Attorney of the Board shall recuse himself or herself from participation in any proceeding with respect to which the Officer or Attorney, as the case may be, has reason to believe that he or she has a conflict of interest.

(6) EX PARTE COMMUNICATIONS.—Except as may otherwise be permitted by applicable law, any party or interested owner involved in a proceeding before the Board shall refrain from ex parte communications with the Officers of the Board and the Commission relevant to the merits of such proceeding before the Board.

(7) JUDICIAL REVIEW.—Actions of the Officers and the Commission under this section in connection with the rendering of any determination are subject to judicial review as provided under subsection (g)(28).

(f) CONDUCT OF PROCEEDINGS OF THE BOARD.—

(1) IN GENERAL.—Proceedings of the Board shall be conducted in accordance with this section and regulations established by the Commission under this section, in addition to relevant principles of law.

(2) RECORD.—The Board shall maintain records documenting the proceedings before the Board.

(3) CENTRALIZED PROCESS.—Proceedings before the Board shall—

(A) be conducted at the offices of the Board without the requirement of in-person appearances by parties or others;

(B) take place by means of written submissions, hearings, and conferences carried out through internet-based applications and other telecommunications facilities, except that, in cases in which physical or other nontestimonial evidence material to a proceeding cannot be furnished to the Board through available telecommunications facilities, the Board may make alternative arrangements for the submission of such evidence that do not prejudice any party or interested owner; and

(C) be conducted and concluded in an expeditious manner without causing undue prejudice to any party or interested owner.

(4) REPRESENTATION.—

(A) IN GENERAL.—A party or interested owner involved in a proceeding before the Board may be, but is not required to be, represented by—

(i) an attorney; or

(ii) a law student who is qualified under applicable law governing representation by law students of parties in legal proceedings and who provides such representation on a pro bono basis.

(B) REPRESENTATION OF VICTIMS.—

(i) IN GENERAL.—A petition involving a victim under the age of 16 at the time the petition is filed shall be filed by an authorized representative, qualified organization, or a person described in subparagraph (A).

(ii) NO REQUIREMENT FOR QUALIFIED ORGANIZATIONS TO HAVE CONTACT WITH, OR KNOWLEDGE OF, VICTIM.—A qualified organization may submit a notification to a provider or file a petition on behalf of a victim without regard to whether the qualified organization has contact with the victim or knows the identity, location, or contact information of the victim.

(g) PROCEDURES TO CONTEST A FAILURE TO REMOVE A PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD OR A NOTIFICATION REPORTING A PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—

(1) PROCEDURE TO CONTEST A FAILURE TO REMOVE.—

(A) COMPLAINANT PETITION.—A complainant may file a petition to the Board claiming that, as applicable—

(i) the complainant submitted a complete notification to a provider concerning a proscribed visual depiction relating to a child, and that—

(I) the provider—

(aa) did not remove the proscribed visual depiction relating to a child within the timeframe required under subsection (c)(1)(A)(i); or

(bb) incorrectly claimed that—

(AA) the visual depiction at issue could not be located or removed through reasonable means;

(BB) the notification was incomplete; or

(CC) the notification was duplicative under subsection (c)(2)(C)(i); and

(II) did not file a timely petition to contest the notification with the Board under paragraph (2); or

(ii) a provider is hosting a proscribed visual depiction relating to a child, does not have a designated reporting system, and the complainant was unable to serve a notification on the provider under this subsection despite reasonable efforts.

(B) ADDITIONAL CLAIM.—As applicable, a petition filed under subparagraph (A) may also claim that the proscribed visual depiction relating to a child at issue in the petition involves recidivist hosting.

(C) TIMEFRAME.—

(i) IN GENERAL.—A petition under this paragraph shall be considered timely if it is filed within 30 days of the applicable start date, as defined under clause (ii).

(ii) APPLICABLE START DATE.—For purposes of clause (i), the term ''applicable start date'' means—

(I) in the case of a petition under subparagraph (A)(i) claiming that the visual depiction was not removed or that the provider made an incorrect claim relating to the visual depiction or notification, the day that the provider's option to file a petition has expired under paragraph (2)(B); and

(II) in the case of a petition under subparagraph (A)(ii) related to a notification that could not be served, the last day of the 2-week period that begins on the day on which the complainant first attempted to serve a notification on the provider involved.

(D) IDENTIFICATION OF VICTIM.—Any petition filed to the Board by the victim or an authorized representative of the victim shall include the victim's legal name. A petition filed to the Board by a qualified organization may, but is not required to, include the victim's legal name. Any petition containing the victim's legal name shall be filed under seal. The victim's legal name shall be redacted from any documents served on the provider and interested owner or made publicly available.

(E) FAILURE TO REMOVE VISUAL DEPICTIONS IN TIMELY MANNER.—A complainant may file a petition under subparagraph (A)(i) claiming that a visual depiction was not removed even if the visual depiction was removed prior to the petition being filed, so long as the petition claims that the visual depiction was not removed within the timeframe specified in subsection (c)(1).

(2) PROCEDURE TO CONTEST A NOTIFICATION.—

(A) PROVIDER PETITION.—If a provider receives a complete notification as described in subsection (c)(2) through its designated reporting system or in accordance with subsection (c)(2)(F)(i), the provider may file a petition to the Board claiming that the provider has a good faith belief that, as applicable—

(i) the visual depiction that is the subject of the notification does not constitute a proscribed visual depiction relating to a child;

(ii) the notification is frivolous or was submitted with an intent to harass the provider or any person;

(iii) the alleged proscribed visual depiction relating to a child cannot reasonably be located by the provider;

(iv) for reasons beyond the control of the provider, the provider cannot remove the proscribed visual depiction relating to a child using reasonable means; or

(v) the notification was duplicative under subsection (c)(2)(C)(i).

(B) TIMEFRAME.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 14 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(ii) NO DESIGNATED REPORTING SYSTEM.—Subject to clause (iii), if a provider does not have a designated reporting system, a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 7 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(iii) SMALL PROVIDERS.—In the case of a small provider, each of the timeframes applicable under clauses (i) and (ii) shall be increased by 48 hours.

(3) COMMENCEMENT OF PROCEEDING.—

(A) IN GENERAL.—In order to commence a proceeding under this section, a petitioning party shall, subject to such additional requirements as may be prescribed in regulations established by the Commission, file a petition with the Board, that includes a statement of claims and material facts in support of each claim in the petition. A petition may set forth more than one claim. A petition shall also include information establishing that it has been filed within the applicable timeframe.

(B) REVIEW OF PETITIONS BY CHILD ONLINE PROTECTION ATTORNEYS.—Child Online Protection Attorneys may review petitions to assess whether they are complete. The Board may permit a petitioning party to refile a defective petition. The Attorney may assist the petitioning party in making any corrections.

(C) DISMISSAL.—The Board may dismiss, with or without prejudice, any petition that fails to comply with subparagraph (A).

(4) SERVICE OF PROCESS REQUIREMENTS FOR PETITIONS.—

(A) IN GENERAL.—For purposes of petitions under paragraphs (1) and (2), the petitioning party shall, at or before the time of filing a petition, serve a copy on the other party. A corporation, partnership, or unincorporated association that is subject to suit in courts of general jurisdiction under a common name shall be served by delivering a copy of the petition to its service agent, if one has been so designated.

(B) MANNER OF SERVICE.—

(i) SERVICE BY NONDIGITAL MEANS.—Service by nondigital means may be any of the following:

(I) Personal, including delivery to a responsible person at the office of counsel.

(II) By priority mail.

(III) By third-party commercial carrier for delivery within 3 days.

(ii) SERVICE BY DIGITAL MEANS.—Service of a paper may be made by sending it by any digital means, including through a provider's designated reporting system.

(iii) WHEN SERVICE IS COMPLETED.—Service by mail or by commercial carrier is complete 3 days after the mailing or delivery to the carrier. Service by digital means is complete on filing or sending, unless the party making service is notified that the paper was not received by the party served.

(C) PROOF OF SERVICE.—A petition filed under paragraph (1) or (2) shall contain—

(i) an acknowledgment of service by the person served;

(ii) proof of service consisting of a statement by the person who made service certifying—

(I) the date and manner of service;

(II) the names of the persons served; and

(III) their mail or electronic addresses, facsimile numbers, or the addresses of the places of delivery, as appropriate for the manner of service; or

(iii) a statement indicating that service could not reasonably be completed.

(D) ATTORNEY FEES AND COSTS.—Except as otherwise provided in this subsection, all parties to a petition shall bear their own attorney fees and costs.

(5) SERVICE OF OTHER DOCUMENTS.—Documents submitted or relied upon in a proceeding, other than the petition, shall be served in accordance with regulations established by the Commission.

(6) NOTIFICATION OF RIGHT TO OPT OUT.—In order to effectuate service on a responding party, the petition shall notify the responding party of their right to opt out of the proceeding before the Board, and the consequences of opting out and not opting out, including a prominent statement that by not opting out the respondent—

(A) loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States; and

(B) waives the right to a jury trial regarding the dispute.

(7) INITIAL PROCEEDINGS.—

(A) CONFERENCE.—Within 1 week of completion of service of a petition under paragraph (4), 1 or more Officers of the Board shall hold a conference to address the matters described in subparagraphs (B) and (C).

(B) OPT-OUT PROCEDURE.—At the conference, an Officer of the Board shall explain that the responding party has a right to opt out of the proceeding before the Board, and describe the consequences of opting out and not opting out as described in paragraph (6). A responding party shall have a period of 30 days, beginning on the date of the conference, in which to provide written notice of such choice to the petitioning party and the Board. If the responding party does not submit an opt-out notice to the Board within that 30-day period, the proceeding shall be deemed an active proceeding and the responding party shall be bound by the determination in the proceeding. If the responding party opts out of the proceeding during that 30-day period, the proceeding shall be dismissed without prejudice.

(C) DISABLING ACCESS.—At the conference, except for petitions setting forth claims described in clauses (iii) and (iv) of paragraph (2)(A), an Officer of the Board shall order the provider involved to disable public and user access to the alleged proscribed visual depiction relating to a child at issue in the petition for the pendency of the proceeding, including judicial review as provided in subsection (g)(28), unless the Officer of the Board finds that—

(i) it is likely that the Board will find that the petition is frivolous or was filed with an intent to harass any person;

(ii) there is a probability that disabling public and user access to such visual depiction will cause irreparable harm;

(iii) the balance of equities weighs in favor of preserving public and user access to the visual depiction; and

(iv) disabling public and user access to the visual depiction is contrary to the public interest.

(D) EFFECT OF FAILURE TO DISABLE ACCESS.—

(i) PROVIDER PETITION.—If the petition was filed by a provider, and the provider fails to comply with an order issued pursuant to subparagraph (B), the Board may—

(I) dismiss the petition with prejudice; and

(II) refer the matter to the Attorney General.

(ii) EFFECT OF DISMISSAL.—If a provider's petition is dismissed under clause (i)(I), the complainant may bring a petition under paragraph (1) as if the provider did not file a petition within the timeframe specified in paragraph (2)(B). For purposes of paragraph (1)(C)(ii), the applicable start date shall be the date the provider's petition was dismissed.

(iii) COMPLAINANT PETITION.—If the petition was filed by a complainant, and the provider fails to comply with an order issued pursuant to subparagraph (B), the Board—

(I) shall—

(aa) expedite resolution of the petition; and

(bb) refer the matter to the Attorney General; and

(II) may apply an adverse inference with respect to disputed facts against such provider.

(8) SCHEDULING.—Upon receipt of a complete petition and at the conclusion of the opt out procedure described in paragraph (7), the Board shall issue a schedule for the future conduct of the proceeding. A schedule issued by the Board may be amended by the Board in the interests of justice.

(9) CONFERENCES.—One or more Officers of the Board may hold a conference to address case management or discovery issues in a proceeding, which shall be noted upon the record of the proceeding and may be recorded or transcribed.

(10) PARTY SUBMISSIONS.—A proceeding of the Board may not include any formal motion practice, except that, subject to applicable regulations and procedures of the Board—

(A) the parties to the proceeding and an interested owner may make requests to the Board to address case management and discovery matters, and submit responses thereto; and

(B) the Board may request or permit parties and interested owners to make submissions addressing relevant questions of fact or law, or other matters, including matters raised sua sponte by the Officers of the Board, and offer responses thereto.

(11) DISCOVERY.—

(A) IN GENERAL.—Discovery in a proceeding shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission, as provided in regulations established by the Commission, except that—

(i) upon the request of a party, and for good cause shown, the Board may approve additional relevant discovery, on a limited basis, in particular matters, and may request specific information and documents from parties in the proceeding, consistent with the interests of justice;

(ii) upon the request of a party or interested owner, and for good cause shown, the Board may issue a protective order to limit the disclosure of documents or testimony that contain confidential information;

(iii) after providing notice and an opportunity to respond, and upon good cause shown, the Board may apply an adverse inference with respect to disputed facts against a party or interested owner who has failed to timely provide discovery materials in response to a proper request for materials that could be relevant to such facts; and

(iv) an interested owner shall only produce or receive discovery to the extent it relates to whether the visual depiction at issue constitutes a proscribed visual depiction relating to a child.

(B) PRIVACY.—Any alleged proscribed visual depiction relating to a child received by the Board or the Commission as part of a proceeding shall be filed under seal and shall remain in the care, custody, and control of the Board or the Commission. For purposes of discovery, the Board or Commission shall make the proscribed visual depiction relating to a child reasonably available to the parties and interested owner but shall not provide copies. The privacy protections described in section 3509(d) of title 18, United States Code, shall apply to the Board, Commission, provider, complainant, and interested owner.

(12) RESPONSES.—The responding party may refute any of the claims or factual assertions made by the petitioning party, and may also claim that the petition was not filed in the applicable timeframe or is barred under subsection (h). If a complainant is the petitioning party, a provider may additionally claim in response that the notification was incomplete and could not be made complete under subsection (c)(2)(D)(i). The petitioning party may refute any responses submitted by the responding party.

(13) INTERESTED OWNER.—An individual notified under paragraph (19)(C)(ii) may, within 14 days of being so notified, file a motion to join the proceeding for the limited purpose of claiming that the visual depiction at issue does not constitute a proscribed visual depiction relating to a child. The Board shall serve the motion on both parties. Such motion shall include a factual basis and a signed statement, submitted under penalty of perjury, indicating that the individual produced or created the visual depiction at issue. The Board shall dismiss any motion that does not include the signed statement or that was submitted by an individual who did not produce or create the visual depiction at issue. If the motion is granted, the interested owner may also claim that the notification and petition were filed with an intent to harass the interested owner. Any party may refute the claims and factual assertions made by the interested owner.

(14) EVIDENCE.—The Board may consider the following types of evidence in a proceeding, and such evidence may be admitted without application of formal rules of evidence:

(A) Documentary and other nontestimonial evidence that is relevant to the petitions or responses in the proceeding.

(B) Testimonial evidence, submitted under penalty of perjury in written form or in accordance with paragraph (15), limited to statements of the parties and nonexpert witnesses, that is relevant to the petitions or responses in a proceeding, except that, in exceptional cases, expert witness testimony or other types of testimony may be permitted by the Board for good cause shown.

(15) HEARINGS.—Unless waived by all parties, the Board shall conduct a hearing to receive oral presentations on issues of fact or law from parties and witnesses to a proceeding, including oral testimony, subject to the following:

(A) Any such hearing shall be attended by not fewer than two of the Officers of the Board.

(B) The hearing shall be noted upon the record of the proceeding and, subject to subparagraph (C), may be recorded or transcribed as deemed necessary by the Board.

(C) A recording or transcript of the hearing shall be made available to any Officer of the Board who is not in attendance.

(16) VOLUNTARY DISMISSAL.—

(A) BY PETITIONING PARTY.—Upon the written request of a petitioning party, the Board shall dismiss the petition, with or without prejudice.

(B) BY RESPONDING PARTY OR INTERESTED OWNER.—Upon written request of a responding party or interested owner, the Board shall dismiss any responses to the petition, and shall consider all claims and factual assertions in the petition to be true.

(17) FACTUAL FINDINGS.—Subject to paragraph (11)(A)(iii), the Board shall make factual findings based upon a preponderance of the evidence.

(18) DETERMINATIONS.—

(A) NATURE AND CONTENTS.—A determination rendered by the Board in a proceeding shall—

(i) be reached by a majority of the Board;

(ii) be in writing, and include an explanation of the factual and legal basis of the determination; and

(iii) include a clear statement of all fines, costs, and other relief awarded.

(B) DISSENT.—An Officer of the Board who dissents from a decision contained in a determination under subparagraph (A) may append a statement setting forth the grounds for that dissent.

(19) PUBLICATION AND DISCLOSURE.—

(A) PUBLICATION.—Each final determination of the Board shall be made available on a publicly accessible website, except that the final determination shall be redacted to protect confidential information that is the subject of a protective order under paragraph (11)(A)(ii) or information protected pursuant to paragraph (11)(B) and any other information protected from public disclosure under the Federal Trade Commission Act or any other applicable provision of law.

(B) FREEDOM OF INFORMATION ACT.—All information relating to proceedings of the Board under this section is exempt from disclosure to the public under section 552(b)(3) of title 5, except for determinations, records, and information published under subparagraph (A). Any information that is disclosed under this subparagraph shall have redacted any information that is the subject of a protective order under paragraph (11)(A)(ii) or protected pursuant to paragraph (11)(B).

(C) EFFECT OF PETITION ON NON-DISCLOSURE PERIOD.—

(i) Submission of a petition extends the non-disclosure period under subsection (c)(2)(I) for the pendency of the proceeding. The provider may submit an objection to the Board that nondisclosure is contrary to the interests of justice. The complainant may, but is not required to, respond to the objection. The Board should sustain the objection unless there is reason to believe that the circumstances in section 3486(a)(6)(B) of title 18, United States Code, exist and outweigh the interests of justice.

(ii) If the Board sustains an objection to the nondisclosure period, the provider or the Board may notify the apparent owner of the visual depiction in question about the proceeding, and include instructions on how the owner may move to join the proceeding under paragraph (13).

(iii) If applicable, the nondisclosure period expires 120 days after the Board's determination becomes final, except it shall expire immediately upon the Board's determination becoming final if the Board finds that the visual depiction is not a proscribed visual depiction relating to a minor.

(iv) The interested owner of a visual depiction may not bring any legal action against any party related to the proscribed visual depiction relating to a child until the Board's determination is final. Once the determination is final, the owner of the visual depiction may pursue any legal relief available under the law, subject to subsections (h), (k), and (l).

(20) RESPONDING PARTY'S DEFAULT.—If the Board finds that service of the petition on the responding party could not reasonably be completed, or the responding party has failed to appear or has ceased participating in a proceeding, as demonstrated by the responding party's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may enter a default determination, including the dismissal of any responses asserted by the responding party, as follows and in accordance with such other requirements as the Commission may establish by regulation:

(A) The Board shall require the petitioning party to submit relevant evidence and other information in support of the petitioning party's claims and, upon review of such evidence and any other requested submissions from the petitioning party, shall determine whether the materials so submitted are sufficient to support a finding in favor of the petitioning party under applicable law and, if so, the appropriate relief and damages, if any, to be awarded.

(B) If the Board makes an affirmative determination under subparagraph (A), the Board shall prepare a proposed default determination, and shall provide written notice to the responding party at all addresses, including electronic mail addresses, reflected in the records of the proceeding before the Board, of the pendency of a default determination by the Board and of the legal significance of such determination. Such notice shall be accompanied by the proposed default determination and shall provide that the responding party has a period of 30 days, beginning on the date of the notice, to submit any evidence or other information in opposition to the proposed default determination.

(C) If the responding party responds to the notice provided under subparagraph (B) within the 30-day period provided in such subparagraph, the Board shall consider responding party's submissions and, after allowing the petitioning party to address such submissions, maintain, or amend its proposed determination as appropriate, and the resulting determination shall not be a default determination.

(D) If the respondent fails to respond to the notice provided under subparagraph (B), the Board shall proceed to issue the default determination. Thereafter, the respondent may only challenge such determination to the extent permitted under paragraph (28).

(21) PETITIONING PARTY OR INTERESTED OWNER'S FAILURE TO PROCEED.—If a petitioning party or interested owner who has joined the proceeding fails to proceed, as demonstrated by the failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may, upon providing written notice to the petitioning party or interested owner and a period of 30 days, beginning on the date of the notice, to respond to the notice, and after considering any such response, issue a determination dismissing the claims made by the petitioning party or interested owner. The Board may order the petitioning party to pay attorney fees and costs under paragraph (26)(B), if appropriate. Thereafter, the petitioning party may only challenge such determination to the extent permitted under paragraph (28).

(22) REQUEST FOR RECONSIDERATION.—A party or interested owner may, within 30 days after the date on which the Board issues a determination under paragraph (18), submit to the Board a written request for reconsideration of, or an amendment to, such determination if the party or interested owner identifies a clear error of law or fact material to the outcome, or a technical mistake. After providing the other parties an opportunity to address such request, the Board shall either deny the request or issue an amended determination.

(23) REVIEW BY COMMISSION.—If the Board denies a party or interested owner a request for reconsideration of a determination under paragraph (22), the party or interested owner may, within 30 days after the date of such denial, request review of the determination by the Commission in accordance with regulations established by the Commission. After providing the other party or interested owner an opportunity to address the request, the Commission shall either deny the request for review, or remand the proceeding to the Board for reconsideration of issues specified in the remand and for issuance of an amended determination. Such amended determination shall not be subject to further consideration or review, other than under paragraph (28).

(24) FAVORABLE RULING ON COMPLAINANT PETITION.—

(A) IN GENERAL.—If the Board grants a complainant's petition filed under this section, notwithstanding any other law, the Board shall—

(i) order the provider to immediately remove the proscribed visual depiction relating to a child, and to permanently delete all copies of the visual depiction known to and under the control of the provider unless the Board orders the provider to preserve the visual depiction;

(ii) impose a fine of $50,000 per proscribed visual depiction relating to a child covered by the determination, but if the Board finds that—

(I) the provider removed the proscribed visual depiction relating to a child after the period set forth in subsection (c)(1)(A)(i), but before the complainant filed a petition, such fine shall be $25,000;

(II) the provider has engaged in recidivist hosting for the first time with respect to the proscribed visual depiction relating to a child in question, such fine shall be $100,000 per proscribed visual depiction relating to a child; or

(III) the provider has engaged in recidivist hosting of the proscribed visual depiction relating to a child in question 2 or more times, such fine shall be $200,000 per proscribed visual depiction relating to a child;

(iii) order the provider to pay reasonable costs to the complainant; and

(iv) refer any matters involving intentional or willful conduct by a provider with respect to a proscribed visual depiction relating to a child, or recidivist hosting, to the Attorney General for prosecution under any applicable laws.

(B) PROVIDER PAYMENT OF FINE AND COSTS.—Notwithstanding any other law, the Board shall direct a provider to promptly pay fines and costs imposed under subparagraph (A) as follows:

(i) If the petition was filed by a victim, such fine and costs shall be paid to the victim.

(ii) If the petition was filed by an authorized representative of a victim—

(I) 30 percent of such fine shall be paid to the authorized representative and 70 percent of such fine paid to the victim; and

(II) costs shall be paid to the authorized representative.

(iii) If the petition was filed by a qualified organization—

(I) the fine shall be paid to the Child Pornography Victims Reserve as provided in section 2259B of title 18, United States Code; and

(II) costs shall be paid to the qualified organization.

(25) EFFECT OF DENIAL OF PROVIDER PETITION.—

(A) IN GENERAL.—If the Board denies a provider's petition to contest a notification filed under paragraph (2), it shall order the provider to immediately remove the proscribed visual depiction relating to a child, and to permanently delete all copies of the visual depiction known to and under the control of the provider unless the Board orders the provider to preserve the visual depiction.

(B) REFERRAL FOR FAILURE TO REMOVE MATERIAL.—If a provider does not remove and, if applicable, permanently delete a proscribed visual depiction relating to a child within 48 hours of the Board issuing a determination under subparagraph (A), or not later than 2 business days of the Board issuing a determination under subparagraph (A) concerning a small provider, the Board shall refer the matter to the Attorney General for prosecution under any applicable laws.

(C) COSTS FOR FRIVOLOUS PETITION.—If the Board finds that a provider filed a petition under paragraph (2) for a harassing or improper purpose or without reasonable basis in law or fact, the Board shall order the provider to pay the reasonable costs of the complainant.

(26) EFFECT OF DENIAL OF COMPLAINANT'S PETITION OR FAVORABLE RULING ON PROVIDER'S PETITION.—

(A) RESTORATION.—If the Board grants a provider's petition filed under paragraph (2) or if the Board denies a petition filed by the complainant under paragraph (1), the provider may restore access to any visual depiction that was at issue in the proceeding.

(B) COSTS FOR INCOMPLETE OR FRIVOLOUS NOTIFICATION AND HARASSMENT.—If, in granting or denying a petition as described in subparagraph (A), the Board finds that the notification contested in the petition could not be made complete under subsection (c)(2)(D), is frivolous, or is duplicative under subsection (c)(2)(C)(i), the Board may order the complainant to pay costs to the provider and any interested owner, which shall not exceed a total of $10,000, or, if the Board finds that the complainant filed the notification with an intent to harass the provider or any person, a total of $15,000.

(27) CIVIL ACTION; OTHER RELIEF.—

(A) IN GENERAL.—Whenever any provider or complainant fails to comply with a final determination of the Board issued under paragraph (18), the Department of Justice may commence a civil action in a district court of the United States to enforce compliance with such determination.

(B) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission or Department of Justice under any other provision of law.

(28) CHALLENGES TO THE DETERMINATION.—

(A) BASES FOR CHALLENGE.—Not later than 45 days after the date on which the Board issues a determination or amended determination in a proceeding, or not later than 45 days after the date on which the Board completes any process of reconsideration or the Commission completes a review of the determination, whichever occurs later, a party may seek an order from a district court, located where the provider or complainant conducts business or resides, vacating, modifying, or correcting the determination of the Board in the following cases:

(i) If the determination was issued as a result of fraud, corruption, misrepresentation, or other misconduct.

(ii) If the Board exceeded its authority or failed to render a determination concerning the subject matter at issue.

(iii) In the case of a default determination or determination based on a failure to prosecute, if it is established that the default or failure was due to excusable neglect.

(B) PROCEDURE TO CHALLENGE.—

(i) NOTICE OF APPLICATION.—Notice of the application to challenge a determination of the Board shall be provided to all parties to the proceeding before the Board, in accordance with the procedures applicable to service of a motion in the court where the application is made.

(ii) STAYING OF PROCEEDINGS.—For purposes of an application under this paragraph, any judge who is authorized to issue an order to stay the proceedings in an any other action brought in the same court may issue an order, to be served with the notice of application, staying proceedings to enforce the award while the challenge is pending.

(29) FINAL DETERMINATION.—A determination of the Board shall be final on the date that all opportunities for a party or interested owner to seek reconsideration or review of a determination under paragraph (22) or (23), or for a party to challenge the determination under paragraph (28), have expired or are exhausted.

(h) EFFECT OF PROCEEDING.—

(1) SUBSEQUENT PROCEEDINGS.—The issuance of a final determination by the Board shall preclude the filing by any party of any subsequent petition that is based on the notification at issue in the final determination. This paragraph shall not limit the ability of any party to file a subsequent petition based on any other notification.

(2) DETERMINATION.—Except as provided in paragraph (1), the issuance of a final determination by the Board, including a default determination or determination based on a failure to prosecute, shall preclude relitigation of any allegation, factual claim, or response in any subsequent legal action or proceeding before any court, tribunal, or the Board, and may be relied upon for such purpose in a future action or proceeding arising from the same specific activity, subject to the following:

(A) No party or interested owner may relitigate any allegation, factual claim, or response that was properly asserted and considered by the Board in any subsequent proceeding before the Board involving the same parties or interested owner and the same proscribed visual depiction relating to a minor.

(B) A finding by the Board that a visual depiction constitutes a proscribed visual depiction relating to a child—

(i) may not be relitigated in any civil proceeding brought by an interested owner; and

(ii) may not be relied upon, and shall not have preclusive effect, in any other action or proceeding involving any party before any court or tribunal other than the Board.

(C) A determination by the Board shall not preclude litigation or relitigation as between the same or different parties before any court or tribunal other than the Board of the same or similar issues of fact or law in connection with allegations or responses not asserted or not finally determined by the Board.

(D) Except to the extent permitted under this subsection, any final determination of the Board may not be cited or relied upon as legal precedent in any other action or proceeding before any court or tribunal other than the Board.

(3) OTHER MATERIALS IN PROCEEDING.—A submission or statement of a party, interested owner, or witness made in connection with a proceeding before the Board, including a proceeding that is dismissed, may not serve as the basis of any action or proceeding before any court or tribunal except for any legal action related to perjury or for conduct described in subsection (k)(2). A statement of a party, interested owner, or witness may be received as evidence, in accordance with applicable rules, in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(4) FAILURE TO ASSERT RESPONSE.—Except as provided in paragraph (1), the failure or inability to assert any allegation, factual claim, or response in a proceeding before the Board shall not preclude the assertion of that response in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(i) ADMINISTRATION.—The Commission may issue regulations in accordance with section 553 of title 5, United States Code, to implement this section.

(j) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date on which Child Online Protection Board issues the first determination under this section, the Commission shall conduct, and report to Congress on, a study that addresses the following:

(A) The use and efficacy of the Child Online Protection Board in expediting the removal of proscribed visual depictions relating to children and resolving disputes concerning said visual depictions, including the number of proceedings the Child Online Protection Board could reasonably administer with current allocated resources.

(B) Whether adjustments to the authority of the Child Online Protection Board are necessary or advisable, including with respect to permissible claims, responses, fines, costs, and joinder by interested parties.

(C) Whether the Child Online Protection Board should be permitted to expire, be extended, or be expanded.

(D) Such other matters as the Commission believes may be pertinent concerning the Child Online Protection Board.

(2) CONSULTATION.—In conducting the study and completing the report required under paragraph (1), the Commission shall, to the extent feasible, consult with complainants, victims, and providers to include their views on the matters addressed in the study and report.

(k) LIMITED LIABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4), for distributing, receiving, accessing, or possessing a proscribed visual depiction relating to a child for the sole and exclusive purpose of complying with the requirements of this section, or for the sole and exclusive purpose of seeking or providing legal advice in order to comply with this section, may not be brought in any Federal or State court.

(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4)—

(A) for any conduct unrelated to compliance with the requirements of this section;

(B) if the Board, provider, complainant, interested owner, or representative under subsection (f)(4) (as applicable)—

(i) engaged in intentional misconduct; or

(ii) acted, or failed to act—

(I) with actual malice; or

(II) with reckless disregard to a substantial risk of causing physical injury without legal justification; or

(C) in the case of a claim against a complainant, if the complainant falsely claims to be a victim, an authorized representative of a victim, or a qualified organization.

(3) MINIMIZING ACCESS.—The Board, a provider, a complainant, an interested owner, or a representative under subsection (f)(4) shall—

(A) minimize the number of individuals that are provided access to any alleged, contested, or actual proscribed visual depictions relating to a child under this section;

(B) ensure that any alleged, contested, or actual proscribed visual depictions relating to a child are transmitted and stored in a secure manner and are not distributed to or accessed by any individual other than as needed to implement this section; and

(C) ensure that all copies of any proscribed visual depictions relating to a child are permanently deleted upon a request from the Board, Commission, or the Federal Bureau of Investigation.

(l) PROVIDER IMMUNITY FROM CLAIMS BASED ON REMOVAL OF VISUAL DEPICTION.—A provider shall not be liable to any person for any claim based on the provider's good faith removal of any alleged proscribed visual depiction relating to a child pursuant to a notification under this section, regardless of whether the visual depiction is found to be a proscribed visual depiction relating to a child by the Board.

(m) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(1) IN GENERAL.—This section shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(2) NO PREEMPTION.—Nothing in this section shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing child sex abuse material that is at least as protective of the rights of a victim as this section.

(n) DISCOVERY.—Nothing in this section affects discovery, a subpoena or any other court order, or any other judicial process otherwise in accordance with Federal or State law.

(o) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to relieve a provider from any obligation imposed on the provider under section 2258A of title 18, United States Code.

(p) FUNDING.—There are authorized to be appropriated to pay the costs incurred by the Commission under this section, including the costs of establishing and maintaining the Board and its facilities, $40,000,000 for each year during the period that begins with the year in which this Act is enacted and ends with the year in which certain subsections of this section expire under subsection (q).

(q) SUNSET.—Except for subsections (a), (h), (k), (l), (m), (n), (o), and (r), this section shall expire 5 years after the date on which the Child Online Protection Board issues its first determination under this section.

(r) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Child Online Protection Board established under subsection (d).

(2) CHILD SEXUAL ABUSE MATERIAL.—The term ''child sexual abuse material'' has the meaning provided in section 2256(8) of title 18, United States Code.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) COMPLAINANT.—The term ''complainant'' means—

(A) the victim appearing in the proscribed visual depiction relating to a child;

(B) an authorized representative of the victim appearing in the proscribed visual depiction relating to a child; or

(C) a qualified organization.

(5) DESIGNATED REPORTING SYSTEM.—The term ''designated reporting system'' means a

digital means of submitting a notification to a provider under this subsection that is publicly and prominently available, easily accessible, and easy to use.

(6) HOST.—The term ''host'' means to store or make a visual depiction available or accessible to the public or any users through digital means or on a system or network controlled or operated by or for a provider.

(7) IDENTIFIABLE PERSON.—The term ''identifiable person'' means a person who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature.

(8) INTERESTED OWNER.—The term ''interested owner'' means an individual who has joined a proceeding before the Board under subsection (g)(13).

(9) PARTY.—The term ''party'' means the complainant or provider.

(10) PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—The term ''proscribed visual depiction relating to a child'' means child sexual abuse material or a related exploitive visual depiction.

(11) PROVIDER.—The term ''provider'' means a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), and for purposes of subsections (k) and (l), includes any director, officer, employee, or agent of such provider.

(12) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(a) of that Code that works to address child sexual abuse material and to support victims of child sexual abuse material.

(13) RECIDIVIST HOSTING.—The term ''recidivist hosting'' means, with respect to a provider, that the provider removes a proscribed visual depiction relating to a child pursuant to a notification or determination under this subsection, and then subsequently hosts a visual depiction that has the same hash value or other technical identifier as the visual depiction that had been so removed.

(14) RELATED EXPLOITIVE VISUAL DEPICTION.—The term ''related exploitive visual depiction'' means a visual depiction of an identifiable person of any age where—

(A) such visual depiction does not constitute child sexual abuse material, but is published with child sexual abuse material depicting that person; and

(B) there is a connection between such visual depiction and the child sexual abuse material depicting that person that is readily apparent from—

(i) the content of such visual depiction and the child sexual abuse material; or

(ii) the context in which such visual depiction and the child sexual abuse material appear.

(15) SMALL PROVIDER.—The term ''small provider'' means a provider that, for the most recent calendar year, averaged less than 10,000,000 active users on a monthly basis in the United States.

(16) VICTIM.—

(A) IN GENERAL.—The term ''victim'' means an individual of any age who is depicted in child sexual abuse material while under 18 years of age.

(B) ASSUMPTION OF RIGHTS.—In the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by a court, may assume the victim's rights to submit a notification or file a petition under this section, but in no event shall an individual who produced or conspired to produce the child sexual abuse material depicting the victim be named as such representative or guardian.

(17) VISUAL DEPICTION.—The term ''visual depiction'' has the meaning provided in section 2256(5) of title 18, United States Code.

SEC. 507. SEVERABILITY.

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

SA 1705. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. No funds appropriated by this Act may be made available to any nongovernmental organization—

(1) that facilitates or encourages unlawful activity, including unlawful entry into the United States, human trafficking, human smuggling, drug trafficking, and drug smuggling; or

(2) to provide, or facilitate the provision of, transportation, lodging, or immigration legal services to inadmissible aliens who enter the United States after the date of the enactment of this Act.

SA 1706. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division D, insert the following:

SEC. ____. None of the funds made available by this division may be used to provide Federal funds to a local jurisdiction that refuses to comply with a request from the Department of Homeland Security to provide advance notice of the scheduled date and time a particular illegal alien is scheduled to be released from local custody.

SA 1707. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON DISBURSEMENT OF FUNDS TO ANY STATE, CITY, OR LOCALITY THAT AUTHORIZES THE REGISTRATION OF NON-CITIZENS TO VOTE IN FEDERAL ELECTIONS.

None of the funds appropriated or otherwise made available by any division of this Act may be provided to a State, city, or locality that authorizes the registration of individuals who are not citizens of the United States to vote in any Federal election.

SA 1708. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) None of the funds appropriated by this Act may be used to take any action described in subsection (b) if taking the action would significantly alter the application of sanctions described in subsection (c).

(b) An action described in this subsection is any determination or issuance of waivers by the Secretary of State pursuant to—

(1) section 1245(d)(5) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)); or

(2) section 1244(i) or 1247(f) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(i) and 8806(f)).

(c) The sanctions described in this subsection are sanctions under—

(1) section 1245(d)(1) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(1)); or

(2) section 1244(c)(1) or 1247(a) of Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(c)(1) and 8806(a)).

SA 1709. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Ninety percent of the amounts appropriated or otherwise made available by this Act for the Office of the Secretary of Defense and available for official travel may not be obligated or expended until the Under Secretary of Defense for Personnel and Readiness has developed and issued guidance to require uniform discharge types and assigned uniform reentry codes for all members of the Armed Forces discharged for misconduct solely for COVID-19 vaccination refusal.

SA 1710. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be used for official Department of Defense travel to events focused solely on diversity, equity, and inclusion (DEI), including ''listening tours'' or sensing sessions.

SA 1711. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____.

Notwithstanding any other provision of this Act, the amount made available for the Disaster Relief Fund of the Federal Emergency Management Agency shall be $20,761,000,000, of which $500,000,000 shall be to assist individuals affected by the 2024 wildfires in Texas and Oklahoma.

SA 1712. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize

the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___.

Notwithstanding any other provision of law, the President shall eliminate eligibility requirements for assistance under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) for individuals affected by the 2024 wildfires in Texas and Oklahoma.

SA 1713. Mr. LANKFORD (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of any division of this consolidated Act, including the explanatory statement described in section 4 of the matter preceding division A of this Act and any Community Project Funding/Congressionally Directed Spending table, no amounts shall be made available under division D of this Act for the Women and Infants Hospital, Rhode Island, for facilities and equipment.

SA 1714. Mr. VANCE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FAILED BANK MERGERS AND ACQUISITIONS.

(a) FAILED BANK MERGERS.—Section 18(c)(13)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)(13)(B)) is amended by striking ''section 13.'' and inserting ''section 13, if—

''(i) at the time the responsible agency proposes to approve the application, there is no application or proposed application (other than an application that also would be subject to the prohibition in subparagraph (A)) to acquire the 1 or more insured depository institutions in default or in danger of default pending before any appropriate Federal banking agency that would, according to the responsible agency for such application, meet all applicable standards for approval by the responsible agency;

''(ii) the Corporation would provide assistance under section 13 with respect to the interstate merger transaction; and

''(iii) the Corporation has determined that the interstate merger transaction that is the subject of the application to the responsible agency is the only proposed transaction to acquire, directly or indirectly, the 1 or more insured depository institutions in default or in danger of default pending before the Corporation (other than an interstate merger transaction that also would be subject to the prohibition in subparagraph (A)) that would permit the Corporation to—

''(I) comply with the least-cost resolution requirements set forth in section 13(c)(4); or

''(II) avoid the serious adverse effects on economic conditions or financial stability that would occur absent exercise of the authority in section 13(c)(4)(G), if a systemic risk determination has been made under such section with respect to the insured depository institution or institutions that are the subject of the application.''.

(b) FAILED BANK ACQUISITIONS.—Section 3(d)(5) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(d)(5)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(2) in the matter preceding clause (i), as so redesignated, by striking ''The Board may approve'' and inserting the following:

''(A) Except as provided in subparagraph (B), the Board may approve''; and

(3) by inserting at the end the following:

''(B) Notwithstanding subparagraph (A), the Board may approve an application that would otherwise be subject to the prohibition in subparagraph (A) or (B) of paragraph (2) if—

''(i) at the time the Board proposes to approve the application, there is no application or proposed application (other than an application that also would be subject to the prohibitions in subparagraph (A) or (B) of paragraph (2)) to acquire, directly or indirectly, the 1 or more banks in default or in danger of default, or the acquisition with respect to which assistance is provided under section 13(c) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)), pending before the Board that would meet all applicable standards for approval under this section;

''(ii) the Federal Deposit Insurance Corporation would provide assistance under section 13 of the Federal Deposit Insurance Act (12 U.S.C. 1823) with respect to the acquisition that is the subject of the application to the Board; and

''(iii) the Federal Deposit Insurance Corporation has determined that the acquisition is the only proposed transaction to acquire, directly or indirectly, the 1 or more banks in default or in danger of default pending before the Corporation (other than an acquisition that also would be subject to the prohibition in subparagraph (A) or (B) of paragraph (2)) that would permit the Corporation to—

''(I) comply with the least-cost resolution requirements set forth in section 13(c)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(4)); or

''(II) avoid the serious adverse effects on economic conditions or financial stability that would occur absent exercise of the authority in section 13(c)(4)(G) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(4)(G)), if a systemic risk determination has been made under such section with respect to the bank or banks that are the subject of the application.''.

SA 1715. Mr. VANCE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. The Federal Deposit Insurance Corporation shall make available to the public the methodology used by the Corporation to satisfy section 13(c)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(4)).

SA 1716. Mr. VANCE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of any division of this Act, the Securities and Exchange Commission may not use any of the funds made available to the Commission under any division of this Act to promulgate or finalize any rule that requires the disclosure of scope 3 greenhouse gas emissions.

SA 1717. Mr. VANCE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. The Federal Deposit Insurance Corporation shall provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the methodology used by the Corporation to satisfy section 13(c)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(4)).

SA 1718. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. _____. No funds appropriated by this Act may be used to release from physical custody any alien whom the Secretary of Homeland Security or the Commissioner of U.S. Customs and Border Protection has determined potentially poses a national security risk to the United States or its interests (commonly referred to as a ''special interest alien'') during the pendency of proceedings for such alien under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including any related appeals.

SA 1719. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division D (relating to the Department of Education), insert the following:

SEC. ___. RULE REGARDING ATHLETIC PROGRAMS OR ACTIVITIES.

(a) IN GENERAL.—As a condition of receiving funds under this title, a State, local educational agency, or institution of higher education may not permit any student whose biological sex (recognized based solely on a person's reproductive biology and genetics at birth) is male to participate in an athletic program or activity that is—

(1) administered by that State, local educational agency, or institution of higher education, as the case may be; and

(2) designated for women or girls.

(b) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101 or 102 of the Higher Education Act of 1965 (20 U.S.C. 1001, 1002).

(2) LOCAL EDUCATIONAL AGENCY, STATE.—The terms ''local educational agency'' and ''State'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SA 1720. Mr. LANKFORD (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of any division of this consolidated Act, including the explanatory statement described in section 4 of the matter preceding division A of this Act and any Community Project Funding/Congressionally Directed Spending table, no amounts shall be made available under division D of this Act for Dartmouth Hitchcock Nashua, New Hampshire, for facilities and equipment.

SA 1721. Ms. MURKOWSKI (for herself, Mr. MANCHIN, Mr. SULLIVAN, and Ms. SINEMA) submitted an amendment intended to be proposed by her to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Funds made available under section 2001(b)(1) of Public Law 117–2 shall remain available through September 30, 2025.

SA 1722. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this division may be made available to utilize the U.S. Customs and Border Protection CBP One application, or any successor application, to facilitate the entry of any alien into the United States.

SA 1723. Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, Mr. MERKLEY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) EXTENSION OF AUTHORITY FOR SECURE PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended, in subsections (a) and (b), by striking ''2023'' each place it appears and inserting ''2026''.

(b) DISTRIBUTION OF PAYMENTS.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2023'' and inserting ''2026''.

(c) RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking ''December 20, 2023'' each place it appears and inserting ''December 20, 2026''.

(d) EXTENSION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(1) in subsection (a), by striking ''2025'' and inserting ''2028''; and

(2) in subsection (b), by striking ''2026'' and inserting ''2029''.

(e) EXTENSION OF AUTHORITY TO EXPEND COUNTY FUNDS.—Section 305 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking ''2025'' and inserting ''2028''; and

(2) in subsection (b), by striking ''2026'' and inserting ''2029''.

(f) RESOURCE ADVISORY COMMITTEE PILOT PROGRAM EXTENSION.—Section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125) is amended by striking subsection (g) and inserting the following:

''(g) PILOT PROGRAM FOR RESOURCE ADVISORY COMMITTEE APPOINTMENTS BY REGIONAL FORESTERS.—

''(1) IN GENERAL.—The Secretary concerned shall establish and carry out a pilot program under which the Secretary concerned shall allow the regional forester with jurisdiction over a unit of Federal land to appoint members of the resource advisory committee for that unit, in accordance with the applicable requirements of this section.

''(2) RESPONSIBILITIES OF REGIONAL FORESTER.—Before appointing a member of a resource advisory committee under the pilot program under this subsection, a regional forester shall conduct the review and analysis that would otherwise be conducted for an appointment to a resource advisory committee if the pilot program was not in effect, including any review and analysis with respect to civil rights and budgetary requirements.

''(3) SAVINGS CLAUSE.—Nothing in this subsection relieves a regional forester or the Secretary concerned from an obligation to comply with any requirement relating to an appointment to a resource advisory committee, including any requirement with respect to civil rights or advertising a vacancy.

''(4) TERMINATION OF EFFECTIVENESS.—The authority provided under this subsection terminates on October 1, 2028.''.

SA 1724. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. ANY WORLD HEALTH AGENCY CONVENTION OR AGREEMENT OR OTHER INTERNATIONAL INSTRUMENT RESULTING FROM THE INTERNATIONAL NEGOTIATING BODY'S FINAL REPORT DEEMED TO BE A TREATY SUBJECT TO ADVICE AND CONSENT OF THE SENATE.

(a) SHORT TITLE.—This section may be cited as the ''No WHO Pandemic Preparedness Treaty Without Senate Approval Act''.

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

(1) On December 1, 2021, at the second special session of the World Health Assembly (referred to in this section as the ''WHA'') decided—

(A) to establish the Intergovernmental Negotiating Body (referred to in this section as the ''INB'') to draft and negotiate a WHO convention (referred to in this section as the ''Convention''), agreement, or other international instrument on pandemic prevention, preparedness, and response, with a view to adoption under article 19 or any other provision of the WHO Constitution; and

(B) that the INB shall submit a progress report to the Seventy-sixth WHA and a working draft of the convention for consideration by the Seventy-seventh WHA, which is scheduled to take place beginning on March 18, 2024.

(2) On February 24, March 14 and 15, and June 6 through 8 and 15 through 17, 2022, the INB held its inaugural meeting at which the Director-General proposed the following 5 themes to guide the INB's work in drafting the Convention:

(A) Building national, regional, and global capacities based on a whole-of-government and whole-of-society approach.

(B) Establishing global access and benefit sharing for all pathogens, and determining a global policy for the equitable production and distribution of countermeasures.

(C) Establishing robust systems and tools for pandemic preparedness and response.

(D) Establishing a long-term plan for sustainable financing to ensure support for global health threat management and response systems.

(E) Empowering WHO to fulfill its mandate as the directing and coordinating authority on international health work, including for pandemic preparedness and response.

(3) On July 18 through 22, 2022, the INB held its second meeting at which it agreed that the Convention would be adopted under article 19 of the WHO Constitution and legally binding on the parties.

(4) On December 5 through 7, 2022, the INB held its third meeting at which it accepted a conceptual zero draft of the Convention and agreed to prepare a zero draft for consideration at the INB's next meeting.

(5) In early January 2023, an initial draft of the Convention was sent to WHO member states in advance of its formal introduction at the fourth meeting of the INB. The draft includes broad and binding provisions, including rules governing parties' access to pathogen genomic sequences and how the products or benefits of such access are to be distributed.

(6) On February 27 through March 3, 2023, the INB held its fourth meeting at which it—

(A) formally agreed to the draft distributed in January as the basis for commencing negotiations; and

(B) established an April 14, 2023 deadline for member states to propose any changes to the text.

(7) The INB's draft—

(A) was circulated to Member States on May 22, 2023; and

(B) was published online in all WHO official languages on June 2, 2023.

(8) On March 18 through 28, 2024, the INB is holding its Ninth Meeting at which it will consider an updated draft of the Convention reflecting input from Member States considered during the INB's Fifth, Sixth, Seventh, and Eighth meetings.

(9) On May 27 through June 1, 2024, the INB is scheduled to present its final draft of the Convention for consideration at the Seventy-seventh World Health Assembly.

(10) Section 723.3 of title 11 of the Department of State's Foreign Affairs Manual states that when ''determining whether any international agreement should be brought into force as a treaty or as an international agreement other than a treaty, the utmost care is to be exercised to avoid any invasion or compromise of the constitutional powers of the President, the Senate, and the Congress as a whole'' and includes the following criteria to be considered when determining

whether an international agreement should take the form of a treaty or an executive agreement:

(A) ''The extent to which the agreement involves commitments or risks affecting the nation as a whole''.

(B) ''Whether the agreement is intended to affect state laws''.

(C) ''Whether the agreement can be given effect without the enactment of subsequent legislation by the Congress''.

(D) ''Past U.S. practice as to similar agreements''.

(E) ''The preference of the Congress as to a particular type of agreement''.

(F) ''The degree of formality desired for an agreement''.

(G) ''The proposed duration of the agreement, the need for prompt conclusion of an agreement, and the desirability of concluding a routine or short-term agreement''.

(H) ''The general international practice as to similar agreements''.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) a significant segment of the American public is deeply skeptical of the World Health Organization, its leadership, and its independence from the pernicious political influence of certain member states, including the People's Republic of China;

(2) the current draft of the Convention does nothing to address the critical failures in the response to the COVID–19 pandemic, particularly regarding—

(A) the PRC's failure to inform the international community of the outbreak in a timely manner;

(B) the WHO repeating the PRC's false claim that there was no evidence of human-to-human transmission;

(C) the PRC's delay in sharing COVID-19's genomic sequence data; and

(D) the PRC's refusal to allow a thorough investigation of the origins of the outbreak.

(3) the Senate strongly prefers that any agreement related to pandemic prevention, preparedness, and response adopted by the World Health Assembly pursuant to the work of the INB be considered a treaty requiring the advice and consent of the Senate, with two-thirds of Senators concurring;

(4) the scope of the agreement which the INB has been tasked with drafting, as outlined by the Director-General, is so broad that any application of the factors referred to in subsection (b)(11) will weigh strongly in favor of it being considered a treaty; and

(5) given the level of public distrust, any relevant new agreement by the World Health Assembly which cannot garner the ⅔ vote needed for Senate ratification should not be agreed to or implemented by the United States.

(d) APPLICABILITY OF SENATE ADVICE AND CONSENT CONSTITUTIONAL REQUIREMENT.—Notwithstanding any other provision of law, any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly pursuant to the recommendations, report, or work of the International Negotiating Body established by the second special session of the World Health Assembly is deemed to be a treaty that is subject to the requirements of article II, section 2, clause 2 of the Constitution of the United States, which requires the advice and consent of the Senate, with ⅔ of all Senators concurring.

(e) FUNDING LIMITATION.—No funds appropriated by this division may be used to facilitate the implementation of any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the WHA.

SA 1725. Mr. CRAPO (for himself, Ms. LUMMIS, Mr. BRAUN, Mr. BARRASSO, Mr. RISCH, Mr. MANCHIN, Mrs. CAPITO, Mr. DAINES, Mr. RICKETTS, Mr. SULLIVAN, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

LIMITATION

SEC. _____. None of the funds made available by this Act or any other Act for fiscal year 2024 may be used to implement, administer, or enforce the proposed rule of the Environmental Protection Agency entitled ''Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles'' (88 Fed. Reg. 29184 (May 5, 2023)), the final rule of the Environmental Protection Agency entitled ''Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles'' and submitted for publication in the Federal Register on March 20, 2024, or any substantially similar rule.

SA 1726. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. No funds appropriated by this Act to the Office of the Secretary of Homeland Security may be obligated until after the Secretary of Homeland Security certifies that the Department of Homeland Security has achieved operational control over the entire international land and maritime borders of the United States (as described in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)), including—

(1) the establishment of systematic surveillance of the international land and maritime borders of the United States through the effective use of personnel and technology, such as unmanned aerial vehicles, ground-based sensors, satellites, radar coverage, and cameras; and

(2) sufficient physical infrastructure enhancements to prevent unlawful entry by aliens into the United States, while facilitating access to the international land and maritime borders by U.S. Customs and Border Protection agents and officers, such as the establishment of additional checkpoints, the construction of all weather access roads, and the placement of vehicle barriers.

SA 1727. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SAFE THIRD COUNTRY EXCEPTION TO ASYLUM ELIGIBILITY.

Any alien who transited through at least 1 country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States is ineligible for asylum in the United States.

SA 1728. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. No funds appropriated or otherwise made available to the Department of Homeland Security by this Act may be expended to transport Federal Air Marshals to the southern border or the northern border for the purpose of carrying out non-law enforcement activities.

SA 1729. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY FOR SOCIAL SECURITY AND MEDICARE BENEFITS.

Any alien who unlawfully enters the United States shall be permanent ineligible for benefits under the Social Security Act (42 U.S.C. 301 et seq.).

SA 1730. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPEDITED REMOVAL OF ALL ALIENS WHO UNLAWFULLY ENTERED THE UNITED STATES SINCE JANUARY 20, 2021.

The Secretary of Homeland Security, as expeditiously as practicable, shall place all aliens who are unlawfully present in the United States and whose latest unlawful entry into the United occurred on or after January 20, 2021, into expedited removal proceedings, consistent with section 238 of the Immigration and Nationality Act (8 U.S.C. 1228).

SA 1731. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MANDATORY DETENTION FOR ILLEGAL ALIENS.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Homeland Security shall detain every alien who last entered the United States on or after January 20, 2021, and remains unlawfully present in the United States. Such aliens shall remain in detention until after—

(1) the alien's immigration proceedings have concluded, including any administrative or judicial appeals; and

(2) the alien has been granted legal status in the United States.

(b) EXCEPTION.—The requirement described in subsection (a) shall not apply to unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)).

SA 1732. Mr. RICKETTS submitted an amendment intended to be proposed

by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. Notwithstanding any other provision in this Act, funds appropriated or otherwise made available by this Act or other Acts making appropriations for the Department of State, foreign operations, and related programs, including provisions of Acts providing supplemental appropriations for the Department of State, foreign operations, and related programs, may not be used for a contribution, grant, or other payment to the United Nations Relief and Works Agency, notwithstanding any other provision of law—

(1) for any amounts provided in prior fiscal years or in fiscal year 2024; or

(2) for amounts provided in fiscal years beginning after fiscal year 2024.

SA 1733. Mr. BUDD submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

On page 426, between lines 12 and 13, insert the following:

SEC. 552. No funds appropriated by this Act may be used to grant any immigration status or other benefit to any alien who has been convicted of, been charged with, or admitted to, assaulting a law enforcement officer.

SA 1734. Mr. BUDD (for himself, Mrs. BRITT, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

On page 426, between lines 12 and 13, insert the following:

SEC. 552.(a) This section may be cited as the "Laken Riley Act".

(b)(1) Congress finds that the people of the United States—

(A) mourn the devastating loss of Laken Riley and other victims of the Biden administration's open borders policies;

(B) honor the life and memory of Laken Riley and other victims of the Biden administration's open borders policies; and

(C) denounce the open borders policies of President Joe Biden, ''Border Czar'' Vice President Kamala Harris, Secretary of Homeland Security Alejandro Mayorkas, and other officials in the Biden administration.

(2) It is the sense of Congress that—

(A) the Biden administration should not have released Laken Riley's alleged murderer into the United States;

(B) the Biden administration should have arrested and detained Laken Riley's alleged murderer after he was charged with crimes in New York, New York, and Athens, Georgia;

(C) President Biden should publicly denounce his administration's immigration policies that resulted in the murder of Laken Riley; and

(D) President Biden should prevent another murder like that of Laken Riley by—

(i) ending the catch-and-release of illegal aliens;

(ii) increasing immigration enforcement;

(iii) detaining and removing criminal aliens;

(iv) reinstating the Remain in Mexico policy;

(v) ending his abuse of parole authority, and

(vi) securing the borders of the United States.

(c) Section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraphs (A) and (B), by striking the comma at the end of each such subparagraph and inserting a semicolon;

(B) in subparagraph (C), by striking '', or'' and inserting a semicolon;

(C) in subparagraph (D), by striking the comma at the end and inserting ''; or''; and

(D) by inserting after subparagraph (D) the following:

''(E)(i) is inadmissible under paragraph (6)(A), (6)(C), or (7) of section 212(a); and

''(ii) is charged with, is arrested for, is convicted of, or admits having committed acts constituting the essential elements of any burglary, theft, larceny, or shoplifting offense (as such terms are defined in the jurisdiction in which such acts occurred),'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) DETAINER.—The Secretary of Homeland Security shall—

''(A) issue a detainer for any alien described in paragraph (1)(E); and

''(B) if such alien is not being detained by Federal, State, or local officials, take custody of such alien effectively and expeditiously.''.

(d)(1) Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in subparagraph (A)—

(i) by striking ''his discretion'' and inserting ''in the discretion of the Secretary'';

(ii) by striking ''he may'' and inserting ''the Secretary may'';

(iii) by striking ''he was'' and inserting ''the alien was''; and

(iv) by striking ''his case'' and inserting ''the alien's case''; and

(C) by adding at the end the following:

''(C)(i) The attorney general of a State, or another authorized State officer, alleging a violation of subparagraph (A), which requires the granting of parole be decided on a case-by-case basis and solely for urgent humanitarian reasons or a significant public benefit, which harms such State or its residents shall have standing to seek appropriate injunctive relief through an action against the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States.

''(ii) The court in which a civil action is brought pursuant to clause (i) shall advance on the docket and expedite the disposition of such action to the greatest extent practicable.

''(iii) In this subparagraph, a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.''.

(2) Section 235(b) of such Act (8 U.S.C. 1225(b)) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

''(3) ENFORCEMENT BY THE ATTORNEY GENERAL OF A STATE.—

''(A) STANDING.—The attorney general of a State, or another authorized State officer, alleging a violation of the detention and removal requirements under paragraph (1) or (2), which harms such State or its residents shall have standing to bring an action against the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States to obtain appropriate injunctive relief.

''(B) EXPEDITED PROCEEDINGS.—The court in which a civil action is filed pursuant to subparagraph (A) shall advance on the docket and expedite the disposition of such action to the greatest extent practicable.

''(C) HARM.—In subparagraph (A), a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.''.

(3) Section 236 of such Act (8 U.S.C. 1226), as amended by section 3, is further amended—

(A) in subsection (e), by striking ''or release of any alien or the grant, revocation, or denial'' and inserting ''of any alien or the revocation or denial''; and

(B) by adding at the end the following:

''(f) ENFORCEMENT BY THE ATTORNEY GENERAL OF A STATE.—

''(1) STANDING.—The attorney general of a State, or another authorized State officer, alleging an action or decision by the Attorney General or the Secretary of Homeland Security under this section to release any alien or grant bond or parole to any alien that harms such State or its residents shall have standing to seek injunctive relief by bringing an action against the Attorney General or the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States.

''(2) EXPEDITED PROCEEDINGS.—The court in which a civil action is filed pursuant to paragraph (1) shall advance on the docket and expedite the disposition of such action to the greatest extent practicable.

''(3) HARM.—In subparagraph (A), a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.''.

(4) Section 241(a)(2) of such .Act (8 U.S.C. 1231(a)(2)) is amended—

(A) by striking ''During the removal period,'' and inserting the following:

''(A) IN GENERAL.—During the removal period,''; and

(B) by adding at the end the following:

''(B) ENFORCEMENT BY THE ATTORNEY GENERAL OF A STATE.—

''(i) STANDING.—The attorney general of a State, or another authorized State officer, alleging a violation of the detention requirement under subparagraph (A) that harms such State or its residents shall have standing to seek injunctive relief by bringing an action against the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States.

''(ii) EXPEDITED PROCEEDINGS.—The court in which a civil action is filed pursuant to clause (i) shall advance on the docket and expedite the disposition of such action to the greatest extent practicable.

''(iii) HARM.—In clause (i), a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.''.

(5) Section 242(f) of such Act (8 U.S.C. 1252(f)) is amended by adding at the end following:

''(3) CERTAIN ACTIONS.—Paragraph (1) shall not apply to an action brought pursuant to section 235(b)(3), subsections (e) or (f) of section 236, or section 241(a)(2)(B).''.

(6) Section 243 of such Act (8 U.S.C. 1253) is amended by adding at the end the following:

''(e) ENFORCEMENT BY THE ATTORNEY GENERAL OF A STATE.—

''(1) STANDING.—The attorney general of a State, or another authorized State officer, alleging a violation of the requirement to discontinue granting visas to citizens, subjects, nationals, and residents described in subsection (d), which harms such State or its residents, shall have standing to seek injunctive relief by bringing an action against the Secretary of State on behalf of such State or the residents of such State in an appropriate district court of the United States.

''(2) EXPEDITED PROCEEDINGS.—The court in which a civil action is filed under paragraph (1) shall advance on the docket and expedite the disposition of such action to the greatest extent practicable.

''(3) HARM.—In paragraph (1), a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.''.

SA 1735. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) No funds appropriated by this Act may be used to facilitate, provide, or purchase air transportation from a foreign country to the United States for an alien in order for such alien to utilize a parole process described in—

(1) the notice of the Department of Homeland Security entitled ''Implementation of a Parole Process for Venezuelans'' (87 Fed. Reg. 63507 (October 19, 2022));

(2) the notice of the Department of Homeland Security entitled ''Implementation of a Parole Process for Haitians'' (88 Fed. Reg. 1243 (January 9, 2023));

(3) the notice of the Department of Homeland Security entitled ''Implementation of a Parole Process for Nicaraguans'' (88 Fed. Reg. 1255 (January 9, 2023)); or

(4) the notice of the Department of Homeland Security entitled ''Implementation of a Parole Process for Cubans'' (88 Fed. Reg. 1266 (January 9, 2023)).

(b) The limitation described in subsection (a) shall not apply in exigent circumstances, as determined on a case-by-case basis, including circumstances in which an individual is being—

(1) provided emergency medical treatment; or

(2) extradited to the United States and in law enforcement custody.

(c) Not later than 90 days after each determination described in subsection (b), the Secretary of Homeland Security shall notify the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives regarding such circumstances.

SA 1736. Ms. LUMMIS (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SUPPORTING NATIONAL SECURITY WITH SPECTRUM

SEC. _____. (a) SHORT TITLE.—This section may be cited as the ''Supporting National Security with Spectrum Act''.

(b) ADDITIONAL ''RIP AND REPLACE'' FUNDING.— Section 4(k) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603(k)) is amended by striking ''$1,900,000,000'' and inserting ''$4,980,000,000''.

(c) APPROPRIATION OF FUNDS.—There is appropriated to the Federal Communications Commission for fiscal year 2024, out of amounts in the Treasury not otherwise appropriated, $3,080,000,000, to remain available until expended, to carry out section 4 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603).

(d) FCC AUCTION 97 REAUCTION OF CERTAIN LICENSES; COMPLETION OF REAUCTION.—

(1) FCC AUCTION 97 REAUCTION OF CERTAIN LICENSES.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall initiate a system of competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) to grant licenses for spectrum in the inventory of the Commission within the bands of frequencies referred to by the Commission as the ''AWS-3 bands'', without regard to whether the authority of the Commission under paragraph (11) of that section has expired.

(2) COMPLETION OF REAUCTION.—The Federal Communications Commission shall complete the system of competitive bidding described in subsection (a), including receiving payments, processing applications, and granting licenses, without regard to whether the authority of the Commission under paragraph (11) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) has expired.

SA 1737. Ms. LUMMIS submitted an amendment intended to be proposed by her to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. POSTAL SERVICE FUNDS LIMITATION.

Notwithstanding any other provision of this Act, no amounts made available under this Act shall be used by the United States Postal Service to convert a Processing and Distribution Center to a Local Processing Center in any State such that the State would no longer have any Processing and Distribution Centers located in that State.

SA 1738. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) None of the funds made available by this Act may be used to—

(1) label any constitutionally protected speech of a United States citizen as disinformation or misinformation;

(2) coerce, directly or indirectly by partnering with a nongovernmental entity that is acting at the request or behest of a governmental entity, any provider or operator of a covered platform to alter, remove, restrict, or suppress constitutionally protected speech of a United States citizen that is shared on the covered platform based on a determination, by an employee acting under the official authority of the Federal Government, that the content of the speech is disinformation or misinformation; or

(3) create, or provide funding to a foreign government, quasi-governmental organization, or nonprofit organization for the research, development, or maintenance of, any disinformation or misinformation list or ranking system relating to news content, regardless of medium.

(b) For purposes of this section:

(1) The term ''constitutionally protected speech'' means speech that is protected under the First Amendment to the Constitution of the United States, including any type of digital communication, including a post on a covered platform, an e-mail, a text, and a direct message.

(2) The term ''covered platform'' means an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230).

SA 1739. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIMINATING THE USE OF CONSULTANTS BY THE MAJORITY LEADER AND MINORITY LEADER OF THE SENATE.

The first sentence of section 101(a) of the Supplemental Appropriations Act, 1977 (2 U.S.C. 6501(a)), as amended by section 102 of division E, is further amended by striking ''not more'' and all that follows through ''consultants'' and inserting ''zero individual consultants''.

SA 1740. Mr. BUDD submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. _____. No funds appropriated by this Act may be used to grant any immigration status or other benefit to any alien who is charged with, is arrested for, is convicted of, admits to a law enforcement officer or in a legal proceeding of having committed, or admits to a law enforcement officer or in a legal proceeding of committing acts constituting the essential elements of any burglary, theft, larceny, or shoplifting offense.

SA 1741. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of any division of this Act, none of the amounts appropriated or otherwise made available by this Act may be used by the Department of State for the Global Engagement Center.

SA 1742. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize

the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be made available for an assessed or voluntary contribution to the World Health Organization.

SA 1743. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for the Office of Diversity and Inclusion of the Department of State or for any other diversity, equity, and inclusion office, position, or activity at the Department.

SA 1744. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be made available for an assessed or voluntary contribution, grant, or other payment to the Green Climate Fund, the Intergovernmental Panel on Climate Change, the United Nations Framework Convention on Climate Change, or to any other entity whose primary mission is to mitigate the impacts of climate change.

SA 1745. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this Act may be used for an assessed or voluntary contribution, grant, or other payment to the United Nations Relief and Works Agency for Palestine Refugees or to any other organ, specialized agency, commission, or other formally affiliated body of the United Nations that provide funding or otherwise operates in Gaza.

SA 1746. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this Act may be used for reconstruction activities in Ukraine.

SA 1747. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this Act may be used to make a grant through the President's Emergency Plan for AIDS Relief to any organization that performs, promotes, counsels, or provides referrals for abortions.

SA 1748. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS FOR GENDER AFFIRMING CARE.

None of the funds made available by this Act may be used by the Department of Defense to perform, promote, counsel, or provide referrals for the provision of hormonal treatments or surgical care to affirm a person's chosen identity of his or her sex, if that chosen identity is incongruent with such person's biological sex.

SA 1749. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to carry out the policies described in the Department of Defense memorandum entitled ''Ensuring Access to Reproductive Health Care'' and dated October 20, 2022.

SA 1750. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON PREVENTING MODERNIZATION OF SENTINEL PROGRAM.

None of the funds appropriated or otherwise made available by this Act may be used to prevent the modernization of the Sentinel intercontinental ballistic missile program.

SA 1751. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be made available for a United States contribution to NATO.

SA 1752. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act for the Department of Defense may be used to carry out a reduction in end-strength personnel for any active, reserve, or civilian component of the Department.

SA 1753. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Office for Diversity, Equity, and Inclusion of the Department of Defense or for any other diversity, equity, and inclusion office, position, or activity at the Department.

SA 1754. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of any division of this Act, none of the amounts appropriated or otherwise made available by this Act may be used by the Department of Defense to increase the force presence of the United States Armed Forces in the area of responsibility of the United States European Command.

SA 1755. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITING IMPLEMENTATION OF THE RULE RELATING TO COMBATING AUTO RETAIL SCAMS.

None of the funds appropriated or otherwise made available by any division of this Act may be used to enforce the provisions of the final rule submitted by the Federal Trade Commission relating to ''Combating Auto Retail Scams'' (commonly referred to as the ''CARS Rule'') (issued on December 12, 2023), or any substantially similar rule.

SA 1756. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds available for obligation or expenditure by the government

of the District of Columbia under any authority may be used to carry out the Reproductive Health Non-Discrimination Amendment Act of 2014 (D.C. Law 20–261) or to implement any rule or regulation promulgated to carry out that Act.

SA 1757. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used to enforce the rule adopted by the Federal Communications Commission relating to ''The Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination'' (89 Fed. Reg. 4128 (January 22, 2024)).

SA 1758. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used to enforce the rule adopted by the Federal Communications Commission in the Fourth Report and Order, Order on Reconsideration, and Second Further Notice of Proposed Rulemaking in the matter of ''Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies'', adopted on February 7, 2024 (FCC 24–18).

SA 1759. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF COAST GUARD FUNDS FOR ABORTIONS.

No funds made available for the Coast Guard by this Act may be used to perform abortions or to provide travel or transportation allowances to obtain abortions.

SA 1760. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be obligated to any entity that financially supports, promotes, or hosts any obscene activities, including drag shows for children, BDSM, kink, or pedophilic practices.

SA 1761. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used to implement or enforce any COVID–19 vaccine or face mask mandate.

SA 1762. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used for purposes of conducting or supporting gain-of-function research.

SA 1763. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used for the ''Saving on a Valuable Education'' plan (referred to as the ''SAVE plan'') for income-driven repayment of student loans (including student loan forgiveness under such plan) that was introduced by the Biden administration in 2023, or for any other student loan forgiveness plans introduced by the Biden Administration.

SA 1764. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON THE USE OF FUNDS TO IMPLEMENT THE CLIMATE ADAPTATION AND RESILIENCE PLAN OF THE DEPARTMENT OF LABOR.

None of the amounts appropriated or otherwise made available under any division of this Act may be used to implement the Climate Adaptation and Resilience Plan of the Department of Labor.

SA 1765. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Not withstanding any other provision of any division of this Act, no amounts shall be made available under any division of this Act, including through a grant program, to Planned Parenthood Federation of America or any its affiliates.

SA 1766. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used for health centers based at an elementary school, secondary school, or postsecondary educational institution to promote or provide abortion or referrals for abortion services, or to promote or provide hormonal treatments or surgical care to affirm an individual's chosen identity of his or her sex, if that chosen identity is incongruent with such individual's biological sex.

SA 1767. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division D, insert the following:

SEC. ____. PROHIBITION ON FUNDING DIVERSITY, EQUITY, AND INCLUSION OFFICES.

None of the funds appropriated under this division of this Act may be used for any activity of a diversity, equity, and inclusion office within the Department of Health and Human Services, the Department of Labor, the Department of Education, or the Equal Employment Opportunity Commission.

SA 1768. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used to promote or provide hormonal treatments or surgical care to affirm an individual's chosen identity of his or her sex, if that chosen identity is incongruent with such individual's biological sex.

SA 1769. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON THE USE OF FUNDS TO IMPLEMENT INDEPENDENT CONTRACTOR RULE.

None of the amounts appropriated or otherwise made available under any division of this Act may be used to implement the rule submitted by the Department of Labor relating to ''Employee or Independent Contractor Classification Under the Fair Labor Standards Act'' (89 Fed. Reg. 1638 (January 10, 2024)).

SA 1770. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____.

None of the funds made available by this Act may be used to implement, enforce, or

otherwise give effect to the provisions in the proposed rule entitled ''Short-Term, Limited-Duration Insurance; Independent, Noncoordinated Excepted Benefits Coverage; Level-Funded Plan Arrangements; and Tax Treatment of Certain Accident and Health Insurance'' (88 Fed. Reg. 44596; published on July 12, 2023) relating to modification of rules regarding independent, noncoordinated excepted benefits coverage or the tax treatment of employer reimbursements of employee medical expenses under certain accident and health plans.

SA 1771. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) In this section, the term ''earmark'' means—

(1) an item of Community Project Funding or Congressionally Directed Spending in any table relating to Community Project Funding/Congressionally Directed Spending that is referenced in any division of this consolidated Act or the explanatory statement described in section 4 of the matter preceding division A of this Act; or

(2) an item of Community Project Funding or Congressionally Directed Spending specified in any provision of any division of this consolidated Act or the explanatory statement described in section 4 of the matter preceding division A of this Act.

(b) When each Member of Congress that requested an earmark reads aloud the earmark on the floor of the House of Congress of the Member, the amounts made available for such earmark may be obligated and expended.

SA 1772. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be made available to implement or support any international convention, agreement, protocol, legal instrument, or agreed outcome with legal force drafted by any United Nations body, the World Health Assembly, or any other intergovernmental negotiating body until such instrument has been subject to the requirements of article II, section 2, clause 2 of the Constitution of the United States, which requires the advice and consent of the Senate, with two-thirds of Senators concurring.

SA 1773. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR WEAPONS FOR UKRAINE OF SAME TYPE AS WEAPONS PENDING DELIVERY TO TAIWAN.

Notwithstanding any other provision of any division of this Act, none of the funds appropriated or otherwise made available for the Department of Defense may be used to enter into contracts for the procurement, through the Ukraine Security Assistance Initiative under section 1250(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), of weapons of the same type as weapons pending delivery to Taiwan or other allies in the Indo-Pacific region through the foreign military sales process.

SA 1774. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Steward L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____—REINS ACT

SEC. ___. SHORT TITLE.

This division may be cited as the ''Regulations from the Executive in Need of Scrutiny Act of 2024'' or the ''REINS Act of 2024''.

SEC. ___. PURPOSE.

The purpose of this division is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. ___. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

''CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a finding, rendered in consultation with the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, whether the rule is a major or nonmajor rule, including an explanation of the finding specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 804(2);

''(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions;

''(v) the proposed effective date of the rule; and

''(vi) a statement of the constitutional authority authorizing the agency to make the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress (and to each committee of jurisdiction in each House)—

''(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995;

''(iv) an estimate of the effect on inflation of the rule; and

''(v) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(D) If requested in writing by a member of Congress—

''(i) the Comptroller General shall make a determination whether an agency action qualifies as a rule for purposes of this chapter, and shall submit to Congress this determination not later than 60 days after the date of the request; and

''(ii) the Comptroller General, in consultation with the Director of the Congressional Budget Office, shall make a determination whether a rule is considered a major rule under the provisions of this act, and shall submit to Congress this determination not later than 90 days after the date of the request.

For purposes of this section, a determination under this subparagraph shall be deemed to be a report under subparagraph (A).

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days; or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day; or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

''§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within 3 legislative days; and

''(B) in the case of the Senate, within 3 session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter:

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget or the Federal agency promulgating such rule finds has resulted in or is likely to result in—

''(A) an annual effect on the economy of $100 million or more;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) in an increase in mandatory vaccinations.

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term—

''(A) includes interpretative rules, general statements of policy, and all other agency guidance documents; and

''(B) does not include—

''(i) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(ii) any rule relating to agency management or personnel; or

''(iii) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

''(5) The term 'submission or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.

''§ 808. Review of rules currently in effect

''(a) ANNUAL REVIEW.—Beginning on the date that is 6 months after the date of enactment of this section and annually thereafter for the 4 years following, each agency shall designate not less than 20 percent of eligible rules made by that agency for review, and shall submit a report including each such eligible rule in the same manner as a report under section 801(a)(1). Section 801, section 802, and section 803 shall apply to each such rule, subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

''(b) SUNSET FOR ELIGIBLE RULES NOT EXTENDED.—Beginning after the date that is 5 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

''(c) APPROVAL OF RULES.—

''(1) Unless Congress approves all eligible rules designated by executive agencies for review within 90 days of designation, they shall have no effect.

''(2) A single joint resolution of approval shall apply to all eligible rules in a report designated for a year as follows: 'That Congress approves the rules submitted by the_____ for the year _____.' (The blank spaces being appropriately filled in).

''(3) A member of either House may move that a separate joint resolution be required for a specified rule.

''(d) DEFINITION.—In this section, the term 'eligible rule' means a rule that is in effect as of the date of enactment of this section.''.

SEC. ___. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rule subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. ___. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States

shall submit a report (and publish the report on the website of the Comptroller General) to Congress that contains the findings of the study conducted under subsection (a).

SA 1775. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CENTRAL BANK DIGITAL CURRENCY.

None of the funds made available by this Act may be used to mint a central bank digital currency or carry out a central bank digital currency pilot program.

SA 1776. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Section 1017 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497) is amended—

(1) in subsection (a)—

(A) by amending the subsection heading to read as follows: ''BUDGET, FINANCIAL MANAGEMENT, AND AUDIT'';

(B) by striking paragraphs (1), (2), and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively; and

(D) in paragraph (1), as so redesignated, by striking subparagraphs (E) and (F);

(2) by striking subsections (b) and (c);

(3) by redesignating subsections (d) and (e) as subsections (b) and (c), respectively; and

(4) in subsection (c), as so redesignated—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Bureau $650,000,000 for fiscal year 2024 to carry out the authorities of the Bureau.''; and

(B) by redesignating paragraph (4) as paragraph (2).

SEC. _____. (a) The Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(1) in section 1011 (12 U.S.C. 5491)—

(A) in subsection (a)—

(i) by striking ''in the Federal Reserve System,''; and

(ii) by striking ''independent bureau'' and inserting ''independent agency'';

(B) by striking subsections (b), (c), and (d);

(C) by redesignating subsection (e) as subsection (j);

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

''(b) AUTHORITY TO PRESCRIBE REGULATIONS.—The commission of the Bureau—

''(1) may prescribe such regulations and issue such orders in accordance with this title as the Bureau may determine to be necessary for carrying out this title and all other laws within the jurisdiction of the Bureau; and

''(2) shall exercise any authorities granted under this title and all other laws within the jurisdiction of the Bureau.

''(c) COMPOSITION OF THE COMMISSION.—

''(1) IN GENERAL.—The management of the Bureau shall be vested in a commission (referred to in this section as the 'commission'), which shall be composed of 5 members who shall be appointed by the President, by and with the advice and consent of the Senate, and at least 2 of whom shall have private sector experience in the provision of consumer financial products and services.

''(2) STAGGERING.—The members of the commission shall serve staggered terms, which initially shall be established by the President for terms of 1, 2, 3, 4, and 5 years, respectively.

''(3) TERMS.—

''(A) IN GENERAL.—Except with respect to the initial staggered terms described in paragraph (2), each member of the commission, including the Chair, shall serve for a term of 5 years.

''(B) REMOVAL.—The President may remove any member of the commission for inefficiency, neglect of duty, or malfeasance in office.

''(C) VACANCIES.—Any member of the commission appointed to fill a vacancy occurring before the expiration of the term to which that member's predecessor was appointed (including the Chair) shall be appointed only for the remainder of the term.

''(D) CONTINUATION OF SERVICE.—Each member of the commission may continue to serve after the expiration of the term of office to which that member was appointed until a successor has been appointed by the President and confirmed by the Senate, except that a member may not continue to serve more than 1 year after the date on which the term of that member would otherwise expire.

''(E) OTHER EMPLOYMENT PROHIBITED.—No member of the commission shall engage in any other business, vocation, or employment.

''(d) AFFILIATION.—Not more than 3 members of the commission shall be members of any 1 political party.

''(e) CHAIR OF THE COMMISSION.—

''(1) INITIAL CHAIR.—The first member and Chair of the commission shall be the individual serving as Director of the Bureau of Consumer Financial Protection on the day before the date of enactment of this subsection. Such individual shall serve until the President has appointed all 5 members of the commission in accordance with subsection (c).

''(2) SUBSEQUENT CHAIR.—Of the 5 members appointed in accordance with subsection (c), the President shall appoint 1 member to serve as the subsequent Chair of the commission.

''(3) AUTHORITY.—The Chair shall be the principal executive officer of the commission, and shall exercise all of the executive and administrative functions of the commission, including with respect to—

''(A) the appointment and supervision of personnel employed under the commission (other than personnel employed regularly and full time in the immediate offices of members of the commission other than the Chair);

''(B) the distribution of business among personnel appointed and supervised by the Chair and among administrative units of the commission; and

''(C) the use and expenditure of funds.

''(4) LIMITATION.—In carrying out any of the functions of the Chair under this subsection, the Chair shall be governed by general policies of the commission and by such regulatory decisions, findings, and determinations as the commission may by law be authorized to make.

''(5) REQUESTS OR ESTIMATES RELATED TO APPROPRIATIONS.—Requests or estimates for regular, supplemental, or deficiency appropriations on behalf of the commission may not be submitted by the Chair without the prior approval of the commission.

''(6) DESIGNATION.—The Chair shall be known as both the 'Chair of the commission' of the Bureau and the 'Chair of the Bureau'.

''(f) INITIAL QUORUM ESTABLISHED.—For the 6 month period beginning on the date of enactment of this subsection, the first member and Chair of the commission described in subsection (e)(1) shall constitute a quorum for the transaction of business until the President has appointed all 5 members of the commission in accordance with subsection (c). Following such appointment of 5 members, the quorum requirements of subsection (g) shall apply.

''(g) NO IMPAIRMENT BY REASON OF VACANCIES.—No vacancy in the members of the commission after the establishment of an initial quorum under subsection (f) shall impair the right of the remaining members of the commission to exercise all the powers of the commission. Three members of the commission shall constitute a quorum for the transaction of business, except that if there are only 3 members serving on the commission because of vacancies in the commission, 2 members of the commission shall constitute a quorum for the transaction of business. If there are only 2 members serving on the commission because of vacancies in the commission, 2 members shall constitute a quorum for the 6-month period beginning on the date of the vacancy which caused the number of commission members to decline to 2.

''(h) SEAL.—The Bureau shall have an official seal.

''(i) COMPENSATION.—

''(1) CHAIR.—The Chair shall receive compensation at the annual rate of basic pay prescribed for level I of the Executive Schedule under section 5313 of title 5, United States Code.

''(2) OTHER MEMBERS OF THE COMMISSION.—The 4 other members of the commission shall each receive compensation at the annual rate of basic pay prescribed for level II of the Executive Schedule under section 5314 of title 5, United States Code.''; and

(E) in subsection (j), as so redesignated, in the second sentence, by striking '', including in cities in which the Federal reserve banks, or branches of such banks, are located,'';

(2) in section 1012(c) (12 U.S.C. 5492(c))—

(A) in the subsection heading, by striking ''AUTONOMY OF THE BUREAU'' and inserting ''COORDINATION WITH THE BOARD OF GOVERNORS'';

(B) by striking paragraphs (2), (3), (4), and (5); and

(C) by striking ''GOVERNORS'' in the subsection heading, as amended by this subsection, and all that follows through ''Notwithstanding any'' in paragraph (1) and inserting the following:''GOVERNORS.—Notwithstanding any''; and

(3) in section 1014(b) (12 U.S.C. 5494(b)), by striking the second sentence and inserting the following: ''Not fewer than ½ of all members shall have private sector experience in the provision of consumer financial products and services.''.

(b) Any reference in a law, regulation, document, paper, or other record of the United States to the Director of the Bureau of Consumer Financial Protection, except in subsection (e)(1) of section 1011 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5491), as added by this Act, shall be deemed a reference to the commission leading and governing the Bureau of Consumer Financial Protection, as described in such section 1011, as amended by this Act.

(c)(1)(A) Except as provided in subparagraph (B), the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(i) by striking ''Director of the Bureau'' each place that term appears, other than

where that term is used to refer to a Director other than the Director of the Bureau of Consumer Financial Protection, and inserting ''Bureau'';

(ii) by striking ''Director'' each place that term appears and inserting ''Bureau'', other than where that term is used to refer to a Director other than the Director of the Bureau of Consumer Financial Protection; and

(iii) in section 1002 (12 U.S.C. 5481), by striking paragraph (10).

(B)(i) The Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

(I) in section 1013 (12 U.S.C. 5493)—

(aa) in subsection (c)(3)—

(AA) by striking ''Assistant Director of the Bureau for'' and inserting ''Head of the Office of''; and

(BB) in subparagraph (B), by striking ''Assistant Director'' and inserting ''Head of the Office''; and

(bb) in subsection (g)(2)—

(AA) in the paragraph heading, by striking ''ASSISTANT DIRECTOR'' and inserting ''HEAD OF THE OFFICE''; and

(BB) by striking ''an assistant director'' and inserting ''a Head of the Office of Financial Protection for Older Americans'';

(II) in section 1016(a) (12 U.S.C. 5496(a)), by striking ''Director of the Bureau'' and inserting ''Chair of the Bureau''; and

(III) by striking section 1066 (12 U.S.C. 5586).

(ii) The table of contents in section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) is amended by striking the item relating to section 1066.

(2) The Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) is amended—

(A) in section 111(b)(1)(D) (12 U.S.C. 5321(b)(1)(D)), by striking ''Director'' and inserting ''Chair''; and

(B) in section 1447 (12 U.S.C. 1701p–2), by striking ''Director of the Bureau'' each place that term appears and inserting ''Chair of the Bureau''.

(3) Section 921(a)(4)(C) of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2(a)(4)(C)) is amended by striking ''Director of the Bureau of Consumer Financial Protection'' and inserting ''Chair of the Bureau of Consumer Financial Protection''.

(4) The Expedited Funds Availability Act (12 U.S.C. 4001 et seq.) is amended by striking ''Director of the Bureau'' each place that term appears and inserting ''Bureau''.

(5) Section 2 of the Federal Deposit Insurance Act (12 U.S.C. 1812) is amended by striking ''Director of the Consumer Financial Protection Bureau'' each place that term appears and inserting ''Chair of the Bureau of Consumer Financial Protection''.

(6) Section 1004(a)(4) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3303(a)(4)) is amended by striking ''Director of the Consumer Financial Protection Bureau'' and inserting ''Chair of the Bureau of Consumer Financial Protection''.

(7) Section 513 of the Financial Literacy and Education Improvement Act (20 U.S.C. 9702) is amended by striking ''Director'' each place that term appears and inserting ''Chair''.

(8) Section 307 of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2806 et seq) is amended by striking ''Director of the Bureau of Consumer Financial Protection'' each place that term appears and inserting ''Bureau of Consumer Financial Protection''.

(9) The Interstate Land Sales Full Disclosure Act (15 U.S.C. 1701 et seq) is amended—

(A) in section 1402 (15 U.S.C. 1701)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) through (12) as paragraphs (1) through (11), respectively;

(B) in section 1403(c) (15 U.S.C. 1702(c))—

(i) by striking ''him'' and inserting ''the Bureau''; and

(ii) by striking ''he'' and inserting ''the Bureau'';

(C) in section 1407 (15 U.S.C. 1706)—

(i) in subsection (c), by striking ''he'' and inserting ''the Bureau''; and

(ii) in subsection (e), by striking ''Director or anyone designated by him'' and inserting ''Bureau'';

(D) in section 1411(a) (15 U.S.C. 1710(a))—

(i) by striking ''his findings'' and inserting ''the findings of the Bureau''; and

(ii) by striking ''his recommendation'' and inserting ''the recommendation of the Bureau'';

(E) in section 1415 (15 U.S.C. 1714)—

(i) in subsection (a), by striking ''he may, in his discretion,'' and inserting ''the Bureau may, in the discretion of the Bureau,'';

(ii) in subsection (b)—

(I) by striking ''in his discretion'' each place that term appears and inserting ''in the discretion of the Bureau'';

(II) by striking ''he deems'' and inserting ''the Bureau determines''; and

(III) by striking ''he may deem'' and inserting ''the Bureau may determine''; and

(iii) in subsection (c), by striking ''the Director, or any officer designated by him,'' and inserting ''the Bureau'';

(F) in section 1416(a) (15 U.S.C. 1715(a))—

(i) by striking ''Director of the Bureau of Consumer Financial Protection who may delegate any of his'' and inserting ''Bureau of Consumer Financial Protection, which may delegate any'';

(ii) by striking ''his administrative'' and inserting ''administrative''; and

(iii) by striking ''himself'' and inserting ''the commission of the Bureau'';

(G) in section 1418a(b)(4) (15 U.S.C. 1717a(b)(4)), by striking ''Secretary's determination'' and inserting ''determination of the Bureau''; and

(H) by striking ''Director'' each place that term appears and inserting ''Bureau''.

(10) Section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604) is amended—

(A) by striking ''The Director of the Bureau of Consumer Financial Protection (hereafter in this section referred to as the 'Director')'' and inserting ''The Bureau of Consumer Financial Protection (hereafter in this section referred to as the 'Bureau')''; and

(B) by striking ''Director'' each place that term appears and inserting ''Bureau''.

(11) The S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) is amended—

(A) by striking ''Director'' each place that term appears in headings and text and inserting ''Bureau of Consumer Financial Protection''; and

(B) in section 1503 (12 U.S.C. 5102), by striking paragraph (10).

(12) Section 3513(c) of title 44, United States Code, is amended by striking ''Director of the''.

SA 1777. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BENEFICIAL OWNERSHIP.

None of the funds made available under this Act may be used by the Financial Crimes Enforcement Network to—

(1) request or gather beneficial ownership information under section 5336 of title 31, United States Code; or

(2) carry out regulations prescribed under section 6403 of the Corporate Transparency Act (title LXIV of division F of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4605)) or amendments made by that section.

SA 1778. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by any division of this Act may be used for any Federal agency if that Federal agency receives an appropriation through an Act of Congress for implementing provisions of Executive Order 14019 (86 Fed. Reg. 13623; relating to promoting access to voting).

SA 1779. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____. PROHIBITION ON FUNDING DIVERSITY, EQUITY, AND INCLUSION OFFICES.

None of the funds appropriated under this division of this Act may be used for any activity of the Office of Diversity, Equity, Inclusion, and Accessibility in the Department of the Treasury, the Office of Equity, Diversity & Inclusion of the Internal Revenue Service, and the Office of Diversity, Inclusion and Civil Rights of the Small Business Administration.

SA 1780. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used for the Climate Hub of the Department of the Treasury.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet in closed and open