

(3) REMOVAL OF NONCONSENSUAL INTIMATE VISUAL DEPICTIONS.—Upon receiving a valid removal request from an identifiable individual (or an authorized person acting on behalf of such individual) using the process described in paragraph (1)(A)(ii), a covered platform shall, as soon as possible, but not later than 48 hours after receiving such request—

(A) remove the intimate visual depiction; and

(B) make reasonable efforts to identify and remove any known identical copies of such depiction.

(4) LIMITATION ON LIABILITY.—A covered platform shall not be liable for any claim based on the covered platform's good faith disabling of access to, or removal of, material claimed to be a nonconsensual intimate visual depiction based on facts or circumstances from which the unlawful publishing of an intimate visual depiction is apparent, regardless of whether the intimate visual depiction is ultimately determined to be unlawful or not.

(b) ENFORCEMENT BY THE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A failure to reasonably comply with the notice and takedown obligations under subsection (a) shall be treated as a violation of a rule defining an unfair or a deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (D), the Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) AUTHORITY PRESERVED.—Nothing in this Act shall be construed to limit the authority of the Federal Trade Commission under any other provision of law.

(D) SCOPE OF JURISDICTION.—Notwithstanding sections 4, 5(a)(2), or 6 of the Federal Trade Commission Act (15 U.S.C. 44, 45(a)(2), 46), or any jurisdictional limitation of the Commission, the Commission shall also enforce this section in the same manner provided in subparagraph (A), with respect to organizations that are not organized to carry on business for their own profit or that of their members.

SEC. 4. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(2) CONSENT; DIGITAL FORGERY; IDENTIFIABLE INDIVIDUAL; INTIMATE VISUAL DEPICTION.—The terms “consent”, “digital forgery”, “identifiable individual”, “intimate visual depiction”, and “minor” have the meaning given such terms in section 223(h) of the Communications Act of 1934 (47 U.S.C. 223), as added by section 2.

(3) COVERED PLATFORM.—

(A) IN GENERAL.—The term “covered platform” means a website, online service, online application, or mobile application—

(i) that serves the public; and

(ii)(I) that primarily provides a forum for user-generated content, including messages, videos, images, games, and audio files; or

(II) for which it is in the regular course of trade or business of the website, online service, online application, or mobile application to publish, curate, host, or make available

content of nonconsensual intimate visual depictions.

(B) EXCLUSIONS.—The term “covered platform” shall not include the following:

(i) A provider of broadband internet access service (as described in section 8.1(b) of title 47, Code of Federal Regulations, or successor regulation).

(ii) Electronic mail.

(iii) Except as provided in subparagraph (A)(ii)(II), an online service, application, or website—

(I) that consists primarily of content that is not user generated but is preselected by the provider of such online service, application, or website; and

(II) for which any chat, comment, or interactive functionality is incidental to, directly related to, or dependent on the provision of the content described in subclause (I).

SEC. 5. SEVERABILITY.

If any provision of this Act, or an amendment made by this Act, is determined to be unenforceable or invalid, the remaining provisions of this Act and the amendments made by this Act shall not be affected.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have one request for committee to meet during today's session of the Senate. It has the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, December 3, 2024, at 2:30 p.m., to conduct a closed briefing.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the republican leader, pursuant to Public Law 117-263, and jointly with the Speaker of the House, announces the appointment of the following individual to serve as co-chairperson of the Commission on the Future of the Navy: Ms. Mackenzie Eaglen of Virginia.

COLORADO RIVER SALINITY CONTROL FIX ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be discharged from further consideration of S. 2514 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2514) to amend the Colorado River Basin Salinity Control Act to modify certain requirements applicable to salinity control units, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2514) was passed, as follows:

S. 2514

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Colorado River Salinity Control Fix Act”.

SEC. 2. SALINITY CONTROL UNITS.

Section 205 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1595) is amended—

(1) by striking the section designation and all that follows through “(a) The Secretary” and inserting the following:

“SEC. 205. SALINITY CONTROL UNITS; AUTHORITY AND FUNCTIONS OF THE SECRETARY OF THE INTERIOR.

“(a) ALLOCATION OF COSTS.—The Secretary”;

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

“(1) NONREIMBURSABLE COSTS; REIMBURSABLE COSTS.—

“(A) NONREIMBURSABLE COSTS.—

“(i) IN GENERAL.—In recognition of Federal responsibility for the Colorado River as an interstate stream and for international comity with Mexico, Federal ownership of the land of the Colorado River Basin from which most of the dissolved salts originate, and the policy established in the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and except as provided in clause (ii), the following shall be nonreimbursable:

“(I) 75 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(1), including 90 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(II) 75 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(2), including 100 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(III) 75 percent of the total costs of construction, operation, maintenance, and replacement of each unit or separable feature of a unit authorized by section 202(a)(3), including 75 percent of the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(IV) 70 percent of the total costs of construction, operation, maintenance, and replacement of each unit or separable feature of a unit authorized by paragraphs (4) and (6) of section 202(a), including 70 percent of the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(V) 70 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(5), including 100 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(VI) 85 percent of the total costs of implementation of the on-farm measures authorized by section 202(c), including 85 percent of the total costs of the associated measures to replace incidental fish and wildlife values foregone.

“(i) SPECIAL RULE FOR NONREIMBURSABLE COSTS FOR FISCAL YEARS 2024 AND 2025.—Notwithstanding clause (i), for each of fiscal years 2024 and 2025, the following shall be nonreimbursable:

“(I) 75 percent of all costs described in clause (i)(I).

“(II) 75 percent of all costs described in clause (i)(II).

“(III) 70 percent of all costs described in clause (i)(V).

“(IV) The percentages of all costs described in subclauses (III), (IV), and (VI) of clause (i).

“(B) REIMBURSABLE COSTS.—The total costs remaining after the allocations under clauses (i) and (ii) of subparagraph (A) shall be reimbursable as provided for in paragraphs (2), (3), (4), and (5).”;

(3) in subsection (b), by striking the subsection designation and all that follows through “Costs of construction” in paragraph (1) and inserting the following:

“(b) COSTS PAYABLE FROM LOWER COLORADO RIVER BASIN DEVELOPMENT FUND.—

“(1) IN GENERAL.—Costs of construction”;

(4) in subsection (c), by striking “(c) Costs of construction” and inserting the following:

“(c) COSTS PAYABLE FROM UPPER COLORADO RIVER BASIN FUND.—Costs of construction”;

and

(5) in subsection (e), by striking “(e) The Secretary is” and inserting the following:

“(e) UPWARD ADJUSTMENT OF RATES FOR ELECTRICAL ENERGY.—The Secretary is”.

Mr. SCHUMER. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

GRANT TRANSPARENCY ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 565, H.R. 5536.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5536) to require transparency in notices of funding opportunity, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 5536) was ordered to a third reading, was read the third time, and passed.

SHIRLEY CHISHOLM CONGRESSIONAL GOLD MEDAL ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 4243 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4243) to award posthumously the Congressional Gold Medal to Shirley Chisholm.

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

Mr. SCHUMER. I ask unanimous consent that the Butler amendment, which is at the desk, be considered and agreed to; and that the bill, as amended, be considered read a third time.

The amendment (No. 3308) was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate on the bill, as amended?

Hearing none, the bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (S. 4243), as amended, was passed, as follows:

S. 4243

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Shirley Chisholm Congressional Gold Medal Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In 1968, Shirley Chisholm became the first African-American woman elected to Congress where she served until 1982.

(2) Shirley Chisholm inspired and led the march of political achievement by African Americans and women in the 3 decades since she ran for the Presidency of the United States.

(3) Her election to Congress and her candidacy for the Presidency raised the profile and aspirations of all African Americans and women in the field of politics.

(4) Shirley Chisholm was recognized for her activism, independence, and groundbreaking achievements in politics during and after the civil rights era.

(5) Shirley Chisholm was born in Brooklyn, New York, on November 30, 1924, attended Brooklyn College, and earned a master's degree from Columbia University.

(6) Shirley Chisholm worked in education and social services before being elected to the New York State Assembly in 1964.

(7) Shirley Chisholm established the Unity Democratic Club in 1960, which played a significant role in rallying Black and Hispanic voters in New York City.

(8) In 1969, Shirley Chisholm began her service in the 91st Congress, representing New York's 12th Congressional District in the House of Representatives.

(9) During her service in the House of Representatives, Shirley Chisholm promoted the

employment of women in Congress and was vocal in her support of civil rights, women's rights, and the poor, while fervently opposing the Vietnam War.

(10) In 1972, Shirley Chisholm was the first African American to seek the nomination of a major party for President of the United States.

(11) A historic figure in American political history, Shirley Chisholm died at the age of 80 in Ormond Beach, Florida, on New Year's Day 2005.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration of Shirley Chisholm.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the “Secretary”) shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The design shall bear an image of, and an inscription of the name of, Shirley Chisholm.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—After the award of the gold medal referred to in subsection (a), the gold medal shall be given to the Smithsonian Institution, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) for display elsewhere, particularly at other locations and events associated with Shirley Chisholm.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION IMPROVEMENT ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 5355 and the Senate proceed to its immediate consideration.

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