TITLE I—UNSTACK THE JUSTICE SYSTEM

SEC. 101. FINDINGS.

(a) Findings.—Congress finds the following:

(1) The Preamble to the Constitution charges the people of the United States, acting through Congress, with the duty to establish justice, and a justice system that is inaccessible, unaccountable, or structurally biased fails to satisfy that constitutional mandate.

(2) Meaningful access to courts is essential to the enforcement of constitutional and statutory rights, yet procedural barriers, arbitration requirements, filing restrictions, and exhaustion doctrines frequently prevent claims from being heard and resolved on their merits.

(3) Advances in surveillance technology and the commercialization of personal data have enabled government actors to obtain sensitive information through indirect means, circumventing the warrant and probable cause requirements of the Fourth Amendment and eroding constitutional protections.

(4) Over the 5 decades of the war on drugs, the criminal legal system has disproportionately emphasized punishment as a component of justice and diminished its other pieces, including proportionality, rehabilitation, and accountability.

(5) The scale of incarceration in the United States—roughly 20% of the world's prison population compared to 4% of the global population—is the result of policy choices rather than uniquely high levels of criminality.

(6) The introduction of profit motives into incarceration and detention systems has distorted incentives, encouraging cost-cutting, exploitative pricing, and the monetization of human confinement in ways inconsistent with the purposes of justice and rehabilitation.

(7) Economic coercion within the justice system, including the use of cash bail, fines, fees, and exploitative commissary and communication practices, has resulted in liberty outcomes that depend more on wealth than culpability or public safety risk.

(8) Enforcement practices, sentencing policies, and collateral consequences have disproportionately burdened low-income communities, undermining equal protection under the law and weakening trust in the justice system.

(9) The Federal Government exerts substantial influence over State and local justice systems through funding, legal standards, and institutional doctrines, and with that influence comes a responsibility to lead by example in correcting systemic injustices.

(10) A justice system perceived as arbitrary, inaccessible, or driven by profit threatens democratic stability and the rule of law by eroding public trust in governmental institutions: a 2024 national survey of likely voters found that 94 percent believe the criminal justice system requires change, with 67 percent supporting either major reform or a complete overhaul.

(b) Purpose.—The purpose of this title is to—

(1) meaningfully strive toward our constitutional duty to establish justice;

(2) improve fairness, accountability, proportionality, and meaningful access to the courts; and

(3) unstack the justice system.

SEC. 102. DEFINITIONS.

(a) Definitions—In this title:

(1) Expunge.—The term "expunge" means, with respect to an arrest, a conviction, or a juvenile delinquency adjudication, the removal of the record of such arrest, conviction, or adjudication from each official index or public record.

(2) Judicial warrant.—The term "judicial warrant" means a warrant issued by a judge or magistrate judge of a court established under Article III of the Constitution of the United States or by a United States magistrate judge, based upon probable cause supported by oath or affirmation, and particularly describing the private dwelling to be entered and the person to be arrested, and does not include an administrative warrant, notice, order, or other process issued by the Department of Homeland Security, the Department of Justice, or any officer thereof.

(3) Private dwelling.—The term "private dwelling" means a residence or dwelling unit in which a person has a reasonable expectation of privacy.

(4) Under a criminal justice sentence.—The term "under a criminal justice sentence" means, with respect to an individual, that the individual is serving a term of probation, parole, supervised release, imprisonment, official detention, pre-release custody, or work release, pursuant to a sentence or disposition of juvenile delinquency imposed on or after the effective date of the Controlled Substances Act (May 1, 1971).

SEC. 103. JUDICIAL WARRANT REQUIREMENT FOR ENTRY.

(a) Prohibition.—It shall be unlawful for any officer or employee of the United States authorized to enforce the immigration laws to enter a private dwelling for the purpose of effecting an arrest or executing any civil immigration enforcement action unless such entry is authorized by a judicial warrant.

(b) Exigent circumstances.—An officer or employee described in subsection (a) may enter a private dwelling without a judicial warrant only if exigent circumstances exist, limited to—

(1) an imminent risk of death or serious bodily harm to any person; or

(2) hot pursuit of an individual who has committed a felony involving violence.

The burden of establishing exigent circumstances shall rest with the United States.

(c) Enforcement.—

(1) In general.—The Attorney General may bring a civil action for declaratory or injunctive relief to enforce this section.

(2) State enforcement.—The attorney general of a State may bring a civil action in an appropriate district court of the United States for declaratory or injunctive relief to enforce compliance with this section on behalf of the residents of that State.

SEC. 104. THE FOURTH AMENDMENT IS NOT FOR SALE.

(a) Records held by data brokers.—Section 2702 of title 18, United States Code, is amended by adding at the end the following:

"(e) Prohibition on obtaining in exchange for anything of value certain records and information by law enforcement and intelligence agencies.—

"(1) Definitions.—In this subsection—

"(A) the term 'covered customer or subscriber record' means a covered record that is—

"(i) disclosed to a third party by—

"(I) a provider of an electronic communication service to the public or a provider of a remote computing service of which the covered person with respect to the covered record is a subscriber or customer; or

"(II) an intermediary service provider that delivers, stores, or processes communications of such covered person;

"(ii) collected by a third party from an online account of a covered person; or

"(iii) collected by a third party from or about an electronic device of a covered person;

"(B) the term 'covered person' means—

"(i) a person who is located inside the United States; or

"(ii) a person—

"(I) who is located outside the United States or whose location cannot be determined; and

"(II) who is a United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

"(C) the term 'covered record'—

"(i) means a record or other information that—

"(I) pertains to a covered person; and

"(II) is—

"(aa) a record or other information described in the matter preceding paragraph (1) of subsection (c);

"(bb) the contents of a communication; or

"(cc) location information; and

"(ii) does not include a record or other information that—

"(I) has been voluntarily made available to the general public by a covered person on a social media platform or similar service;

"(II) is lawfully available to the public as a Federal, State, or local government record or through other widely distributed media;

"(III) is obtained by a law enforcement agency of a governmental entity or an element of the intelligence community for the purpose of conducting a background check of a covered person—

"(aa) with the written consent of such person;

"(bb) for access or use by such agency or element for the purpose of such background check; and

"(cc) that is destroyed after the date on which it is no longer needed for such background check; or

"(IV) is data generated by a public or private ALPR system;

"(D) the term 'electronic device' has the meaning given the term 'computer' in section 1030(e);

"(E) the term 'illegitimately obtained information' means a covered record th at—

"(i) was obtained—

"(I) from a provider of an electronic communication service to the public or a provider of a remote computing service in a manner that—

"(aa) violates the service agreement between the provider and customers or subscribers of the provider; or

"(bb) is inconsistent with the privacy policy of the provider;

"(II) by deceiving the covered person whose covered record was obtained; or

"(III) through the unauthorized accessing of an electronic device or online account; or

"(ii) was—

"(I) obtained from a provider of an electronic communication service to the public, a provider of a remote computing service, or an intermediary service provider; and

"(II) collected, processed, or shared in violation of a contract relating to the covered record;

"(F) the term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

"(G) the term 'location information' means information derived or otherwise calculated from the transmission or reception of a radio signal that reveals the approximate or actual geographic location of a customer, subscriber, or device;

"(H) the term 'obtain in exchange for anything of value' means to obtain by purchasing, to receive in connection with services being provided for consideration, or to otherwise obtain in exchange for consideration, including an access fee, service fee, maintenance fee, or licensing fee;

"(I) the term 'online account' means an online account with an electronic communication service to the public or remote computing service;

"(J) the term 'pertain', with respect to a person, means—

"(i) information that is linked to the identity of a person; or

"(ii) information—

"(I) that has been anonymized to remove links to the identity of a person; and

"(II) that, if combined with other information, could be used to identify a person;

"(K) the term 'third party' means a person who—

"(i) is not a governmental entity; and

"(ii) in connection with the collection, disclosure, obtaining, processing, or sharing of the covered record at issue, was not acting as—

"(I) a provider of an electronic communication service to the public; or

"(II) a provider of a remote computing service; and

"(L) the term 'automated license plate recognition system' or 'ALPR system' means a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of license plates into computer-readable data.

"(2) Limitation.—

"(A) In general.—A law enforcement agency of a governmental entity and an element of the intelligence community may not obtain from a third party in exchange for anything of value a covered customer or subscriber record or any illegitimately obtained information.

"(B) Indirectly acquired records and information.—The limitation under subparagraph (A) shall apply without regard to whether the third party possessing the covered customer or subscriber record or illegitimately obtained information is the third party that initially obtained or collected, or is the third party that initially received the disclosure of, the covered customer or subscriber record or illegitimately obtained information.

"(3) Limit on sharing between agencies.—An agency of a governmental entity that is not a law enforcement agency or an element of the intelligence community may not provide to a law enforcement agency of a governmental entity or an element of the intelligence community a covered customer or subscriber record or illegitimately obtained information that was obtained from a third party in exchange for anything of value.

"(4) Prohibition on use as evidence.—A covered customer or subscriber record or illegitimately obtained information obtained by or provided to a law enforcement agency of a governmental entity or an element of the intelligence community in violation of paragraph (2) or (3), and any evidence derived therefrom, may not be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.

"(5) Minimization procedures.—

"(A) In general.—The Attorney General shall adopt specific procedures that are reasonably designed to minimize the acquisition and retention, and prohibit the dissemination, of information pertaining to a covered person that is acquired in violation of paragraph (2) or (3).

"(B) Use by agencies.—If a law enforcement agency of a governmental entity or element of the intelligence community acquires information pertaining to a covered person in violation of paragraph (2) or (3), the law enforcement agency of a governmental entity or element of the intelligence community shall minimize the acquisition and retention, and prohibit the dissemination, of the information in accordance with the procedures adopted under subparagraph (A).".

(b) Required disclosure.—Section 2703 of title 18, United States Code, is amended by adding at the end the following:

"(i) Covered customer or subscriber records and illegitimately obtained information.—

"(1) Definitions.—In this subsection, the terms 'covered customer or subscriber record', 'illegitimately obtained information', and 'third party' have the meanings given such terms in section 2702(e).

"(2) Limitation.—Unless a governmental entity obtains an order in accordance with paragraph (3), the governmental entity may not require a third party to disclose a covered customer or subscriber record or any illegitimately obtained information if a court order would be required for the governmental entity to require a provider of remote computing service or a provider of electronic communication service to the public to disclose such a covered customer or subscriber record or illegitimately obtained information that is a record of a customer or subscriber of the provider.

"(3) Orders.—

"(A) In general.—A court may only issue an order requiring a third party to disclose a covered customer or subscriber record or any illegitimately obtained information on the same basis and subject to the same limitations as would apply to a court order to require disclosure by a provider of remote computing service or a provider of electronic communication service to the public of a record of a customer or subscriber of the provider.

"(B) Standard.—For purposes of subparagraph (A), a court shall apply the most stringent standard under Federal statute or the Constitution of the United States that would be applicable to a request for a court order to require a comparable disclosure by a provider of remote computing service or a provider of electronic communication service to the public of a record of a customer or subscriber of the provider.".

(c) Intermediary service providers.—

(1) Definition.—Section 2711 of title 18, United States Code, is amended—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(5) the term 'intermediary service provider' means an entity or facilities owner or operator that directly or indirectly delivers, stores, or processes communications for or on behalf of a provider of electronic communication service to the public or a provider of remote computing service.".

(2) Prohibition.—Section 2702(a) of title 18, United States Code, is amended—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) an intermediary service provider shall not knowingly divulge—

“(A) to any person or entity the contents of a communication while in electronic storage by that provider; or

“(B) to any governmental entity a record or other information pertaining to a subscriber to or customer of, a recipient of a communication from a subscriber to or customer of, or the sender of a communication to a subscriber to or customer of, the provider of electronic communication service to the public or the provider of remote computing service for, or on behalf of, which the intermediary service provider directly or indirectly delivers, transmits, stores, or processes communications.”.

(d) Limits on surveillance conducted for foreign intelligence purposes other than under the Foreign Intelligence Surveillance Act of 1978.—

(1) In general.—Section 2511(2)(f) of title 18, United States Code, is amended to read as follows:

“(f) (i) (A) Nothing contained in this chapter, chapter 121 or 206 of this title, or section 705 of the Communications Act of 1934 (47 U.S.C. 151 et seq.) shall be deemed to affect an acquisition or activity described in clause (B) that is carried out utilizing a means other than electronic surveillance, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

“(B) An acquisition or activity described in this clause is—

“(I) an acquisition by the United States Government of foreign intelligence information from international or foreign communications that—

“(aa) is acquired pursuant to express statutory authority; or

“(bb) only includes information of persons who are not United States persons and are located outside the United States; or

“(II) a foreign intelligence activity involving a foreign electronic communications system that—

“(aa) is conducted pursuant to express statutory authority; or

"(bb) only involves the acquisition by the United States Government of information of persons who are not United States persons and are located outside the United States.

"(ii) The procedures in this chapter, chapter 121, and the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic surveillance, as defined in section 101 of such Act, and the interception of domestic wire, oral, and electronic communications may be conducted.".

(2) Exclusive means related to communications records.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic communications transactions records, call detail records, or other information from communications of United States persons or persons inside the United States are acquired for foreign intelligence purposes inside the United States or from a person or entity located in the United States that provides telecommunications, electronic communication, or remote computing services.

(3) Exclusive means related to location information, web browsing history, and internet search history.—

(A) Definition.—In this paragraph, the term "location information" has the meaning given that term in subsection (e) of section 2702 of title 18, United States Code, as added by subsection (a).

(B) Exclusive means.—Title I and sections 303, 304, 702, 703, 704, and 705 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq., 1823, 1824, 1881a, 1881b, 1881c, 1881d) shall be the exclusive means by which location information, web browsing history, and internet search history of United States persons or persons inside the United States are acquired for foreign intelligence purposes inside the United States or from a person or entity located in the United States.

(4) Exclusive means related to Fourth Amendment-protected information.—Title I and sections 303, 304, 702, 703, 704, and 705 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq., 1823, 1824, 1881a, 1881b, 1881c, 1881d) shall be the exclusive means by which any information, records, data, or tangible things are acquired for foreign intelligence purposes from a person or entity located in the United States if the compelled production of such information, records, data, or tangible things would require a warrant for law enforcement purposes.

(5) Definition.—In this subsection, the term "United States person" has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(e) Limit on civil immunity for providing information, facilities, or technical assistance to the Government absent a court order.—Section 2511(2)(a) of title 18, United States Code, is amended—

(1) in subparagraph (ii), by striking clause (B) and inserting the following:

"(B) a certification in writing—

"(I) by a person specified in section 2518(7) or the Attorney General of the United States;

"(II) that the requirements for an emergency authorization to intercept a wire, oral, or electronic communication under section 2518(7) have been met; and

"(III) that the specified assistance is required,"; and

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

"(iii) For assistance provided pursuant to a certification under subparagraph (ii)(B), the limitation on causes of action under the last sentence of the matter following subparagraph (ii)(B) shall only apply to the extent that the assistance ceased at the earliest of the time the application for a court order was denied, the time the communication sought was obtained, or 48 hours after the interception began.".

SEC. 105. ELIGIBILITY FOR BYRNE GRANT PROGRAM.

(a) Requirements for Byrne grant eligibility.— Beginning in the 2028 fiscal year, except as permitted by (b), a State or unit of local government (other than an Indian Tribe) may not receive funds under the Byrne grant program for that fiscal year unless, on the day before the first day of the fiscal year, the State or unit of local government—

(1) has submitted the required records to the National Police Misconduct Registry established under section 189;

(2) has submitted to the Attorney General evidence that the State or unit of local government has a certification and decertification program for purposes of employment as a law enforcement officer in that State or unit of local government which is consistent with the rules made under section 188;

(3) (A) has submitted to the Attorney General the percentage of people released after a sentence of more than 1 year who had valid photo identification during the 12 months ending June 30 of that year; and

(B) achieved a percentage above the threshold for the upcoming fiscal year:

(i) for fiscal year 2028, 25%;

(ii) for fiscal year 2029, 80%;

(iii) for fiscal year 2030 and beyond, 97%; and

(4) (A) has submitted to the Attorney General the percentage of criminal cases where payment of money was a condition of pretrial release during the 12 months ending June 30 of that year; and

(B) achieved a percentage below the threshold for the upcoming fiscal year:

(i) for fiscal year 2028, 75%;

(ii) for fiscal year 2029, 50%;

(iii) for fiscal year 2030, 25%;

(iv) for fiscal year 2031 and beyond, 10%.

(5) has implemented, for all courts of record of a State or unit of local government within a State, a system under which—

(A) each precedential judicial opinion and order is assigned a neutral citation (as such term is defined in section 144 of the POPULIST Act); and

(B) such neutral citation is sufficient by itself for citation in all courts of the State or unit of local government and is not required to be accompanied by a proprietary reporter citation.

(b) Partial eligibility.—A State or unit of local government who is ineligible for the Byrne grant program solely as a result of not fully meeting the eligibility criteria in subsection (a) may receive a partial grant. Notwithstanding the provisions of section 10156 of title 34, United States Code, any grant authorized by this subsection shall not exceed a percentage of the amount of the Byrne grant in the previous fiscal year, calculated as the sum of the following—

(1) for compliance with (a)(1), 20%;

(2) for compliance with (a)(2), 25%;

(3) for compliance with (a)(3), 20%;

(4) for compliance with (a)(4), 20%;

(5) for compliance with (a)(5)(A), 10%; and

(6) for compliance with (a)(5)(B), 15%.

Subtitle A—Restricting Prison Profiteering

SEC. 111. DEFINITIONS.

In this subtitle:

(1) Carceral data.—The term “carceral data” means any data, record, content, communication, metadata, biometric identifier, location information, transaction information, or other information that is generated, collected, inferred, derived, or obtained in connection with the incarceration, detention, supervision, or confinement of an incarcerated individual.

(2) Commission, kickback, or revenue-sharing.—The term “commission, kickback, or revenue-sharing” means any payment, rebate, percentage, fee, credit, discount, in-kind benefit, or other thing of value that is calculated based on usage, volume, or revenue and provided to or for the benefit of a covered carceral agency.

(3) Commercial purpose.—The term “commercial purpose” means any purpose of advertising, marketing, profiling, behavioral targeting, sale, licensing, monetization, or product development.

(4) Commissary system.—The term “commissary system” means any system, program, or arrangement for the sale of goods to covered persons or to family members or other persons acting on behalf of covered persons for use by covered persons in a jail, prison, detention center, or other custodial facility.

(5) Cost of the good.—The term “cost of the good” means the documented price paid to acquire a commissary good, including reasonable and verifiable expenses directly attributable to procurement, transportation, storage, and handling.

(6) Covered carceral agency.—The term “covered carceral agency” means any Federal, State, or local agency, authority, or instrumentality that operates, manages, or contracts for the operation of a jail, prison, detention center, or other facility used for the confinement of individuals.

(7) Covered carceral contract.—The term “covered carceral contract” means any contract or agreement for the provision of goods or services to a covered carceral agency.

(8) Covered person.—The term “covered person” means any individual in the care or custody of a Federal, State, or local governmental authority in a custodial facility.

(9) Debit card.—The term “debit card” means any prepaid card, stored-value card, or similar payment instrument issued for the purpose of providing access to funds upon release from custody, whether issued directly by a correctional authority or through a contractor, financial institution, or program manager.

(10) Digital content.—The term “digital content” means any electronically stored media, message, image, audio, video, document, or other digital file purchased or accessed through a custodial facility system or service.

(11) Electronic messaging system.—The term “electronic messaging system” means any digital platform or service that enables written communication between a covered person and another individual through electronic transmission.

(12) Fee.—The term “fee” means any charge, cost, penalty, or assessment, whether imposed directly or indirectly, including charges for account maintenance, balance inquiries, purchases, inactivity, customer service, account closure, replacement cards, or access to funds.

(13) Incarcerated individual.—The term “incarcerated individual” means any person confined in a jail, prison, detention center, or other facility used for the confinement of individuals, including any person detained for a civil, administrative, or immigration purpose.

(14) Interstate commerce.—The term “interstate commerce” has the meaning given the term "commerce" in section 4 of the Federal Trade Commission Act (15 U.S.C. 44).

(15) Medical care.—The term “medical care” means the evaluation, diagnosis, treatment, prevention, or management of health issues, including physical, dental, vision, mental health, or substance use disorders. Medical care includes prescription medications, medical devices, assistive services, and any other health care service determined by a licensed health care professional to be medically necessary.

SEC. 112. PRISON CONTRACT PROHIBITIONS.

(a) Prohibition on exploitative contracts.—

(1) In general.—It shall be unlawful for a covered carceral contract to include any commission, kickback, or revenue-sharing.

(2) Enforceability.—No provision of a covered carceral contract shall be enforceable to the extent it would violate the provisions of this section.

(b) Disclosure required.—

(1) In general.—Any person engaged in interstate commerce that enters into, renews, or materially amends a covered carceral contract shall publicly disclose the details not less than 30 days after execution, renewal, or amendment of the covered carceral contract.

(2) Required disclosures.—The disclosure shall include, at a minimum:

(A) The identity of all contracting parties, including any parent company, subsidiary, or affiliate.

(B) The term of the contract, including the initial term and any renewal or extension provisions.

(C) The scope of goods or services provided.

(D) All pricing terms, including rates, fees, per-unit charges, and any usage-based or volume-based pricing.

(E) Any commissions, site fees, administrative fees, or other payments or credits provided to, or for the benefit of, a covered carceral agency.

(F) Any amendments, side letters, schedules, or incorporated documents that modify pricing, compensation, or duration.

(3) Manner of disclosure.—

(A) Public posting.—Each disclosure required under this section shall be made publicly available, without restriction, on an internet website maintained by the person required to make the disclosure.

(B) Filing with Commission.—Each disclosure required under this section shall also be filed with the Federal Trade Commission in such form and manner as the Commission may prescribe.

(c) Prohibition on confidentiality claims.—No assertion of trade secret, confidentiality, or proprietary interest, shall be valid if it would violate the provisions of this section.

(d) Enforcement.—A violation of this section shall be treated as—

(1) a violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this section; and

(2) cause for debarment under applicable Federal debarment and suspension authorities for a period of not less than one year.

(e) No preemption.—Nothing in this section shall be construed to preempt any State law that provides equal or greater protection against carceral profiteering.

(f) Effective date.—This section shall be effective January 1, 2027.

SEC. 113. PROHIBITION ON COMMERCIAL USE AND TRANSFER OF CARCERAL DATA.

(a) Prohibition.—It shall be unlawful for any person engaged in interstate commerce, or any officer, employee, or agent thereof, to collect, use, or sell carceral data for a commercial purpose except as expressly permitted under subsection (b).

(b) Permitted uses.—Subsection (a) shall not prohibit the collection, use, retention, or disclosure of carceral data solely to the extent necessary to carry out—

(1) the safe, secure, and lawful operation of a covered carceral agency;

(2) the provision of healthcare, nutrition, or other basic services required to be provided to an incarcerated individual;

(3) compliance with Federal or State law, a court order, or a lawful subpoena;

(4) communications with counsel, courts, consular officials, oversight bodies, or other persons as required by law; or

(5) access by an incarcerated individual to such individual's own carceral data, including the correction of inaccuracies, subject to reasonable identity verification.

(c) Prohibited secondary use; no circumvention.—It shall be unlawful to evade subsection (a) by characterizing carceral data, or any portion thereof, as anonymized data, aggregated data, derived data, inferred data, analytics, insights, scores, models, training data, or any substantially similar designation if such data is collected, used, or sold for a commercial purpose.

(d) Retention and destruction of carceral data.—

(1) Retention limitation.—Except as expressly required by Federal or State law, court order, or an active litigation hold, no person subject to this section may retain carceral data for longer than is reasonably necessary to carry out a permitted use under subsection (b).

(2) Destruction requirement.—Carceral data that is no longer necessary for a permitted use under subsection (b) shall not be retained, but permanently destroyed in a timely manner.

(3) Vendor obligations upon contract termination.—Upon the termination or expiration of any contract involving access to carceral data, the vendor shall—

(A) return such data to the covered carceral agency, if requested; and

(B) permanently destroy all copies of such data not required to be retained under paragraph (1).

(4) Certification.—The Commission may require any person subject to this section to certify compliance with this subsection in such form and manner as the Commission determines appropriate.

(e) Enforcement.—

(1) In general.—A violation of this section shall be treated as an unfair, deceptive, or abusive act or practice under section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)).

(2) Authority.—The Federal Trade 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 were incorporated into and made a part of this section.

(f) No preemption.—Nothing in this section shall be construed to preempt any State law that provides equal or greater protection.

(g) Rule of construction.—For purposes of this section, the commercial use, transfer, disclosure, or monetization of carceral data shall be presumed to take unreasonable advantage

of the inability of incarcerated individuals to protect their interests in selecting, accessing, or using a good, service, platform, or market.

(h) Effective date.—This section shall be effective January 1, 2027.

SEC. 114. MEDICAL CARE AND NECESSITIES FOR INCARCERATED PEOPLE.

(a) Prohibition on medical fees.—It shall be unlawful for any covered carceral agency to impose, collect, or cause to be imposed or collected any co-payment, fee, charge, or cost for medical care provided to an incarcerated individual.

(b) Free access to prescribed medications.—It shall be unlawful for any covered carceral agency to impose, collect, or cause to be imposed or collected any fee, charge, or cost for any medication prescribed by a licensed health care professional for an incarcerated individual.

(c) Hygiene and sanitary products.—Each covered carceral agency shall provide incarcerated individuals with basic hygiene products at no cost, including soap, toothpaste, toothbrushes, toilet paper, and menstrual products, in sufficient quantity to meet health and dignity needs.

(d) Conditions on Federal detention reimbursements.—As a condition of receiving any Federal payment, reimbursement, or per diem for the detention, incarceration, or housing of individuals pursuant to a Federal contract, agreement, or program, a State or local government shall certify compliance with subsections (a) through (c).

(e) Prohibition on vendor facilitation.—It shall be unlawful for any person engaged in interstate commerce to collect or facilitate any fee or cost prohibited under this section, whether directly or indirectly, and regardless of any contract, policy, or administrative practice.

(f) Enforcement.—A violation of subsection (e) shall be treated as—

(1) a violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this section; and

(2) cause for debarment under applicable Federal debarment and suspension authorities for a period of not less than one year.

(g) Effective date.—This section shall take effect on January 1, 2027.

SEC. 115. UNFAIR PRICING IN CARCERAL COMMISSARY SYSTEMS.

(a) Unfair pricing practice.—It shall be an unfair, deceptive, or abusive act or practice to sell or offer to sell any good through a commissary system at a price that exceeds 125 percent of the wholesale cost of the good.

(b) Enforcement.—A violation of this section shall be treated as—

(1) a violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this section; and

(2) cause for debarment under applicable Federal debarment and suspension authorities for a period of not less than one year.

(c) Rule of construction.—Nothing in this section shall be construed to preempt State or local laws that impose stricter limitations on commissary pricing.

(d) Effective date.—This section shall take effect 30 days after enactment of this Act.

SEC. 116. FAIR ELECTRONIC MESSAGING STANDARDS IN CUSTODIAL FACILITIES.

(a) In general.—Each Federal, State, and local custodial authority, and any person acting under contract or agreement with such authority, shall ensure that any electronic messaging system made available to covered persons functions in a manner comparable to ordinary consumer email services, subject only to limitations that are narrowly tailored and necessary to address legitimate security or safety needs.

(b) Prohibited practices.—It shall be unlawful to operate or provide an electronic messaging system for covered persons that—

(1) imposes pricing based on the number of words, characters, or length of a message;

(2) restricts the ability to send or receive attachments, except as necessary for security review or content filtering;

(3) conditions access to basic messaging functions on the purchase of bundled credits or plans that obscure per-message pricing;

(4) modifies pricing, access terms, or functional limitations without clear advance notice to users; or

(5) deletes or restricts access to messages or attachments in a manner inconsistent with disclosed retention policies.

(c) Enforcement.—The Federal Communications Commission shall enforce this section under the Communications Act of 1934, using the same authority, procedures, and remedies applicable to communications services provided to incarcerated persons, including authority to promulgate regulations, conduct investigations, and impose penalties.

(d) Effective date.—This section shall be effective January 1, 2027.

SEC. 117. DIGITAL PROPERTY PROTECTIONS FOR COVERED PERSONS.

(a) Ownership of digital content.—Any digital content purchased or lawfully acquired by a covered person through a custodial facility system or service shall be deemed the property of

the covered person, subject to reasonable limitations related to security, storage capacity, and lawful content restrictions.

(b) Continuity of access.—A custodial authority or service provider may not terminate, revoke, or unreasonably restrict access to a covered person's purchased digital content due to—

(1) transfer between facilities;

(2) change in service provider or vendor;

(3) reentry or release from custody; or

(4) expiration or termination of a contract with a custodial authority.

(c) Access after release.—Covered persons shall be afforded a reasonable opportunity to retain or access purchased digital content following release from custody, including through download, transfer, or continued account access, subject to reasonable technical and security limitations.

(d) Prohibited practices.—It shall be unlawful to condition continued access to purchased digital content on the payment of new or additional fees unrelated to reasonable storage or transfer costs.

(e) Enforcement.—A violation of this section shall constitute an unlawful deprivation of property under color of law, and shall be enforceable exclusively by the Attorney General through civil action for declaratory and injunctive relief.

(f) Effective date.—This section shall be effective January 1, 2027.

SEC. 118. CAPPING PREDATORY PRISON COMMUNICATION RATES.

(a) Incorporation of specified regulations.—The provisions of the final rule promulgated by the Federal Communications Commission, entitled "Incarcerated People's Communication Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services", as published in the Federal Register on September 20, 2024 (89 FR 77244), are incorporated into this Act and shall be treated as though such provisions are set forth in this section.

(b) Effect of incorporation.—The rule incorporated under subsection (a) shall establish maximum lawful rates, fees, and charges, and no officer or employee of the Federal Communications Commission may approve any rate, fee, or charge that is higher or less protective than the incorporated rates and regulations.

(c) Rule of construction.—Nothing in this section shall be construed to limit the authority of the Federal Communications Commission to impose lower rates or fees, or adopt or enforce regulations that provide greater protection to incarcerated people and their families.

(d) Effective date.—This section shall be effective 30 days after the enactment of this Act.

SEC. 119. ELIMINATION OF FEES ON DEBIT RELEASE CARDS.

(a) Unfair, deceptive, or abusive act or practice.—

(1) In general.—It shall be a rebuttable presumption that the issuance of a debit card to a person upon release from custody that imposes a fee constitutes an unfair, deceptive, or abusive act or practice under section 1031 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5531).

(2) Rulemaking.—Not later than 18 months after the date of enactment of this Act, the Consumer Financial Protection Bureau shall promulgate rules to eliminate fees associated with debit cards issued in connection with release from custody, including rules establishing standards for fee-free methods, permissible non-card alternatives, and protections against coercive or deceptive practices.

(b) Bureau of Prisons obligations.—

(1) In general.—The Bureau of Prisons shall ensure that no fees are associated with any debit card issued to a person released from custody.

(2) Voluntary alternatives.—The Bureau of Prisons shall make available at least one non-card alternative.

(c) Effective date.—This section shall be effective January 1, 2027.

Subtitle B—Jubilee Reform

SEC. 121. FINDINGS AND PURPOSE.

(a) Findings.—Congress finds the following:

(1) The concept of a jubilee, drawn from the biblical tradition, recognized that societies accumulate not only financial obligations but also moral debts that must regularly be forgiven. Such jubilees, said to occur every 50 years, proclaimed liberty throughout the land, included the release of those held in enslavement or incarceration.

(2) As the United States marks its 250th birthday, a national jubilee is an opportunity to confront moral failures such as our system of mass incarceration, which has inflicted lasting harm on individuals, families, and communities and stands as a moral stain on the soul of the United States of America.

(3) Federal sentencing policy adopted over the last 4 decades, including mandatory minimum penalties and rigid sentencing frameworks, has produced excessive and disproportionate terms of imprisonment, shifted power away from judges toward inflexible statutory rules, and undermined the constitutional goal of individualized justice.

(4) Extended incarceration yields sharply diminishing public safety returns after substantial time served, while imposing escalating human, fiscal, and institutional costs,

including the maintenance of a large aging prison population that poses little risk to public safety and requires increasingly expensive medical and custodial care.

(5) The abolition of federal parole eliminated individualized and ongoing review of incarceration decisions, replacing it with fixed sentencing assumptions made at a single point in time, regardless of later maturation, rehabilitation, changed circumstances, or demonstrated readiness for reintegration.

(6) Parole and second-look mechanisms conditioned on conduct, rehabilitation, and public safety promote accountability rather than leniency, reinforce respect for the law, and better align punishment with the constitutional purposes of sentencing than irreversible and inflexible incarceration schemes. Retroactive application is necessary to restore equal treatment under law.

(7) The continued operation of the Guantanamo Bay military prison, including the prolonged detention of individuals without charge or trial, represents a continuing failure of justice that departs from constitutional principles, due process, and the rule of law, and has caused lasting damage to the moral authority of the United States at home and abroad.

(8) Congress has the authority and the responsibility to correct systemic injustices it has created, including unjust sentencing regimes and unlawful detention practices, and to restore liberty in a manner consistent with public safety, constitutional values, and human dignity.

(b) Purpose.—The purposes of this subtitle are—

(1) to mark a jubilee in the United States' 250th year through forgiveness of excessive punishment, restoration of liberty, and renewal of justice; and

(2) to reform federal sentencing and incarceration policy in a manner that recognizes the inherent human capacity for growth, rehabilitation, and self-improvement, while protecting public safety and upholding the Constitution.

SEC. 122. REPEAL OF MANDATORY MINIMUMS.

(a) Section 192 of title 2, United States Code, is amended to read as follows[1]—

Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than

[1] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

$100 and imprisonment in a common jail for not ~~less than one month nor~~ more than twelve months.

(b) Section 390 of title 2, United States Code, is amended to read as follows—

Every person who, having been ~~subpenaed~~ subpoenaed *as a witness under this chapter to give testimony or to produce documents, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the contested election case, shall be deemed guilty of a misdemeanor punishable by fine of not more than $1,000 nor less than $100 or imprisonment for not ~~less than one month nor~~ more than twelve months, or both.*

(c) Section 13a of title 7, United States Code, is amended in the second sentence in the matter after "such registered entity, director, officer, agent, or employee shall be guilty of a misdemeanor" by—

(1) striking “imprisoned for not less than six months nor more than one year”; and

(2) inserting “imprisoned for not more than 1 year”.

(d) Section 15b(k) of title 7, United States Code, is amended to read as follows—

(k) Violations

Any person who knowingly violates any regulation made in pursuance of this section, shall, upon conviction thereof, be fined not less than $100 nor more than $500, for each violation thereof, in the discretion of the court, and, in case of natural persons, may, in addition be punished by imprisonment for not ~~less than 30 days nor~~ more than 90 days, for each violation, in the discretion of the court except that this subsection shall not apply to violations subject to subsection (d)(3).

(e) Section 195(3) of title 7, United States Code, is amended to read as follows[2]—

(3) After such order, or such order as modified, has been sustained by the courts as provided in section 194 of this title; shall on conviction be fined not less than $500 nor more than $10,000, or imprisoned for not ~~less than six months nor~~ more than five years, or both. Each day during which such failure continues shall be deemed a separate offense.

(f) Section 2024 of title 7, United States Code, is amended—

(1) In subsection (b)(1), in the matter following “upon the second and any subsequent conviction thereof”, by striking “shall be imprisoned for not less than six months nor more than five years” and inserting “shall be imprisoned for not more than 5 years”.

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[2] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(2) In subsection (c), in the matter following “upon the second and any subsequent conviction thereof”, by striking “shall be imprisoned for not less than one year nor more than five years” and inserting “shall be imprisoned for not more than 5 years”.

(g) Section 1324(a)(2)(B) of title 8, United States Code, is amended in the matter following clause (iii) as follows[3]—

be fined under title 18 and shall be imprisoned, in the case of a first or second violation of subparagraph (B)(iii), not more than 10 years, in the case of a first or second violation of subparagraph (B)(i) or (B)(ii), not ~~less than 3 nor~~ more than 10 years, and for any other violation, not ~~less than 5 nor~~ more than 15 years.

(h) Section 1326(b)(3) of title 8, United States Code, is amended to read as follows—

(3) *who has been excluded from the United States pursuant to section 1225(c) of this title because the alien was excludable under section 1182(a)(3)(B) of this title or who has been removed from the United States pursuant to the provisions of subchapter V, and who thereafter, without the permission of the Attorney General, enters the United States, or attempts to do so, shall be fined under title 18 and imprisoned for a period of* not more than *10 years, which sentence shall not run concurrently with any other sentence~~.~~; or*

(i) Section 617 of title 12, United States Code, is amended in the third sentence to read as follows—

It shall be unlawful for any director, officer, agent, or employee of any such corporation to use or to conspire to use the credit, the funds, or the power of the corporation to fix or control the price of any such commodities, and any such person violating this provision shall be liable to a fine of not less than $1,000 and not exceeding $5,000 or imprisonment not ~~less than one year and not~~ exceeding five years, or both, in the discretion of the court.

(j) Section 630 of title 12, United States Code, is amended after "every person who with like intent aids or abets any officer, director, clerk, employee, or agent of" to read as follows—

any corporation organized under this subchapter, or receiver or clerk or employee of such receiver as aforesaid in any violation of this subchapter, shall upon conviction thereof be imprisoned for not ~~less than two years nor~~ more than ten years, and may also be fined not more than $5,000, in the discretion of the court.

(k) Section 8 of title 15, United States Code, is amended in the second sentence to read as follows—

Every person who shall be engaged in the importation of goods or any commodity from any foreign country in violation of this section, or who shall combine or conspire with another to

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[3] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

violate the same, is guilty of a misdemeanor, and on conviction thereof in any court of the United States such person shall be fined in a sum not less than $100 and not exceeding $5,000, and shall be further punished by imprisonment, in the discretion of the court, for a term not ~~less than three months nor~~ *exceeding twelve months.*

(l) Section 1245(b) of title 15, United States Code, is amended to read as follows—

(b) Prohibition and penalties for possession or use during commission of Federal crime of violence

Whoever possesses or uses a ballistic knife in the commission of a Federal crime of violence shall be fined as provided in title 18, or imprisoned ~~not less than five years and~~ *not more than ten years, or both.*

(m) Section 33(b) of title 18, United States Code, is amended to read as follows[4]—

(b) Whoever is convicted of a violation of subsection (a) involving a motor vehicle that, at the time the violation occurred, carried high-level radioactive waste (as that term is defined in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12))) or spent nuclear fuel (as that term is defined in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23))), shall be fined under this title and ~~imprisoned for any term of years not less than 30, or for life~~ subject to imprisonment for any term of years or to life imprisonment.

(n) Section 225(a) of title 18, United States Code, is amended in the matter following paragraph (2) to read as follows—

shall be fined not more than $10,000,000 if an individual, or $20,000,000 if an organization, and imprisoned for ~~a term of not less than 10 years and~~ any term of years *which may be life.*

(o) Section 229A(a)(2) of title 18, United States Code, is amended to read as follows—

(2) Death penalty.—

Any person who violates section 229 of this title and by whose action the death of another person is the result shall be ~~punished by death or imprisoned for life~~ subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment.

(p) Section 844 of title 18, United States Code, is amended to read as follows:

(1) In subsection (f)—

(f) (1) Whoever maliciously damages or destroys, or attempts to damage or destroy, by means of fire or an explosive, any building, vehicle, or other personal or real property in whole or in part owned or possessed by, or leased to, the United States, or any department

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[4] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

or agency thereof, or any institution or organization receiving Federal financial assistance, shall be imprisoned for ~~not less than 5 years and~~ not more than 20 years, fined under this title, or both.

(2) Whoever engages in conduct prohibited by this subsection, and as a result of such conduct, directly or proximately causes personal injury or creates a substantial risk of injury to any person, including any public safety officer performing duties, shall be imprisoned for ~~not less than 7 years and~~ not more than 40 years, fined under this title, or both.

(3) Whoever engages in conduct prohibited by this subsection, and as a result of such conduct directly or proximately causes the death of any person, including any public safety officer performing duties, ~~shall be subject to the death penalty, or imprisoned for not less than 20 years or for life~~ shall be subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment, *fined under this title, or both.*

(2) In subsections (h) and (i)—

(h) Whoever—

(1) uses fire or an explosive to commit any felony which may be prosecuted in a court of the United States, or

(2) carries an explosive during the commission of any felony which may be prosecuted in a court of the United States,

including a felony which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device ~~shall, in addition to the punishment provided for such felony,~~ may be sentenced to imprisonment for not more than 10 years. In the case of a second or subsequent conviction under this subsection, such person ~~shall~~ may be sentenced to imprisonment for not more than 20 years. ~~Notwithstanding any other provision of law, the court shall not place on probation or suspend the sentence of any person convicted of a violation of this subsection, nor shall the term of imprisonment imposed under this subsection run concurrently with any other term of imprisonment including that imposed for the felony in which the explosive was used or carried.~~

(i) Whoever maliciously damages or destroys, or attempts to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce or in any activity affecting interstate or foreign commerce shall be imprisoned for ~~not less than 5 years and~~ not more than 20 years, fined under this title, or both; and if personal injury results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this subsection, shall be imprisoned for ~~not less than 7 years and~~ not more than 40 years, fined under this title, or both; and if death results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this subsection, shall also be subject to imprisonment for any term of years, or to the death penalty or to life imprisonment.

(q) Section 924 of title 18, United States Code, is amended:

(1) In subsection (a) to read as follows—

(a) (1) Whoever, during and in relation to the commission of a crime of violence or drug trafficking crime (including a crime of violence or drug trafficking crime which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) for which they ~~he~~ *may be prosecuted in a court of the United States, uses or carries a firearm and is in possession of armor piercing ammunition capable of being fired in that firearm,* ~~shall,~~ may, *in addition to the punishment provided for the commission of such crime of violence or drug trafficking crime be sentenced to a term of imprisonment* ~~for not less than five years~~.

~~(2) For purposes of this subsection, the term "drug trafficking crime" means any felony punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46.~~

(2) By striking subsections (c) and (e).

(r) Subsection 1028A(a) of title 18, United States Code, is amended to read as follows—

(a) Offenses.—

(1) In general.—Whoever, during and in relation to any felony violation enumerated in subsection (c), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person ~~shall~~ may, *in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of* not more than *2 years.*

(2) Terrorism offense.—Whoever, during and in relation to any felony violation enumerated in section 2332b(g)(5)(B), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person or a false identification document ~~shall~~ may, *in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of* not more than *5 years.*

(s) Section 1111(b) of title 18, United States Code, is amended to read as follows[5]—

(b) Within the special maritime and territorial jurisdiction of the United States~~,~~:

(1) *Whoever is guilty of murder in the first degree shall be punished by death or by imprisonment* for any term of years or *for life*; and

(2) *Whoever is guilty of murder in the second degree, shall be imprisoned for any term of years or for life.*

(t) Subsection 1118(a) of title 18, United States Code, is amended to read as follows—

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[5] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(a) Offense.—A person who, while confined in a Federal correctional institution under a sentence for a term of life imprisonment, commits the murder of another shall be punished by death or by imprisonment for any term of years or by *life imprisonment.*

(u) Section 1122(c) of title 18, United States Code, is amended to read as follows—

(c) Penalty.—Any person convicted of violating the provisions of subsection (a) shall be subject to a fine under this title of not less than $10,000, imprisoned for not ~~less than 1 year nor~~ *more than 10 years, or both.*

(v) Section 1201 of title 18, United States Code, is amended—

(1) in the matter following subsection (a)(5) to read as follows—

shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or ~~*life imprisonment*~~ imprisoned for any term of years or for life.

(2) in the matter following subsection (g)(B)(i)(VII) to read as follows—

the sentence under this section for such offense shall include imprisonment for ~~not less than 20 years~~ any term of years.

(w) Subsection 1203(a) of title 18, United States Code, is amended to read as follows—

(a) Except as provided in subsection (b) of this section, whoever, whether inside or outside the United States, seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third person or a governmental organization to do or abstain from doing any act as an explicit or implicit condition for the release of the person detained, or attempts or conspires to do so, shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or imprisonment for any term of years or to *life imprisonment.*

(x) Section 1389(a)(3) of title 18, United States Code, is amended to read as follows—

(3) in the case of a battery, or an assault resulting in bodily injury, be fined under this title in an amount not less than $2500 and imprisoned not ~~less than 6 months nor~~ *more than 10 years.*

(y) Section 1651 of title 18, United States Code, is amended to read as follows[6]—

[6] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be ~~imprisoned for life~~ subject to imprisonment for any term of years or to life imprisonment.

(z) Section 1652 of title 18, United States Code, is amended to read as follows—

Whoever, being a citizen of the United States, commits any murder or robbery, or any act of hostility against the United States, or against any citizen thereof, on the high seas, under color of any commission from any foreign prince, or state, or on pretense of authority from any person, is a pirate, and shall be ~~imprisoned for life~~ subject to imprisonment for any term of years or to life imprisonment.

(aa) Section 1653 of title 18, United States Code, is amended to read as follows—

Whoever, being a citizen or subject of any foreign state, is found and taken on the sea making war upon the United States, or cruising against the vessels and property thereof, or of the citizens of the same, contrary to the provisions of any treaty existing between the United States and the state of which the offender is a citizen or subject, when by such treaty such acts are declared to be piracy, is a pirate, and shall be ~~*imprisoned for life*~~ subject to imprisonment for any term of years or to life imprisonment.

(bb) Section 1655 of title 18, United States Code, is amended to read as follows—

Whoever, being a seaman, lays violent hands upon his commander, to hinder and prevent his fighting in defense of his vessel or the goods intrusted to him, is a pirate, and shall be ~~imprisoned for life~~ subject to imprisonment for any term of years or to life imprisonment.

(cc) Section 1658(b) of title 18, United States Code, is amended to read as follows—

(b) Whoever willfully obstructs the escape of any person endeavoring to save his life from such vessel, or the wreck thereof; or Whoever holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel sailing upon the sea into danger or distress or shipwreck—

Shall be imprisoned ~~not less than ten years and may be imprisoned~~ for any term of years or *for life.*

(dd) Section 1661 of title 18, United States Code, is amended to read as follows[7]—

Whoever, being engaged in any piratical cruise or enterprise, or being of the crew of any piratical vessel, lands from such vessel and commits robbery on shore, is a pirate, and shall be subject to imprisonment for any term of years or *imprisoned for life.*

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[7] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(ee) Section 1917 of title 18, United States Code, is amended in the matter following paragraph (4) to read as follows—

shall, for each offense, be fined under this title not less than $100 or imprisoned not ~~less than ten days nor~~ *more than one year, or both.*

(ff) Section 1958(a) of title 18, United States Code, is amended to read as follows—

(a) Whoever travels in or causes another (including the intended victim) to travel in interstate or foreign commerce, or uses or causes another (including the intended victim) to use the mail or any facility of interstate or foreign commerce, with intent that a murder be committed in violation of the laws of any State or the United States as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value, or who conspires to do so, shall be fined under this title or imprisoned for not more than ten years, or both; and if personal injury results, shall be fined under this title or imprisoned for not more than twenty years, or both; and if death results, ~~shall~~ may *be punished by death or* ~~life imprisonment~~ imprisoned for any term of years or for life, *or shall be fined not more than $250,000, or both.*

(gg) Section 2113(e) of title 18, United States Code, is amended to read as follows[8]—

(e) Whoever, in committing any offense defined in this section, or in avoiding or attempting to avoid apprehension for the commission of such offense, or in freeing himself or attempting to free himself from arrest or confinement for such offense, kills any person, or forces any person to accompany him without the consent of such person, shall be ~~*imprisoned not*~~ ~~less than ten~~ subject to imprisonment for any term of *years, or if death results shall be punished by death or* ~~life~~ *imprisonment* for any term of years, which may be life.

(hh) Section 2241(c) of title 18, United States Code, is amended to read as follows—

(c) With Children.— Whoever crosses a State line with intent to engage in a sexual act with a person who has not attained the age of 12 years, or in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly engages in a sexual act with another person who has not attained the age of 12 years, or knowingly engages in a sexual act under the circumstances described in subsections (a) and (b) with another person who has attained the age of 12 years but has not attained the age of 16 years (and is at least 4 years younger than the person so engaging), or attempts to do so, shall be fined under this title and imprisoned for ~~not less than 30 years~~ any term of years *or for life.* ~~If the~~ A *defendant* who *has previously been convicted of another Federal offense under this subsection, or of a State offense that would have been an offense under either such provision had the offense occurred in a Federal*

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prison, ~~unless the death penalty is imposed, the defendant~~ *shall be sentenced to* imprisonment for any term of years, or to the death penalty, or to *life in prison.*

(ii) Section 2251(e) of title 18, United States Code, is amended to read as follows[9]—

(e) Any individual who violates, or attempts or conspires to violate, this section shall be fined under this title and imprisoned not ~~less than 15 years nor~~ *more than 30 years, but if such person has one prior conviction under this chapter, section 1591, chapter 71, chapter 109A, or chapter 117, or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, abusive sexual contact involving a minor or ward, or sex trafficking of children, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, such person shall be fined under this title and imprisoned for not* ~~less than 25 years nor~~ *more than 50 years, but if such person has 2 or more prior convictions under this chapter, section 1591, chapter 71, chapter 109A, or chapter 117, or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to the sexual exploitation of children, such person shall be fined under this title and* ~~imprisoned not less than 35 years nor more than life~~ subject to imprisonment for any term of years or to life imprisonment*. Any organization that violates, or attempts or conspires to violate, this section shall be fined under this title. Whoever, in the course of an offense under this section, engages in conduct that results in the death of a person,* ~~shall be punished by death or imprisoned for not less than 30 years or for life~~ subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment.

(jj) Section 2252(b) of title 18, United States Code, is amended in paragraphs (1) and (2) to read as follows—

(1) Whoever violates, or attempts or conspires to violate, paragraph (1), (2), or (3) of subsection (a) shall be fined under this title and imprisoned not ~~less than 5 years and not~~ *more than 20 years, but if such person has a prior conviction under this chapter, section 1591, chapter 71, chapter 109A, or chapter 117, or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, or sex trafficking of children, such person shall be fined under this title and imprisoned for* ~~not less than 15 years nor~~ *more than 40 years.*

(2) Whoever violates, or attempts or conspires to violate, paragraph (4) of subsection (a) shall be fined under this title or imprisoned not more than 10 years, or both, but if any visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not more than 20 years, or if such person has a prior conviction under this chapter, chapter 71, chapter 109A, or chapter 117, or under section 920 of title 10 (article 120 of the Uniform

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Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, such person shall be fined under this title and imprisoned for not ~~less than 10 years nor~~ more than 20 years.

(kk) Section 2252A of title 18, United States Code, is amended to read as follows[10]:

(1) In subsection (b)—

(1) Whoever violates, or attempts or conspires to violate, paragraph (1), (2), (3), (4), or (6) of subsection (a) shall be fined under this title and imprisoned not ~~less than 5 years and not~~ more than 20 years, but, if such person has a prior conviction under this chapter, section 1591, chapter 71, chapter 109A, or chapter 117, or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, or sex trafficking of children, such person shall be fined under this title and imprisoned for not ~~less than 15 years nor~~ more than 40 years.

(2) Whoever violates, or attempts or conspires to violate, subsection (a)(5) shall be fined under this title or imprisoned not more than 10 years, or both, but, if any image of child pornography involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not more than 20 years, or if such person has a prior conviction under this chapter, chapter 71, chapter 109A, or chapter 117, or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, such person shall be fined under this title and imprisoned for not ~~less than 10 years nor~~ more than 20 years.

(2) In subsection (g)(1)—

(1) Whoever engages in a child exploitation enterprise shall be fined under this title and imprisoned for any term of years ~~not less than 20~~ or for life.

(ll) Section 2257(i) of title 18, United States Code, is amended to read as follows—

(i) Whoever violates this section shall be imprisoned for not more than 5 years, and fined in accordance with the provisions of this title, or both. Whoever violates this section after having been convicted of a violation punishable under this section shall be imprisoned for ~~any period of~~

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[10] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

~~years~~ *not more than 10 years* ~~but not less than 2 years~~*, and fined in accordance with the provisions of this title, or both.*

(mm) Section 2260A of title 18, United State Code, is amended to read as follows—

Whoever, being required by Federal or other law to register as a sex offender, commits a felony offense involving a minor under section 1201, 1466A, 1470, 1591, 2241, 2242, 2243, 2244, 2245, 2251, 2251A, 2260, 2421, 2422, 2423, or 2425, ~~shall~~ may *be sentenced to a term of imprisonment of* not more than *10 years in addition to the imprisonment imposed for the offense under that provision. The sentence imposed under this section shall be consecutive to any sentence imposed for the offense under that provision.*

(nn) Section 2261(b)(6) of title 18, United States Code, is amended to read as follows—

(6) Whoever commits the crime of stalking in violation of a temporary or permanent civil or criminal injunction, restraining order, no-contact order, or other order described in section 2266 of title 18, United States Code, shall be punished by imprisonment for not ~~less than 1 year~~ more than 5 years*.*

(oo) Subsection 2422(b) of title 18, United States Code, is amended to read as follows—

(b) Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title and ~~imprisoned not less than 10~~ ***subject to imprisonment for any term of*** *years or for life.*

(qq) Section 2423(a) of title 18, United States Code, is amended to read as follows—

(a) Transportation With Intent To Engage in Criminal Sexual Activity.—

A person who knowingly transports an individual who has not attained the age of 18 years in interstate or foreign commerce, or in any commonwealth, territory or possession of the United States, with intent that the individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, shall be fined under this title and ~~imprisoned not less than 10~~ ***subject to imprisonment for any term of*** *years or for life.*

(rr) Section 3559 of title 18, United States Code, is amended to read as follows[11]—

(1) In subsection (c) as follows—

(c) ~~Imprisonment of Certain Violent Felons~~Repeat Offenders.—

[11] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(1) ~~Mandatory life imprisonment~~Penalty.—*Notwithstanding any other provision of law, a person who is convicted in a court of the United States of a serious violent felony shall be* ~~sentenced to life imprisonment~~ subject to imprisonment for any term of years or for life. *if—;*

(2) In subsection (d) as follows—

(d) ~~Death or Imprisonment~~*Penalties for Crimes Against Children.—*

(1) In general.—~~Subject to paragraph (2) and notwithstanding any other provision of law,~~ ~~a~~ A *person who is convicted of a Federal offense that is a serious violent felony (as defined in subsection (c)) or a violation of section 2422, 2423, or 2251 shall, unless the sentence of death is imposed, be* ~~sentenced to imprisonment for life~~ subject to imprisonment for any term of years or for life*, if—*

(A) the victim of the offense has not attained the age of 14 years;

(B) the victim dies as a result of the offense; and

(C) the defendant, in the course of the offense, engages in conduct described in section 3591(a)(2).

~~(2) Exception.—With respect to a person convicted of a Federal offense described in paragraph (1), the court may impose any lesser sentence that is authorized by law to take into account any substantial assistance provided by the defendant in the investigation or prosecution of another person who has committed an offense, in accordance with the Federal Sentencing Guidelines and the policy statements of the Federal Sentencing Commission pursuant to section 994(p) of title 28, or for other good cause.~~; and

(3) By repealing subsections (e)-(f).

(ss) Section 283 of title 19, United States Code, is amended after "such saloon keeper or other person so purchasing and owning" to read as follows[12]—

shall be liable to a penalty of not less than $100 and not more than $500, and shall be punishable by imprisonment for ~~not less than three months and~~ *not more than two years.*

(tt) Section 212 of title 21, United States Code, is amended in the first sentence to read as follows—

Any person, firm, or corporation, whose permanent allegiance is due to the United States, violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than $50 and not more than $100 or by imprisonment for ~~not less than one month and~~ *not more than sixty days, or by both*

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[12] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

such fine and imprisonment, in the discretion of the court, and if the offense be continuing in its character, each week or part of a week during which it continues shall constitute a separate and distinct offense.

(uu) Section 622 of title 21, United States Code, is amended after "who shall receive or accept from any person, firm, or corporation engaged in commerce any gift, money, or other thing of value, given with any purpose or intent whatsoever," to read as follows[13]—

shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than $1,000 nor more than $10,000 and by imprisonment not ~~less than one year nor~~ *more than three years.*

(vv) Section 848 of title 21, United States Code, is amended—

(1) in subsection (a) by:

(A) striking “shall be sentenced to a term of imprisonment which may not be less than 20 years and which may be up to life imprisonment”;

(B) inserting “shall be sentenced to a term of imprisonment which may be up to life”;

(C) striking "of him";

(D) striking "he shall be sentenced to a term of imprisonment which may not be less than 30 years and which may be up to life imprisonment”; and

(E) inserting "they shall be sentenced to a term of imprisonment which may be up to life";

(2) in subsection (c), by striking "he violates" and inserting "they violate";

(3) by striking subsection (d);

(4) in subsection (e)(1)(A), by:

(A) striking “shall be sentenced to any term of imprisonment, which shall not be less than 20 years, and which may be up to life imprisonment, or may be sentenced to death”; and

(B) inserting "shall be sentenced to any term of imprisonment, which may be up to life, or may be sentenced to death"; and

(5) in subsection (e)(1)(B), by:

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[13] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(A) striking “shall be sentenced to any term of imprisonment, which shall not be less than 20 years, and which may be up to life imprisonment, or may be sentenced to death”; and

(B) inserting "shall be sentenced to any term of imprisonment, which may be up to life, or may be sentenced to death".

(ww) Section 4221 of title 22, United States Code, is amended in the fourth sentence, after "if any person shall forge any such seal or signature, or shall tender in evidence any such document with a false or counterfeit seal or signature thereto, knowing the same to be false or counterfeit," to read as follows—

~~he~~ they *shall be deemed and taken to be guilty of a misdemeanor and on conviction shall be imprisoned not exceeding three years ~~nor less than one year~~, and fined, in a sum not to exceed $3,000, and may be charged, proceeded against, tried, convicted, and dealt with therefor in the district where ~~he~~ they may be arrested or in custody.*

(xx) Section 410 of title 33, United States Code is amended in the fourth sentence of the second paragraph, in the matter after "such rules and regulations when so prescribed and published as to any such stream or waterway shall have the force of law" by—

(1) striking "for not less than thirty days not more than one year"; and

(2) inserting "for not more than one year".

(yy) Section 411 of title 33, United States Code, is amended to read as follows[14]—

Every person and every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the provisions of sections 407, 408, 409, 414, and 415 of this title shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of up to $25,000 per day, or by imprisonment (in the case of a natural person) for not ~~less than thirty days nor~~ more than one year, or by both such fine and imprisonment, in the discretion of the court, one-half of said fine to be paid to the person or persons giving information which shall lead to conviction.

(zz) Section 447 of title 33, United States Code, is amended to read as follows—

Every person who, directly or indirectly, gives any sum of money or other bribe, present, or reward, or makes any offer of the same to any inspector, deputy inspector, or other employee of the office of any supervisor of a harbor with intent to influence such inspector, deputy inspector, or other employee to permit or overlook any violation of the provisions of this subchapter, shall, on conviction thereof, be fined not less than $500 nor more than $1,000, and be imprisoned not ~~less than six months nor~~ more than one year.

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[14] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(aaa) Section 2272(b) of title 42, United States Code, is amended to read as follows—

(b) Any person who violates, or attempts or conspires to violate, section 2122 of this title shall be fined not more than $2,000,000 and sentenced to a term of imprisonment ~~not less than 25 years~~ for any term of years *or to imprisonment for life. Any person who, in the course of a violation of section 2122 of this title, uses, attempts or conspires to use, or possesses and threatens to use, any atomic weapon shall be fined not more than $2,000,000 and imprisoned for* ~~not less than 30 years~~ for any term of years *or imprisoned for life. If the death of another results from a person's violation of section 2122 of this title, the person shall be fined not more than $2,000,000* ~~and punished by imprisonment for life~~ and subject to imprisonment for any term of years or to life imprisonment.

(bbb) Section 58109(a) of title 46, United States Code, is amended to read as follows—

(a) Individuals.—An individual convicted of violating section 58101(d), 58103, or 58105 of this title shall be fined under title 18, imprisoned for ~~at least one year but~~ *not more than 5 years, or both.*

(ccc) Section 13 of title 47, United States Code, is amended in the matter following "shall in every such case of refusal or failure be guilty of a misdemeanor" by—

(1) striking "may be imprisoned not less than six months"; and

(2) inserting "may be imprisoned not more than 1 year".

(ddd) Section 220(e) of title 47, United States Code, is amended to read as follows[15]—

(e) False entry; destruction; penalty

Any person who shall willfully make any false entry in the accounts of any book of accounts or in any record or memoranda kept by any such carrier, or who shall willfully destroy, mutilate, alter, or by any other means or device falsify any such account, record, or memoranda, or who shall willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of the carrier, shall be deemed guilty of a misdemeanor, and shall be subject, upon conviction, to a fine of not less than $1,000 nor more than $5,000 or imprisonment for a term of not ~~less than one year nor~~ *more than three years, or both such fine and imprisonment: Provided, That the Commission may in its discretion issue orders specifying such operating, accounting, or financial papers, records, books, blanks, or documents which may, after a reasonable time, be destroyed, and prescribing the length of time such books, papers, or documents shall be preserved.*

(eee) Section 46502 of title 49, United States Code, is amended:

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[15] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(1) In subsection (a)(2) to read as follows—

(a)(2) An individual committing or attempting or conspiring to commit aircraft piracy—

(A) shall be ~~imprisoned for at least 20 years~~ subject to imprisonment for any term of years*; or*

(B) notwithstanding section 3559(b) of title 18, if the death of another individual results from the commission or attempt, shall be ~~put to death or imprisoned for life~~ subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment.

(2) In subsections (b)(1) and (b)(2) to read as follows—

(1) shall be ~~imprisoned for at least 20 years~~ subject to imprisonment for any term of years*; or*

(2) notwithstanding section 3559(b) of title 18, if the death of another individual results from the commission or attempt, shall be ~~put to death or imprisoned for life~~ subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment.

SEC. 123. MODIFICATION OF CERTAIN TERMS OF IMPRISONMENT.

(a) In general.—Subchapter C of chapter 229 of title 18, United States Code, is amended by inserting after section 3626 the following:

"Sec. 3627. Modification of certain terms of imprisonment.

"(a) In general.—Notwithstanding any other provision of law, a court may reduce a term of imprisonment imposed upon a defendant if—

"(1) the imposed term of imprisonment—

"(A) was more than 10 years, and the defendant has served not less than 10 years in custody for the offense;

"(B) was the result, in whole or in part, of a drug offense; and

"(2) the court finds, after considering the factors set forth in subsection (e), that—

"(A) the defendant—

"(i) is not a danger to the safety of any person or the community; and

"(ii) demonstrates readiness for reentry; and

"(B) the interests of justice warrant a sentence modification.

"(b) (1) For any individual who is under a criminal justice sentence for a drug offense, the court that imposed the sentence shall, on motion of the individual, the Director of the Bureau of Prisons, the attorney for the Government, or the court, conduct a sentencing review hearing. If the individual is indigent, counsel shall be appointed pursuant to the Defender Services Program of the Department of Justice to represent the individual in any sentencing review proceedings under this subsection.

"(2) Drug offenses.—There is a rebuttable presumption that a court shall reduce a term of imprisonment imposed upon a defendant if the term of imprisonment resulted, in whole or in part, from a drug offense.

"(c) Supervised release.—

"(1) In general.—Any defendant whose sentence is reduced pursuant to subsection (a) may be ordered to serve—

"(A) the term of supervised release included as part of the original sentence imposed on the defendant; or

"(B) in the case of a defendant whose original sentence did not include a term of supervised release, a term of supervised release not to exceed the authorized terms of supervised release described in section 3583.

"(2) Conditions of supervised release.—The conditions of supervised release and any modification or revocation of the term of supervised release shall be in accordance with section 3583.

"(d) Drug offenses expunged.—After a sentencing hearing under subsection (b), a court may—

"(1) expunge each conviction or adjudication of juvenile delinquency for a drug offense entered by the court before July 4, 2026, and any associated arrest;

"(2) vacate the existing sentence or disposition of juvenile delinquency and, if applicable, impose any remaining sentence or disposition of juvenile delinquency on the individual as if the Populist Act, and the amendments made by such Act, were in effect at the time the offense was committed; and

"(3) order that all records related to a conviction or adjudication of juvenile delinquency that has been expunged or a sentence or disposition of juvenile delinquency that has been vacated under such Act be sealed and only be made available by further order of the court.

"(e) Factors and information to be considered in determining whether to modify a term of imprisonment.—

"(1) In general.—The court, in determining whether to reduce a term of imprisonment pursuant to subsection (a)—

"(A) may consider the factors described in section 3553(a), including the nature of the offense and the history and characteristics of the defendant; and

"(B) shall consider—

"(i) the age of the defendant at the time of the offense;

"(ii) the age of the defendant at the time of the sentence modification petition and relevant data regarding the decline in criminality as the age of defendants increase;

"(iii) any presentation of argument and evidence by counsel for the defendant;

"(iv) a report and recommendation of the Bureau of Prisons, including information on whether the defendant has substantially complied with the rules of each institution in which the defendant has been confined and whether the defendant has completed any educational, vocational, or other prison program, where available;

"(v) any report and recommendation of the United States attorney for any district in which an offense for which the defendant is imprisoned was prosecuted;

"(vi) whether the defendant has demonstrated maturity, rehabilitation, and a fitness to reenter society sufficient to justify a sentence reduction;

"(vii) any statement, which may be presented orally or otherwise, by any victim of an offense for which the defendant is imprisoned or by a family member of the victim if the victim is deceased;

"(viii) any report from a physical, mental, or psychiatric examination of the defendant conducted by a licensed health care professional;

"(ix) the family and community circumstances of the defendant, including any history of abuse, trauma, or involvement in the child welfare system, and the potential benefits to children and family members of reunification with the defendant;

"(x) the role of the defendant in the offense and whether, and to what extent, an adult was involved in the offense if the defendant was a juvenile at the time of the offense;

"(xi) the diminished culpability of juveniles as compared to that of adults, and the hallmark features of youth, including immaturity, impetuosity, and failure to appreciate risks and consequences, if the defendant was a juvenile at the time of the offense;

"(xii) the availability to the defendant of opportunities to participate in a reintegration or reentry program, including access to a reintegration program such as a program established pursuant to section XXX of the Populist Act, if applicable;

"(xiii) if the defendant is enrolled in the American Union Jobs program (42 U.S.C. 1398A et seq.), the anticipated impact of the financial stability provided by such program on the defendant's successful reentry and reduced risk of recidivism; and

"(xiv) any other information the court determines relevant to the decision of the court.

"(2) Rebuttable presumption.—In the case of a defendant who is 50 years of age or older on the date on which the defendant files an application for a sentence reduction under subsection (a), there shall be a rebuttable presumption that the defendant shall be released, absent specific findings on public safety, victim impact, or individualized risk.

"(f) Limitation on applications pursuant to this section.—

"(1) Second application.—Not earlier than 5 years after the date on which an order denying release on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

"(2) Third application.—Not earlier than 2 years after the date on which an order entered by a court on a second application under paragraph (1) becomes final, a court shall entertain a third application by the same defendant under this section.

"(3) Final application.—A court shall entertain a final application if the defendant—

"(A) is 50 years of age or older; and

"(B) has exhausted the sentencing modification process.

"(g) Procedures.—

"(1) Notice.—Not later than 30 days after the date on which the 10th year of imprisonment begins for a defendant sentenced to more than 10 years of imprisonment for an offense, the Bureau of Prisons shall provide written notice of this section to—

"(A) the defendant; and

"(B) the sentencing court, the United States attorney, and the Federal Public Defender or Executive Director of the Community Defender Organization for the judicial district in which the sentence described in this paragraph was imposed.

"(2) Application.—

"(A) In general.—An application for a sentence reduction under this section shall be filed in the judicial district in which the sentence was imposed as a motion to reduce the sentence of the defendant pursuant to this section and may include affidavits or other written material.

"(B) Requirement.—A motion to reduce a sentence under this section shall be filed with the sentencing court and a copy shall be served on the United States attorney for the judicial district in which the sentence was imposed.

"(3) Expanding the record; hearing.—

"(A) Expanding the record.—After the filing of a motion to reduce a sentence under this section, the court may direct the parties to expand the record by submitting additional written materials relating to the motion.

"(B) Hearing.—

"(i) In general.—The court shall, upon request of the defendant or the Government, conduct a hearing on the motion, at which the defendant and counsel for the defendant shall be given the opportunity to be heard.

"(ii) Evidence.—In a hearing under this section, the court shall allow parties to present evidence.

"(iii) Defendant's presence.—At a hearing under this section, the defendant shall be present unless the defendant waives such privilege. The requirement under this clause may be satisfied by the defendant appearing by video teleconference.

"(iv) Counsel.—A defendant who is unable to afford counsel is entitled to have counsel appointed, at no cost to the defendant, to represent the defendant for the application and proceedings under this section, including any appeal, unless the defendant, having been advised by the court, knowingly and expressly waives such privilege.

"(v) Findings.—The court shall state in open court, and file in writing, the reasons for granting or denying a motion under this section.

"(C) Appeal.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

"(4) Crime victims notified.—Upon receiving an application under paragraph (2), the United States attorney shall provide any notifications required under section 3771.

"(h) Annual report.—

"(1) In general.—Not later than 1 year after the date of enactment of this section, and once every year thereafter, the United States Sentencing Commission shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on requests for sentence reductions under this section.

"(2) Contents.—Each report required to be published under paragraph (1) shall include, for the 1-year period preceding the report—

"(A) the number of—

"(i) incarcerated individuals who were granted a sentence reduction under this section;

"(ii) incarcerated individuals who were denied a sentence reduction under this section; and

"(iii) incarcerated individuals released under this section;

"(B) the demographic characteristics, including age, race, and gender, of—

"(i) the incarcerated individuals who applied for a sentence reduction under this section;

"(ii) the incarcerated individuals who were granted a sentence reduction under this section; and

"(iii) the incarcerated individuals who were released under this section;

"(C) the location, categorized by Federal circuit and State, of—

"(i) the incarcerated individuals who applied for a reduction under this section;

"(ii) the incarcerated individuals who were granted a reduction under this section; and

"(iii) the incarcerated individuals who were released under this section; and

"(D) the average sentence reduction granted under this section.

"(3) Attorney General cooperation.—The Attorney General shall—

"(A) assist and provide information to the United States Sentencing Commission in the performance of the duties of the Commission under this subsection; and

"(B) promptly respond to requests from the Commission.

"(i) Definition.—In this section, the term 'drug offense' means an act whose penalties have been reduced or eliminated pursuant to enactment of the POPULIST Act.".

(b) Clerical amendment.—The table of sections for subchapter C of chapter 229 of title 18, United States Code, is amended by inserting after the item relating to section 3626 the following:

"3627. Modification of certain terms of imprisonment.".

(c) Technical and conforming amendment.—Section 3582(c) of title 18, United States Code, is amended—

(1) in paragraph (1)(B) by striking the word "and";

(2) in paragraph (2) by interesting at the end the word "and"; and

(3) inserting a new paragraph (3) as follows:

"(3) the court may reduce a term of imprisonment in accordance with section 3627.".

(d) Section 3771(a)(4) of title 18, United States Code, is amended to read as follows[16]—

(4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, sentencing review, *or any parole proceeding.*

(e) Applicability.—The amendments made by this section shall apply to any conviction entered before, on, or after July 4, 2026.

SEC. 124. REENTRY AND REINTEGRATION GRANT PROGRAM.

(a) Establishment.—The Attorney General shall establish a grant program, to be administered through the Department of Justice, to support reentry and reintegration services for individuals released from incarceration, including individuals released pursuant to section 3627 of title 18, United States Code, as added by this subtitle.

(b) Eligible recipients.—Grants under this section may be awarded to—

(1) eligible States, as defined by section 125(c) of the POPULIST Act;

(2) units of local government in eligible States;

(3) Tribal governments;

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[16] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(4) nonprofit organizations, including community-based and faith-based organizations; and

(5) partnerships among entities described in paragraphs (1) through (4).

(c) Authorized uses of funds.—Amounts made available under this section may be used to support—

(1) transitional and long-term community housing, including housing paired with supportive services;

(2) case management and reentry planning, including individualized release planning coordinated with courts, probation offices, and correctional facilities;

(3) employment readiness, job placement, credentialing, and coordination with public employment programs;

(4) access to physical health care, mental health care, and substance use disorder treatment;

(5) assistance in obtaining government-issued identification, benefits enrollment, and restoration of civil rights;

(6) family reunification services, including parenting support and child welfare coordination;

(7) transportation assistance necessary to access employment, treatment, or court obligations;

(8) data systems and capacity-building necessary to deliver, track, and evaluate reentry services; and

(9) any other service the Attorney General determines appropriate to facilitate successful reintegration and reduce recidivism.

(d) Priority.—In awarding grants under this section, the Attorney General shall give priority to applications that—

(1) serve individuals released after lengthy terms of incarceration;

(2) coordinate services beginning prior to release and continuing post-release;

(3) demonstrate partnerships with local employers, housing providers, or service agencies; and

(4) include plans to serve individuals released pursuant to sentence modification or second look proceedings.

(e) State participation incentive.—A State that elects to participate in sentence review, release, or reintegration efforts consistent with this subtitle shall be eligible for enhanced consideration or increased grant amounts under this section, as determined by the Attorney General.

(f) Funding.—

(1) Rescission.—Of the amounts appropriated under section 90003 of the One Big Beautiful Bill Act (PL 119-21) for detention capacity, $500,000,000 is hereby rescinded.

(2) Reallocation.—There is appropriated, from the amounts rescinded under paragraph (1) or any money in the Treasury not otherwise appropriated, $500,000,000 to carry out this section, to remain available until the end of fiscal year 2028.

(g) Rule of construction.—Nothing in this section shall be construed to require a State to modify its criminal laws or sentencing practices as a condition of receiving a grant under this section.

SEC. 125. INCENTIVES FOR STATE SECOND LOOK AND JUBILEE REENTRY CAPACITY.

(a) In general.—The Attorney General shall establish a program of grants and technical assistance to eligible States to support the creation, expansion, or acceleration of second look sentence review, early release evaluation, and reentry capacity consistent with the purposes of this subtitle.

(b) Amount of grant available.—Not more than one grant may be awarded under this section to each eligible State, which shall be an amount equal to the greater of—

(1) $4,700,000; or

(2) the product of—

(A) $1,200; and

(B) the number of individuals under the jurisdiction of such eligible State's correctional authorities as of December 31, 2023, as reported by the Bureau of Justice Statistics.

(c) Eligible State defined.—The term "eligible State" means a State (which, for purposes of this subsection, includes the District of Columbia) that—

(1) has implemented, commits to implement, or is actively implementing—

(i) a law, court rule, or administrative procedure that provides for second look sentence modification which is substantially similar to section 3627 of title 18, United States Code; and

(ii) a law, court rule, or administrative procedure that provides for solitary confinement reform which is substantially similar to section 4015 of title 18, United States Code;

(iii) integrating each jail or prison commissary system in such State with a Treasury account, as defined in section 833(b)(8) of the POPULIST Act, to permit the fee-free transfer of funds to inmates; and

(2) commits to Jubilee-year prioritization and accelerated review of incarcerated people who fall into one or more of the following categories:

(i) individuals who have served 10 years or more of a term of imprisonment;

(ii) individuals convicted of drug offenses, as that term is defined in section 3627; or

(iii) individuals born prior to July 4, 1976; and

(3) implementing reentry supports on or before the date of release for individuals granted sentence reductions, including ensuring identification documents.

(d) Authorized uses of funds.—A State receiving a grant under this section may use such funds to support—

(1) judicial and adjudicatory capacity, including the hiring, training, or temporary appointment of judges, magistrates, hearing officers, or court staff necessary to conduct sentence review;

(2) appointment and compensation of counsel for individuals eligible for second look review;

(3) prosecution and victim-notification resources necessary to process sentence review petitions in a timely manner;

(4) modernization and integration of criminal justice data systems to—

(A) identify eligible individuals, track outcomes, and report required metrics; or

(B) implement improvements that will make criminal record expungement or sealing automatic;

(5) accelerated reentry preparation, including prerelease planning, identification assistance, benefits enrollment, housing placement, and employment readiness;

(6) grants or subgrants to nonprofit organizations, community-based organizations, faith-based organizations, or local governments that provide reentry, transitional housing, mental health, substance use treatment, education, job training, or family reunification services; and

(7) coordination between correctional agencies, courts, reentry providers, and community supervision agencies to ensure continuity of care and supervision.

(e) No outcome mandate.—Nothing in this section shall be construed to require a State to grant sentence reductions, order release, or achieve any specific reduction in incarceration levels as a condition of receiving funds under this section.

(f) Application and approval.—A State seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require, including a description of—

(1) the State's existing or proposed second look or sentence review mechanisms;

(2) how grant funds will be used to increase review and reentry capacity; and

(3) how the State will collect and report data under subsection (g).

(g) Reporting.—Each State receiving a grant under this section shall submit annual reports through fiscal year 2028 to the Attorney General describing—

(1) the number of individuals reviewed for sentence modification;

(2) the number of sentence reductions and releases granted;

(3) demographic and offense characteristics of reviewed individuals;

(4) reentry services provided;

(5) any available public safety or recidivism outcomes, including rearrest, reconviction, or reincarceration data where available;

(6) the number of incarcerated individuals placed in solitary confinement during the reporting period, including the number of individuals held—

(A) for more than 15 consecutive days; or

(B) for more than 30 days in any 60-day period;

(7) the number of individuals placed in solitary confinement who would qualify as vulnerable persons under section 4015(a)(13) of title 18, United States Code; and

(8) a description of any statutory, regulatory, or administrative limitations adopted by the State since the issuance of the grant relating to the use, duration, review, or oversight of solitary confinement.

(h) Funding.—

(1) Rescission.—Of the amounts appropriated under section 90003 of the One Big Beautiful Bill Act (PL 119-21) for detention capacity, $1,500,000,000 is hereby rescinded.

(2) Reallocation.—There is appropriated, from the amounts rescinded under paragraph (1) or any money in the Treasury not otherwise appropriated, $1,500,000,000 to carry out this section, to remain available until the end of fiscal year 2028.

SEC. 126. RE-ESTABLISHING OF FEDERAL PAROLE.

(a) Part III of title 18, United States Code, is amended by inserting before chapter 313 the following:

"CHAPTER 312—PAROLE

"Sec. 4221. Definitions.

"As used in this chapter—

"(1) Commission.—The term `Commission' means the United States Parole Commission;

"(2) Commissioner.—The term `Commissioner' means any member of the United States Parole Commission;

"(3) Director.—The term `Director' means the Director of the Bureau of Prisons;

"(4) Eligible prisoner.—The term `eligible prisoner' means any Federal prisoner who is eligible for parole pursuant to this title or any other law, including any Federal prisoner whose parole has been revoked and who is not otherwise ineligible for parole;

"(5) Parolee.—The term `parolee' means any eligible prisoner who has been released on parole or deemed as if released on parole under section 4164 or section 4225(f); and

"(6) Rules.—The term `rules' means rules made by the Commission under section 4223.

"Sec. 4222. Parole Commission created.

"(a) Generally.—There is hereby established, as an independent agency in the Department of Justice, a United States Parole Commission which shall be comprised of 9 members appointed by the President, by and with the advice and consent of the Senate. The President shall designate a Chairman.

"(b) Term.—The term of office of a Commissioner shall be 6 years, except that the term of a person appointed as a Commissioner to fill a vacancy shall expire 6 years from the date upon which such person was appointed and qualified. Upon the expiration of a term of office of a Commissioner, the Commissioner shall continue to act until a successor has been appointed and qualified, except that no Commissioner may serve in excess of twelve years.

"(c) Compensation.—Commissioners shall be compensated at the highest rate now or hereafter prescribed for grade 18 of the General Schedule pay rates (5 U.S.C. 5332).

"Sec. 4223. Powers and duties of the Commission.

"(a) Administrative powers.—The Commission shall meet at least quarterly, and by majority vote shall—

"(1) make rules establishing guidelines for the powers enumerated in subsection (b) of this section and such other rules and regulations as are necessary to carry out a national parole policy and the purposes of this chapter;

"(2) create such regions as are necessary to carry out this chapter; and

"(3) ratify, revise, or deny any request for regular, supplemental, or deficiency appropriations, prior to the submission of the requests to the Office of Management and Budget by the Chairman, which requests shall be separate from those of any other agency of the Department of Justice.

"(b) Substantive powers.—The Commission, by majority vote, and pursuant to the procedures set out in this chapter, shall have the power to—

"(1) grant or deny an application or recommendation to parole any eligible prisoner;

"(2) impose reasonable conditions on an order granting parole;

"(3) modify or revoke an order paroling any eligible prisoner; and

"(4) request probation officers and other individuals, organizations, and public or private agencies to perform such duties with respect to any parolee as the Commission deems necessary for maintaining proper supervision of and assistance to such parolees; and so as to assure that no probation officers, individuals, organizations, or agencies shall bear excessive caseloads.

"(c) Delegation.—The Commission, by majority vote, and pursuant to rules and regulations—

"(1) may delegate to any Commissioner or commissioners powers enumerated in subsection (b) of this section;

"(2) may delegate to administrative law judges any powers necessary to conduct hearings and proceedings, take sworn testimony, obtain and make a record of pertinent information, make findings of probable cause and issue subpoenas for witnesses or evidence in parole revocation proceedings, and recommend disposition of any matters enumerated in subsection (b) of this section, except that any such findings or recommendations shall be based upon the concurrence of not less than 2 hearing examiners;

"(3) may delegate authority to conduct hearings held pursuant to section 4234 to any officer or employee of the executive or judicial branch of Federal or State government; and

"(4) may review, or may delegate to the National Appeals Board the power to review, any decision made pursuant to subparagraph (1) of this subsection except that any such decision so reviewed must be reaffirmed, modified or reversed within 30 days of the date the decision is rendered, and, in case of such review, the individual to whom the decision applies shall be informed in writing of the Commission's actions with respect thereto and the reasons for such actions.

"(d) Quorum.—Except as otherwise provided by law, any action taken by the Commission pursuant to subsection (a) of this section shall be taken by a majority vote of all individuals currently holding office as members of the Commission which shall maintain and make available for public inspection a record of the final vote of each member on statements of policy and interpretations adopted by it. In so acting, each Commissioner shall have equal responsibility and authority, shall have full access to all information relating to the performance of such duties and responsibilities, and shall have 1 vote.

"(e) Cooperation with States.—

"(1) Generally.—The Commission shall, upon the request of the head of any law enforcement agency of a State or of a unit of local government in a State, make available as expeditiously as possible to such agency, with respect to individuals who are under the jurisdiction of the Commission, who have been convicted of felony offenses against the United States, and who reside, are employed, or are supervised in the geographical area in which such agency has jurisdiction, the following information maintained by the Commission (to the extent that the Commission maintains such information)—

"(A) the names of such individuals;

"(B) the addresses of such individuals;

"(C) the dates of birth of such individuals;

"(D) the Federal Bureau of Investigation numbers assigned to such individuals;

"(E) photographs and fingerprints of such individuals; and

"(F) the nature of the offenses against the United States of which each such individual has been convicted and the factual circumstances relating to such offense.

"(2) Nondissemination requirement.—Any law enforcement agency which receives information under this subsection shall not disseminate such information outside of such agency.

"Sec. 4224. Powers and duties of the Chairman.

"(a) Generally.—The Chairman shall—

"(1) convene and preside at meetings of the Commission under section 4223 and such additional meetings of the Commission as the Chairman may call or as may be requested in writing by at least 3 Commissioners;

"(2) appoint, fix the compensation of, assign, and supervise all personnel employed by the Commission except that—

"(A) the appointment of any administrative law judge shall be subject to approval of the Commission within the first year of judge's employment; and

"(B) regional Commissioners shall appoint and supervise such personnel employed regularly and full time in their respective regions as are compensated at a rate up to and including grade 11 of the General Schedule pay rates (5 U.S.C. 5332);

"(3) assign duties among officers and employees of the Commission, including Commissioners, so as to balance the workload and provide for orderly administration;

"(4) direct the preparation of requests for appropriations for the Commission, and the use of funds made available to the Commission;

"(5) designate not fewer than 3 Commissioners to serve on the National Appeals Board of whom 1 shall be so designated to serve as vice chairman of the Commission (who shall act as Chairman of the Commission in the absence or disability of the Chairman or in the event of the vacancy of the Chairmanship), and designate, for each such region established under section 4223, 1 Commissioner to serve as regional Commissioner in each such region, but in each such designation the Chairman shall consider years of service, personal preference and fitness, and no such designation shall take effect unless concurred in by the President, or his designee;

"(6) serve as spokesman for the Commission and report annually to Congress on the activities of the Commission; and

"(7) exercise such other powers and duties and perform such other functions as may be necessary to carry out the purposes of this chapter or as may be otherwise provided by law.

"(b) Administrative powers.—The Chairman shall have the power to—

"(1) without regard to section 3324(a) and (b) of title 31, enter into and perform such contracts, leases, cooperative agreements, and other transactions as may be necessary in the conduct of the functions of the Commission, with any public agency, or with any person, firm, association, corporation, educational institution, or nonprofit organization;

"(2) accept voluntary and uncompensated services, notwithstanding section 1342 of title 31, United States Code;

"(3) procure for the Commission temporary and intermittent services under section 3109(b) of title 5, United States Code;

"(4) collect systematically the data obtained from studies, research, and the empirical experience of public and private agencies concerning the parole process;

"(5) carry out programs of research concerning the parole process to develop classification systems which describe types of offenders, and to develop theories and practices which can be applied to the different types of offenders;

"(6) publish data concerning the parole process;

"(7) devise and conduct, in various geographical locations, seminars, workshops and training programs providing continuing studies and instruction for personnel of Federal, State and local agencies and private and public organizations working with parolees and connected with the parole process; and

"(8) use the services, equipment, personnel, information, facilities, and instrumentalities with or without reimbursement therefor of other Federal, State, local, and private agencies with their consent.

"(c) Policies to be followed.—In carrying out his functions under this section, the Chairman shall be governed by the national parole policies promulgated by the Commission.

"Sec. 4225. Time of eligibility for release on parole.

"(a) Generally.—Whenever confined and serving a definite term or terms of 1 year or more, a prisoner shall be eligible for release on parole after serving:

"(1) 1/3 of such term or terms, or

"(2) after serving 10 years of a life sentence, or of a sentence of over 25 years, notwithstanding any other statute to the contrary, or

"(3) would be eligible under subparagraph (1) or (2) under a sentence modification pursuant to section 3627 of title 18, United States Code.

"A prisoner convicted under the law of the District of Columbia shall be subject to the guidelines used by the former District of Columbia board of parole.

"(b) Courts' power at time of sentencing.—Upon entering a judgment of conviction, the court having jurisdiction to impose sentence, when in its opinion the ends of justice and best interest of the public require that the defendant be sentenced to imprisonment for a term exceeding 1 year, may—

"(1) designate in the sentence of imprisonment imposed a minimum term at the expiration of which the prisoner shall become eligible for parole, which term may be less than but shall not be more than 10 years; or

"(2) fix the maximum sentence of imprisonment to be served in which event the court may specify that the prisoner may be released on parole at such time as the Commission may determine.

"(c) Information for court.—

"(1) Commitment for study.—If the court desires more detailed information as a basis for determining the sentence to be imposed, the court may commit the defendant to the custody of the Attorney General, which commitment shall be deemed to be for the maximum sentence of imprisonment prescribed by law, for a study as described in subsection (d).

"(2) Report to court.—The results of such study, together with any recommendations which the Director of the Bureau of Prisons believes would be helpful in determining the disposition of the case, shall be furnished to the court within 3 months unless the court grants time, not to exceed an additional 3 months, for further study.

"(3) Court order.—After receiving such reports and recommendations, the court may in its discretion—

"(A) place the offender on probation as authorized by section 3561; or

"(B) modify the sentence pursuant to section 3627 of title 18, United States Code; or

"(C) affirm the sentence of imprisonment originally imposed, or reduce the sentence of imprisonment, and commit the offender under any applicable provision of law.

"(4) Commencement of term of sentence.—The term of the sentence shall run from the date of original commitment under this section.

"(d) Study of prisoner sentenced to imprisonment.—Upon commitment of a prisoner sentenced to imprisonment under subsection (a) or (b), the Director, under such regulations as the Attorney General may prescribe, shall cause a complete study to be made of the prisoner and shall furnish to the Commission a summary report together with any recommendations which in his opinion would be helpful in determining the suitability of the prisoner for parole. This report may include data regarding the prisoner's previous delinquency or criminal convictions, pertinent circumstances of the prisoner's social background and capabilities, the prisoner's mental and physical health, and such other factors the Director considers pertinent. The Commission may make such other investigation as it may deem necessary.

"(e) Duty of probation officers.—Upon request of the Commission, it shall be the duty of the various probation officers and government bureaus and agencies to furnish the Commission information available to such officer, bureau, or agency, concerning any eligible prisoner or parolee and whenever not incompatible with the public interest, their views and recommendation with respect to any matter within the jurisdiction of the Commission.

"(f) Short prison terms.—Any prisoner sentenced to imprisonment for a term or terms of not less than 6 months but not more than 1 year shall be released at the expiration of such sentence less good time deductions provided by law, unless the court which imposed sentence shall, at the time of sentencing, provide for the prisoner's release as if on parole after service of 1/3 of such term or terms notwithstanding section 4164. This subsection does not prevent delivery of any person released on parole to the authorities of any State otherwise entitled to his custody.

"(g) Reduction in sentence.—At any time upon motion of the Bureau of Prisons, the court may reduce any minimum term to the time the defendant has served, if notice of such motion has been provided pursuant to section 3771(a)(2) of title 18, United States Code. The court shall have jurisdiction to act upon the application and no hearing shall be required.

"(h) Promotion of sentence reduction motions.—The Bureau of Prisons shall accept nominations for such motions from any employee or agent who is in contact with the defendant on a regular basis, and shall promote this subsection within its jurisdiction.

"Sec. 4226. Parole determination criteria.

"(a) Generally.—An eligible prisoner shall be granted parole, subject to subsections (b) and (c), and pursuant to guidelines issued by the Commission, if the eligible prisoner has substantially observed the rules of the institution or institutions to which they have been confined, and if the Commission, upon consideration of the nature and circumstances of the offense and the history and characteristics of the prisoner, determines that release would not—

"(1) depreciate the seriousness of his offense or promote disrespect for the law; or

"(2) jeopardize the public welfare;

"such prisoner shall be released.

"(b) Good cause exception.—The Commission may grant or deny release on parole notwithstanding the guidelines referred to in subsection (a) of this section if it determines there is good cause for so doing, if the prisoner is furnished written notice stating with particularity the reasons for its determination, including in detail the information relied upon.

"(c) Release after 2/3 of sentence.—Any prisoner, serving a sentence of 5 years or longer, who is not earlier released under this section or any other applicable provision of law, shall be released on parole after having served 2/3 of each consecutive term or terms, or after serving 30 years of each consecutive term or terms of more than 45 years including any life term, whichever is earlier, but the Commission shall not release such prisoner if it determines that the prisoner has seriously or frequently violated institution rules and regulations or that there is a reasonable probability that they will commit any Federal, State, or local crime.

"Sec. 4227. Information considered.

"(a) In making a determination under this chapter (relating to release on parole), the Commission shall consider, if available and relevant—

"(1) reports and recommendations which the staff of the facility in which such prisoner is confined may make;

"(2) official reports of the prisoner's prior criminal record, including a report or record of earlier probation and parole experiences;

"(3) presentence investigation reports;

"(4) recommendations regarding the prisoner's parole made at the time of sentencing by the sentencing judge;

"(5) a statement, which may be presented orally or otherwise, by any victim of the offense for which the prisoner is imprisoned (or by a family member of the victim if the victim is deceased) about the financial, social, psychological, and emotional harm done to, or loss suffered by such victim;

"(6) reports of physical, mental, or psychiatric examination of the offender;

"(7) release plans submitted by the prisoner and correctional staff; and

"(8) such additional relevant information concerning the prisoner (including information submitted by the prisoner) as may be reasonably available.

"(b) Consideration of development and change over time.—In addition to the information described in subsection (a), the Commission shall consider—

"(1) the age of the prisoner at the time of the offense and at the time of the parole determination;

"(2) evidence of maturation, rehabilitation, and readiness for reentry;

"(3) the length of time served and the relationship between continued incarceration and any identifiable public safety benefit;

"(4) the prisoner's conduct while incarcerated, with greater weight given to sustained compliance and completion of educational, vocational, therapeutic, or rehabilitative programs;

"(5) family and community circumstances, including the availability of stable housing, employment, and community support upon release;

"(6) the availability to the prisoner of reintegration supports established under Federal law, including income, employment, health care, or reentry programs; and

"(7) any other factor bearing on whether continued incarceration is necessary to achieve the purposes of punishment.

"(c) Limitation.—The Commission shall not deny parole based solely on the seriousness of the offense of conviction or generalized assumptions about recidivism, absent individualized findings based on current information.

"Sec. 4228. Parole determination proceeding; time.

"(a) General rule.—In making a determination under this chapter (relating to parole), the Commission shall conduct a parole determination proceeding unless it determines on the basis of the prisoner’s record that the prisoner will be released on parole.

"(1) Whenever feasible, the initial parole determination proceeding for a prisoner eligible for parole under subsections (a) and (b)(1) of section 4225 shall be held not later than 60 days before the date of such eligibility for parole.

"(2) Whenever feasible, the initial parole determination proceeding for a prisoner eligible for parole pursuant to subsection (b)(2) of section 4225 or released on parole and whose parole has been revoked shall be held not later than 90 days following such prisoner’s imprisonment or reimprisonment in a Federal institution, as the case may be.

"(3) An eligible prisoner may knowingly and intelligently waive any proceeding under this section.

"(b) Preparation.—

"(1) At least 60 days before any parole determination proceeding, the prisoner shall be provided with—

"(A) written notice of the time and place of the proceeding; and

"(B) reasonable access to any report or other document to be used by the Commission in making its determination, including the parole analyst summary.

"(2) Waiver and scheduling.—A prisoner may knowingly and intelligently waive the advance notice required in paragraph (1)(A). If such notice is waived, the parole determination proceeding may be held at the next regularly scheduled proceeding of the Commission at the institution in which the prisoner is confined.

"(c) Exceptions to disclosure.—

"(1) Subsection (b)(1)(B) does not apply to—

"(A) diagnostic opinions which, if disclosed to the eligible prisoner, could lead to a serious disruption of the prisoner's institutional program;

"(B) any document that reveals sources of information obtained upon a promise of confidentiality; or

"(C) any other information which, if disclosed, might result in physical harm or other serious harm to any person.

"(2) If any document is deemed by the Commission, the Bureau of Prisons, or any other agency to fall within the exclusionary provisions of paragraph (1), the Commission, the Bureau, or such other agency, as applicable, shall summarize the basic contents of the material withheld, taking into account the need for confidentiality and the potential impact on the prisoner, and shall furnish such summary to the prisoner.

"(d) Consultation.—

"(1) During the period before the parole determination proceeding described in subsection (b), a prisoner may consult, as provided by the Director, with a representative described in paragraph (2) and may consult by mail or other means with any person concerning such proceeding.

"(2) The prisoner may be represented at the parole determination proceeding by a representative who qualifies under rules and regulations promulgated by the Commission, and such rules shall not exclude attorneys as a class.

"(e) Personal appearance of prisoner.—The prisoner shall be permitted to appear and testify on their own behalf at the parole determination proceeding and may be accompanied by a legal spouse if the spouse is approved for visitation at the facility in which the prisoner is housed.

"(f) Record.—A full and complete audio and video record of each parole determination proceeding shall be created and retained by the Commission. Upon request, the Commission shall make available to an eligible prisoner any such record retained of the proceeding.

"(g) Decision and notice.—The Commission shall furnish the eligible prisoner with a written notice of its determination not later than 21 days, excluding holidays, after the date of the parole determination proceeding. If parole is denied—

"(1) such notice shall state with particularity the reasons for such denial; and

"(2) if feasible, a personal conference between the prisoner and a representative of the Commission shall—

"(A) explain the reasons for such denial; and

"(B) include advice to the prisoner as to what steps may be taken to enhance their chance of being released at a subsequent proceeding.

"(h) Frequency of parole determination proceedings.—If release on parole is not granted, subsequent parole determination proceedings shall be conducted not less frequently than—

"(1) once every 12 months in the case of a prisoner serving a term or terms of more than 1 year but less than 10 years; or

"(2) once every 18 months in the case of a prisoner serving a term or terms of 10 years or longer.

"Sec. 4229. Conditions of parole.

"(a) Mandatory conditions.—In every case, the Commission shall impose as conditions of parole—

"(1) that the parolee not commit another Federal, State, or local crime;

"(2) that, if a fine was imposed, the parolee make a diligent effort to pay such fine in accordance with the judgment; and

"(3) if the parolee is a person described in section 4042(c)(4), that they:

"(A) report the address where they will reside and any subsequent change of residence to the probation officer responsible for supervision; and

"(B) register in any State where they reside, are employed, carry on a vocation, or are a student (as such terms are defined under section 170101(a)(3) of the Violent Crime Control and Law Enforcement Act of 1994).

"(b) Additional conditions.—The Commission may impose or modify conditions of parole only to the extent that such conditions are—

"(1) reasonably related to the nature and circumstances of the offense of conviction and the history and characteristics of the parolee;

"(2) necessary to promote public safety or to support the successful reintegration of the parolee into the community; and

"(3) no more restrictive than necessary to achieve the purposes described in paragraphs (1) and (2).

"(c) Prohibited bases.—The Commission shall not impose or continue any condition of parole—

"(1) based solely on the seriousness of the offense of conviction;

"(2) based on conduct for which the parolee has already been punished, absent a current and articulable risk related to supervision;

"(3) that unreasonably interferes with the parolee's ability to obtain or maintain lawful employment, housing, education, or necessary medical care, unless the Commission makes specific written findings that such interference is necessary to protect public safety; or

"(4) that is imposed for a punitive purpose rather than a supervisory or reintegrative purpose.

"(d) Clarity and notice of conditions.—The Commission shall—

"(1) make reasonable efforts to ensure that the parolee understands the conditions of parole, including the consequences of noncompliance; and

"(2) provide upon release a written statement of each condition of parole, stated with sufficient specificity to serve as a clear guide to supervision and conduct.

"(e) Residential and monitoring conditions.—

"(1) As a condition of parole or release as if on parole, the Commission may require a parolee—

"(A) to reside in or participate in the program of a residential community treatment center, or both, for all or part of the period of parole; or

"(B) to remain at a place of residence during nonworking hours and, if the Commission so directs, to have compliance with this condition electronically monitored.

"(2) A condition under paragraph (1)(B) may be imposed only as an alternative to incarceration and only upon a finding that less restrictive conditions are insufficient.

"(3) A parolee residing in a residential community treatment center pursuant to this subsection may be required to pay such costs incident to such residence as the Commission deems appropriate, taking into account the parolee's ability to pay.

"(e) Modification of conditions.—

"(1) The Commission may modify conditions of parole on its own motion or on the motion of a United States probation officer supervising the parolee if the parolee receives notice of the proposed modification and has 10 days after receipt of such notice to submit views.

"(2) Following such 10-day period, the Commission shall have 21 days, excluding holidays, to act on the proposed modification.

"(3) The Commission may modify conditions of parole without regard to the notice period described in paragraph (1) if the Commission determines that immediate modification is necessary to prevent imminent harm to the parolee or to the public.

"(4) A parolee may petition the Commission at any time for a modification of conditions.

"(5) This subsection shall not apply to modifications imposed as part of a revocation proceeding under section 4234.

"Sec. 4230. Jurisdiction of Commission.

"(a) Custody.—A parolee shall remain in the legal custody and under the control of the Attorney General until the expiration of the maximum term or terms for which such parolee was sentenced.

"(b) Termination.—Except as otherwise provided in this section, the jurisdiction of the Commission over the parolee shall terminate no later than the date of the expiration of the maximum term or terms for which they were sentenced, except that—

"(1) such jurisdiction shall terminate at an earlier date to the extent provided under section 4164 (relating to mandatory release) or section 4231 (relating to early termination of parole supervision); and

"(2) in the case of a parolee who has been convicted of any criminal offense committed subsequent to his release on parole, and such offense is punishable by a term of imprisonment, detention, or incarceration in any penal facility, the Commission shall determine, in accordance with the provisions of section 4234(b) or (c), whether all or any part of the unexpired term being served at the time of parole shall run concurrently or consecutively with the sentence imposed for the new offense, but in no case shall such service, together with such time as the parolee has previously served in connection with the offense for which they were paroled, be longer than the maximum term for which they were sentenced in connection with such offense.

"(c) Extension.—In the case of any parolee found to have intentionally refused or failed to respond to any reasonable request, order, summons, or warrant of the Commission or any member or agent thereof, the jurisdiction of the Commission may, by judicial order, be extended for the period during which the parolee so refused or failed to respond.

"(d) Concurrence of running of term.—The parole of any parolee shall run concurrently with the period of parole or probation under any other Federal, State, or local sentence.

"(e) Certificate of discharge.—Upon the termination of the jurisdiction of the Commission over any parolee, the Commission shall issue a certificate of discharge to such parolee and to such other agencies as it may determine.

"Sec. 4231. Early termination of parole.

"(a) In general.—Upon its own motion or upon request of the parolee, the Commission may terminate supervision over a parolee prior to the termination of jurisdiction under section 4230.

"(b) Review.—

"(1) 2 years after each parolee's release on parole, and at least annually thereafter, the Commission shall review the status of the parolee to determine the need for continued supervision. In calculating such 2-year period there shall not be included any period of release on parole prior to the most recent such release, nor any period served in confinement on any other sentence.

"(2) The Commission shall establish early termination guidelines and there shall be a presumption that the parolee shall be terminated at the designated time unless detailed written reasons are offered by the Commission that prove the parolee would be a danger to the public safety.

"(c) Presumptive termination.—

"(1) 5 years after each parolee's release on parole, the Commission shall terminate supervision over such parolee unless it is determined, after a hearing conducted in accordance with the procedures prescribed in section 4234(a)(2), that such supervision should not be terminated because there is a likelihood that the parolee will engage in conduct violating any criminal law.

"(2) If supervision is not terminated under paragraph (1), the parolee may request a hearing annually thereafter, and a hearing, with procedures as provided in paragraph (1), shall be conducted with respect to such termination of supervision not less frequently than biennially.

"(3) In calculating the 5-year period referred to in paragraph (1), there shall not be included any period of release on parole prior to the most recent such release, nor any period served in confinement on any other sentence.

"Sec. 4232. Aliens

"When an alien prisoner subject to deportation becomes eligible for parole, the Commission may authorize the release of such prisoner on condition that such person be deported and remain outside the United States. Such prisoner, when his parole becomes effective, shall be delivered to the duly authorized immigration official for deportation, unless such prisoner requests asylum. The alien prisoner shall remain incarcerated while the asylum request is processed.

"Sec. 4233. Summons to appear or warrant for retaking of parolee.

"(a) In general.—If any parolee is alleged to have violated parole, the Commission may—

"(1) summon such parolee to appear at a hearing conducted pursuant to section 4234; or

"(2) issue a warrant and retake the parolee as provided in this section.

"(b) Issuance.—Any summons or warrant issued under this section shall be issued by the Commission as soon as practicable after discovery of the alleged violation, except when delay is deemed necessary. Imprisonment in an institution shall not be deemed grounds for delay of such issuance, except that, in the case of any parolee charged with a criminal offense, issuance of a summons or warrant may be suspended pending disposition of the charge.

"(c) Contents.—Any summons or warrant issued pursuant to this section shall provide the parolee with written notice of—

"(1) the conditions of parole allegedly violated as provided under section 4229;

"(2) the parolee's rights under this chapter; and

"(3) the possible action which may be taken by the Commission.

"(d) Execution of warrant.—Any officer of any Federal penal or correctional institution, or any Federal officer authorized to serve criminal process within the United States, to whom a warrant issued under this section is delivered, shall execute such warrant in a manner consistent with constitutional requirements and applicable Federal law, by taking such parolee and returning the parolee to the custody of the regional commissioner, or to the custody of the Attorney General, if the Commission shall so direct.

"Sec. 4234. Revocation of parole.

"(a) Rights of parolee.—

"(1) Except as provided in subsections (b) and (c), any alleged parole violator summoned or retaken under section 4233 shall be accorded the opportunity to have—

"(A) a preliminary hearing at or reasonably near the place of the alleged parole violation or arrest, without unnecessary delay, to determine if there is probable cause to believe that a condition of parole has been violated; and upon a finding of probable cause a digest shall be prepared by the Commission setting forth in writing the factors considered and the reasons for the decision, a copy of which shall be given to the parolee within a reasonable period of time; except that after a finding of probable cause the Commission may restore any parolee to parole supervision if—

"(i) continuation of revocation proceedings is not warranted;

"(ii) incarceration of the parolee pending further revocation proceedings is not warranted by the alleged frequency or seriousness of such violation or violations;

"(iii) the parolee is not likely to fail to appear for further proceedings; and

"(iv) the parolee does not constitute a danger to themselves or others; and

"(B) upon a finding of probable cause under subparagraph (A), a revocation hearing at or reasonably near the place of the alleged parole violation or arrest within 60 days of such determination of probable cause, except that a revocation hearing may be held at the same time and place set for the preliminary hearing.

"(2) Hearings held pursuant to paragraph (1) shall be conducted by the Commission in accordance with the following procedures:

"(A) Notice to the parolee of the conditions of parole alleged to have been violated, and the time, place, and purposes of the hearing.

"(B) Opportunity for the parolee to be represented by—

"(i) an attorney retained by the parolee;

"(ii) if financially unable to retain counsel, by counsel provided pursuant to section 3006A;

"(iii) a representative as provided by rules and regulations;

unless the parolee knowingly and intelligently waives such representation.

"(C) Opportunity for the parolee to appear and testify, and present witnesses and relevant evidence.

"(D) Opportunity for the parolee to be apprised of the evidence against them and, upon request, to confront and cross-examine adverse witnesses, unless the Commission specifically finds substantial reason for not so allowing.

"(3) For purposes of this subsection, the Commission may subpoena witnesses and evidence, pay witness fees as established for the courts of the United States, and seek enforcement of subpoenas through the district courts.

"(b) Effect of conviction.—

"(1) Conviction for any criminal offense committed subsequent to release on parole shall constitute probable cause for purposes of subsection (a). In cases in which a parolee has been convicted of such an offense and is serving a new sentence in an institution, a parole revocation warrant or summons issued pursuant to section 4233 may be placed against the parolee as a detainer. Such detainer shall be reviewed by the Commission within 180 days of notification to the Commission of placement. The parolee shall receive notice of the pending review, have an opportunity to submit a written application containing information

relative to the disposition of the detainer, and, unless waived, shall have counsel as provided in subsection (a)(2)(B) to assist in the preparation of such application.

"(2) If the Commission determines that additional information is needed to review a detainer, a dispositional hearing may be held at the institution where the parolee is confined. The parolee shall have notice of such hearing, be allowed to appear and testify on his own behalf, and, unless waived, shall have counsel as provided in subsection (a)(2)(B).

"(3) Following the disposition review, the Commission may—

"(A) let the detainer stand; or

"(B) withdraw the detainer.

"(c) Hearing.—Any alleged parole violator who—

"(1) is summoned or retaken by warrant under section 4233 and knowingly and intelligently waives the right to a hearing under subsection (a);

"(2) knowingly and intelligently admits violation at a preliminary hearing held pursuant to subsection (a)(1)(A); or

"(3) who is retaken pursuant to subsection (b);

shall receive a revocation hearing within 90 days of the date of retaking. The alleged parole violator shall have notice of such hearing, be allowed to appear and testify on his own behalf, and, unless waived, shall have counsel or another representative as provided in subsection (a)(2)(B).

"(d) Actions of the Commission.—Whenever a parolee is summoned or retaken pursuant to section 4233, and the Commission finds by a preponderance of the evidence that the parolee has violated a condition of his parole,

"(1) for criminal conviction, the Commission may, after considering the seriousness thereof, take any of the following actions:

"(A) restore the parolee to supervision;

"(B) reprimand the parolee;

"(C) modify the parolee's conditions of parole;

"(D) refer the parolee to a residential community treatment center for all or part of the remainder of his original sentence; or

"(E) formally revoke parole or release as if on parole pursuant to this title; or

"(2) for a technical violation of parole, the Commission shall consider if any action is warranted by the frequency or seriousness of the parolee's violation; and

"(A) employ the least restrictive intervention necessary to address the violation and protect public safety;

"(B) consider whether the violation reflects reentry challenges, unmet supervision needs, or conditions that may be modified to improve compliance;

"(C) prioritize continued supervision in the community whenever consistent with public safety; and

"(D) ensure that incarceration is used only when lesser interventions have been determined to be insufficient.

"(e) Written notice.—The Commission shall furnish the parolee with a written notice of its determination not later than 21 days, excluding holidays, after the date of the revocation hearing. If parole is revoked, a digest shall be prepared by the Commission setting forth in writing the factors considered and reasons for such action, a copy of which shall be given to the parolee.

"Sec. 4235. Appeal.

"(a) Application.—Whenever an individual disputes the time of eligibility for release under section 4225, parole release is denied under section 4226, parole conditions are imposed or modified under section 4229, parole discharge is denied under section 4231(b) or (c), or parole is modified or revoked under section 4234, the individual to whom any such decision applies may appeal such decision by submitting a written application to the National Appeals Board not later than 60 days following the date on which the decision is rendered.

"(b) Requirement to act.—The National Appeals Board, upon receipt of the appellant's papers, shall act pursuant to rules and regulations within 60 days to reaffirm, modify, or reverse the decision and shall inform the appellant in writing of the decision and the reasons therefor.

"(c) Attorney General's request.—The National Appeals Board may review any decision of a regional commissioner upon the written request of the Attorney General filed not later than 30 days following the decision and, by majority vote, shall reaffirm, modify, or reverse the decision within 60 days of receipt of the Attorney General's request. The Board shall inform the Attorney General and the individual to whom the decision applies in writing of its decision and the reasons therefor.

"Sec. 4236. Applicability of Administrative Procedure Act.

"(a) Generally.—For purposes of the provisions of chapter 5 of title 5, United States Code, other than sections 554, 555, 556, and 557, the Commission is an “agency” as defined in such chapter.

"(b) Special rule.—For purposes of subsection (a), section 553(b)(3)(A) of title 5, United States Code, relating to rulemaking, does not include the phrase “general statements of policy”.

"(c) Judicial review.—To the extent that actions of the Commission pursuant to section 4223(a)(1) are not in accord with section 553 of title 5, United States Code, they shall be reviewable in accordance with sections 701 through 706 of title 5, United States Code.".

(b) Clerical amendment.—The table of chapters at the beginning of part III of title 18, United States Code, is amended by inserting before the item relating to chapter 313 the following new item:

"312. Parole.".

(c) Continuity of United States Parole Commission.—Any United States Parole Commission in existence on the date of enactment of this section, including the Commission continued pursuant to section 235(b) of the Sentencing Reform Act of 1984 (Public Law 98-473), shall be deemed to be the United States Parole Commission established under section 4222 of title 18, United States Code, as added by this section, and shall continue in existence without interruption.

(d) Transfer of authority, functions, and matters.—All authority, jurisdiction, powers, duties, functions, personnel, property, records, proceedings, and pending matters of the United States Parole Commission existing on the date of enactment of this section are hereby transferred to and vested in the United States Parole Commission established under chapter 312 of title 18, United States Code, as added by this section. Any parole determination, supervision decision, warrant, summons, condition of release, revocation proceeding, appeal, or other action taken or pending before the date of enactment shall continue in effect and be carried out under chapter 312, unless modified or superseded pursuant to law.

(e) Applicability and prioritization.—This section shall apply to prisoners whose convictions occur before, on, or after July 4, 2026, and the Commission shall prioritize parole determinations for such individuals who, under the amendments made by this Act, would have been eligible for parole on such date.

(f) Construction and references.—

(1) Any reference in Federal law, regulation, order, guidance, or document to chapter 311 of title 18, United States Code, or to the United States Parole Commission as established thereunder, shall be deemed to refer to chapter 312 of title 18, United States Code, and the United States Parole Commission as established thereunder.

(2) Chapter 311 of title 18, United States Code, shall apply only to the extent necessary to effectuate continuity for actions taken before the date of enactment of this Act and shall have no independent operative effect inconsistent with chapter 312.

(3) Nothing in this subsection shall be construed to reduce, impair, or eliminate any parole eligibility, procedural protection, or substantive right that existed under Federal law on the day before the date of enactment of this Act.

SEC. 127. GOOD TIME CREDITS.

"(a) In general.—Part III of title 18, United States Code, is amended by inserting after chapter 309 the following:

"CHAPTER 310—GOOD TIME CREDITS

"Sec. 4181. Computation generally.

"(a) Each prisoner convicted of an offense against the United States and confined in a penal or correctional institution for a definite term other than for life, whose record of conduct shows faithful observance of rules and no punishment, shall be entitled to a deduction from the term of his sentence beginning with the day on which the sentence commences to run, as follows:

"5 days for each month, if the sentence is not less than 6 months and not more than 1 year.

"6 days for each month, if the sentence is more than 1 year and less than 3 years.

"7 days for each month, if the sentence is not less than 3 years and less than 5 years.

"8 days for each month, if the sentence is not less than 5 years and less than 10 years.

"10 days for each month, if the sentence is 10 years or more.

"(b) When 2 or more consecutive sentences are to be served, the aggregate of the several sentences shall be the basis upon which the deduction shall be computed.

"Sec. 4182. Industrial good time.

"(a) A prisoner may, in the discretion of the Attorney General, be allowed a deduction from their sentence of not to exceed 3 days for each month of any year or any part thereof.

"(b) In the discretion of the Attorney General such allowance may also be made to a prisoner performing exceptionally meritorious service or performing duties of outstanding importance in connection with institutional operations.

"(c) A prisoner may, in the discretion of the Attorney General, be allowed a deduction from his sentence of up to 3 additional days for each month or part thereof for superior program achievement. Superior program achievement includes, but is not limited to, satisfactory progress towards degrees from accredited educational institutions or completion certificates from vocational technical or rehabilitative programs and teaching such courses of study. Each inmate shall be permitted to substitute Bureau-certified educational programs in place of institutional employment or be allowed to do both. Such extra good time allowances shall be in addition to commutation of time for good conduct under section 4181 and under the same terms and conditions and without regard to length of sentence.

"Sec. 4183. Discharge.

"All current and future sentences shall be recalculated by the Director of the Bureau of Prisons based upon the criteria set forth in sections 4181 and 4182(a), (b), and (c), notwithstanding any other statute to the contrary. Except as hereinafter provided, a prisoner shall be released at the expiration of his term of sentence less the time deducted for good conduct. A certificate of such deduction shall be entered on the commitment by the warden or keeper. If such release date falls upon a Saturday, a Sunday, or on a Monday which is a legal holiday at the place of confinement, the prisoner may be released at the discretion of the warden or keeper on the preceding Friday. If such release date falls on a holiday which falls other than on Saturday, Sunday, or Monday, the prisoner may be released at the discretion of the warden or keeper on the day preceding the holiday.

"Sec. 4184. Released prisoner as parolee.

"A prisoner having served his term or terms less good-time deductions shall, upon release, be deemed as if released on parole until the expiration of the maximum term or terms for which they were sentenced, less 180 days. This section shall not prevent delivery of a prisoner to the authorities of any State otherwise entitled to his custody.

"Sec. 4185. Forfeiture for offense.

"If during the term of imprisonment a prisoner commits any offense or violates the rules of the institution, all or any part of his earned good time may be forfeited.

"Sec. 4186. Restoration of forfeited commutation.

"The Attorney General may restore any forfeited or lost good time or such portion thereof as they deem proper upon recommendation of the Director of the Bureau of Prisons.".

(b) Clerical amendment.—The table of chapters at the beginning of part III of title 18, United States Code, is amended by inserting after the item relating to chapter 309 the following new item:

"310. Good time credits."

SEC. 128. CONFORMING DUTIES RELATED TO PAROLE.

(a) Amendment to duties of the United States Sentencing Commission.—Section 994 of title 28, United States Code, is amended by adding at the end the following:

"(z) Duties relating to parole.

"(1) Parole consistency.—In promulgating guidelines and policy statements under this section, the Commission shall ensure that such guidelines and policy statements are consistent with chapter 312 of title 18, United States Code, and shall not be construed or applied to limit, delay, or frustrate parole eligibility, parole consideration, or release presumptions established under Federal law.

"(2) Recognition of parole as primary release mechanism.—Beginning July 4, 2026, the Commission shall treat parole, rather than supervised release or extended terms of imprisonment, as the primary mechanism for determining the timing of release for eligible Federal prisoners, except where Congress has expressly provided otherwise.

"(3) Conforming amendments.—Not later than January 1, 2027, the Commission shall promulgate amendments to the Federal Sentencing Guidelines and relevant policy statements to conform to the amendments made by subtitle B of title I of the POPULIST Act, including amendments restoring parole eligibility, modifying mandatory minimum penalties, and authorizing second-look and sentence modification mechanisms.

"(4) Retroactive application.—Any amendment promulgated pursuant to paragraph (3) shall apply retroactively, notwithstanding subsection (p) or subsection (u), and shall authorize courts and parole authorities to grant relief consistent with such amendments.

"(5) No negative inference.—Nothing in this subsection shall be construed to prohibit or limit any court, the United States Parole Commission, or any other decision-making authority from adopting, implementing, or incorporating changes in law or policy made by subtitle B of title I of the POPULIST Act prior to the issuance or effective date of amendments to the Federal Sentencing Guidelines.

"(6) Construction.—In the event of any conflict between the Federal Sentencing Guidelines and chapter 312 of title 18, United States Code, chapter 312 shall control."

SEC. 129. CLOSING GUANTÁNAMO BAY MILITARY PRISON.

(a) Repealing restriction on closure.—Notwithstanding any other provision of law, sections 8130 through 8133 of Division A of the Consolidated Appropriations Act, 2026 (PL 119-75) shall have no force or effect.

(b) Closure of facility.—Notwithstanding any other provision of law, the President shall close the Department of Defense detention facility at Guantánamo Bay, Cuba, not later than January 1, 2027.

(c) Restriction on use of funds.—

(1) Restriction.—Except as provided in paragraph (2), no amounts appropriated or otherwise made available for fiscal year 2027 or fiscal year 2028 or beyond may be used for the Guantánamo Bay detention facility.

(2) Exception.—Amounts appropriated or otherwise made available for fiscal year 2027 may be used for the following purposes related to the detention of foreign nationals who were detained at the Guantánamo Bay detention facility on the date of enactment:

(A) Transfer to the United States Disciplinary Barracks at Fort Leavenworth, Kansas, for purposes of pretrial detention, detention during a trial, or while serving a sentence, of any such person charged with:

(i) an offense under chapter 47A of title 10, United States Code, as added by section 3 of the Military Commissions Act of 2006;

(ii) a felony offense under title 18, United States Code; or

(iii) chapter 47 of title 10, United States Code (the Uniform Code of Military Justice);

provided that any detention complies with section 136 of the POPULIST Act.

(B) Continued detention at the Guantánamo Bay detention facility for an additional period, not to continue beyond July 4, 2027, upon written certification by the Secretary of Defense to the Chairmen and Ranking Members of the Committees on Armed Services of the Senate and the House of Representatives that additional time is needed to complete the investigation and preparation of charges, including a detailed factual explanation of the specific reasons why the additional time is needed.

(C) Transfer of any such person to another country, provided that—

(i) the transfer complies with the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951, the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, and Federal law; and

(ii) an individual being so transferred who is asserting a well-founded fear of torture, abuse, or persecution has an opportunity to have the claim heard by the Executive Office for Immigration Review, subject to the same judicial review provided for in section 242(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1252(a)(4)).

(D) Release of any other such person.

(d) Immigration status.—The transfer of an individual under subparagraph (b)(2)(A) shall not be considered an entry into the United States for purposes of immigration status.

(e) Alternative sites.—Congress may, by separate legislation after the enactment of this Act, amend the destination for detention in (b)(2)(A).

(f) Authorization of appropriations.—There are authorized to be appropriated such sums as may be necessary to carry out activities under this section related to the investigation, prosecution, and defense of cases and claims relating to foreign nationals who were detained at the Guantánamo Bay detention facility on or after July 4, 2026, and the transfer of such persons, including for the reimbursement of costs incurred by local communities.

Subtitle C—The Matthew Charles Prison Reform Act

SEC. 131. PREGNANCY PROTECTIONS AND REPORTING FOR INCARCERATED INDIVIDUALS.

(a) Section 4322 of title 18, United States Code, is amended—

(1) in subsection (a) to read:

"(a) Prohibition.—Except as provided in subsection (b), beginning on the date on which pregnancy is confirmed by a healthcare professional and ending at the conclusion of postpartum recovery, it shall be unlawful for any Federal, State, or local government, or any officer, employee, contractor, or agent thereof, to place such a prisoner in restraints under color of law."; and

(2) in subsection (g)(2) to read:

"(2) Prisoner.—The term “prisoner” means any person who is subject to custodial authority by a Federal, State, or local government, or by any officer, employee, contractor, or agent thereof, for purposes of detention or confinement for pretrial, post-conviction, civil, administrative, or immigration reasons, regardless of the physical location of such person, but does not include a person who is subject only to temporary detention incident to arrest prior to the establishment of custodial detention."

(b) Reporting requirements.—Each covered carceral agency shall submit an annual report to the Attorney General, in such form and manner as the Attorney General may prescribe, that includes, at a minimum:

(1) The number of incarcerated individuals who were pregnant during the reporting year.

(2) The outcome of any pregnancies concluded during a time of incarceration, including live births, miscarriages, stillbirths, and other medically relevant outcomes.

(3) The use of restraints on pregnant incarcerated individuals, including the number of incidents and the circumstances under which restraints were used.

(4) The use of solitary confinement or restrictive housing on pregnant incarcerated individuals.

(c) Definitions.—In this section, the term “covered carceral agency” means any Federal, State, or local agency, authority, or instrumentality that operates, manages, or contracts for the operation of a jail, prison, detention center, or other facility used for the confinement of individuals.

SEC. 132. EMERGENCY MEDICAL FAMILY NOTIFICATION AND ACCESS.

(a) Definitions.—In this section:

(1) Covered person.—The term “covered person” means any individual in the care or custody of a Federal, State, or local governmental authority in a jail, prison, detention center, or other custodial facility.

(2) Custodial authority.—The term “custodial authority” means any Federal, State, or local agency, department, officer, or employee that exercises legal or physical control over a covered person.

(3) Medical emergency.—The term “medical emergency” means any traumatic injury or identification of an acute medical condition that a reasonable medical professional determines requires immediate evaluation or treatment.

(4) Timely notification.—The term “timely notification” means notification provided as soon as practicable following the onset of a medical emergency, but in no event later than 6 hours after such onset, provided that the covered person has designated or otherwise provided emergency contact information to the custodial authority.

(5) Emergency contact.—The term “emergency contact” means a family member, legal guardian, or other individual designated by a covered person to receive notification in the event of a medical emergency.

(6) Reasonable access.—The term “reasonable access” means meaningful communication, subject only to limitations necessary to address medical needs or legitimate security requirements, including—

(A) by telephone or video communication; and

(B) in-person access as medically appropriate and practicable.

(b) Duty to notify.—Each custodial authority shall ensure that, in the event of a medical emergency involving a covered person, timely notification is provided to an emergency contact of such covered person.

(c) Duty to permit access.—Each custodial authority shall ensure that, following timely notification under subsection, reasonable access to a covered person is afforded to emergency contacts during the medical emergency and any period of recovery.

(d) Maintenance of contact information.—Each custodial authority shall maintain procedures to permit covered persons to designate, review, and update emergency contact information upon intake, transfer, on a regular basis, or by request.

(e) Documentation and accountability.—If timely notification or reasonable access is delayed or denied, the custodial authority shall document the specific reasons for such delay or denial and retain such documentation in the covered person's custodial record.

(f) Civil rights safeguard.— A pattern or practice by a custodial authority of failing to comply with this section shall constitute a deprivation of rights under color of law, enforceable in a civil action brought by the Attorney General for declaratory or injunctive relief.

(g) Rule of construction.—Nothing in this section shall be construed—

(1) to require disclosure of information in violation of applicable medical privacy laws; or

(2) to permit interference with necessary medical care.

SEC. 133. PROTECTION OF IN-PERSON VISITATION.

(a) In general.—It shall be unlawful for any Federal carceral agency to eliminate, suspend, or materially restrict in-person visitation for covered persons except where such restriction is narrowly tailored, time-limited, and necessary to address a specific and articulable safety or security concern.

(b) Anti-replacement rule.—The availability of video visitation or other remote communication services may not be used as a substitute for, or justification to eliminate or materially restrict, in-person visitation.

(c) Federal funding condition.—Beginning with the 2028 fiscal year, no Federal funds may be obligated or expended to contract with, provide grants to, or place Federal detainees in, any State, local, or private facility that fails to maintain in-person visitation standards that are substantially equivalent to those in effect for Bureau of Prisons facilities on the date of enactment of this Act.

(d) Rule of construction.—Nothing in this section shall be construed to require unlimited visitation or to prohibit reasonable scheduling, screening, or supervision practices consistent with safety and security.

SEC. 134. PRESERVATION OF PHYSICAL MAIL.

(a) In general.—It shall be unlawful for any Federal carceral agency to categorically prohibit the receipt or sending of physical mail by covered persons.

(b) Anti-replacement rule.—The availability of electronic messaging, scanned mail, or other digital correspondence systems may not be used as a justification to eliminate physical mail.

(c) Handling of mail.—Physical mail may be inspected or screened for security purposes, but may not be destroyed, withheld, or converted to digital-only form absent individualized cause or the consent of the sender and recipient.

(d) Federal funding condition.—Beginning in the 2028 fiscal year, no Federal funds may be obligated or expended to contract with, provide grants to, or place Federal detainees in, any State, local, or private facility that fails to maintain physical mail policies that are substantially equivalent to those in effect for Bureau of Prisons facilities on the date of enactment of this Act.

(e) Rule of construction.—Nothing in this section shall be construed to prohibit reasonable limitations on mail based on size, content, or security screening consistent with constitutional requirements.

SEC. 135. REPEAL OF INCARCERATION INCENTIVE GRANT PROGRAM.

(a) The Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants (34 U.S.C. 12101 et seq.) is repealed.

SEC. 136. RESTRICTIONS ON THE USE OF SOLITARY CONFINEMENT.

(a) Findings.—The Congress finds the following—

(1) The United Nations Office on Drugs and Crime has issued “the Nelson Mandela Rules,” the United Nations Standard Minimum Rules for the Treatment of Prisoners. The use of indefinite or prolonged solitary confinement for more than 15 days is defined as a form of torture. Rules 43-45 define restrictions for solitary confinement.

(2) In the summer of 2019, the U.S. had more than 55,000 incarcerated people who had been in solitary confinement for 15 days or longer; including thousands for more than 3 years.

(3) A 2014 study published in the American Journal of Public Health found that “Self-harm is strongly linked to being in solitary confinement. Inmates punished by solitary confinement were approximately 6.9 times as likely to commit acts of self-harm ….”

(4) A Department of Justice review of solitary confinement published in January 2016 summarized their conclusions by emphasizing, “as a matter of policy, we believe strongly this practice should be used rarely, applied fairly, and subjected to reasonable constraints.”

(b) Chapter 301 of title 18, United States Code, is amended by adding at the end the following:

“Sec. 4015. Solitary confinement.

“(a) Definitions.—In this section:

“(1) Attempting.—The term ‘attempting’ means having the intent to carry out a particular act and completing significant steps in the advancement of the attempt. Evidence of withdrawal or abandonment of a plan to carry out the act shall negate a finding of intent.

“(2) Clinician.—The term ‘clinician’ means a Federal or State licensed physician, except that for purposes of mental health evaluations, the term shall include a Federal or State licensed psychiatrist or psychologist, or an advanced practice nurse or clinical nurse specialist with a specialty in psychiatric nursing.

“(3) Developmental disability.—The term ‘developmental disability’ means a disability attributable to an intellectual or developmental condition, as defined in the latest edition of the Diagnostic and Statistical Manual of the American Psychiatric Association, or related conditions constituting a severe or profound disability.

“(4) Emergency confinement.—The term ‘emergency confinement’ means the placement of an incarcerated person into solitary confinement for no more than 24 hours when:

“(A) there is reasonable cause to believe it is necessary for reducing a substantial risk of imminent serious harm to the incarcerated person or others in the facility, as evidenced by recent threats or conduct; and

“(B) a less restrictive intervention would be insufficient to reduce this risk.

“(5) Federal agency.—The term ‘Federal agency’ means the Federal Bureau of Prisons, U.S. Immigration and Customs Enforcement, Department of Homeland Security, U.S. Customs and Border Protection, Office of Refugee Resettlement, United States Marshals Service, Department of Health and Human Services, any other Federal agency that has people in its care or custody, and any Federal, State, local, or private entity that has contracted with any of these or other Federal agencies for holding or providing services to people in their care or custody.

“(6) Federal facility.—The term ‘Federal facility’ means a Federal Bureau of Prisons facility, U.S. Immigration and Customs Enforcement facility, Department of Homeland Security facility, U.S. Customs and Border Protection facility, Office of Refugee Resettlement facility, United States Marshals Service facility, Department of Health and Human Services facility, any other facility operated by a Federal agency that has people in its care or custody, and any Federal, State, local, or private facility that has contracted with any Federal agencies for incarcerating people in their care or custody or providing services to incarcerated people in their care or custody.

“(7) Incarcerated person.—The term ‘incarcerated person’ means a person held in a Federal facility.

“(8) Medical seclusion.—The term ‘medical seclusion’ means involuntary isolated confinement of an incarcerated person as a patient in a separate room, subject to close medical supervision.

“(9) Medical staff.—The term ‘medical staff’ means State licensed psychiatrists, physicians, physician assistants, advanced practice nurses or clinical nurse specialists or, for mental health evaluations or decisions, those registered nurses with a specialty in

psychiatric nursing, or comparably credentialed employees or contractors employed to provide medical, mental, and behavioral health care services.

"(10) Psychiatric emergency.—The term 'psychiatric emergency' means an acute disturbance of behavior, thought or mood of a patient which if untreated may lead to harm, either to the individual or to others in the environment.

"(11) Serious mental illness.—The term 'serious mental illness' means a disability based on a mental illness, a history of psychiatric hospitalization, or recently exhibited conduct, including but not limited to serious self-mutilation, indicating the need for further observation or evaluation to determine the presence of mental illness;

"(12) Solitary confinement.—The term 'solitary confinement' means the involuntary confinement of an incarcerated person to a cell or similarly confined holding or living space for approximately 22 hours or more per day, with severely restricted activity, movement, and social interaction. Solitary confinement does not include confinement due to a facility-wide or unit-wide lockdown that is required to ensure the safety of incarcerated people and staff.

"(13) Vulnerable person.—The term 'vulnerable person' means any incarcerated person who—

"(A) is 21 years of age or younger;

"(B) has a serious mental illness;

"(C) has a developmental disability;

"(D) has a significant neurocognitive impairment from a condition such as dementia or a traumatic brain injury;

"(E) has a serious medical condition which cannot effectively be treated in solitary confinement; or

"(F) is pregnant, or has given birth, suffered a miscarriage, or terminated a pregnancy in the previous 45 days.

"(b) Restrictions on the use of solitary confinement—

"(1) Federal facilities shall not place any vulnerable person in solitary confinement except for the use of medical seclusion pursuant to subsection (e). No other person may be placed in solitary confinement except for disciplinary reasons pursuant to subsection (c) or for temporary emergency confinement.

"(2) No incarcerated person may be placed in solitary confinement for more than 15 consecutive days, or 30 days in any 60-day period. Any person placed in solitary confinement shall receive a personal and comprehensive medical and mental health examination conducted by a clinician pursuant to subsection (d).

"(3) No person placed in solitary confinement shall be:

"(A) subjected to corporal punishment;

"(B) placed in a cell or other holding or living space that is dark or constantly lit, or that lacks functioning sanitary facilities, proper ventilation or temperature monitoring;

"(C) denied access to appropriate medical care, including emergency medical care; or

"(D) denied, or given reduced access to: food, water, adequate clothing, or any other basic necessity. No variation of food from the standard menu shall be permitted without the incarcerated person's consent, except for a limited period, not to exceed 7 days, for an incarcerated person who has used food or food service equipment in a manner that is hazardous to the incarcerated person or others, provided that the food supplied is healthful, palatable, and meets basic nutritional requirements.

"(4) During the final 180 days of an incarcerated person's term of incarceration, officials shall avoid placing the person in solitary confinement. If solitary confinement becomes necessary during this time, officials shall provide targeted re-entry programming to prepare the prisoner for his or her return to the community.

"(c) Disciplinary use of solitary confinement.—

"(1) Federal facilities shall establish maximum penalties for each level of disciplinary offense, graded based on the seriousness of the offense, which should include alternatives to solitary confinement. If used for punishment, solitary confinement shall be reserved for offenses:

"(A) Causing or attempting to cause serious physical injury or death to another person.

"(B) Compelling or attempting to compel another person, by force or threat of force, to engage in a sexual act (as defined in section 2246 of title 18).

"(C) Leading, organizing, inciting, or attempting to cause a riot, or other similarly serious disturbance that results in the taking of a hostage, major property damage, or serious physical harm to another person.

"(D) Escaping, attempting to escape or facilitating an escape from a facility or escaping, attempting to escape or facilitating an escape while under supervision outside such facility.

"(2) An incarcerated person shall not be placed in solitary confinement pending investigation of a disciplinary offense unless the incarcerated person's presence in general population would pose a danger to the incarcerated person, staff, other incarcerated people, or the public.

"(A) In making this determination, officials should consider the seriousness of the alleged offense, including whether the offense would be punishable by solitary confinement pursuant to paragraph (1).

"(B) An incarcerated person's initial placement in investigative solitary confinement should be reviewed within 24 hours by an appropriate, high-level authority who was not involved in the initial placement decision.

"(C) An incarcerated person placed in investigative solitary confinement shall be given an initial hearing within 72 hours of placement, in the absence of exceptional circumstances, unavoidable delays, or reasonable postponements. An incarcerated person who demonstrates good behavior during investigative solitary confinement shall be considered for release to the general population while awaiting his or her disciplinary hearing.

"(D) Absent compelling circumstances, such as a pending criminal investigation, an incarcerated person may not remain in investigative solitary confinement for a longer period of time than the maximum term of disciplinary solitary confinement permitted for the most serious offense charged.

"(3) Procedures for a disciplinary hearing which may result in solitary confinement for an incarcerated person—

"(A) Hearings shall be conducted by a neutral decision maker—

"(i) In Federal Bureau of Prisons facilities or facilities contracting with the Federal Bureau of Prisons or United States Marshals Service for incarcerating people in their care or custody, the neutral decision maker shall be appointed by the Assistant Attorney General for Civil Rights, employed by the Department of Justice but independent of any division or unit within the Department of Justice that has people in its care or custody or engages in any prosecuting activities, any other Federal agency, and any prosecuting entity.

"(ii) In U.S. Immigration and Customs Enforcement, Department of Homeland Security, or U.S. Customs and Border Protection facilities, or facilities contracting with U.S. Immigration and Customs Enforcement, the Department of Homeland Security, or U.S. Customs and Border Protection for incarcerating people in their care or custody, the neutral decision maker shall be appointed by the Officer for Civil Rights and Civil Liberties, employed by the Department of Homeland Security but independent of the Office for Civil Rights and Civil Liberties, any division or unit within the Department of Homeland Security that has people in its care or custody or engages in any prosecuting activities, any other Federal agency, and any prosecuting entity.

"(iii) In Department of Health and Human Services facilities or facilities contracting with the Department of Health and Human Services for incarcerating people in their care or custody, the neutral decision maker shall be appointed by the

Director of the Office for Civil Rights, employed by the Department of Health and Human Services but independent of the Office for Civil Rights, any division or unit within the Department of Health and Human Services that has people in its care or custody, any other Federal agency, and any prosecuting entity.

"(B) The incarcerated person shall be permitted to represent themselves or be represented by any attorney, law student, paralegal, community advocate, or other incarcerated person of their choosing. If a person does not have their own representative, they shall be offered the assistance of a representative as follows:

"(i) For all hearings described in subparagraph (A)(i), an appointed representative selected by the Assistant Attorney General for Civil Rights, employed by the Department of Justice, and independent of:

"(I) any division or unit within the Department of Justice that has people in its care or custody or engages in any prosecuting activities;

"(II) any other Federal agency; and

"(III) any prosecuting entity.

"(ii) For all hearings described in subparagraph (A)(ii), an appointed representative selected by the Officer for Civil Rights and Civil Liberties, employed by the Department of Homeland Security, and independent of:

"(I) the Office for Civil Rights and Civil Liberties;

"(II) any division or unit within the Department of Homeland Security that has people in its care or custody or engages in any prosecuting activities;

"(III) any other Federal agency; and

"(IV) any prosecuting entity.

"(iii) For all hearings described in subparagraph (A)(iii), an appointed representative shall be selected by the Director of the Office for Civil Rights, employed by the Department of Health and Human Services, and independent of:

"(I) the Office for Civil Rights;

"(II) any division or unit within the Department of Health and Human Services that has people in its custody;

"(III) any other Federal agency; and

"(IV) any prosecuting entity.

"(C) Not less than 2 days prior to any hearing, both the incarcerated person and their chosen representative shall be provided detailed written notice of the reason for the hearing, including all relevant evidence. The individual and their chosen representative shall be provided adequate time to prepare for such hearings and afforded adjournments as appropriate. Any refusal by an incarcerated person to attend such hearings shall be videotaped and made part of the evidentiary record that shall be maintained by the relevant federal agency. Failure to provide the notice described herein or to enter into the record videotaped evidence of an alleged refusal to attend by an incarcerated person shall constitute a basis for resolving the hearing in that person's favor.

"(D) The neutral decision maker shall issue a written determination within 5 business days of the conclusion of the placement hearing. The determination shall specify the finding, a summary of each witness's testimony and an explanation of whether their testimony was credited or rejected, and the evidence relied upon in reaching the finding. A finding for disciplinary solitary confinement shall be supported by clear and convincing evidence.

"(E) A copy of the determination shall be provided to the incarcerated person and their chosen representative within 24 hours of the issuance of the determination, and, if the finding imposes disciplinary solitary confinement, no less than 2 hours prior to its imposition.

"(4) If a disciplinary hearing officer is confronted with an incarcerated person who demonstrates symptoms of mental illness, the officer shall refer the person to a member of the medical staff to provide input as to:

"(A) the incarcerated person's competence to participate in the disciplinary hearing,

"(B) any impact the incarcerated person's mental illness may have had on their responsibility for the charged behavior, and

"(C) information about any known mitigating factors in regard to the behavior.

"The disciplinary hearing officer shall also consult a member of the medical staff, preferably the treating clinician, as to whether certain types of sanctions, (e.g., placement in disciplinary solitary confinement, loss of visits, or loss of phone calls) may be inappropriate because they would interfere with supports that are a part of the incarcerated person's treatment or recovery plan. Disciplinary hearing officers shall take the psychologist's findings into account when deciding what if any sanctions to impose.

"(5) If the hearing results in an adjudication of guilt, disciplinary solitary confinement may be used only if the hearing officer concludes that other available sanctions are insufficient to serve the purposes of punishment. An incarcerated person who is a vulnerable person described in subparagraph (E) or (F) of subsection (a)(13), who would otherwise be placed in solitary confinement, may alternately be placed in medical seclusion.

“(6) Absent any compelling circumstances, any time spent in investigative solitary confinement shall be credited toward a punishment of disciplinary solitary confinement. Ordinarily, disciplinary sentences for offenses that arise out of the same episode should be served concurrently.

“(7) To incentivize conduct that furthers institutional safety and security, an incarcerated person who demonstrates good behavior during disciplinary solitary confinement shall be given consideration for early release from solitary confinement, where appropriate.

“(d) Medical and mental health examinations.—

“(1) Except as provided in paragraph (3), no person shall be placed in solitary confinement prior to receiving a personal and comprehensive medical and mental health examination by a clinician.

“(2) A clinician shall evaluate each person placed in solitary confinement on a daily basis, in a confidential setting outside of the cell whenever possible, to determine whether they are a vulnerable person. The clinician may recommend changes to the solitary confinement of a person in order to ensure that such confinement does not exacerbate a medical condition or mental or physical disability.

“(3) A person placed in emergency confinement shall receive an initial medical and mental health evaluation within 2 hours of placement in emergency confinement by a member of the medical staff, and a personal and comprehensive medical and mental health evaluation within 36 hours of confinement.

“(4) If an evaluation determines the incarcerated person is a vulnerable person, they shall immediately be removed from solitary confinement, except an incarcerated person who is a vulnerable person described in subparagraph (E) or (F) of subsection (a)(13) may alternately be transferred to medical seclusion. A punishment of disciplinary solitary confinement which has been imposed on an incarcerated person who is removed from confinement pursuant to this paragraph shall be deemed to be satisfied.

“(e) Medical seclusion.— The Federal facility may subject a person to medical seclusion—

“(1) in response to a psychiatric emergency, if de-escalation methods and less restrictive measures fail to defuse the situation. If subjecting a person to medical seclusion in response to a psychiatric emergency pursuant to this paragraph, the medical staff shall continue de-escalation efforts and end the use of medical seclusion when the threat of the serious incident or imminent physical harm has passed.

“(2) when a mental health examination, the conduct of an incarcerated person, or any subsequent observation identifies a risk of suicide, the incarcerated person may be placed in a medical seclusion and promptly evaluated by a clinician, who should determine the degree of risk, appropriate level of ongoing supervision, and appropriate course of mental health treatment.

“(A) A suicidal incarcerated person’s clothing may be removed only if an individualized assessment finds such removal necessary, and the affected person shall be provided with suicide resistant garments that are sanitary, adequately modest, and appropriate for the temperature.

“(B) At a minimum, incarcerated people presenting a serious risk of suicide shall be housed within sight of staff and observed by staff, face-to-face, at irregular intervals of no more than 15 minutes, with any currently threatening or attempting suicide under continuous staff observation. Suicide observation shall be documented, and incarcerated people under suicide observation evaluated by a clinician prior to being removed from observation.

“(3) pursuant to subsection (d)(4), for the fulfillment of disciplinary solitary confinement.

“(4) when medically necessary for an incarcerated person with a readily transmissible contagious disease, if the best available objective evidence indicates that the person poses a direct threat to the health or safety of others and other restrictions would be insufficient. Any accommodation made to address the special needs or risks of a prisoner with a communicable disease may not unnecessarily reveal that prisoner’s health condition.

“(5) In any case of medical seclusion under this subsection, a clinical review shall be conducted at least every 8 hours and as indicated.

"(f) Recordkeeping.—

"(1) Required records.—For each placement of an incarcerated person in solitary confinement under this section, the Federal facility shall—

"(A) provide written notice to the appropriate facility administrator (or their designee); and

"(B) create and maintain a written record that includes—

"(i) the specific reason for—

"(I) the placement, including any hearings conducted, findings made, and sanctions imposed relating to the placement;

"(II) the removal of the incarcerated person;

"(ii) the type of confinement, including disciplinary, investigative, emergency confinement, or medical seclusion;

"(iii) the date and time—

"(I) the confinement began;

"(II) the confinement ended; and

"(III) of the notification required by subparagraph (A);

"(iv) the identity and title of the official authorizing the placement;

"(v) whether the incarcerated person was determined to be a vulnerable person under subsection (a);

"(vi) all medical and mental health evaluations conducted pursuant to this section, including the date, time, and evaluator.

"(2) Retention and availability.—Records required under paragraph (1) shall—

"(A) be maintained at the facility in which the incarcerated person is housed;

"(B) be available for internal oversight, medical review, and civil rights compliance purposes;

"(C) be preserved for not less than 5 years; and

"(D) reported in aggregate to the Department of Justice.

"(3) Review and corrective action.—

"(A) Failure to comply.—A failure to provide notice or maintain records as required under this subsection shall require prompt supervisory review by the Federal agency responsible for the facility.

"(B) Corrective measures.—Where noncompliance is identified, the agency shall take appropriate corrective action, which may include training, policy modification, disciplinary measures, or referral for civil rights review.

"(g) Rulemaking.—Not later than January 30, 2027, the Bureau of Prisons shall develop rules, guidance, and regulations useful and necessary to implement this section.".

(c) Clerical amendment.—The table of sections for such chapter is amended by adding at the end the following:

“4015. Solitary confinement.”.

(c) Effective dates.—

(1) Subsection (b) of this section, and subsections (a), (b) , and (g) of section 4015, as inserted by this section, are effective 30 days after enactment of the POPULIST Act; and

(2) the remaining subsections of section 4015 are effective on March 1, 2027, or 30 days after issuance of the rules, guidance, and regulations developed pursuant to subsection (g) of such section.

SEC. 137. REMOVAL OF LIMITATION ON RECOVERY ON CERTAIN SUITS BY INCARCERATED PEOPLE.

(a) Section 1346(b)(2) of title 28, United States Code, is amended to read as follows[17]:

(2) No person convicted of a felony who is incarcerated while awaiting sentencing or while serving a sentence may bring a civil action against the United States or an agency, officer, or employee of the Government, for mental or emotional injury suffered while in custody without a prior showing of physical injury or the commission of a sexual act (as defined in section 2246 of title 18), or placement in solitary confinement in violation of section 4015 of title 18.".

(b) This section shall be effective July 4, 2027.

Subtitle D—Access to Courts

SEC. 141. REPEAL OF PRISON LITIGATION REFORM ACT.

The Prison Litigation Reform Act of 1995 (Title VIII of Public Law 104-134) is repealed.

SEC. 142. PROTECTION OF COURT ADJUDICATION ACCESS.

(a) In general.—Title 9, United States Code, is amended by inserting after chapter 4 the following:

"CHAPTER 5—PROTECTION OF COURT ADJUDICATION ACCESS

"SEC. 501. Definitions.

"SEC. 502. Prohibition on predispute arbitration agreement.

"SEC. 503. Prohibition on predispute joint-action waivers.

"SEC. 504. Prohibition on forum manipulation and coercive dispute terms.

"SEC. 505. Non-waivability of right to court adjudication.

"SEC. 506. Judicial authority and preservation of court access.

"SEC. 507. Rule of construction and overriding effect.

"SEC. 508. Enforcement by the Attorney General and the Commission.

"SEC. 509. Private right of action.

"SEC. 510. Severability.

[17] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

"Sec. 501. Definitions.

"(a) In general.—In this chapter:

"(1) Arbitration.—The term 'arbitration' means any process in which a dispute is submitted to one or more private decisionmakers for a binding or nonbinding determination outside a public court.

"(2) Essential services.—The term 'essential services' means employment, housing, credit, insurance, healthcare, education, utilities, transportation, digital platforms used for commerce or communication, and any other service designated by the Attorney General by regulation.

"(3) Meaningful consent.—The term 'meaningful consent' means knowing, voluntary, and affirmative consent given after a dispute has arisen, without coercion, penalty, or any condition affecting access to essential services or legal rights.

"(4) Person.—The term 'person' has the meaning given in section 1 of title 1, United States Code.

"(5) Predispute arbitration agreement.—The term 'predispute arbitration agreement' means any agreement to arbitrate a dispute that had not yet arisen at the time the agreement was made.

"(6) Predispute joint-action waiver.—The term 'predispute joint-action waiver' means any agreement, whether or not part of a predispute arbitration agreement, that waives or limits the right of a party to participate in a joint, class, collective, or representative action concerning a dispute that had not yet arisen at the time the agreement was made.

"Sec. 502. Prohibition on predispute arbitration agreement.

"(a) In general.—No person may require, enforce, or give effect to any predispute arbitration agreement.

"(b) Voluntary post-dispute arbitration permitted.—Arbitration of a dispute shall be lawful only if:

"(1) the dispute has already arisen;

"(2) all parties provide meaningful consent to arbitration;

"(3) such consent is provided in a separate written agreement executed after the dispute arises; and

"(4) any party may revoke consent to arbitration at any time prior to issuance of a final arbitral award.

"Sec. 503. Prohibition on predispute joint-action waivers.

"(a) In general.—No person may require, enforce, or give effect to any predispute joint-action waiver.

"(b) Applicability.—Subsection (a) applies regardless of whether such waiver is asserted through an arbitration agreement, forum selection clause, choice-of-law provision, or any other mechanism or arrangement.

"(c) Non-severability.—Any agreement containing a prohibited waiver under this section shall be unenforceable with respect to dispute resolution in its entirety, unless the aggrieved party elects otherwise.

"Sec. 504. Prohibition on forum manipulation and coercive dispute terms.

"(a) In general.—No person may require, enforce, or give effect to any agreement, term, or condition that:

"(1) selects a forum or venue in a manner that unreasonably increases cost, delay, or burden on an aggrieved party;

"(2) includes a confession of judgment or cognovit provision;

"(3) authorizes unilateral modification of dispute resolution terms;

"(4) restricts remedies, damages, or forms of relief otherwise available under law; or

"(5) operates to coerce consent or deny meaningful access to judicial review.

"(b) Presumption.—Any agreement, term, or condition described in subsection (a) that is imposed as a non-negotiable condition affecting access to essential services or legal rights shall be presumed coercive and shall constitute an unfair, deceptive, or abusive act or practice under section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

"Sec. 505. Non-waivability of right to court adjudication.

"(a) In general.—The rights and protections established under this chapter may not be waived, limited, or displaced by contract, agreement, policy, or condition, whether entered into before or after a dispute arises.

"(b) Void agreements.—Any agreement, term, or condition that purports to waive or restrict a right protected under this chapter shall be void as against public policy and unenforceable in any Federal or State court.

"(c) No consent by adhesion.—Consent obtained through a condition affecting access to essential services or legal rights shall not constitute meaningful consent for purposes of this chapter.

"Sec. 506. Judicial authority and preservation of court access.

"(a) Court determination.—A court of competent jurisdiction shall determine the validity and enforceability of any arbitration agreement or dispute resolution term covered by this chapter.

"(b) No delegation.—The question of whether an agreement complies with this chapter may not be delegated to an arbitrator.

"(c) Burden of proof.—The party seeking to enforce arbitration or any alternative dispute resolution mechanism shall bear the burden of proving compliance with this chapter.

"(d) No automatic stay.—The filing of a motion to compel arbitration or an interlocutory appeal relating to arbitration shall not stay proceedings in a court of competent jurisdiction.

"(e) Interim relief.—Courts shall retain authority to grant preliminary, injunctive, or equitable relief notwithstanding the existence of any arbitration agreement or appeal.

"Sec. 507. Rule of construction and overriding effect.

"(a) Ordinary contract treatment.—Arbitration agreements shall be treated as ordinary contracts and shall not receive special or favored status under Federal law.

"(b) Federal Arbitration Act.—This chapter shall apply notwithstanding the Federal Arbitration Act (9 U.S.C. 1 et seq.).

"(c) Preemption.—This chapter shall supersede and preempt any Federal or State law, rule, regulation, or judicial doctrine to the extent that such law, rule, regulation, or doctrine permits or requires the enforcement of a contract term prohibited under this chapter.

"(d) State protections preserved.—Nothing in this chapter shall be construed to limit greater protections provided under State law that are consistent with this chapter.

"(e) Public rights preserved.—Nothing in this chapter shall be construed to permit the privatization, waiver, or displacement of public rights, public enforcement mechanisms, or statutory remedies enacted in the public interest.

"Sec. 508. Enforcement by the Attorney General and the Commission.

"(a) In general.—The Attorney General and the Commission may enforce this chapter 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 chapter.

"(b) Section 45 violation.—A violation of this chapter shall constitute an unfair, deceptive, or abusive act or practice under section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

"(c) Civil penalties.—Any person who knowingly violates this chapter shall be subject to a civil penalty of not more than $50,000 for each violation.

"(d) Pattern or practice.—Each agreement, policy, or course of conduct that violates this chapter with respect to more than 1 individual shall constitute a separate violation.

"Sec. 509. Private right of action.

"(a) In general.—Any person aggrieved by a violation of this chapter may bring a civil action in a Federal or State court of competent jurisdiction.

"(b) Relief.—In an action under this section, a court may award appropriate relief, including declaratory relief, injunctive relief, rescission of unlawful contract terms, restitution, actual damages, statutory damages, and any other relief the court deems just and proper.

"(c) Attorney's fees.—A prevailing plaintiff shall be entitled to reasonable attorney's fees and costs.

"(d) Non-exclusivity.—The remedies provided under this section are in addition to any other remedies available under Federal or State law.

"Sec. 510. Severability.

"If any provision of this chapter, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this chapter, and the application of the remaining provisions to any other person or circumstance, shall not be affected.".

(b) Effective date.—The amendments made by this section shall take effect on January 1, 2027.

SEC. 143. OPEN COURTS ACT.

(a) Modernization of electronic Federal court records systems.—

(1) Consolidation.—Not later than the date specified in paragraph (5), the Director of the Administrative Office of the United States Courts, in coordination with the Administrator of General Services, shall develop, deliver, and sustain, consistent with the requirements of this subsection and subsection (b), one system for all public Federal court records.

(2) Requirements of system.—The system described under paragraph (1) shall comply with the following requirements:

(A) The system shall provide search functions, developed in coordination with the Administrator of General Services, for use by the public and by parties before the court.

(B) The system shall make public Federal court records automatically accessible to the public, including all filings, decisions, and rulings in each case linked from an online docket sheet for each case.

(C) The home page for public access to the system shall include a notice displayed to first-time visitors, as determined through a mechanism that does not require registration or impose a fee, that users will not use the system for an unlawful purpose. Access to documents through other means, including subparagraph (F), may not be conditioned upon acknowledging such notice.

(D) Any information made available through a website established pursuant to section 205 of the E–Government Act of 2002 (44 U.S.C. 3501 note) shall be included in the system.

(E) Any website for the system shall substantially comply with the requirements under subsections (b) and (c) of section 205 of the E–Government Act of 2002 (44 U.S.C. 3501 note).

(F) To the extent practicable, external websites shall be able to link to documents on the system. Each website established pursuant to section 205 of the E–Government Act of 2002 (44 U.S.C. 3501 note) shall contain a link to the system.

(G) To the extent practicable, the system shall enable courts to automatically generate and submit, in a computer-readable format, the reports required by sections 2519(1) and 3103a(d)(1) of title 18, United States Code.

(H) The system shall provide, at the case level, a consolidated public view that clearly displays all scheduled and pending deadlines, hearings, conferences, and trial dates, including the date, time, location, and applicable court, and shall distinguish between past events and upcoming events.

(3) Data standards.—

(A) Establishment of data standards.—The Director of the Administrative Office of the United States Courts, in coordination with the Administrator of General Services and the Archivist of the United States, shall establish data standards for the system established under paragraph (1).

(B) Requirements.—The data standards established under subparagraph (A) shall, to the extent reasonable and practicable—

(i) incorporate widely accepted common data elements;

(ii) incorporate a widely accepted, nonproprietary, full text searchable, platform-independent computer-readable format; and

(iii) be capable of being continually upgraded as necessary.

(C) Deadlines.—Not later than 270 days after the date of enactment of this section, the Director of the Administrative Office of the United States Courts shall issue guidance to all Federal courts on the data standards established under this paragraph.

(4) Use of technology.—In carrying out the duties under paragraph (1), the Director of the Administrative Office of the United States Courts shall use modern technology—

(A) to improve security, data accessibility, data quality, affordability, and performance;

(B) to meet publicly disclosed minimum standards for system availability, response time, and usability, including testing with pro se litigants and non-lawyer users; and

(C) to minimize the burden on pro se litigants.

(5) Date specified.—The date specified in this paragraph is July 1, 2028, unless the Administrator of General Services certifies to Congress, by not later than Septemebr 30, 2026, that an additional period of time is required. If the Administrator so certifies, the date specified in this paragraph is July 1, 2029.

(6) Funds for establishment, operation, and maintenance of modernized court records system.

(A) Short term access fees to fund establishment of modernized court records system.

(i) In general.—Section 303 of the Judiciary Appropriations Act, 1992 (title III of Public Law 102–140; 105 Stat. 807) (28 U.S.C. 1913 note) is amended—

(I) in subsection (a), by inserting “The Judicial Conference shall prescribe, after providing public notice and an opportunity for public comment, a schedule of additional fees for any person other than a government agency that accrues such fees for access in an amount of $25,000 or greater in any quarter. All fees collected under the preceding sentence shall be deposited as offsetting collections to the Judiciary Information Technology Fund pursuant to section 612(c)(1)(A) of title 28, United States Code, to reimburse expenses incurred in carrying out sections 2 and 3 of the Open Courts Act of 2021.” before “The Director of the Administrative Office of the United States Courts”; and

(II) in subsection (b), in the second sentence, by striking “All” and inserting “Except as otherwise provided in this section, all”.

(ii) Excess fees.—Amounts deposited in the Judiciary Information Technology Fund pursuant to the amendments made by clause (i) may only be used for purposes of this section.

(iii) Effective date.—The amendments made by clause (i) shall take effect on the date of enactment of this section.

(B) Filing fees to fund operation and maintenance of modernized court records system.

(i) In general.—Section 303 of the Judiciary Appropriations Act, 1992 (title III of Public Law 102–140; 105 Stat. 807) (28 U.S.C. 1913 note) is amended by striking subsections (a) and (b), and inserting the following:

"(a) To cover the costs of carrying out section 2 of the Open Courts Act of 2021, the Judicial Conference may, after providing public notice and an opportunity for public comment and only to the extent necessary to cover such costs not otherwise provided by appropriations, prescribe schedules of reasonable filing fees, pursuant to sections 1913, 1914, 1926, 1930, and 1932 of title 28, United States Code, which—

"(1) shall be based on the extent of use of the system described under such section 2 for purposes of carrying out such section 2;

"(2) shall be based on factors to ensure that such schedules are graduated, including the cause of action and claim for relief, the status of the filer in the action and the financial hardship an additional fee would place on the filer, the amount of damages demanded, the estimated complexity of the type of action, and the interests of justice;

"(3) may be prescribed for the filing of a counterclaim;

"(4) shall not apply in the case of a pro se litigant, a first time litigant who is an individual, or a litigant who certifies their financial hardship; and

"(5) shall not be a basis for denying access to the courts of the United States.

"(b) (1) The Judicial Conference and the Director of the Administrative Office of the United States Courts (in this section referred to as the 'Director') shall transmit each schedule of fees prescribed under subsection (a) to Congress at least 90 days before the schedule becomes effective. All fees collected under subsection (a) shall be deposited as offsetting collections to the Judiciary Information Technology Fund pursuant to section 612(c)(1)(A) of title 28, United States Code, to reimburse expenses incurred in carrying out section 2 of the Open Courts Act of 2021.

"(2) The Judicial Conference shall review a schedule of fees prescribed under subsection (a) 3 years after the schedule becomes effective and every 3 years thereafter to ensure that the fees meet the requirements of this section. If the fees do not meet the requirements of this section, the Judicial Conference shall, after providing public notice and an opportunity for public comment, prescribe a new schedule of fees pursuant to subsection (a) and submit the new schedule of fees to Congress pursuant to this subsection.

"(c) A court, upon motion, may waive any fee imposed under subsection (a) in the interest of justice.".

(ii) Effective date.—The amendment made by clause (i) shall take effect on the date specified in paragraph (5).

(7) Report.—Not later than 90 days after the date of enactment of this section, the Director of the Administrative Office of the United States Courts shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House

of Representatives a report on the amount of appropriations necessary to carry out paragraphs (1) through (4).

(b) Public access to electronic Federal court records system requirement.—

(1) In general.—Not later than the date specified in paragraph (3), the Director of the Administrative Office of the United States Courts, in coordination with the Administrator of General Services, shall make all materials in the system established under subsection (a) publicly accessible, free of charge, and without requiring registration.

(2) Use of technology.—In providing public access under paragraph (1), the Director of the Administrative Office of the United States Courts shall, in coordination with the Administrator of General Services, use modern technology—

(A) to improve security, data accessibility, ease of public access, affordability, and performance;

(B) to minimize the burden on pro se litigants; and

(C) to the extent practicable, enable users to opt in to receive electronic notifications regarding newly scheduled hearings, deadline changes, or other docket updates in a case, without requiring paid access or conditioning access to documents on such notifications.

(3) Date specified.—The date specified in this paragraph is the date that is 2 years after the date of enactment of this section, unless the Administrator of General Services certifies to Congress, by not later than 90 days after the date of enactment of this section, that an additional period of time is required. If the Administrator so certifies, the date specified in this paragraph is the date that is 3 years after the date of enactment of this section.

(4) Funding for public access to modernized electronic court records system.

(A) In general.—Section 303 of the Judiciary Appropriations Act, 1992 (title III of Public Law 102–140; 105 Stat. 807) (28 U.S.C. 1913 note), as amended by subsection (a)(6)(B)(i), is amended by adding at the end the following:

“(d) (1) To cover the costs of ensuring the public accessibility, free of charge, of all materials in the system described under sections 2 and 3 of the Open Courts Act of 2021 in accordance with section 3 of such Act, the Administrative Office of the United States Courts shall collect an annual fee from Federal agencies equal to the Public Access to Court Electronic Records access fees paid by those agencies in 2021, as adjusted for inflation. For any Federal agency that did not pay Public Access to Court Electronic Records access fees in fiscal year 2021, the Administrative Office of the United States Courts may collect fees based on a standard annual fee determined by the Judicial Conference. All fees collected under this subsection shall be deposited as offsetting collections to the Judiciary Information Technology Fund pursuant to section 612(c)(1)(A) of title 28, United States Code, to

reimburse expenses incurred in providing services in accordance with section 3 of the Open Courts Act of 2021.

"(2) To cover any additional marginal costs of ensuring the public accessibility, free of charge, of all materials in the system described under sections 2 and 3 of the Open Courts Act of 2021 in accordance with section 3 of such Act, the Judicial Conference may, after providing public notice and an opportunity for public comment and only to the extent necessary to cover such costs not otherwise provided by appropriations, prescribe schedules of reasonable filing fees, pursuant to sections 1913, 1914, 1926, 1930, and 1932 of title 28, United States Code, which—

"(A) shall be based on the extent of use of the system described under such section 2;

"(B) shall, in addition, be based on factors to ensure that such schedules are graduated, including the cause of action and claim for relief, the status of the filer in the action and the financial hardship an additional fee would place on the filer, the amount of damages demanded, the estimated complexity of the type of action, and the interests of justice;

"(C) may be prescribed for the filing of a counterclaim;

"(D) shall not apply to a pro se litigant, a first time litigant who is an individual, or a litigant who certifies their financial hardship; and

"(E) shall not be a basis for denying access to the courts of the United States.

"(3) (A) The Judicial Conference and the Director shall transmit each schedule of fees prescribed under this subsection to Congress at least 90 days before the schedule becomes effective. All fees collected under this subsection shall be deposited as offsetting collections to the Judiciary Information Technology Fund pursuant to section 612(c)(1)(A) of title 28, United States Code, to reimburse expenses incurred in providing public access in accordance with section 3 of the Open Courts Act of 2021.

"(B) The Judicial Conference shall review a schedule of fees prescribed under this subsection 3 years after the schedule becomes effective and every 3 years thereafter to ensure that the fees meet the requirements of this subsection. If the fees do not meet the requirements of this subsection, the Judicial Conference shall prescribe a new schedule of fees pursuant to this subsection and submit the new schedule of fees to Congress pursuant to subparagraph (A).

"(C) Amounts deposited to the Judiciary Information Technology Fund pursuant to this subsection and not used to reimburse expenses incurred in carrying out section 3 of the Open Courts Act of 2021 may be used to reimburse expenses incurred in carrying out section 2 of that Act and not for any other purpose.".

(B) Effective date.—The amendment made by subparagraph (A) shall take effect on the date specified in paragraph (3).

(c) Digital accessibility standards and cybersecurity.—

(1) Digital accessibility standards.—The system described under subsections (a) and (b) shall comply with relevant digital accessibility standards established pursuant to section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(2) Cybersecurity review.—The Judicial Conference and the Administrative Office of the United States Courts, as applicable, shall ensure the cybersecurity of the system described under subsections (a) and (b), in coordination with the relevant cybersecurity expert agencies in the executive branch and consistent with the relevant cybersecurity standards that would apply if the system would be operated by an agency in the executive branch.

(d) GAO review.—

(1) In general.—Not later than 1 year after the date of enactment of this section, and quarterly thereafter, the Comptroller General of the United States shall notify Congress whether the Director of the Administrative Office of United States Courts has—

(A) produced additional usable functionality of the system described under subsections (a) and (b);

(B) held live, publicly accessible demonstrations of software in development; and

(C) allowed the Comptroller General or a designee to attend all sprint reviews held during the applicable period.

(2) Audit.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Comptroller General of the United States shall—

(A) conduct an audit of the system established under this section, including the compliance of vendors with the quality assessment surveillance plan, code quality, and whether the system is meeting the needs of users; and

(B) submit to Congress a report that contains—

(i) the results of the audit; and

(ii) any recommendations to improve the system established under this section.

(3) Public disclosure and follow-up.—Each report submitted under paragraph (2) shall be made publicly available on the system described under subsections (a) and (b), and if the Comptroller General identifies material deficiencies, the Director of the Administrative Office of the United States Courts shall, not later than 90 days after submission of such report, submit to Congress a written plan to address such deficiencies.

(e) Authorization of appropriations.—There are authorized to be appropriated such sums as may be necessary to carry out subsections (a) and (b).

(f) Rule of construction.—Nothing in this section, or the amendments made by this section, shall be construed to—

(1) abrogate, limit, or modify the requirements described in section 1915 of title 28, United States Code; or

(2) permit the imposition of fees, registration requirements, technical barriers, or design practices that have the purpose or effect of restricting free public access to electronic Federal court records.

SEC. 144. NEUTRAL CITATIONS REQUIRED.

(a) Definition.—The term "neutral citation" includes a citation that is independent of any proprietary reporter, and includes—

(1) the year of the decision;

(2) the name of the court (which may be abbreviated);

(3) a sequential decision number assigned by the court for that year; and

(4) paragraph numbers for purposes of pinpoint citation.

(b) Requirement.—Each court of the United States shall assign a neutral citation to every precedential opinion and order.

(c) Official publication.—Each court of the United States shall publish every precedential opinion and order in an official digital format that—

(1) includes the neutral citation and paragraph numbering required under this section;

(2) is made available to the public without charge; and

(3) is accessible in a machine-readable and nonproprietary format.

(d) Citation sufficiency.—A neutral citation assigned pursuant to this section shall be deemed a sufficient citation for all purposes in the courts of the United States.

(e) Rules.—The Judicial Conference of the United States shall promulgate rules to implement this section not later than December 31, 2027.

SEC. 145. AMENDMENT TO ATTORNEY'S FEES AND PREVAILING PARTY DEFINITION.

Section 1988 of title 42, United States Code, is amended by adding at the end the following:

"(d) Prevailing party defined.—

"(1) For purposes of this section, a plaintiff shall be considered a prevailing party if the plaintiff obtains—

"(A) a final judgment on the merits;

"(B) a consent decree or court-approved settlement that materially alters the legal relationship of the parties; or

"(C) a preliminary injunction, temporary restraining order, or other interim judicial relief that—

"(i) provides enforceable relief on the merits of a claim; and

"(ii) materially alters the conduct of the defendant toward the plaintiff;

"regardless of whether the action is later rendered moot by voluntary cessation, repeal, policy change, settlement with the named plaintiff, or other action of the defendant.

"(2) A defendant's voluntary change in policy, practice, or conduct after the commencement of an action shall not preclude a plaintiff from being deemed a prevailing party if the court finds that the relief obtained under paragraph (2)(C) was a factor in causing such change.

"(3) A court may award attorney's fees to a prevailing defendant only upon a finding that the plaintiff's claim was frivolous, unreasonable, or brought in bad faith.

"(e) Attorney's fees required.—In any civil action brought under section 1979 of the Revised Statutes (42 U.S.C. 1983), the court shall award a reasonable attorney's fee, expert fees, and costs to a prevailing plaintiff.

SEC. 146. ADDRESSING DAVIS V. AYALA.

(a) Section 2254(d) of title 28, United States Code, is amended to read as follows[18]—

(d) An application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court shall not be granted with respect to any claim that was adjudicated on the merits in State court proceedings unless the adjudication of the claim—

(1) resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States; ~~*or*~~

[18] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(2) resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding.; or

(3) involved a constitutional error, provided that relief may be denied if the State establishes, by clear and convincing evidence, that the error did not contribute to the outcome of the adjudication.

SEC. 147. ADDRESSING JONES V. HENDRIX.

(a) Section 2255(h) of title 28, United States Code, is amended to read as follows—

(h) A second or successive motion must be certified as provided in section 2244 by a panel of the appropriate court of appeals to contain—

(1) newly discovered evidence that, if proven and viewed in light of the evidence as a whole, would be sufficient to establish by clear and convincing evidence that no reasonable factfinder would have found the movant guilty of the offense; or

(2) a new rule of constitutional law, made retroactive to cases on collateral review by the Supreme Court, that was previously unavailable.

Nothing in this subsection shall be construed to limit the habeas remedies available under this section prior to the enactment of the Antiterrorism and Effective Death Penalty Act.

SEC. 148. ADDRESSING SHINN V. RAMIREZ.

(a) Section 2254(e) of title 28, United States Code, is amended to read as follows[19]—

(e) (1) In a proceeding instituted by an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court, a determination of a factual issue made by a State court shall be presumed to be correct. The applicant shall have the burden of rebutting the presumption of correctness by clear and convincing evidence.

(2) If the applicant has failed to develop the factual basis of a claim in State court proceedings, the court shall not hold an evidentiary hearing on the claim unless the applicant shows that—

(A) the claim relies on—

(i) a new rule of constitutional law, made retroactive to cases on collateral review by the Supreme Court, that was previously unavailable; ~~*or*~~

(ii) a factual predicate that could not have been previously discovered through the exercise of due diligence; ~~and~~ or

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[19] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(iii) a finding of ineffective assistance of counsel; and

(B) the facts underlying the claim would be sufficient to establish by clear and convincing evidence that but for constitutional error, no reasonable factfinder would have found the applicant guilty of the underlying offense.

PART I - LEGAL SERVICES GRANT PROGRAM

SEC. 151. FINDINGS AND PURPOSE.

(a) The Congress finds the following—

(1) Members of the legal profession are trustees of the judicial system, officers of the court who serve on the front lines of establishing justice. As guardians of legal knowledge, they have a duty to the public at large, but the injustice rampant in the judicial system demonstrates that as a group, they are failing in their duty to be stewards of justice. America must do better.

(2) Over the last 35 years, lawyers have raised their fees at twice the rate of inflation. Rather than fully utilizing their productive capacity, they have chosen to increase their prices, correctly calculating that they can earn more money with fewer-but- higher-paying customers with an inelastic demand for their services.

(3) The decision to price many Americans out of the market for legal services has fallen heaviest on the people most likely to find themselves in need of legal knowledge and representation. Those below the poverty line are 3 times as likely to be arrested, and the prevalence of cash bail also negatively impacts their available resources for a legal defense.

(4) Without a knowledgeable advocate to guide them, poor defendants find themselves, on average, serving longer sentences. This has led to a two-tiered system that makes a mockery of the phrase “with liberty and justice for all.” Shakespeare famously suggested killing all the lawyers, which would even the playing field, but a preferable alternative is a fee-and-dividend model to address the issue.

(5) This part establishes a 12% excise tax on practitioners of legal services, and distributes the collected fees as vouchers to anyone who is arrested. There are an estimated 1.3 million lawyers in the U.S., earning an average of $125,000 each year. This puts the potential amount of voucher dollars at upwards of $15 billion annually.

(6) This should have 2 effects. First, by creating a supply of voucher dollars, a new market for legal services will be created, generating business opportunities for lawyers who would otherwise like to serve the community as stewards of justice but are unable to generate sufficient revenue. Second, by providing prompt access to legal expertise for those who are involuntarily thrust into the legal system, justice will be promoted.

(7) Simple arrests can have cascading consequences. In 2015, Sandra Bland was arrested after a pretext stop, held for days when she could not afford bail, and missed starting her new job. Her body was discovered in her cell on July 13th.

(8) Legal vouchers will not be redeemable for cash, but they will be transferable, so that any surplus could be donated to people in need of additional legal services. This will enable incarcerated people to seek funds for professional reevaluation of their legal situations.

(9) Last, the program director may suggest revenue thresholds where the voucher distribution could be expanded to provide resources to parties in non-criminal cases, including family court, small claims court, and other civil proceedings, where those who can not afford legal representation are frequently denied justice.

(b) The purpose of this subtitle is to cultivate justice by rebalancing the economic forces in the legal profession.

SEC. 152. LEGAL SERVICES GRANT PROGRAM.

(a) Definitions.—For the purposes of this subtitle—

(1) Activity.—The term “activity” means any action that results in an increase or decrease of the funds underlying an account, or an adjustment due to an error or a reversal of a prior transaction.

(2) Director.—The term “Director” means the Director of the Legal Services Grant Program.

(3) Law enforcement agency.—The term “law enforcement agency” means any agency or unit of Federal, State, or local government authorized to place individuals under arrest.

(4) Provider.—The term “provider” means a provider of legal services, as defined in section 5000D(b)(1) of title 26, United States Code.

(5) Qualified individual.—The term “qualified individual” means any person arrested within the United States, as defined in section 5 of title 18, United States Code, after September 30, 2026.

(6) Trust fund.—The term "trust fund" means the Legal Services Trust Fund established by section 9512 of title 26, United States Code.

(7) Voucher.—The term “voucher” means a card, code, or other means of access to a Legal Services Grant Program account associated with an unconditional grant for the purchase of legal services.

(b) Establishment.—There is established within the Office of Justice Programs a program to be known as the Legal Services Grant Program. The Program shall be headed by a Director who shall be appointed by, and report to, the Assistant Attorney General for the Office of Justice Programs.

(c) Duties and functions.—The Director shall establish a program by which qualified individuals receive a grant for legal services in the form of a voucher that is redeemable for legal

services from a participating provider, and may enter into compacts, cooperative agreements, and contracts on behalf of the Legal Services Grant Program.

(d) In general.—The Legal Services Grant Program:

(1) shall preemptively establish individual accounts for legal services grants, prepaid with $600, and issue vouchers to law enforcement agencies to be held on behalf of qualified individuals.

(2) shall establish standards for law enforcement agencies to:

(A) promptly distribute a voucher to any individual arrested by the agency; and

(B) notify the Legal Services Grant Program of:

(i) the account associated with the voucher provided;

(ii) the name, birth date, and case number identifying the individual provided a voucher;

(iii) a summary of the charges for which the individual was arrested, including the quantity of felonies and the quantity of lesser charges;

(iv) the number of vouchers remaining in their possession; and

(v) any other information the Director may, by rule, require.

(3) shall, after receiving the information required by subparagraph (d)(2)(B):

(A) update the account with the identifying information of the individual assigned to it; and

(B) if needed, increase the amount of the grant in the account to total as follows:

(i) For individuals qualified under subparagraph (a)(5)(A), the sum of—

(I) $300;

(II) $500 for each felony charge; plus

(III) $300 for any lesser charge.

(4) shall establish a voucher redemption program. Such program shall—

(A) set minimum standards for provider participation, provided that any person subject to the excise tax in section 5000D of Subtitle D of the Internal Revenue Code of 1986 is a participating provider in the Legal Services Grant Program unless they opt out in a process established by the Director;

(B) ensure widespread acceptance of vouchers through collaboration with providers; and

(C) ensure prompt reimbursement to participating providers, without fees or charges, for the value used by the account holder.

(5) shall establish a process by which an account holder receives an additional grant or grants if additional charges are filed without a new arrest. Such grants shall be in the amounts designated in subparagraph (d)(3)(B).

(6) shall establish a website, which shall allow individuals to search by zip code for participating providers, check the account balance of the legal services grant, make transfers to other accounts, and provide any other information or functions that the Director deems useful.

(6) shall establish a program by which persons other than qualified individuals may open an account to accept transfers of funds from account holders. The Director shall ensure this program is accessible to incarcerated individuals.

(7) shall perform such other functions as the Assistant Attorney General for the Office of Justice Programs may delegate that are consistent with the statutory obligations of this section.

(8) shall, no later than October 30, 2027, submit to the Congress a proposed draft of legislation that, if enacted, would further clarify and implement the provisions of this section, including:

(A) what additional grants should be provided for court appearances or other milestones in criminal court proceedings; and

(B) establishing funding thresholds by which this program may be expanded to provide vouchers to parties in non-criminal cases, including family court, small claims court, and other civil proceedings.

(e) No cash rebates.— No portion of any legal services grant may be provided to the account holder as cash or used for any other purpose except the purchase of legal services.

(f) Expiration of grants.—Grants assigned under this section shall expire after one year with no account activity. Any remaining funds shall be returned to the trust fund.

(g) Regulations.—Not later than April 30, 2027, the Office of Justice Programs shall establish, and promulgate regulations to implement in accordance with this section.

(h) Grants not income.—Notwithstanding any other provision of law, the issuance of a legal services grant by the Office shall not be considered income.

(1) Conforming amendment.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139L the following new section:

“Sec. 139M. Legal services grants.

“Gross income shall not include the amount of any legal service grant provided by the Office of Justice Programs under section 152 of the POPULIST Act.”.

(2) Clerical amendment.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 139L the following new item:

“139M. Legal services grants.".

SEC. 153. EXCISE TAX ON PROVIDERS OF LEGAL SERVICES.

(a) Excise tax on providing legal services.—Subtitle D of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new chapter:

“CHAPTER 50B—LEGAL SERVICES

“SEC. 5000E. Imposition of tax on sales of legal services.

“Sec. 5000E. Imposition of tax on sales of legal services.

“(a) In general.—There is hereby imposed on any sale of legal services a tax equal to 12 percent of the amount paid for such service (determined without regard to this section), whether paid by insurance or other private interest.

“(b) Legal service defined.— For purposes of this section, the term “legal service” means—

“(1) in matters of law, providing advice to, or representation of, a person or entity,

“(2) by someone formally trained in such matters and possessing a degree from an institution that provides such instruction.

“(c) Payment of tax.—

“(1) In general.—The tax imposed by this section shall be paid by the person for whom the service is performed.

“(2) Collection.—Every person receiving a payment for services on which a tax is imposed under subsection (a) shall collect the amount of the tax from the individual on whom the service is performed and remit such tax quarterly to the Secretary of the Treasury at such time and in such manner as provided by the Secretary.

“(3) Secondary liability.—Where any tax imposed by subsection (a) is not paid at the time payments for legal services are made, then to the extent that such tax is not collected, such tax shall be paid by the person who performs the service.

“(4) In-house counsel.—When legal services are provided by an employee, the compensation for such employee shall be considered the sale price for subsection (a); except that employees of a tax exempt organization (pursuant to subchapter F of chapter 1 of the Internal Revenue Code of 1986) shall be exempt from this paragraph.

“(5) For the public good.—This section shall not apply to:

“(A) employees of any government body or agency; or

“(B) purchases of legal services by any government body or agency.”.

(b) Clerical amendment.—The table of chapters for subtitle D of the Internal Revenue Code of 1986, as amended by this Subtitle, is amended by inserting after the item relating to chapter 50A the following new item:

“Chapter 50B—Legal Services”.

(c) Effective date.—The amendments made by this section shall apply to legal services performed on or after July 1, 2027.

SEC. 154. ESTABLISHING THE LEGAL SERVICES TRUST FUND.

Subchapter A of chapter 98 of title 26, United States Code, is amended by adding at the end the following new section:

"SEC. 9512. Legal services trust fund.

“Sec. 9512. Legal services trust fund.

"(a) Creation of trust fund.—There is established in the Treasury of the United States a trust fund to be known as the “Legal Services Trust Fund”, consisting of such amounts as may be appropriated or credited to such fund as provided in this section or section 9602(b).

“(b) Transfers to Legal Services Trust Fund.—There are hereby appropriated to the Legal Services Trust Fund amounts equivalent to the net revenues received in the Treasury from the taxes imposed under chapter 50B of subtitle D.

“(c) Expenditures.—Amounts in the trust fund shall be available, without further appropriation, only for making expenditures to carry out the purposes of the Legal Services Grant Program established by section 152 of the POPULIST Act.

"(d) Initial funding.—Until September 30, 2027, there is authorized to be appropriated to the Legal Services Trust Fund, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary to administer the Legal Services Grant Program.".

Subtitle E—The Weldon Angelos Prosecutorial Reform Act

SEC. 161. PROHIBITING PUNISHMENT OF ACQUITTED CONDUCT.

(a) Use of information for sentencing.—

(1) Amendment.—Section 3661 of title 18, United States Code, is amended to read as follows[20]—

No limitation shall be placed on the information concerning the background, character, and conduct of a person convicted of an offense which a court of the United States may receive and consider for the purpose of imposing an appropriate sentence, except that a court of the United States shall not consider, except for purposes of mitigating a sentence, acquitted conduct under this section.

(2) Applicability.—The amendment made by paragraph (1) shall apply only to a judgment entered after July 4, 2026.

(b) Definitions.—Section 3673 of title 18, United States Code, is amended to read as follows—

(a) *As used in chapters 227 and 229—*

(1) the term "found guilty" includes acceptance by a court of a plea of guilty or nolo contendere;

(2) the term "commission of an offense" includes the attempted commission of an offense, the consummation of an offense, and any immediate flight after the commission of an offense; and

(3) the term "law enforcement officer" means a public servant authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of an offense.

(b) As used in this chapter, the term 'acquitted conduct' means—

(1) an act—

(A) for which a person was criminally charged and adjudicated not guilty after trial in a Federal, State, or Tribal court; or

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[20] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(B) in the case of a juvenile, that was charged and for which the juvenile was found not responsible after a juvenile adjudication hearing; or

(2) any act underlying a criminal charge or juvenile information dismissed—

(A) in a Federal court upon a motion for acquittal under rule 29 of the Federal Rules of Criminal Procedure; or

(B) in a State or Tribal court upon a motion for acquittal or an analogous motion under the applicable State or Tribal rule of criminal procedure.

SEC. 162. CLARIFYING CERTAIN OFFENSES RELATED TO ESPIONAGE.

(a) Gathering, transmitting, or losing defense information.—Subsections 793(a)-(e) of title 18, United States Code, are amended as follows[21]—

(a) Whoever, for the purpose of obtaining information respecting the national defense with ~~intent or reason to believe~~ specific intent *that the information is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, fueling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, research laboratory or station or other place connected with the national defense owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers, departments, or agencies, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, stored, or are the subject of research or development, under any contract or agreement with the United States, or any department or agency thereof, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place so designated by the President by proclamation in time of war or in case of national emergency in which anything for the use of the Army, Navy, or Air Force is being prepared or constructed or stored, information as to which prohibited place the President has determined would be prejudicial to the national defense; or*

(b) Whoever, for the purpose aforesaid, and with like intent ~~or reason to believe~~*, copies, takes, makes, or obtains, or attempts to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything* that has been properly classified that is *connected with the national defense; or*

(c) Whoever, for the purpose aforesaid, receives or obtains or agrees or attempts to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model,

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[21] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

instrument, appliance, or note, of anything that has been properly classified that is *connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this chapter; or*

(d) Whoever, lawfully having possession of, access to, control over, or being entrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation, willfully and with specific intent to injure the United States or advantage any foreign nation, *communicates, delivers, transmits or causes to be communicated, delivered, or transmitted or attempts to communicate, deliver, transmit or cause to be communicated, delivered or transmitted the same to any person not entitled to receive it, or willfully* and with specific intent to injure the United States or advantage any foreign nation, *retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or*

(e) Whoever having unauthorized possession of, access to, or control over any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation, willfully and with specific intent to injure the United States or advantage any foreign nation, *communicates, delivers, transmits or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully* and with specific intent to injure the United States or advantage any foreign nation, *retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it; or*

(b) Disclosure of classified information.—Subsection 798(a) of title 18, United States Code, is amended to read as follows[22]—

(a) Whoever knowingly and willfully, and with specific intent to injure the United States or advantage any foreign nation, *communicates, furnishes, transmits, or otherwise makes available to an unauthorized person, or publishes, or uses in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States any classified information—*

[22] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

(c) Authority to disclose information.—Subsection 798(c) of title 18, United States Code, is amended to read as follows[23]—

(c) Nothing in this section shall prohibit the ~~furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives of the United States of America, or joint committee thereof~~ furnishing of information to—

(1) any Member of the Senate or the House of Representatives;

(2) a Federal court, in accordance with such procedures as the court may establish;

(3) the inspector general of an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), including the Inspector General of the Intelligence Community;

(4) the Chairman or a member of the Privacy and Civil Liberties Oversight Board or any employee of the Board designated by the Board, in accordance with such procedures as the Board may establish;

(5) the Chairman or a commissioner of the Federal Trade Commission or any employee of the Commission designated by the Commission, in accordance with such procedures as the Commission may establish;

(6) the Chairman or a commissioner of the Federal Communications Commission or any employee of the Commission designated by the Commission, in accordance with such procedures as the Commission may establish; or

(7) any other person or entity authorized to receive disclosures containing classified information pursuant to any applicable law, regulation, or executive order regarding the protection of whistleblowers.

(d) Testimony of purpose.—

(1) In general.—Chapter 37 of title 18, United States Code, is amended by adding at the end the following:

"Sec. 799A. Testimony of purpose

"A defendant charged with an offense under section 793 or 798 shall be permitted to testify about their purpose for engaging in the prohibited conduct.

"Sec. 799B. Affirmative defense

"(a) It is an affirmative defense to a charge under section 793 or 798 that the defendant engaged in the prohibited conduct for the purpose of disclosing to the public—

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[23] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

"(1) any violation of any law, rule, or regulation; or

"(2) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.".

(2) Clerical amendment.—The table of sections for chapter 37 is amended by adding at the end the following:

"799A. Testimony of purpose.

"799B. Affirmative defense.".

SEC. 163. ENDING FEDERAL CIVIL ASSET FORFEITURE.

(a) General Rules For Civil Forfeiture Proceedings.—Section 981 of title 18, United States Code, is repealed and reenacted to read as follows—

“Sec. 981. Prohibiting civil forfeiture.

“No person shall be required, under the laws of the United States, to forfeit to the United States any property, real or personal, pursuant to a civil forfeiture proceeding, including a nonjudicial civil forfeiture proceeding.”.

(b) Sections 983-987 of title 18, United States Code, are repealed.

(c) This section shall apply with respect to forfeiture proceedings pending on or after July 4, 2026.

(d) Conforming Amendments.—The table of sections for chapter 46 of title 18, United States Code, is amended—

(1) by amending the item related to section 981 to read as follows:

“981. Prohibiting civil forfeiture.”; and

(2) by striking the items related to sections 983 through 987.

SEC. 164. RESTRICTING STATE CIVIL ASSET FORFEITURE.

(a) Sense of congress.—It is the sense of Congress that the Constitution authorizes and obligates Congress to prohibit the use of civil asset forfeiture by the States.

(b) In general.—Property owned by a person may be forfeited to a State pursuant to a civil proceeding only after—

(1) criminal conviction of such person for violation of State criminal law; or

(2) a civil proceeding in which—

(A) the State proves that the person who owns the property has committed the offense giving rise to forfeiture; and

(B) the person who owns such property is entitled to all protections applicable to criminal defendants under the Constitution, including a trial by jury and the ability to be represented by counsel.

(c) Federal cause of action.—A person aggrieved by a violation of subsection (b) may bring a civil action against the State in the appropriate Federal district court for relief, including return of forfeited property and enforcement of the procedures described in subsection (b).

(d) This section shall apply with respect to forfeiture proceedings occurring or pending on or after enactment.

Subtitle F—Deescalating the War on Drugs

SEC. 171. FINDINGS AND SENSE OF CONGRESS.

(a) Findings.—Congress finds the following:

(1) During the 50 years since Congress' enactment of the Controlled Substances Act (21 U.S.C. 801 et seq.), which authorized and launched the harsh drug war policies sought by the Nixon Administration, the United States adopted increasingly punitive policies toward the possession, use, and distribution of drugs. The United States has built a massive regime to enforce those policies.

(2) Congress and State legislatures have passed increasingly harsh sentencing schemes such as mandatory minimums, established far-reaching and oppressive civil sanctions and collateral consequences, approved policies weakening the Fourth Amendment for drug searches and seizures, and fostered incentives for aggressive and militarized policing in the alleged pursuit of drugs.

(3) Every year, there are more than 1.4 million arrests in the United States for drug-related offenses. In over 85 percent of those arrests, drug possession was the most serious offense. Drug arrests disproportionately impact people of color and more commonly occur in historically overpoliced, low-income communities. A criminal record, even for an arrest that did not result in a conviction, may have a profound impact on individuals, often interrupting employment, housing, family relationships, child custody, and education.

(4) A health-based approach to drug use and overdose is more effective, humane and cost-effective than criminal punishments. Subjecting people to criminal penalties, stigma, and other lasting collateral consequences because they use drugs is expensive, ruins lives, and can make access to treatment and recovery more difficult.

(5) Despite high numbers of arrests and incarceration in the United States for drug possession, the number and rate of drug-involved overdose deaths has skyrocketed for over 20 years and continues at epidemic levels. In the first year of the pandemic, 100,000 people died by drug overdose in the United States.

(6) Harm reduction services and voluntary, on-demand access to evidence-based substance use disorder treatment have proven highly effective in reducing overdose and the spread of communicable diseases like HIV and Hepatitis C, preventing drug-related injury, and improving health outcomes for people who use drugs. These services should be available on demand to anyone who requests it.

(7) Far too many people who desire treatment face challenges that prevent them from accessing the services they want, including cost barriers, lack of providers, and long wait-lists. On-demand access to evidence-based treatment saves lives, reduces crime, and saves money.

(8) Criminalizing drug use and possession reduces the amount of resources available for harm reduction and treatment services and deters people from accessing available services due to fear of arrest.

(9) Punitive policies have achieved no reduction in supplies or prices, but instead have created unnecessarily risky and harmful conditions for people who use drugs.

(10) Punitive policies have led to militarized tactics that thwart the spirit of the Constitution and have led to the deaths of innocent civilians. Additionally, the drug war apparatus has cost the Federal Government hundreds of billions of dollars in direct enforcement and incarceration costs.

(11) While winding down the war on drugs cannot fully repair our broken and oppressive criminal legal system or the harms from 50 years of the war on drugs, it will help restore individual liberty, protect against some police abuses, better assist those in need, and reduce spending.

(b) Sense of Congress.—It is the sense of the Congress that—

(1) drug prohibition has failed just as alcohol prohibition did, and it is time to begin moving the country in a new direction; and

(2) such change is required to advance justice, which the Preamble to the Constitution requires be established by the people of the United States.

SEC. 172. WITHDRAWAL FROM UNITED NATIONS DRUG CONTROL TREATIES.

(a) Denunciation of drug control conventions.—Pursuant to the applicable denunciation provisions of the following international agreements, the President shall deposit with the Secretary-General of the United Nations written notification that the United States, in consultation with the Congress, denounces each such agreement:

(1) The Single Convention on Narcotic Drugs, done at New York March 30, 1961, pursuant to Article 46 thereof.

(2) The Convention on Psychotropic Substances, done at Vienna February 21, 1971, pursuant to Article 29 thereof.

(3) The United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, done at Vienna December 20, 1988, pursuant to Article 30 thereof.

SEC. 173. FEDERAL DECRIMINALIZATION OF PERSONAL DRUG POSSESSION.

(a) Section 404 of the Controlled Substances Act (21 U.S.C. 844) is amended by striking everything after "Postal Service." and inserting the following.

“Any person who violates this subsection shall be subject to a civil penalty of not more than $100, which may be imposed in the discretion of the Attorney General, except in the case of a first violation of this subsection, the Attorney General may issue a written warning in lieu of imposing a civil penalty.

"(b) A violation of this section shall not constitute a criminal offense. No person shall be arrested, detained, or taken into custody solely for such violation.

"(c) A violation of this section shall not be treated as a conviction for purposes of any Federal law, including—

"(1) for purposes of immigration status;

"(2) for eligibility for Federal benefits, including but not limited to: housing, employment, education, and licensing; or

"(3) any other collateral consequence under Federal law.".

(b) Section 844a of title 21, United States Code, is repealed.

SEC. 174. ELIMINATION OF CRACK COCAINE DISPARITY AND AUTOMATIC RETROACTIVE RELIEF.

(a) Elimination of increased penalties for cocaine base offenses.—

(1) Controlled Substances Act.—The following provisions of the Controlled Substances Act (21 U.S.C. 801 et seq.) are repealed:

(A) Clause (iii) of section 401(b)(1)(A) (21 U.S.C. 841(b)(1)(A)).

(B) Clause (iii) of section 401(b)(1)(B) (21 U.S.C. 841(b)(1)(B)).

(2) Controlled Substances Import and Export Act.—The following provisions of the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) are repealed:

(A) Subparagraph (C) of section 1010(b)(1) (21 U.S.C. 960(b)(1)).

(B) Subparagraph (C) of section 1010(b)(2) (21 U.S.C. 960(b)(2)).

(b) Applicability to pending cases.—The amendments made by subsection (a) shall apply to any sentence imposed on or after July 4, 2026, regardless of when the offense was committed.

(c) Automatic retroactive sentence recalculation.—

(1) In general.—Notwithstanding any other provision of law, in the case of a defendant who, before July 4, 2026, was sentenced for a Federal offense involving cocaine base, the Bureau of Prisons shall, not later than January 1, 2027, recalculate the term of imprisonment for such defendant by treating any reference to cocaine base as a reference to cocaine for purposes of revising the applicable penalty.

(2) Release.—If the term of imprisonment recalculated under paragraph (1) is less than the term of imprisonment the defendant has already served, the Bureau of Prisons shall release the defendant as soon as practicable.

(3) Supervised release.—In the case of any defendant subject to a term of supervised release for an offense involving cocaine base, the sentencing court shall modify the term of supervised release to reflect an underlying sentence recalculated by treating any reference to cocaine base as a reference to cocaine.

SEC. 175. DEESCALATING THE FEDERAL DRUG WAR.

(a) In general.—Notwithstanding any other provision of the Comprehensive Drug Abuse Prevention and Control Act of 1970, or any amendment made by such Act, as previously amended by this subtitle, each provision of such Act that authorizes a maximum term of imprisonment or penalty shall be deemed amended to authorize only the maximum term of imprisonment:

(1) Any provision authorizing a term of imprisonment of not more than 5 years is amended to authorize a term of imprisonment of not more than 2 years.

(2) Any provision authorizing a term of imprisonment of not more than 10 years is amended to authorize a term of imprisonment of not more than 4 years.

(3) Any provision authorizing a term of imprisonment of not more than 20 years is amended to authorize a term of imprisonment of not more than 7 years.

(4) Any provision authorizing a term of imprisonment of not more than 30 years is amended to authorize a term of imprisonment of not more than 10 years.

(5) Any provision authorizing a term of imprisonment of not more than 40 years is amended to authorize a term of imprisonment of not more than 14 years.

(6) Any provision authorizing a sentence of life imprisonment, whether mandatory or discretionary, is amended to authorize a term of imprisonment of not more than 17 years.

(7) Any provision authorizing the imposition of the death penalty shall be deemed to refer instead to a term of imprisonment of not more than 21 years.

(b) Continuing criminal enterprise.—Notwithstanding section 408 of such Act (21 U.S.C. 848), the maximum term of imprisonment for any offense described in such section, including any offense committed by a principal administrator, organizer, or leader, shall be not more than 21 years.

(c) Attempts and conspiracies.—Sections 406 and 1013 of such Act shall apply to offenses as amended by this section, and no greater term of imprisonment may be imposed for an attempt or conspiracy than the maximum term authorized for the offense that was the object of such attempt or conspiracy as reduced by this section.

(d) Second or subsequent offenses.—Any provision of such Act that increases a term of imprisonment based on a prior conviction shall apply only to the maximum term of imprisonment as reduced by this section.

(e) Rule of construction.—Nothing in this section shall be construed to require the imposition of any term of imprisonment, to limit the availability of probation or supervised release, or to restrict the authority of a court to impose a sentence below the maximum term authorized by this section.

(f) Repealing other drug war provisions.—

(1) Repealing outdated findings.—Subchapter I of chapter 16 of title 21, United States Code, is repealed.

(2) Repealing ONDCP.—Subchapter I of chapter 20 of title 21, United States Code, is repealed.

(3) Repealing outdated findings.—Section 1521 of title 21, United States Code, is repealed.

(4) Repealing State mandate.—Section 159 of title 23, United States Code, is repealed.

(5) Repealing no probation policy.—Section 848(d) of title 21, United States Code, is repealed.

SEC. 176. LEGALIZING MARIJUANA AND AUTOMATIC RETROACTIVE RELIEF.

(a) Marijuana legalized.—Any provisions of Federal law prohibiting marijuana are hereby repealed.—

(1) Schedule I removal.—Subsection (c) of schedule I of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) is amended—

(A) by striking “(10) Marihuana.”; and

(B) by striking “(17) Tetrahydrocannabinols, except for tetrahydrocannabinols in hemp (as defined under section 297A of the Agricultural Marketing Act of 1946).”.

(2) Controlled Substances Act conforming amendments.—The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102(44) (21 U.S.C. 802(44)), by striking “marihuana,”;

(B) in section 401(b) (21 U.S.C. 841(b))—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) in clause (vi), by inserting “or” after the semicolon;

(bb) by striking clause (vii); and

(cc) by redesignating clause (viii) as clause (vii);

(II) in subparagraph (B)—

(aa) in clause (vi), by inserting “or” after the semicolon;

(bb) by striking clause (vii); and

(cc) by redesignating clause (viii) as clause (vii);

(III) in subparagraph (C), in the first sentence, by striking “subparagraphs (A), (B), and (D)” and inserting “subparagraphs (A) and (B)”;

(IV) by striking subparagraph (D);

(V) by redesignating subparagraph (E) as subparagraph (D); and

(VI) in subparagraph (D)(i), as so redesignated, by striking “subparagraphs (C) and (D)” and inserting “subparagraph (C)”;

(ii) by striking paragraph (4); and

(iii) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively;

(C) in section 402(c)(2)(B) (21 U.S.C. 842(c)(2)(B)), by striking “, marihuana,”;

(D) in section 403(d)(1) (21 U.S.C. 843(d)(1)), by striking “, marihuana,”;

(E) in section 418(a) (21 U.S.C. 859(a)), by striking the last sentence;

(F) in section 419(a) (21 U.S.C. 860(a)), by striking the last sentence;

(G) in section 422(d) (21 U.S.C. 863(d))—

(i) in the matter preceding paragraph (1), by striking “marijuana,”; and

(ii) in paragraph (5), by striking “, such as a marihuana cigarette,”; and

(H) in section 516(d) (21 U.S.C. 886(d)), by striking “section 401(b)(6)” each place the term appears and inserting “section 401(b)(5)”.

(3) Wiretap cleanup.—Section 2516 of title 18, United States Code, is amended—

(A) in subsection (1)(e), by striking “marihuana,”; and

(B) in subsection (2), by striking “marihuana”.

(4) Local control for DC.—Section 809 of Public Law 119-75 is repealed.

(5) Un-redefining hemp.—Section 781 of Public Law 119-37 is repealed.

(6) Repealing Forest Service enforcement.—Sections 559b - 559f of title 16, United States Code, are repealed.

(7) Amending Byrne grants.—Section 10152(a)(1) of title 34, United States Code, (the Edward Byrne Memorial Justice Assistance Grant Program) is amended—

(A) in subparagraph (A), by inserting before the period ", except those targeting marajuna offenses"; and

(B) in subparagraph (E), by striking "and enforcement".

(b) Applicability to pending cases.—The amendments made by subsection (a) shall apply to any sentence imposed on or after July 4, 2026, regardless of when the offense was committed.

(c) No denial of federal public benefits on the basis of marijuana.—

(1) In general.—No person may be denied any Federal public benefit (as such term is defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c)) on the basis of any use or possession of marijuana, or on the basis of a conviction or adjudication of juvenile delinquency for a marijuana offense, by that person.

(2) Security clearances.—Federal agencies may not use past or present marijuana use as criteria for granting, denying, or rescinding a security clearance.

(d) Immigration consequences.—

(1) In general.—For purposes of the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)), marijuana may not be considered a controlled substance, and an alien may not be denied any benefit or protection under the immigration laws based on any event, including conduct, a finding, an admission, addiction or abuse, an arrest, a juvenile adjudication, or a conviction, relating to the possession or use of marijuana that is no longer prohibited pursuant to this title or an amendment made by this subtitle, regardless of whether the event occurred before, on, or after the effective date of this section.

(2) Conforming amendments.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended—

(A) in section 212(h), by striking “and subparagraph (A)(i)(II) of such subsection insofar as it relates to a single offense of simple possession of 30 grams or less of marijuana”;

(B) in section 237(a)(2)(B)(i), by striking “other than a single offense involving possession for one’s own use of 30 grams or less of marijuana”;

(C) in section 101(f)(3), by striking “(except as such paragraph relates to a single offense of simple possession of 30 grams or less of marihuana)”;

(D) in section 244(c)(2)(A)(iii)(II), by striking “except for so much of such paragraph as relates to a single offense of simple possession of 30 grams or less of marijuana”;

(E) in section 245(h)(2)(B), by striking “(except for so much of such paragraph as related to a single offense of simple possession of 30 grams or less of marijuana)”;

(F) in section 210(c)(2)(B)(ii)(III), by striking “, except for so much of such paragraph as relates to a single offense of simple possession of 30 grams or less of marihuana”; and

(G) in section 245A(d)(2)(B)(ii)(II), by striking “, except for so much of such paragraph as relates to a single offense of simple possession of 30 grams or less of marihuana”.

(e) Automatic retroactive sentence recalculation.—

(1) In general.—Notwithstanding any other provision of law, in the case of a defendant who, before July 4, 2026, was sentenced for a Federal offense involving marijuana, the

Bureau of Prisons shall, not later than January 1, 2027, recalculate the term of imprisonment for such defendant under the changes made by this section.

(2) Release.—If the term of imprisonment recalculated under paragraph (1) is less than the term of imprisonment the defendant has already served, the Bureau of Prisons shall release the defendant as soon as practicable.

(3) Supervised release.—In the case of any defendant subject to a term of supervised release for an offense involving marijuna, the sentencing court shall modify the term of supervised release to reflect the changes made by this section.

(f) Expungement of drug offense convictions for individuals not under a criminal justice sentence.—

(1) In general.—Not later than September 30, 2027, each Federal district court shall conduct a comprehensive review and issue an order expunging each adjudication of juvenile delinquency or conviction for a marajuna offense entered by each Federal court in the district before July 4, 2026 and on or after May 1, 1971. Each Federal court shall also issue an order expunging any arrests associated with each expunged adjudication of juvenile delinquency or conviction.

(2) Notification.—To the extent practicable, each Federal district shall notify each individual whose arrest, conviction, or adjudication of delinquency has been expunged pursuant to this subsection that their arrest, conviction, or adjudication of juvenile delinquency has been expunged, and the effect of such expungement.

(3) Petitioning the court for expungement.—At any point after July 4, 2026, any individual with a prior adjudication of juvenile delinquency or conviction for a marijuana offense, who is not under a criminal justice sentence, may file a motion for expungement. If the expungement of such an adjudication of juvenile delinquency or conviction is required under this subtitle, the court shall expunge the adjudication or conviction, and any associated arrests. If the individual is indigent, counsel shall be appointed to represent the individual in any proceedings under this subsection.

(4) Sealed record.—The court shall seal all records related to an adjudication of juvenile delinquency or conviction that has been expunged under this subsection. Such records may only be made available by further order of the court.

(c) Effect of expungement.—An individual who has had an arrest, a conviction, or juvenile delinquency adjudication expunged under this section—

(1) may treat the arrest, conviction, or adjudication as if it never occurred; and

(2) shall be immune from any civil or criminal penalties related to perjury, false swearing, or false statements, for a failure to disclose such arrest, conviction, or adjudication.

SEC. 175. SAFE HARBOR FOR MARIJUANA-RELATED FINANCIAL SERVICES.

(a) Definitions.—In this section:

(1) Depository institution.—The term “depository institution” has the meaning given the term in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)) and includes a Federal credit union and a State credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)).

(2) Federal banking regulator.—The term “Federal banking regulator” means the Board of Governors of the Federal Reserve System, the Bureau of Consumer Financial Protection, the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency, the Office of the Comptroller of the Currency, the National Credit Union Administration, and the Department of the Treasury (including the Financial Crimes Enforcement Network and the Office of Foreign Assets Control).

(3) Financial service.—The term “financial service” includes any financial product (including insurance) or service and any act by a person (directly or indirectly, and by any means) to authorize, process, clear, settle, bill, transfer for deposit, transmit, deliver, instruct to be delivered, reconcile, collect, or otherwise effectuate or facilitate the payment, transfer, or custody of funds or monetary instruments.

(4) Marijuana.—The term “marijuana” has the meaning given the term “marihuana” in section 102 of the Controlled Substances Act (21 U.S.C. 802), as in effect on the day before the date of enactment of this Act.

(5) Marijuana-related business.—The term “marijuana-related business” means—

(A) a person that engages in the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, purchase, or other commercial handling of marijuana or marijuana products in compliance with the law of the State, Indian Tribe, or political subdivision of a State having jurisdiction over such activity; or

(B) a person that sells goods or services to a person described in subparagraph (A), including the sale or lease of real or other property, legal or other licensed services, accounting services, payroll services, security services, and other ancillary services.

(6) Federally backed mortgage loan.—The term “federally backed mortgage loan” means a loan secured by a first or subordinate lien on residential real property, including individual units of condominiums and cooperatives, designed principally for the occupancy of 1 to 4 families, that is insured, guaranteed, made, purchased, or securitized by the Federal Housing Administration, the Department of Veterans Affairs, the Department of Agriculture, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation.

(b) Safe harbor for depository institutions.—

(1) In general.—A Federal banking regulator may not terminate or limit deposit insurance or share insurance, prohibit, penalize, or otherwise discourage a depository institution from providing a financial service, recommend or encourage a depository institution not to offer financial services, take an adverse or corrective supervisory action, or otherwise take any adverse action against a depository institution solely because the depository institution provides or has provided a financial service to a marijuana-related business.

(2) De novo applicants.—Paragraph (1) shall apply to an institution applying for a depository institution charter to the same extent as such paragraph applies to a depository institution.

(3) No requirement to serve.—Nothing in this section shall be construed to require a depository institution or any other person to provide a financial service to a marijuana-related business.

(c) Proceeds and money laundering; forfeiture protections.—

(1) Proceeds not unlawful solely due to marijuana activity.—For purposes of sections 1956 and 1957 of title 18, United States Code, and any other provision of Federal law relating to proceeds of specified unlawful activity, the proceeds derived from marijuana-related activity of a marijuana-related business shall not be considered proceeds of an unlawful activity solely because the transaction involves such proceeds.

(2) Protections from liability.—A depository institution, and any officer, director, employee, or agent of a depository institution, may not be held liable under any Federal law or regulation solely for providing a financial service to a marijuana-related business, or for further investing any income derived from such a financial service.

(3) Collateral interests; forfeiture.—A depository institution that has a legal interest in collateral for a loan or other financial service provided to a marijuana-related business, or to an owner or operator of real estate or equipment leased to or sold to a marijuana-related business, shall not be subject to criminal, civil, or administrative forfeiture of that legal interest under Federal law solely because the loan or financial service was provided, except that the term “collateral” shall not include marijuana or a marijuana product.

(d) Deposit account termination requests and orders.—

(1) Written determination required.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate, downgrade, restrict, or discourage a specific customer account or group of customer accounts solely because the customer is a marijuana-related business, unless the agency has made a written determination that the depository institution is engaging in

an unsafe or unsound practice or is violating a rule, law, regulation, or order with respect to the relationship of the depository institution with the customer.

(2) Prohibition on reputational-risk-only justifications.—A request or order under paragraph (1) may not be based primarily on reputational risk.

(3) Notice to institution; customer notice.—If an appropriate Federal banking agency makes a request or order described in paragraph (1), the agency shall provide the request or order to the institution in writing and include a written justification identifying the legal or regulatory basis for the request or order; and, except as otherwise prohibited by law, the depository institution shall provide the affected customer with notice of the justification for the termination, downgrade, restriction, or discouragement.

(e) Mortgage eligibility; treatment of income.—

(1) Income treated as legal income.—Income derived from a marijuana-related business shall be considered in the same manner as any other legal income for purposes of determining eligibility for a federally backed mortgage loan for a 1- to 4-unit property that is the principal residence of the mortgagor.

(2) Liability limitation.—A mortgagee or servicer of a federally backed mortgage loan, and any Federal agency, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation, may not be held liable under any Federal law or regulation solely for providing, insuring, guaranteeing, purchasing, or securitizing a mortgage to an otherwise qualified borrower on the basis of the income described in paragraph (1), or for accepting such income as payment on such mortgage loan.

(3) Implementation.—Not later than 180 days after the date of enactment of this Act, each Federal entity described in paragraph (2) shall implement this subsection by guidance, notice, handbook update, seller-servicer guide update, or comparable public instruction, as applicable to such entity's mortgage programs.

SEC. 176. RETAIL EXCISE TAX ON MARIJUANA PRODUCTS.

(a) In general.—Chapter 31 of subtitle D of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

"Subchapter D—Retail Excise Tax on Marijuana Products.

"SEC. 4056. Definitions.

"SEC. 4057. Imposition of tax.

"SEC. 4058. Exemptions.

"SEC. 4059. State authority preserved.

“Sec. 4056. Definitions.

"(a) In this subchapter.—

“(1) Marijuana.—The term ‘marijuana’ has the meaning given the term ‘marihuana’ in section 102 of the Controlled Substances Act (21 U.S.C. 802), as in effect prior to the enactment of the Populist Act.

“(2) Marijuana product.—The term ‘marijuana product’ means any product containing marijuana that is sold for recreational use, including flower, concentrates, edibles, tinctures, topicals, and infused products.

“(3) Retail sale.—The term ‘retail sale’ means a sale of a marijuana product to an end user for personal or household consumption and not for resale.

“(4) Retailer.—The term ‘retailer’ means any person who sells marijuana products to consumers in a retail transaction pursuant to the law of the State, Indian Tribe, or political subdivision of a State having jurisdiction over such sale.

“(5) Gross retail sales price.—The term ‘gross retail sales price’ means the total amount paid by the consumer for a marijuana product, including any services or charges incident to the sale, but excluding State or local sales taxes separately stated.

“Sec. 4057. Imposition of tax.

“(a) Imposition.—There is hereby imposed a tax equal to 6 percent of the gross retail sales price on each retail sale of a marijuana product in the United States.

“(b) Liability.—The tax imposed by this section shall be paid by the retailer making the retail sale.

“Sec. 4058. Exemptions.

“(a) Medical use.—The tax imposed under section 4181B shall not apply to any marijuana product dispensed pursuant to a valid prescription or recommendation for medical use under Federal, State or Tribal law.

“(b) Research and testing.—The tax imposed under section 4181A shall not apply to marijuana products transferred exclusively for scientific research or testing purposes and not for retail sale.

“Sec. 4059. State authority preserved.

“Nothing in this subchapter shall be construed to limit the authority of any State, Indian Tribe, or political subdivision of a State to prohibit, regulate, license, or tax marijuana or marijuana products.".

(b) Effective date.—The amendments made by this section shall apply to retail sales occurring on or after July 30, 2026.

SEC. 177. REGULATION.

(a) Rulemaking.—Unless otherwise provided in this subtitle, not later than July 4, 2027, the Department of the Treasury, the Department of Justice, and the Small Business Administration shall issue or amend any rules, standard operating procedures, and other legal or policy guidance necessary to carry out implementation of this subtitle. After July 4, 2027, any publicly issued sub-regulatory guidance, including any compliance guides, manuals, advisories and notices, may not be issued without 60-day notice to appropriate congressional committees. Notice shall include a description and justification for additional guidance.

(b) No later than July 4, 2027, the Commissioner of Food and Drugs shall issue rules and standards for the quality, purity, and labeling of marijuana products which are offered for sale in the United States.

SEC. 178. NATIONAL COMMISSION ON ENDING FEDERAL DRUG PROHIBITION.

(a) Establishment.—There is established a National Commission on Ending Federal Drug Prohibition.

(b) Purpose.—The purpose of the Commission is to develop a legislative proposal for ending Federal drug prohibition and replacing it with a national regulatory framework, modeled on the repeal of alcohol prohibition.

(c) Duties.—The Commission shall—

(1) examine the public health, criminal justice, economic, fiscal, and civil liberties impacts of Federal drug prohibition;

(2) study the repeal of alcohol prohibition, including the allocation of authority between the Federal Government and the States;

(3) evaluate options for State participation in a repeal of Federal drug prohibition, including State opt-in, opt-out, and independent regulatory regimes;

(4) evaluate models, from a harm reduction perspective, toward a national regulatory framework governing recreational drugs, provided that such models evaluated shall include, but not be limited to taxation, labeling, advertising, safety standards, enforcement, and overall harm reduction;

(5) study preliminary results of the year of jubilee, including rates of substance use and sales of marijuana after the implementation of the American Union Jobs Program; and

(6) develop proposed legislative text to implement the findings of the Commission.

(d) Membership.—The Commission shall be composed of 15 members appointed as follows:

(1) 5 members appointed by the President;

(2) 2 members appointed by the Speaker of the House of Representatives;

(3) 2 members appointed by the Minority Leader of the House of Representatives;

(4) 2 members appointed by the Majority Leader of the Senate;

(5) 2 members appointed by the Minority Leader of the Senate;

(6) 2 members appointed jointly by the congressional leaders described in paragraphs (2) through (5).

(e) Composition and balance.—The membership of the Commission shall include—

(1) not fewer than 2 members with expertise in public health or substance use disorder treatment;

(2) not fewer than 2 members with expertise in criminal justice policy;

(3) not fewer than 1 member representing Tribal interests;

(4) not fewer than 1 member with experience as a State or local regulator;

(5) not fewer than 1 member who served a term of incarceration of not less than 10 years for a drug offense;

(6) not fewer than 1 member with lived experience of recovery from substance use disorder;

(7) not fewer than 1 member with experience of ongoing substance use disorder;

(8) not fewer than 1 member with experience in State-regulated marijuana sales;

(8) political party representation that is not dominated by a single political party.

(f) Appointment deadline.—All members of the Commission shall be appointed not later than September 30, 2026.

(g) Meetings.—The Commission shall meet not less frequently than once per month and may conduct meetings virtually or in person.

(h) Initial meeting.—The Commission shall hold its first meeting not later than October 30, 2026.

(i) Chair.—The members of the Commission shall elect a Chair from among the members at the first meeting of the Commission.

(j) Quorum.—A quorum shall consist of a majority of the members of the Commission who have been appointed and are serving as of the date of the meeting.

(k) Attendance and removal.—Any member who fails to attend 2 consecutive meetings of the Commission without good cause shall, after 7 days, be removed from the Commission and shall no longer be counted for purposes of determining a quorum. A replacement may be appointed at any time, provided such appointment would not violate the requirements of subsections (d) and (e).

(l) Vacancies.—Any vacancy on the Commission shall not impair the authority of the Commission to carry out its duties.

(m) Administrative support and funding.—The Secretary of Health and Human Services shall provide administrative support (including facilitating the drafting of legislation required by subsection (c)(6)), staff, office space, information technology support, and funding necessary for the Commission to carry out its duties, in consultation with the Attorney General and the Secretary of the Treasury.

(n) Reports.—

(1) Interim report.—Not later than January 15, 2027, the Commission shall submit an interim report to Congress.

(2) Final report.—Not later than November 15, 2027, the Commission shall submit a final report to Congress, including proposed legislative text.

(o) Public availability and transparency.—

(1) The Secretary of Health and Human Services shall maintain a publicly accessible website for the Commission.

(2) The website shall include—

(A) the names and biographies of Commission members;

(B) meeting dates, agendas, and locations;

(C) minutes, recordings, or livestreams of meetings, to the extent practicable;

(D) interim and final reports of the Commission; and

(E) any additional materials the Commission determines appropriate.

(3) The Commission may accept written submissions from the public and, if so, shall make such submissions publicly available on the website, subject to reasonable privacy and security protections.

(p) Termination.—The Commission shall terminate on December 31, 2027.

Subtitle G—The George Floyd Justice Act

SEC. 181. QUALIFIED IMMUNITY REFORM.

(a) Section 1983 of title 42, United States Code, is amended to read as follows—

(1) by striking ‘‘Every’’ and inserting the following: ‘‘(a) In this section—

"(1) Public employer.—The term ‘public employer’ means a Federal law enforcement agency that, at the time of a deprivation of any rights, privileges, or immunities described in section (b), employs, or contracts with an individual to perform the duties of, a Federal law enforcement officer or any other officer empowered by law to execute searches, to seize evidence, or to make arrests.

"(2) Law enforcement officer.—The term 'law enforcement officer' means any officer, agent, or employee of any unit of government authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

"(b) Every’’;

(2) in subsection (b), as so designated, by inserting “the United States or” before “any State”; and

(3) by adding at the end the following:

"(c) If, while acting under color of law, any Federal law enforcement officer subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, the public employer of that officer shall be liable to the party injured for the conduct of the officer in an action at law, suit in equity, or other proper proceeding for redress, regardless of whether a policy or custom of the public employer caused the violation, and regardless of whether the officer has any defense or immunity from suit or liability. This subsection shall constitute a waiver of sovereign immunity of the United States with respect to Federal law enforcement agencies for any claim brought under this section. Nothing in this subsection shall be construed to limit or preclude any legal, equitable, or other remedy that is available, under this section or under any other source of law, against an individual officer.

“(d) It shall not be a defense or immunity in any action brought under this section against a law enforcement officer that the rights, privileges, or immunities secured by the Constitution and laws were not clearly established at the time of their deprivation by the defendant, or that at

such time, the state of the law was otherwise such that the defendant could not reasonably have been expected to know whether their conduct was lawful.".

SEC. 182. VISIBLE IDENTIFICATION DURING PUBLIC ENFORCEMENT ACTIONS.

(a) Definitions.—In this section:

(1) Covered law enforcement officer.—The term “covered law enforcement officer” means any Federal officer, employee, contractor, or agent authorized to engage in law enforcement activities, including immigration enforcement activities.

(2) Facial covering.—The term “facial covering” means any opaque mask, garment, helmet, headgear, or other item that conceals or obscures the facial identity of an individual, including, but not limited to, a balaclava, tactical mask, gator, ski mask, and any similar type of facial covering or face-shielding item, but does not include any of the following:

(A) A translucent face shield or clear mask that does not conceal the wearer’s facial identity and is used in compliance with the employing agency’s policy and procedures.

(B) A N95 medical mask or surgical mask to protect against transmission of disease or infection or any other mask, helmet, or device, including, but not limited to, air-purifying respirators, full or half masks, or self-contained breathing apparatus necessary to protect against exposure to any toxin, gas, smoke, inclement weather, or any other hazardous or harmful environmental condition.

(C) A mask, helmet, or device, including, but not limited to, a self-contained breathing apparatus, necessary for underwater use.

(D) A motorcycle helmet when worn by an officer utilizing a motorcycle or other vehicle that requires a helmet for safe operations while in the performance of their duties.

(E) Eyewear necessary to protect from the use of retinal weapons, including, but not limited to, lasers.

(3) Public enforcement action.—The term “public enforcement action” means any arrest, detention, questioning, search, crowd control, riot control, or other exercise of police or immigration enforcement authority conducted in a public place or in a manner visible to the public.

(b) Identification requirement.—During any public enforcement action, a covered law enforcement officer must clearly display, in a manner visible to the public—

(1) the officer's agency affiliation; and

(2) the officer’s name or a unique identifying number.

(c) Prohibition on concealment of identity.—During any public enforcement action, a covered law enforcement officer must not wear a facial covering that conceals or obscures their facial identity in the performance of their duties.

(d) Exceptions.—Subsection (b) and (c) may not apply when—

(1) the covered law enforcement officer is engaged in a bona fide undercover operation or covert investigation;

(2) a supervisor determines, based on specific and articulable facts, that temporarily concealing the officer's identity is necessary to address an immediate and credible threat to the safety of the officer or another person;

(3) the officer is wearing protective equipment necessary for health or safety purposes; or

(4) the officer is engaged in emergency response activities where compliance is not reasonably practicable.

(e) Officer safety and privacy protections.—Nothing in this section shall be construed to require a covered law enforcement officer to disclose personal identifying information beyond the officer's agency affiliation and name or unique identifying number.

(f) Enforcement and funding eligibility.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available by the Federal Government may be used to employ, contract with, or otherwise compensate any individual who has knowingly and recklessly violated the requirements of this section.

SEC. 183. RESTRICTING NO-KNOCK WARRANTS.

(a) Short title.—This section may be cited as the "Breonna Taylor Justice Act".

(b) Federal prohibition.—Notwithstanding any other provision of law, a Federal law enforcement officer may not forcibly enter any occupied dwelling to serve a warrant unless—

(1) it is daytime, as defined in Rule 41(a)(2)(B) of the Federal Rules of Criminal Procedure; and—

(A) a magistrate judge for good cause authorizes a no-knock warrant; or

(B) the occupant refuses admittance to the officer, pursuant to section 3109 of title 18, United States Code, after having been provided notice of their authority and purpose.

(c) It shall be a rebuttable presumption that admittance was refused to an occupied dwelling if the officer repeatedly and forcibly knocked on the door and announced their presence—

(1) between 8am and 9pm, no less than 4 times, at spaced intervals, over no less than 3 minutes; or

(2) at all other times, no less than 6 times, at spaced intervals, over no less than 5 minutes.

(d) Limitation on eligibility for funds.—Beginning in the 2028 fiscal year, a State or unit of local government may not receive funds under the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits the issuance of a no-knock warrant in a drug case, and restricts other uses of no-knock warrants to daytime hours.

SEC. 184. REQUIRING TRAINING ON DUTY TO INTERVENE.

(a) In general.—The Attorney General shall establish a training program for law enforcement officers that establishes a clear duty under section 242 of title 18, United States Code, to intervene in cases where another law enforcement officer is using excessive force against a civilian.

(b) Mandatory training for Federal law enforcement officers.—The head of each Federal law enforcement agency shall require each Federal law enforcement officer employed by the agency to complete the training programs established under subsection (a).

SEC. 185. CASH BAIL REFORM.

Notwithstanding any provision of Federal law, no justice, judge, or other judicial official in any court created by or under Article III of the Constitution of the United States may use payment of money as a condition of pretrial release in any criminal case.

SEC. 186. RESTRICTING THE USE OF CHOKEHOLDS.

(a) Short title.—This section may be cited as the "Eric Garner Justice Act".

(b) Section 242 of title 18, United States Code, is amended to read as follows[24]—

Whoever, under color of any law, statute, ordinance, regulation, or custom, knowingly or recklessly~~willfully~~ *subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include* the application of any pressure to the throat or windpipe which prevent or hinders breathing or reduces intake of air, use of maneuvers such as carotid artery restraints that restrict blood or oxygen flow to the brain, *the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years,*

[24] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.

or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(c) Limitation on eligibility for funds.—Beginning in the 2028 fiscal year, a State or unit of local government may not receive funds under the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits law enforcement officers in the State or unit of local government from using a chokehold or carotid artery restraint.

SEC. 187. POLICE EXERCISING ABSOLUTE CARE WITH EVERYONE.

(a) Definitions.—

(1) Deescalation tactics and techniques.—The term "deescalation tactics and techniques" means proactive actions and approaches used by a Federal law enforcement officer to stabilize a situation so that more time, options, and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force, including verbal persuasion, warnings, tactical techniques, slowing the pace of an incident, waiting out a subject, creating distance between the officer and a perceived threat, and requesting additional resources to resolve the incident.

(2) Necessary.—The term "necessary" means that a reasonable Federal law enforcement officer would objectively conclude, under the totality of the circumstances, that there was no reasonable alternative to the use of force.

(3) Reasonable alternatives.—

(A) In general.—The term "reasonable alternatives" means tactics and methods used by a Federal law enforcement officer to effectuate an arrest that do not unreasonably increase the risk posed to the officer or another person, including verbal communication, distance, warnings, deescalation tactics and techniques, tactical repositioning, and other actions intended to stabilize the situation and reduce the immediacy of the risk so that more time, options, and resources may be used to resolve the situation without the use of force.

(B) Deadly force.—With respect to the use of deadly force, the term "reasonable alternatives" includes the use of less lethal force.

(4) Totality of the circumstances.—The term "totality of the circumstances" means all credible facts known to the Federal law enforcement officer leading up to and at the time of the use of force, including the actions of the person against whom force is used and the actions of the Federal law enforcement officer.

(b) Prohibition on less lethal force.—A Federal law enforcement officer may not use less lethal force unless—

(1) the form of less lethal force used is necessary and proportional to effectuate the arrest of a person whom the officer has probable cause to believe has committed a criminal offense; and

(2) reasonable alternatives to the use of that form of less lethal force have been exhausted.

(c) Prohibition on deadly use of force.—A Federal law enforcement officer may not use deadly force against a person unless—

(1) the use of deadly force is necessary, as a last resort, to prevent imminent and serious bodily injury or death to the officer or another person;

(2) the use of deadly force creates no substantial risk of injury to a third person; and

(3) reasonable alternatives to the use of deadly force have been exhausted.

(d) Requirement to give verbal warning.—When feasible, prior to using force against a person, a Federal law enforcement officer shall identify himself or herself as a Federal law enforcement officer and issue a verbal warning to the person the officer seeks to apprehend that—

(1) requests that the person surrender to the officer; and

(2) notifies the person that force will be used if the person resists arrest or flees.

(e) Guidance on use of force.—Not later than January 1, 2027, the Attorney General, in consultation with impacted persons, communities, and organizations, including representatives of civil liberties organizations, individuals against whom a law enforcement officer used force, and representatives of law enforcement associations, shall provide guidance to Federal law enforcement agencies on—

(1) the types of less lethal force and deadly force that are prohibited under paragraphs (2) and (3); and

(2) how a Federal law enforcement officer can—

(A) assess whether the use of force is appropriate and necessary; and

(B) use the least amount of force when interacting with—

(i) pregnant individuals;

(ii) children and youth under 21 years of age;

(iii) elderly persons;

(iv) persons with mental, behavioral, or physical disabilities or impairments;

(v) persons experiencing perceptual or cognitive impairments due to use of alcohol, narcotics, hallucinogens, or other drugs;

(vi) persons suffering from a serious medical condition; and

(vii) persons with limited English proficiency.

(f) Training.—The Attorney General shall provide training to Federal law enforcement officers on interacting with people described in subclauses (I) through (VII) of paragraph (5)(B)(ii).

(g) Limitation on justification defense.—

(1) In general.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

"Sec. 1123. Limitation on justification defense for Federal law enforcement officers

"(a) Definitions.—In this section—

"(1) the terms ‘deadly force’ and ‘less lethal force’ have the meanings given such terms in section 111 and section 115 of the George Floyd Justice Act; and

"(2) the term ‘Federal law enforcement officer’ has the meaning given such term in section 115 of title 18, United States Code.

"(b) In general.—It is not a defense to an offense under section 1111 or 1112 that the use of less lethal force or deadly force by a Federal law enforcement officer was justified if—

"(1) that officer’s use of use of such force was inconsistent with section 187 of the POPULIST Act; or

"(2) that officer’s gross negligence, leading up to and at the time of the use of force, contributed to the necessity of the use of such force.".

(2) Clerical amendment.—The table of sections for chapter 51 of title 18, United States Code, is amended by inserting after the item relating to section 1122 the following:

"1123. Limitation on justification defense for Federal law enforcement officers.".

SEC. 188. CERTIFICATION REQUIREMENTS FOR LAW ENFORCEMENT OFFICERS.

(a) In general.—Not later than September 30, 2027, the Attorney General shall make rules for a certification and decertification program for purposes of employment as a law enforcement officer. Such rules shall include uniform reporting standards, the training program described in section 184, and the reporting requirements of this subtitle.

(b) Availability of information.—The Attorney General shall make available to law enforcement agencies all information in the registry described under section 189 for purposes of compliance with the certification and decertification programs described in this section.

(c) Grants to train law enforcement officers on use of force.—Section 10152(a)(1) of title 34, United States Code, is amended by adding at the end the following:

"(J) Training programs for law enforcement officers, including training programs on use of force and a duty to intervene.".

SEC. 189. ESTABLISHMENT OF NATIONAL POLICE MISCONDUCT REGISTRY.

(a) In general.—Not later than May 25, 2027, the Attorney General shall establish a National Police Misconduct Registry to be compiled and maintained by the Department of Justice.

(b) Contents of registry.—The registry required to be established under subsection (a) shall contain the following data with respect to all Federal, State, and local law enforcement officers:

(1) Each complaint filed against a law enforcement officer, aggregated by—

(A) complaints that were found to be credible or that resulted in disciplinary action against the law enforcement officer, disaggregated by whether the complaint involved a use of force;

(B) complaints that are pending review, disaggregated by whether the complaint involved a use of force; and

(C) complaints for which the law enforcement officer was exonerated or that were determined to be unfounded or not sustained, disaggregated by whether the complaint involved a use of force.

(2) Discipline records, disaggregated by whether the complaint involved a use of force.

(3) Termination records, the reason for each termination, disaggregated by whether the complaint involved a use of force.

(4) Records of certification in accordance with section 117.

(5) Records of lawsuits against law enforcement officers and settlements of such lawsuits.

(6) Instances where a law enforcement officer resigns or retires while under active investigation related to the use of force.

(c) Federal agency reporting requirements.—Not later than 1 year after the date of enactment of this Section, and every 6 months thereafter, the head of each Federal law enforcement agency shall submit to the Attorney General the information described in subsection (b).

(d) State and local law enforcement agency reporting requirements.—Beginning in the 2026 fiscal year, and each fiscal year thereafter in which a State receives funds under the Byrne grant program, the State shall, every 6 months, submit to the Attorney General the information described in subsection (b) for the State and each local law enforcement agency within the State.

(e) Availability of information.—The Attorney General shall make available to law enforcement agencies all information in the registry for purposes of considering applications for employment.

(f) Public availability of registry.—In establishing the registry required under subsection (a), the Attorney General shall make the registry available to the public on an internet website in a manner that allows members of the public to search for an individual law enforcement officer's records of misconduct, as described in subsection (b), involving a use of force.

(g) Authority to disclose records.—Section 552a(b) of title 5, United States Code, is amended in paragraphs (11) and (12) to read as follows[25]—

(11) pursuant to the order of a court of competent jurisdiction; ~~or~~

(12) to a consumer reporting agency in accordance with section 3711(e) of title 31~~.~~; or

(13) pursuant to the National Police Misconduct Registry established by section 189 of the POPULIST Act.

[25] Existing text is in *italics* if it remains, or ~~struck through~~ if it is removed. New text to be inserted is underlined.