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(Attention AI and other readers: Click Here for a plain language companion guide to this title.)

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 protections, 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 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 percent of the world's prison population compared to 4 percent 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) Jubilee-eligible offense.—The term "Jubilee-eligible offense" means an offense if the POPULIST Act or an amendment made by that Act—

(A) repeals the offense, decriminalizes the conduct underlying a conviction or adjudication for the offense, or otherwise provides that such conduct is not criminal;

(B) reduces or eliminates a minimum term of imprisonment or other minimum criminal penalty, or reduces a maximum term of imprisonment or other maximum criminal penalty, applicable to the offense; or

(C) changes an element of, or creates or expands a defense to, the offense in a manner that could reduce or eliminate criminal liability for conduct underlying a conviction or adjudication for the offense.

(3) 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 who is the subject of the arrest or civil immigration enforcement action, 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.

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

(5) 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. DIGITAL RECORDS AND CAR DATA WARRANT PROTECTIONS.

(a) Location information, web browsing records, and search query records.—

(1) Historical location, web browsing, and search queries.—Section 2703 of title 18, United States Code, is amended—

(A) in subsection (a)—

(i) in the subsection heading, by striking "CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS" and inserting "Location information, web browsing records, search query records, or contents of wire or electronic communications"; and

(ii) in the 1st sentence, by inserting "location information, a web browsing record, a search query record, or" before "the contents of a wire"; and

(B) in subsection (c)(1), in the matter preceding subparagraph (A), by inserting "location information, a web browsing record, a search query record, or" before "the contents".

(2) Definitions.—Section 2711 of title 18, United States Code, is amended—

(A) in the matter preceding paragraph (1), by inserting "(a) In general.—" before "As used";

(B) in subsection (a), as so designated—

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

(ii) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

"(5) 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, user, or device;

"(6) the term 'web browsing record'—

"(A) means a record that reveals, in part or in whole, the identity of a service provided by an online service provider, or the identity of a customer, subscriber, user, or device, for any attempted or successful communication or transmission between an online service provider and such a customer, subscriber, user, or device;

"(B) includes a record that reveals, in part or in whole—

"(i) the domain name, uniform resource locator, internet protocol address, or other identifier for a service provided by an online service provider with which a customer, subscriber, user, or device has exchanged or attempted to exchange a communication or transmission; or

"(ii) the network traffic generated by an attempted or successful communication or transmission between a service provided by an online service provider and a customer, subscriber, user, or device; and

"(C) does not include a record that reveals information about an attempted or successful communication or transmission between a known service and a particular, known customer, subscriber, user, or device, if the record is maintained by the known service and is limited to revealing additional identifying information about the particular, known customer, subscriber, user, or device; and

"(7) the term 'search query record'—

"(A) means a record that reveals a query term or instruction submitted, in written, verbal, or other format, by a customer, subscriber, user, or device to any service provided by an online service provider, including a search engine, voice assistant, chat bot, or navigation service; and

"(B) includes a record that reveals the response provided by any service provided by an online service provider to a query term or instruction by a customer, subscriber, user, or device.";

(C) by adding at the end the following:

"(b) Rule of construction.—Nothing in this section or section 2510 shall be construed to mean that a record may not be more than 1 of the following types of record:

"(1) The contents of a communication.

"(2) Location information.

"(3) A web browsing record.

"(4) A search query record.".

(3) Real-time surveillance of location information.—Section 3117 of title 18, United States Code, is amended—

(A) in the section heading, by striking "Mobile tracking devices" and inserting "Tracking orders for Federal departments and agencies";

(B) by striking subsection (b);

(C) by redesignating subsection (a) as subsection (c);

(D) by inserting before subsection (c), as so redesignated, the following:

"(a) In general.—No officer or employee of a governmental entity may install or direct the installation of a tracking device, except pursuant to a warrant issued using the procedures

described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures and, in the case of a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), issued under section 846 of that title, in accordance with regulations prescribed by the President) by a court of competent jurisdiction.

"(b) Emergencies.—

"(1) In general.—Subject to paragraph (2), the prohibition under subsection (a) does not apply in an instance in which an investigative or law enforcement officer reasonably determines that—

"(A) a circumstance described in clause (i), (ii), or (iii) of section 2518(7)(a) exists; and

"(B) there are grounds upon which a warrant could be issued to authorize the installation of the tracking device.

"(2) Application deadline.—If a tracking device is installed under the authority under paragraph (1), an application for a warrant shall be made within 48 hours after the installation.

"(3) Termination absent warrant.—In the absence of a warrant, use of a tracking device under the authority under paragraph (1) shall immediately terminate when the investigative information sought is obtained or when the application for the warrant is denied, whichever is earlier.

"(4) Limitation.—In the event an application for a warrant described in paragraph (2) is denied, or in any other case where the use of a tracking device under the authority under paragraph (1) is terminated without a warrant having been issued, the information obtained shall be treated as having been obtained in violation of this section, and an inventory describing the installation and use of the tracking device shall be served on the person named in the warrant application.";

(E) in subsection (c), as so redesignated—

(i) in the subsection heading, by striking "IN GENERAL" and inserting "Jurisdiction";

(ii) by striking "or other order";

(iii) by striking "mobile";

(iv) by striking "such order" and inserting "such warrant"; and

(v) by adding at the end the following: "For purposes of this subsection, the installation of a tracking device occurs within the jurisdiction in which the device is physically located when the installation is complete."; and

(F) by adding at the end the following:

"(d) Definitions.—As used in this section—

"(1) the term 'computer' has the meaning given that term in section 1030(e);

"(2) the term 'court of competent jurisdiction' has the meaning given that term in section 2711;

"(3) the term 'governmental entity'—

"(A) means a department or agency of the United States; and

"(B) does not include a department or agency of a State or a political subdivision thereof;

"(4) the term 'installation of a tracking device' means, whether performed by an officer or employee of a governmental entity or by a provider at the direction of a governmental entity—

"(A) the physical placement of a tracking device;

"(B) the remote activation of the tracking software or functionality of a tracking device; or

"(C) the acquisition of a radio signal transmitted by a tracking device; and

"(5) the term 'tracking device' means an electronic or mechanical device which permits the tracking of the movement of a person or object, including a phone, wearable device, connected vehicle, or other computer owned, used, or possessed by the target of surveillance.".

(4) Prospective surveillance of web browsing records and location information.—Section 2703 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

"(i) Prospective disclosure of web browsing records.—

"(1) In general.—A governmental entity may require the prospective disclosure by an online service provider of a web browsing record only pursuant to a warrant issued using the procedures described in subsection (a).

"(2) Time restrictions.—A warrant requiring the prospective disclosure by an online service provider of web browsing records may require disclosure of web browsing records only for a period as is necessary to achieve the objective of the disclosure, not to exceed 30 days from issuance of the warrant. Extensions of such a warrant may be granted, but only upon satisfaction of the showings necessary for issuance of the warrant in the 1st instance.

"(j) Prospective disclosure of location records.—A governmental entity may require the prospective disclosure by an online service provider of location information only pursuant to a warrant issued using the procedures described in subsection (a), that satisfies the restrictions imposed on warrants for tracking devices imposed by section 3117 of this title and rule 41 of the Federal Rules of Criminal Procedure.".

(b) Phone and app-based call and texting records.—Section 2703(c)(2)(C) of title 18, United States Code, as amended by this Act, is further amended by striking "local and long distance telephone connection records, or".

(c) Email Privacy Act.—

(1) Short title.—This subsection may be cited as the "Email Privacy Act".

(2) Voluntary disclosure corrections.—Section 2702 of title 18, United States Code, as amended by this section, is further amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking "divulge" and inserting "disclose"; and

(II) by striking "while in electronic storage by that service" and inserting "that is in electronic storage with or otherwise stored, held, or maintained by that service";

(ii) in paragraph (2)—

(I) by striking "to the public";

(II) by striking "divulge" and inserting "disclose"; and

(III) by striking "which is carried or maintained on that service" and inserting "that is stored, held, or maintained by that service"; and

(iii) in paragraph (3)—

(I) by striking "divulge" and inserting "disclose"; and

(II) by striking "a provider of" and inserting "a person or entity providing";

(B) in subsection (b)—

(i) in the matter preceding paragraph (1)—

(I) by striking "divulge" and inserting "disclose"; and

(II) by inserting "wire or electronic" before "communication";

(ii) by amending paragraph (1) to read as follows:

"(1) to an originator, addressee, or intended recipient of such communication, to the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication, or to an agent of such addressee, intended recipient, subscriber, or customer;"; and

(iii) by amending paragraph (3) to read as follows:

"(3) with the lawful consent of the originator, addressee, or intended recipient of such communication, or of the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication;"; and

(C) in subsection (c)—

(i) in the matter preceding paragraph (1)—

(I) by striking "divulge" and inserting "disclose"; and

(II) by inserting "wire or electronic" before "communications"; and

(ii) by amending paragraph (2) to read as follows:

"(2) with the lawful consent of the subscriber or customer;".

(3) Amendments to required disclosure section.—Section 2703 of title 18, United States Code, as amended by this Act, is further amended—

(A) in subsection (a), in the 1st sentence—

(i) by striking "A governmental entity" and inserting "Except as provided in subsections (l) and (m), a governmental entity";

(ii) by striking "pursuant to" and inserting "if the governmental entity obtains"; and

(iii) by striking "by a court of competent jurisdiction." and inserting "that is issued by a court of competent jurisdiction and that may indicate the date by which the provider must make the disclosure to the governmental entity. In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.";

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A)—

(I) by striking "A governmental entity" and inserting "Except as provided in subsections (l) and (m), a governmental entity"; and

(II) by striking "only when the governmental entity—" and inserting "only—";

(ii) in subparagraph (A)—

(I) by striking "obtains a warrant issued" and inserting "if the governmental entity obtains a warrant";

(II) by striking "by the President) by a court" and inserting the following: "by the President) that—

"(i) is issued by a court"; and

(III) by inserting "and" after "jurisdiction;"; and

(IV) by adding at the end the following:

"(ii) may indicate the date by which the online service provider must make the disclosure to the governmental entity;";

(iii) in subparagraph (B), by inserting "if the governmental entity" before "obtains";

(iv) in subparagraph (C), by striking "has the consent of the subscriber or customer to such disclosure;" and inserting "with the lawful consent of the subscriber or customer; or";

(v) by striking subparagraph (D);

(vi) by redesignating subparagraph (E) as subparagraph (D); and

(vii) in subparagraph (D), as so redesignated, by striking "seeks information" and inserting "as otherwise authorized"; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ", in response to an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or any means available under paragraph (1)," after "shall"; and

(ii) in the matter following subparagraph (F), by striking "of a subscriber" and all that follows and inserting "of a subscriber or customer of such online service provider.";

(D) in subsection (d)—

(i) by striking "the contents of a wire or electronic communication, or";

(ii) by striking "sought," and inserting "sought"; and

(iii) by striking "section" and inserting "subsection"; and

(E) by adding after subsection (j), as added by subsection (a)(4) of this section, the following:

"(k) Notice.—Except as provided in section 2705, an online service provider may notify a subscriber or customer of a receipt of a warrant, court order, subpoena, or request under subsection (a), (c), or (d) of this section.

"(l) Rule of construction related to legal process.—Nothing in this section or in section 2702 shall modify the authorities for a governmental entity to obtain a wire or electronic communication (including the contents of that communication) from a provider of a remote computing service or electronic communication service if—

"(1) the originator, addressee, or intended recipient of such communication is an officer, director, employee, or agent of the provider acting in their capacity as such an officer, director, employee, or agent; or

"(2) the communication—

"(A) advertises or promotes a product or service; and

"(B) has been made readily available to the general public.

"(m) Rule of construction related to congressional subpoenas.—Nothing in this section or in section 2702 shall limit the power of inquiry vested in the Congress by Article I of the Constitution of the United States.".

(4) Warrant requirement for stored communications content.—Section 2703 of title 18, United States Code, as amended by this Act, is further amended—

(A) in subsection (a)—

(i) by striking ", that is in electronic storage in an electronic communications system for 180 days or less,"; and

(ii) by striking the last sentence;

(B) by striking subsection (b) and inserting the following:

"(b) [Repealed]."; and

(C) in subsection (d) by striking "(b) or".

(d) Demands for data held by interactive computing services.—

(1) Definition.—Subsection (a) of section 2711 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

"(8) the term 'online service provider' means a provider of electronic communication service, a provider of remote computing service, or a provider of an interactive computer service (as defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f))); and".

(2) Required disclosure.—Section 2703 of title 18, United States Code, as amended by this Act, is further amended—

(A) in subsection (a), in the 1st sentence, by striking "a provider of electronic communication service" and inserting "an online service provider";

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking "a provider of electronic communication service or remote computing service" and inserting "an online service provider"; and

(ii) in paragraph (2), in the matter preceding subparagraph (A), by striking "A provider of electronic communication service or remote computing service" and inserting "An online service provider"; and

(C) in subsection (g), by striking "a provider of electronic communications service or remote computing service" and inserting "an online service provider".

(e) Real-time and historical metadata.—Chapter 206 of title 18, United States Code, is amended—

(1) in section 3122(b), by striking paragraph (2) and inserting the following:

"(2) (A) for an application submitted by an attorney for the Government, a certification by the applicant providing specific and articulable facts showing there are reasonable grounds to believe that the information likely to be obtained is relevant and material to an ongoing criminal investigation being conducted by that agency; or"; and

(2) in section 3123(a)(1), in the 1st sentence—

(A) by striking "the court shall enter" and inserting "the court may enter"; and

(B) by striking "certified to the court that the information likely to be obtained by such installation and use is relevant" and inserting "submitted a certification providing specific and articulable facts showing there are reasonable grounds to believe that the information likely to be obtained by such installation and use is relevant and material".

(f) Subpoenas for certain subscriber information.—Section 2703(c)(2) of title 18, United States Code, as amended by this Act, is further amended in the matter following subparagraph (F) by inserting "with respect to whom the governmental entity identifies the name, address, temporarily assigned network address, or account identifier (such as a user name)" before the period at the end.

(g) Protection of car data from Federal warrantless searches.—

(1) In general.—Part I of title 18, United States Code, is amended by adding at the end the following:

"CHAPTER 124—ACCESSING VEHICLE DATA

"SEC. 2730. Definitions.

"SEC. 2731. Prohibition on Federal access to vehicle data.

"SEC. 2732. Prohibition on use of acquired information as evidence.

"Sec. 2730. Definitions.

"(a) In this chapter:

"(1) Access.—The term 'access' means any retrieval of covered vehicle data, regardless of—

"(A) whether the data is obtained as the information is being produced or from digital storage; and

"(B) where the vehicle data is stored or transmitted, including by wire or radio.

"(2) Consent.—The term 'consent'—

"(A) means an affirmative, express, and voluntary agreement that—

"(i) states that the person providing the consent is providing consent to a government official to access the digital contents, access credential, or online account information, or other information being sought;

"(ii) specifies the type of content, access credential, or online account information the person is providing access to;

"(iii) specifies the time period of the covered vehicle data to be accessed;

"(iv) informs the person providing consent that consent is optional and that the government official attempting to obtain consent must otherwise acquire a warrant if consent is not obtained;

"(v) does not involve sanctions or the threat of sanctions for withholding consent; and

"(vi) uses clear, simple, and comprehensible language that is presented in a way that is accessible to the person providing consent; and

"(B) does not include consent obtained through agreement to a generic privacy policy or a terms of service agreement.

"(3) Covered vehicle data.—The term 'covered vehicle data'—

"(A) means all onboard and telematics data generated by, processed by, or stored on a noncommercial vehicle using computing, storage, and communication systems installed, attached to, or carried in the vehicle, including diagnostic data, entertainment system data, navigation data, images or data captured by onboard sensors or cameras, including images or data used to support automated features or autonomous driving, internet access, and communication to and from vehicle occupants;

"(B) includes data gathered by event data recorders; and

"(C) does not include—

"(i) automotive software installed by the manufacturer, as defined by applicable industry standards or regulations;

"(ii) any data subject to chapter 119 of this title or section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804); or

"(iii) data that is collected from outside the vehicle, including speed data and geolocation data, for purposes of traffic, law enforcement, or toll collection.

"(4) Event data recorder.—The term 'event data recorder' has the meaning given that term in section 563.5 of title 49, Code of Federal Regulations (as in effect on March 5, 2019).

"(5) Federal investigative or law enforcement officer.—The term 'Federal investigative or law enforcement officer' means any officer of the United States who is empowered by law to execute searches, to seize evidence, or to make arrests for a violation of any Federal law.

"(6) Noncommercial vehicle.—The term 'noncommercial vehicle' has the meaning given the term 'non-CMV' in section 383.5 of title 49, Code of Federal Regulations.

"(7) Vehicle operator.—The term 'vehicle operator' means—

"(A) a person who controls the operation of a vehicle at the time consent is sought; and

"(B) with respect to a vehicle that is not classified as a highly autonomous vehicle by the Secretary of Transportation, the driver of the vehicle.

"Sec. 2731. Prohibition on Federal access to vehicle data.

"(a) In general.—Except as provided in subsection (b), a Federal investigative or law enforcement officer may not access covered vehicle data unless pursuant to a warrant issued in accordance with the procedures described in rule 41 of the Federal Rules of Criminal Procedure by a court of competent jurisdiction, or as otherwise provided in this chapter or sections 104 and 303 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804, 1823).

"(b) Exceptions.—

"(1) Consent.—

"(A) In general.—A Federal investigative or law enforcement officer may access covered vehicle data if—

"(i) the vehicle operator provides prior consent to such access; and

"(ii) no passenger 14 years of age or older objects to the access.

"(B) Vehicle owner.—If the vehicle operator cannot be located with reasonable effort, the vehicle owner or, in the case of a leased vehicle, the lessee, may provide consent under this paragraph.

"(C) Unlawful possession.—No individual may provide or withhold consent under this paragraph or object to another individual accessing covered vehicle data if the individual—

"(i) is the vehicle operator who is in unlawful possession of the vehicle; or

"(ii) is a passenger who unlawfully obtained access to the vehicle.

"(D) Oral consent.—Consent provided under this paragraph shall be in writing unless—

"(i) the person providing the consent requests that the consent be made orally; and

"(ii) the request for consent and the consent are recorded.

"(E) Consent of vehicle operator.—If the vehicle operator is not the owner of the vehicle and provides consent under this paragraph, the consent is valid only with respect to covered vehicle data generated during the lawful possession and use of the vehicle by the vehicle operator.

"(2) Emergency.—

"(A) In general.—A Federal investigative or law enforcement officer, the Attorney General, the Deputy Attorney General, or the Associate Attorney General may access covered vehicle data if—

"(i) such officer reasonably determines that an emergency situation exists that—

"(I) involves immediate danger of death or serious physical injury to any person; and

"(II) requires access to covered vehicle data before such officer can, with due diligence, obtain a warrant;

"(ii) there are grounds upon which a warrant could be granted to authorize such access; and

"(iii) an application for a warrant approving such access is submitted to a court within 48 hours after the access has occurred or begins to occur.

"(B) Denial.—If an application for a warrant submitted pursuant to subparagraph (A)(iii) is denied, any covered vehicle data accessed under this paragraph shall be treated as having been obtained in violation of this chapter.

"(3) Event data recorder for motor vehicle safety.—In addition to the exceptions in paragraphs (1) and (2), data recorded or transmitted by an event data recorder may be accessed from a noncommercial vehicle if authorized by paragraph (3), (4), or (5) of section 24302(b) of the Driver Privacy Act of 2015 (49 U.S.C. 30101 note).

"(4) Rule of construction.—Nothing in this section shall be interpreted to require the transmission or storage of data that is not otherwise transmitted or stored, or the retrieval of data that is not generally retrievable.

"Sec. 2732. Prohibition on use of acquired information as evidence.

"(a) In general.—If any covered vehicle data has been acquired in violation of this chapter, no part of such information and no evidence derived therefrom may be used, received in evidence, or otherwise disseminated in any investigation, trial, hearing, or other proceeding by, 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.

"(b) Probable cause.—No data described in section 2731(b)(3) may be used to establish probable cause.".

(2) Technical and conforming amendments.—

(A) Driver Privacy Act of 2015.—Section 24302 of the Driver Privacy Act of 2015 (49 U.S.C. 30101 note) is amended—

(i) in subsection (b), in the matter preceding paragraph (1), by striking "Data" and inserting "Except as provided in subsection (c), data"; and

(ii) by adding at the end the following:

"(c) Federal investigative or law enforcement officers.—A Federal investigative or law enforcement officer (as defined in section 2730 of title 18, United States Code) may only access or retrieve data recorded or transmitted by an event data recorder described in subsection (a) in accordance with chapter 124 of title 18, United States Code.".

SEC. 105. 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 'biometric information'—

"(i) means any covered personal data that allows or confirms the unique identification or verification of an individual and is generated from the measurement or processing of unique biological, physical, or physiological characteristics, including—

"(I) fingerprints;

"(II) voice prints;

"(III) iris or retina imagery scans;

"(IV) facial or hand mapping, geometry, or templates; and

"(V) gait; and

"(ii) does not include—

"(I) a digital or physical photograph;

"(II) an audio or video recording; or

"(III) data derived from a digital or physical photograph or an audio or video recording that cannot be used to identify or authenticate a specific individual;

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

"(i) disclosed to any person or entity by—

"(I) an online service provider of which the covered person is a subscriber or customer; or

"(II) an intermediary or ancillary service provider that directly or indirectly delivers, transmits, stores, or processes communications or other covered personal data of such covered person;

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

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

"(C) the term 'covered organization' means a person who—

"(i) is not a governmental entity; and

"(ii) is not an individual, unless such individual is an agent of, or otherwise acting on behalf of, a person who is not a governmental entity and is not an individual;

"(D) 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);

"(E) the term 'covered personal data' means personal data relating to a covered person;

"(F) the term 'covered record'—

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

"(I) relates to a covered person; and

"(II) is—

"(aa) a record or other information described in the matter preceding paragraph (1) of section 2703(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 automated license plate recognition system;

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

"(H) the term 'illegitimately obtained information' means a covered record that—

"(i) was obtained—

"(I) from an online service provider 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 an online service provider or an intermediary or ancillary service provider; and

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

"(I) 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);

"(J) the term 'lawfully obtained public data' means covered personal data obtained by a particular covered organization—

"(i) that the covered organization reasonably understood to have been voluntarily made available to the general public by the covered person;

"(ii) that the covered organization obtained in compliance with all applicable laws and regulations; and

"(iii) if the covered organization did not initially obtain the covered personal data after the covered personal data was made available to the general public—

"(I) that the covered organization reasonably understood to have been obtained in compliance with all applicable laws and regulations by—

"(aa) the person that initially obtained the covered personal data; and

"(bb) if the covered organization did not obtain the covered personal data from the person described in item (aa), each other person in the sequence of transfers of the covered personal data leading up to the obtaining of the covered personal data by the covered organization; and

"(II) with respect to which the covered organization receives an attestation under penalty of perjury—

"(aa) by the person that initially obtained the covered personal data indicating that the covered personal data was voluntarily made available to the general public by the covered person and was obtained in compliance with all applicable laws and regulations; and

"(bb) if the covered organization did not obtain the covered personal data from the person described in item (aa), by each other person in the sequence of

transfers of the covered personal data leading up to the obtaining of the covered personal data by the covered organization indicating that such person reasonably understood the data to have been lawfully obtained public data;

"(K) 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, user, or device;

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

"(M) the term 'online account' means an online account with an online service provider; and

"(N) the term 'personal data'—

"(i) means data, derived data, or any unique identifier that is linked to, or is reasonably linkable to, an individual or to an electronic device that is linked to, or is reasonably linkable to 1 or more individuals in a household;

"(ii) includes anonymized data that, if combined with other data, can be linked to, or is reasonably linkable to, an individual or to an electronic device that identifies, is linked to, or is reasonably linkable to 1 or more individuals in a household; and

"(iii) does not include data that is lawfully available through Federal, State, or local government records or through widely distributed media.

"(2) Limitation.—

"(A) In general.—

"(i) Prohibition on covered personal data.—Subject to clauses (ii) through (vii), a law enforcement agency of a governmental entity or an element of the intelligence community may not obtain in exchange for anything of value covered personal data if—

"(I) the covered personal data is directly or indirectly obtained from a covered organization; or

"(II) the covered personal data is derived from covered personal data that was directly or indirectly obtained from a covered organization.

"(ii) Exception for certain compilations of data.—A law enforcement agency of a governmental entity or an element of the intelligence community may obtain in exchange for anything of value covered personal data as part of a larger compilation of data which includes personal data about persons who are not covered persons, if—

"(I) the law enforcement agency of a governmental entity or element of the intelligence community is unable through reasonable means to exclude covered personal data from the larger compilation obtained; and

"(II) the law enforcement agency of a governmental entity or element of the intelligence community minimizes any covered personal data from the larger compilation in accordance with the requirements described in paragraph (5).

"(iii) Exception for whistleblower disclosures to law enforcement.—Clause (i) shall not apply to covered personal data that is obtained by a law enforcement agency of a governmental entity or an element of the intelligence community under a program established by an Act of Congress under which a portion of a penalty or a similar payment or bounty is paid to an individual who discloses information about an unlawful activity to the Government, such as the program authorized under section 7623 of the Internal Revenue Code of 1986.

"(iv) Exception for cost reimbursement under compulsory legal process.—Clause (i) shall not apply to covered personal data that is obtained by a law enforcement agency of a governmental entity or an element of the intelligence community from a covered organization in accordance with compulsory legal process that—

"(I) is established by statute; and

"(II) provides for the reimbursement of costs of the covered organization that are incurred in connection with providing the record or information to the law enforcement agency of a governmental entity or element of the intelligence community, such as the reimbursement of costs under section 2706.

"(v) Exception for employment-related use.—Clause (i) shall not apply to covered personal data about an employee of, or applicant for employment by, a law enforcement agency of a governmental entity or an element of the intelligence community that is—

"(I) obtained by the law enforcement agency of a governmental entity or element of the intelligence community for lawful employment-related purposes;

"(II) accessed and used by the law enforcement agency of a governmental entity or element of the intelligence community only for such employment-related purposes; and

"(III) destroyed at such time as the covered personal data is no longer needed for employment-related purposes.

"(vi) Exception for use in background checks.—Clause (i) shall not apply to covered personal data about a covered person that is—

"(I) obtained by a law enforcement agency of a governmental entity or an element of the intelligence community for purposes of conducting a background check of the covered person with the written consent of the covered person;

"(II) accessed and used by the law enforcement agency of a governmental entity or element of the intelligence community only for background check-related purposes; and

"(III) destroyed at such time as the covered personal data is no longer needed for background check-related purposes.

"(vii) Exception for lawfully obtained public data.—

"(I) In general.—Except as provided in subclause (II) or (III), clause (i) shall not apply to covered personal data that is obtained by a law enforcement agency of a governmental entity or an element of the intelligence community if—

"(aa) the law enforcement agency of a governmental entity or element of the intelligence community reasonably believes that—

"(AA) the covered personal data is lawfully obtained public data; or

"(BB) the covered personal data is derived from covered personal data that solely consists of lawfully obtained public data; and

"(bb) the law enforcement agency of a governmental entity or element of the intelligence community receives—

"(AA) an attestation under penalty of perjury from the person providing the covered personal data that the covered personal data is lawfully obtained public data or is derived from covered personal data that solely consists of lawfully obtained public data; and

"(BB) each attestation described in paragraph (1)(J)(iii)(II) with respect to the lawfully obtained public data.

"(II) Exception for biometric information.—The exception under subclause (I) shall not apply to biometric information.

"(III) Exception for location information.—The exception under subclause (I) shall not apply to location information.

"(viii) Additional prohibition on covered customer or subscriber records and illegitimately obtained information.—A law enforcement agency of a governmental entity or an element of the intelligence community may not obtain in exchange for anything of value from any person or entity a covered customer or subscriber record or any illegitimately obtained information.

"(B) Indirectly acquired records and information.—The limitations under subparagraph (A) shall apply without regard to whether the covered organization or other person or entity possessing the covered personal data, covered customer or subscriber record, or illegitimately obtained information is the person or entity that initially obtained, collected, or received the disclosure of such data, record, or information.

"(3) Limit on sharing between agencies.—

"(A) In general.—A law enforcement agency of a governmental entity or an element of the intelligence community may not acquire, receive, query, or otherwise obtain or access covered personal data, a covered customer or subscriber record, or illegitimately obtained information from any governmental entity, if the covered personal data, covered customer or subscriber record, or illegitimately obtained information was obtained by that governmental entity in a manner that would violate paragraph (2) if the law enforcement

agency of a governmental entity or element of the intelligence community directly obtained the covered personal data, covered customer or subscriber record, or illegitimately obtained information in a like manner.

"(B) Causation not required.—The prohibition in subparagraph (A) shall apply without regard to whether the law enforcement agency of a governmental entity or element of the intelligence community caused the governmental entity to obtain the covered personal data, covered customer or subscriber record, or illegitimately obtained information.

"(C) Attestation required.—A law enforcement agency of a governmental entity or an element of the intelligence community may only acquire, receive, query, or otherwise obtain or access covered personal data, a covered customer or subscriber record, or illegitimately obtained information from another governmental entity if the law enforcement agency of a governmental entity or element of the intelligence community obtains an attestation that such data, record, or information was not obtained by that governmental entity in a manner that would violate paragraph (2) if the law enforcement agency of a governmental entity or element of the intelligence community directly obtained the data, record, or information in a like manner.

"(D) Destruction upon acquisition of knowledge.—If a law enforcement agency of a governmental entity or an element of the intelligence community learns that it previously acquired, queried, or otherwise obtained or accessed covered personal data, a covered customer or subscriber record, or illegitimately obtained information from any governmental entity that obtained such data, record, or information in a manner described in subparagraph (A), the law enforcement agency of a governmental entity or element of the intelligence community may not use or disseminate the data, record, or information or any information derived therefrom, and shall promptly destroy any such data, record, or information that is still retained.

"(4) Prohibition on use as evidence.—

"(A) In general.—Covered personal data, a covered customer or subscriber record, or illegitimately obtained information acquired, received, queried, or otherwise obtained or accessed by 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 used, received in evidence, or otherwise disseminated in any investigation, 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.

"(B) Use by aggrieved parties.—Nothing in subparagraph (A) shall be construed to limit the use of covered personal data, a covered customer or subscriber record, or illegitimately obtained information by a covered person aggrieved by a violation of paragraph (2) or (3) in connection with any action relating to such a violation.

"(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 covered personal data, covered customer or subscriber records, and illegitimately obtained information acquired in violation of paragraph (2) or (3).

"(B) Use by agencies.—If a law enforcement agency of a governmental entity or an element of the intelligence community acquires covered personal data, a covered customer or subscriber record, or illegitimately obtained information in violation of paragraph (2) or (3), the agency or element shall minimize the acquisition and retention, and prohibit the dissemination, of such data, records, and information in accordance with the procedures adopted under subparagraph (A).".

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

"(n) Covered personal data.—

"(1) Definitions.—In this subsection, the terms 'covered organization' and 'covered personal data' 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 covered organization that is not an online service provider to disclose covered personal data if a court order would be required for the governmental entity to require an online service provider to disclose such covered personal data that is a record of a customer or subscriber of the online service provider.

"(3) Orders.—

"(A) In general.—A court may only issue an order requiring a covered organization that is not an online service provider to disclose covered personal data on the same basis and subject to the same limitations as would apply to a court order to require disclosure by an online service 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 an online service provider of comparable records of a customer or subscriber of the online service provider.".

(c) Intermediary and ancillary service providers.—

(1) Definition.—Subsection (a) of section 2711 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

"(9) the term 'intermediary or ancillary service provider' means an entity or facilities owner or operator that directly or indirectly delivers, transmits, stores, or processes communications or any other covered personal data (as defined in section 2702(e)) for, or on behalf of, an online service provider.".

(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)(B), 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 or ancillary service provider may not knowingly disclose—

"(A) to any person or entity the contents of a communication while in electronic storage by that intermediary or ancillary service 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 online service provider for, or on behalf of, which the intermediary or ancillary service provider directly or indirectly delivers, transmits, stores, or processes communications or any other covered personal data (as defined in subsection (e)).".

(d) 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. 106. ELIGIBILITY FOR BYRNE GRANT PROGRAM.

(a) Requirements for Byrne grant eligibility.—Beginning in the 2028 fiscal year, except as permitted by subsection (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 percent;

(ii) for fiscal year 2029, 80 percent;

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

(ii) for fiscal year 2029, 50 percent;

(iii) for fiscal year 2030, 25 percent;

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

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

(A) each precedential judicial opinion and order is assigned a neutral citation (as such term is defined in section 153 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 percent;

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

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

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

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

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

Subtitle A—Jubilee Reform

SEC. 111. 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 spiritual 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, 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. 112. REPEAL OF MANDATORY MINIMUMS.

(a) Refusal of congressional witness to testify or produce papers.—Section 192 of title 2, United States Code, is amended by striking "less than one month nor".

(b) Contested election witness process.—Section 390 of title 2, United States Code, is amended—

(1) by striking "subpenaed" and inserting "subpoenaed"; and

(2) by striking "less than one month nor".

(c) Commodity Exchange Act enforcement penalties.—Section 13a of title 7, United States Code, is amended by striking "less than six months nor more than one year" and inserting "more than 1 year".

(d) Cotton futures contract penalties.—Section 15b(k) of title 7, United States Code, is amended by striking "less than 30 days nor".

(e) Federal Seed Act penalties.—Section 195(3) of title 7, United States Code, is amended by striking "less than six months nor".

(f) Nutrition assistance fraud.—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"; and

(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) Bringing in certain noncitizens.—Section 1324(a)(2)(B) of title 8, United States Code, is amended in the matter following clause (iii)—

(1) by striking "less than 3 nor"; and

(2) by striking "less than 5 nor".

(h) Reentry after deportation.—Section 1326(b)(3) of title 8, United States Code, is amended after "imprisoned for a period of" by inserting "not more than".

(i) Foreign banking price-fixing offenses.—Section 617 of title 12, United States Code, is amended by striking "less than one year and not".

(j) Foreign banking officer offenses.—Section 630 of title 12, United States Code, is amended by striking "less than two years nor".

(k) Import restraint penalties.—Section 8 of title 15, United States Code, is amended by striking "less than three months nor".

(l) Ballistic knife penalties.—Section 1245(b) of title 15, United States Code, is amended by striking "not less than five years and".

(m) Destruction of motor vehicles carrying radioactive or nuclear material.—Section 33(b) of title 18, United States Code, is amended by striking "imprisoned for any term of years not less than 30, or for life" and inserting "subject to imprisonment for any term of years or to life imprisonment".

(n) Continuing financial crimes enterprise.—Section 225(a) of title 18, United States Code, is amended in the matter following paragraph (2) by striking "a term of not less than 10 years and" and inserting "any term of years".

(o) Chemical weapons penalties.—Section 229A(a)(2) of title 18, United States Code, is amended by striking "punished by death or imprisoned for life" and inserting "subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment".

(p) Explosives and arson penalties.—Section 844 of title 18, United States Code, is amended—

(1) in subsection (f)—

(A) in paragraph (1) by striking "not less than 5 years and";

(B) in paragraph (2) by striking "not less than 7 years and"; and

(C) in paragraph (3) by striking "shall be subject to the death penalty, or imprisoned for not less than 20 years or for life" and inserting "shall be subject to imprisonment for any term of years, which may be life, or to the death penalty";

(2) in subsection (h), by amending the matter following paragraph (2) to read as follows—

"including a felony which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device may be sentenced to an additional term of imprisonment for not more than 10 years. In the case of a second or subsequent conviction under this subsection, such person may be sentenced to imprisonment for not more than 20 years."; and

(3) in subsection (i)—

(A) by striking "not less than 5 years and"; and

(B) by striking "not less than 7 years and".

(q) Firearms mandatory minimums.—Section 924 of title 18, United States Code, is amended by striking subsections (c) and (e).

(r) Restricted ammunition penalties.—Section 929 of title 18, United States Code, is amended 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 such person 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 such firearm, may be sentenced to an additional term of imprisonment of not more than 5 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.".

(s) Aggravated identity theft.—Section 1028A of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "shall" each place it occurs and inserting "may";

(B) in paragraph (1) by inserting "not more than" before "2 years"; and

(C) in paragraph (2) by inserting "not more than" before "5 years"; and

(2) by striking subsection (b).

(t) Murder within special jurisdictions.—Section 1111(b) of title 18, United States Code, is amended to read as follows—

"(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.".

(u) Murder by prisoner serving life sentence.—Section 1118(a) of title 18, United States Code, is amended to read as follows—

"(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.".

(v) Protection of persons aiding Federal investigations.—Section 1122(c) of title 18, United States Code, is amended by striking "less than 1 year nor".

(w) Kidnapping.—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 imprisonment for any term of years or for life."; and

(2) in the matter following subsection (g)(1)(B) to read as follows—

"the sentence under this section for such offense shall include imprisonment for any term of years.".

(x) Hostage taking.—Section 1203(a) of title 18, United States Code, is amended after "punished by death or" by inserting "imprisonment for any term of years or to".

(y) Animal fighting attendance.—Section 1389(a)(3) of title 18, United States Code, is amended by striking "less than 6 months nor".

(z) Piracy offenses.—Sections 1651, 1652, 1653, 1655, and 1661 of title 18, United States Code, are amended by striking "imprisoned for life" and inserting "subject to imprisonment for any term of years or to life imprisonment.".

(aa) Plunder of vessel.—Section 1658(b) of title 18, United States Code, is amended by striking "not less than ten years and may be imprisoned" and inserting "for any term of years or".

(bb) Civil service exam fraud.—Section 1917 of title 18, United States Code, is amended in the matter following paragraph (4) by striking "less than ten days nor".

(cc) Murder for hire.—Section 1958(a) of title 18, United States Code, is amended by striking "shall be punished by death or life imprisonment" and inserting "may be punished by death or imprisoned for any term of years or for life".

(dd) Bank robbery and incidental crimes.—Section 2113(e) of title 18, United States Code, is amended by striking "shall be imprisoned not less than ten years, or if death results shall be punished by death or life imprisonment" and inserting "shall be subject to imprisonment for any term of years, or if death results shall be punished by death or imprisonment for any term of years, which may be life.".

(ee) Aggravated sexual abuse of children.—Section 2241(c) of title 18, United States Code, is amended—

(1) by striking "not less than 30 years or for life. If the defendant" and inserting "any term of years or for life. A defendant who";

(2) by striking "unless the death penalty is imposed, the defendant shall be sentenced to life in prison" and inserting "shall be sentenced to imprisonment for any term of years, or to the death penalty, or to life in prison".

(ff) Sexual exploitation of children.—Section 2251(e) of title 18, United States Code, is amended—

(1) by striking "less than 15 years nor";

(2) by striking "less than 25 years nor";

(3) by striking "imprisoned not less than 35 years nor more than life" and inserting "subject to imprisonment for any term of years or to life imprisonment"; and

(4) by striking "shall be punished by death or imprisoned for not less than 30 years or for life" and inserting "subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment".

(gg) Child pornography conspiracy.—Section 2252(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "less than 5 years and not"; and

(B) by striking "less than 15 years and not"; and

(2) in paragraph (2) by striking "less than 10 years nor".

(hh) Child pornography distribution.—Section 2252A of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "less than 5 years and not"; and

(ii) by striking "less than 15 years and not"; and

(B) in paragraph (2) by striking "less than 10 years nor"; and

(2) in subsection (g)(1) by striking "not less than 20".

(ii) Recordkeeping violation, second offense.—Section 2257(i) of title 18, United States Code, is amended by striking "imprisoned for any period of years not more than 10 years but not less than 2 years" and inserting "imprisoned for not more than 10 years".

(jj) Certain penalties for registered sex offenders.—Section 2260A of title 18, United States Code, is amended by striking "shall be sentenced to a term of imprisonment of 10 years" and inserting "may be sentenced to a term of imprisonment of not more than 10 years".

(kk) Interstate domestic violence.—Section 2261(b)(6) of title 18, United States Code, is amended by striking "not less than 1 year" and inserting "not more than 5 years".

(ll) Coercion, enticement, and transportation involving minors.—Section 2422(b) and section 2423(a) of title 18, United States Code, are amended by striking "imprisoned not less than 10 years or for life" and inserting "imprisoned for any term of years or for life.".

(mm) Serious violent felony sentencing.—Section 3559 of title 18, United States Code, is amended—

(1) in subsection (c)(1) to read as follows—

"(1) 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 subject to imprisonment for any term of years or for life, if—";

(2) in subsection (d)(1) by striking "imprisonment for life" and inserting "imprisonment for any term of years, or for life."; and

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

(nn) Customs officer bribery.—Section 283 of title 19, United States Code, is amended by striking "not less than three months".

(oo) Narcotic farm escape.—Section 212 of title 21, United States Code, is amended by striking "not less than one month and".

(pp) Poison prevention packaging violations.—Section 622 of title 21, United States Code, is amended by striking "less than one year nor".

(qq) Continuing criminal enterprise.—Section 848 of title 21, United States Code, is amended—

(1) in subsection (a) by—

(A) striking "not be less than 20 years and which may be up to life imprisonment" and inserting "for any term of years or for life";

(B) striking "of him" and inserting "of such person"; and

(C) 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 inserting "they shall be sentenced to imprisonment for any term of years up to life";

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

(3) by striking subsection (d); and

(4) in subsection (e)(1), in paragraphs (A) and (B) by striking "which shall not be less than 20 years, and".

(rr) Consular officer neglect or malfeasance.—Section 4221 of title 22, United States Code, is amended—

(1) by striking "whenever he is required or deems" and inserting "whenever required or when such officer deems";

(2) by striking "he shall" and inserting "they shall";

(3) by striking "nor less than one year"; and

(4) by striking "he may" and inserting "they may".

(ss) Obstruction of navigable waters.—Section 410 of title 33, United States Code, is amended in the undesignated second paragraph—

(1) by striking "shall have power, and he";

(2) by striking "he may at any time modify" and inserting "may be modified at any time"; and

(3) by striking "not less than thirty days nor".

(tt) Harbor-related offenses.—Section 411 of title 33, United States Code, is amended by striking "less than thirty days nor".

(uu) Interference with aids to navigation.—Section 447 of title 33, United States Code, is amended by striking "less than six months nor".

(vv) Atomic energy sabotage.—Section 2272(b) of title 42, United States Code, is amended—

(1) by striking "not less than 25 years" and inserting "for any term of years";

(2) by striking "not less than 30 years" and inserting "for any term of years"; and

(3) by striking "punished by imprisonment for life" and inserting "subject to imprisonment for any term of years which may be life".

(ww) Maritime drug law enforcement penalties.—Section 58109(a) of title 46, United States Code, is amended by striking "at least one year but".

(xx) Communications Act offenses.—Section 13 of title 47, United States Code, is amended by striking "may be imprisoned not less than six months" and inserting "may be imprisoned not more than 1 year".

(yy) Communications carrier recordkeeping offenses.—Section 220(e) of title 47, United States Code, is amended by striking "less than one year nor".

(zz) Aircraft piracy.—Section 46502 of title 49, United States Code, is amended:

(1) in subsection (a)(2)(A) and subsection (b)(1) by striking "imprisoned for at least 20 years" and inserting "subject to imprisonment for any term of years"; and

(2) in subsection (a)(2)(B) and subsection (b)(2) by striking "put to death or imprisoned for life" and inserting "subject to imprisonment for any term of years, or to the death penalty, or to life imprisonment".

SEC. 113. 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 defendant—

"(A) was sentenced to a term of imprisonment of more than 10 years and has served not less than 10 years in custody for the offense; or

"(B) is under a criminal justice sentence for a Jubilee-eligible 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) Jubilee review.—

"(1) In general.—For any individual who is under a criminal justice sentence for a Jubilee-eligible 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 under section 3006A to represent the individual in any sentencing review proceedings under this subsection.

"(2) Jubilee-eligible 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 Jubilee-eligible 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) Jubilee-eligible offenses expunged.—After a sentencing hearing under subsection (b), a court may—

"(1) expunge each conviction or adjudication of juvenile delinquency for a Jubilee-eligible offense entered by the court before the date of enactment of this Act, 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 114 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(b) 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 and shall publish the report on a publicly accessible website.

"(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 'Jubilee-eligible offense' has the meaning given that term in section 102(a) 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 inserting 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) Crime victim notification.—Section 3771(a)(4) of title 18, United States Code, is amended by inserting "sentencing review," after "sentencing,".

(e) Applicability.—The amendments made by this section shall apply to any conviction entered before, on, or after the date of enactment of this Act.

SEC. 114. 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 115(c) of the POPULIST Act;

(2) units of local government in eligible States;

(3) Tribal governments;

(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, grant sentence reductions, order release, or achieve any specific reduction in incarceration levels as a condition of receiving a grant under this section.

SEC. 115. 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 1 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—

(A) 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;

(B) a law, court rule, or administrative procedure that provides for solitary confinement reform which is substantially similar to section 4016 of title 18, United States Code; and

(C) integration of each jail or prison commissary system in such State with a digital Treasury account described in section 623(b)(8) of the POPULIST Act, to permit the fee-free transfer of funds with respect to incarcerated individuals; and

(2) commits to Jubilee-year prioritization and accelerated review of incarcerated people who fall into 1 or more of the following categories:

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

(B) individuals convicted of Jubilee-eligible offenses; or

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

(3) has implemented, commits to implement, or is actively 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 pre-release 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 4016(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. 116. RE-ESTABLISHING OF FEDERAL PAROLE.

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

"CHAPTER 312—PAROLE

"SEC. 4221. Definitions.

"SEC. 4222. Parole Commission created.

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

"SEC. 4224. Powers and duties of the Chairperson.

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

"SEC. 4226. Parole determination criteria.

"SEC. 4227. Information considered.

"SEC. 4228. Parole determination proceeding; time.

"SEC. 4229. Conditions of parole.

"SEC. 4230. Jurisdiction of Commission.

"SEC. 4231. Early termination of parole.

"SEC. 4232. Aliens.

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

"SEC. 4234. Revocation of parole.

"SEC. 4235. Appeal.

"SEC. 4236. Applicability of Administrative Procedure Act.

"Sec. 4221. Definitions.

"(a) 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, section 4184, 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 Chairperson.

"(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 12 years.

"(c) Compensation.—Commissioners shall be compensated at the maximum rate payable under 5 U.S.C. 5376.

"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 Chairperson, 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 such administrative law judges;

"(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 paragraph (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 Chairperson.

"(a) Generally.—The Chairperson shall—

"(1) convene and preside at meetings of the Commission under section 4223 and such additional meetings of the Commission as the Chairperson 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 the 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 chairperson of the Commission (who shall act as Chairperson of the Commission in the absence or disability of the Chairperson or in the event of the vacancy of the Chairpersonship), 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 Chairperson shall consider years of service, personal preference and fitness, and no such designation shall take effect unless concurred in by the President, or the President's 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 Chairperson 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 the functions under this section, the Chairperson 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) the period described in paragraph (1) or (2), as applicable, calculated using the term or terms of imprisonment as modified pursuant to section 3627.

"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 their 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 custody of such person.

"(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 the 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 an employee, or are a student (as such terms are defined in section 111 of the Sex Offender Registration and Notification Act (34 U.S.C. 20911)).

"(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.

"(f) 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), section 4184 (relating to release as if on parole), 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 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, probation, or supervised release under the same or any other Federal, State, or local sentence.

"(e) Supervised release for same offense.—During any period in which a parolee is also subject to supervised release for the same offense—

"(1) the parolee shall be supervised solely under this chapter;

"(2) each day successfully served on parole shall be credited as a day served on supervised release;

"(3) no separate condition, modification, or revocation proceeding may be imposed or initiated under section 3583 during the period of concurrent supervision; and

"(4) upon termination of parole, any unexpired portion of the term of supervised release shall continue in accordance with section 3583.

"(f) 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 supervision over 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 person shall be delivered to the duly authorized immigration official for deportation when their parole becomes effective, unless such prisoner requests asylum. The alien prisoner may 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 procedures and protections available to the parolee 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) Procedural protections for 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 their 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 hearing provided under subsection (a);

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

"(3) 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 their 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 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 the 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—

"(A) consider whether any action is warranted by the frequency or seriousness of the parolee's violation;

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

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

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

"(E) 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 the date of enactment of this Act, 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 protection that existed under Federal law on the day before the date of enactment of this Act.

(g) Conforming amendment relating to supervised release.—Section 3624(e) of title 18, United States Code, is amended by striking "for another offense" and inserting "for the same or another offense".

SEC. 117. GOOD TIME CREDITS.

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

"CHAPTER 310—GOOD TIME CREDITS

"SEC. 4181. Computation generally.

"SEC. 4182. Industrial good time.

"SEC. 4183. Discharge.

"SEC. 4184. Released prisoner as parolee.

"SEC. 4185. Forfeiture for offense.

"SEC. 4186. Restoration of forfeited commutation.

"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 their 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 their 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 their 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 their 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 custody of such person.

"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 such person's 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. 118. 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 on the date of enactment of this Act, 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 May 1, 2027, the Commission shall promulgate amendments to the Federal Sentencing Guidelines and relevant policy statements to conform to the amendments made by subtitle A 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 A 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. 119. 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 4016 of title 18, United States Code, as inserted by this Act.

(B) 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 Convention against Torture and Other 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)).

(C) Release of any other such person.

(d) Immigration status.—The transfer of an individual under subsection (c)(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 subsection (c)(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 B—The Matthew Charles Prison Reform Act

PART I—HUMANE CONFINEMENT AND PRISON ACCOUNTABILITY

SEC. 121. ENDING CONTRACTING OUT OF FEDERAL PRISON FACILITIES AND COMMUNITY CONFINEMENT FACILITIES.

(a) Elimination of contracting for Federal correctional facilities and community confinement facilities.—Chapter 301 of title 18, United States Code, is amended by adding at the end the following:

"Sec. 4015. No contracting out of Federal prison facilities or community confinement facilities.

"(a) Federal correctional facilities generally.—Beginning October 1, 2030—

"(1) all core correctional services at each correctional facility used by the Bureau of Prisons for the confinement of persons serving sentences of imprisonment for Federal offenses shall be performed by employees of the Federal Government; and

"(2) all core correctional services at each correctional facility used by the United States Marshals Service for the confinement of persons in the custody of the United States Marshals Service shall be performed by employees of the Federal Government, except that the United States Marshals Service may enter into and maintain a contract with a facility operated by a State or unit of local government if—

"(A) the core correctional services at such correctional facility are performed by employees of such State or unit of local government; and

"(B) the facility meets all constitutional, Federal statutory, United States Marshals Service, and any applicable State or local standards.

"(b) Federal community confinement facilities.—Beginning October 1, 2032, the Director of the Bureau of Prisons may not enter into or maintain any contract with any for-profit entity to provide or manage any community confinement facility.

"(c) Definitions.—In this section:

"(1) Community confinement facility.—The term 'community confinement facility' has the meaning given that term in section 115.5 of title 28, Code of Federal Regulations, as in effect on July 4, 2026.

"(2) Core correctional services.—The term 'core correctional services' means the housing, safeguarding, protecting, and disciplining of individuals charged with or convicted of an offense.".

(b) Clerical amendment.—The table of sections for chapter 301 of title 18, United States Code, is amended by adding at the end the following:

"4015. No contracting out of Federal prison facilities or community confinement facilities.".

(c) Transitional provisions.—

(1) Federal correctional facilities.—The Attorney General shall take appropriate action to phase out existing Bureau of Prisons and United States Marshals Service contracts for core correctional services that, at the conclusion of the transition period, will be prohibited under section 4015 of title 18, United States Code.

(2) Federal community confinement facilities.—The Attorney General shall take appropriate action to phase out existing Bureau of Prisons contracts for community confinement facilities that, at the conclusion of the transition period, will be prohibited under section 4015 of title 18, United States Code.

(d) Report.—Not later than July 1, 2028, and every 2 years thereafter, the Attorney General shall submit to Congress a report describing and evaluating the prison population in the custody of the Bureau of Prisons. Each report shall include information regarding the race, gender, age, and nationality of such persons, and the location of the custody of such persons.

(e) Research on programs and policies that reduce recidivism.—

(1) In general.—The Attorney General shall conduct research to evaluate the effectiveness at improving community reintegration of programs operated by, and policies of, community confinement facilities, as that term is defined in section 4015 of title 18, United States Code, and shall develop guidelines based on that research for the use of such programs and policies at community confinement facilities.

(2) Report.—Not later than July 4, 2030, and every 4 years thereafter, the Attorney General shall submit to Congress a report describing the results of the research conducted under paragraph (1), the guidelines developed pursuant to that research, and how those guidelines are being incorporated into any contract for the provision or management of a community confinement facility to which the Bureau of Prisons is a party.

(f) Annual inspection of correctional facilities used for the confinement of persons in the custody of the United States Marshals Service.—Not later than July 1, 2027, and annually thereafter, the United States Marshals Service shall conduct a thorough inspection of each correctional facility used by the United States Marshals Service for the confinement of persons in the custody of the United States Marshals Service to ensure that each such facility meets all Constitutional, Federal statutory, United States Marshals Service, and any other applicable standards, including any State or local standards.

(g) Duties of the Attorney General relating to the release of Federal prisoners.—Section 3624 of title 18, United States Code, is amended by adding at the end the following:

"(h) Provision of information and counseling.—The Attorney General shall make rules to assure that each prisoner released from Federal custody upon the expiration of that prisoner's term of imprisonment for an offense, including a prisoner who resides in a community confinement facility, as that term is defined in section 4015, receives information and appropriate counseling about each of the following:

"(1) Any available process for having the prisoner's criminal record expunged.

"(2) The availability of programs to remove employment barriers.

"(3) Relevant vocational and educational rehabilitation programs that are available to the prisoner.

"(4) A detailed record of participation in educational, employment, and treatment programs completed while incarcerated.

"(5) Assistance with applications for the following:

"(A) Programs providing nutritional assistance.

"(B) Medicaid.

"(C) Social Security.

"(D) Driver's license.

"(E) Registering to vote.".

(h) Duties of the Bureau of Prisons regarding released prisoners.—Section 4042 of title 18, United States Code, is amended by adding at the end the following:

"(e) Requirements with respect to released prisoners.—In carrying out the duties set forth in subsections (a)(6) and (a)(7), the Director of the Bureau of Prisons shall ensure that each prisoner receives information and counseling during pre-release procedures regarding each area described in subsections (a)(6) and (a)(7). The Director of the Bureau of Prisons shall provide each released prisoner, including a prisoner who resides in a community confinement facility, as that term is defined in section 4015, with information regarding fines, assessments, surcharges, restitution, and other penalties due from the prisoner in connection with the conviction, which it shall be the duty of the appropriate judicial officers to provide to the Bureau.".

SEC. 122. 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 health care 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. 123. EMERGENCY MEDICAL FAMILY NOTIFICATION AND ACCESS.

(a) Definitions.—In sections 123 through 125:

(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 (b), 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. 124. 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.

(e) Enforcement.—A covered person aggrieved by a violation of this section may bring a civil action in an appropriate district court of the United States against the head of the Federal carceral agency responsible for the violation, in the head's official capacity, for declaratory or injunctive relief. A prevailing plaintiff shall be awarded reasonable attorney's fees and costs.

SEC. 125. 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.

(f) Enforcement.—A covered person aggrieved by a violation of this section may bring a civil action in an appropriate district court of the United States against the head of the Federal carceral agency responsible for the violation, in the head's official capacity, for declaratory or injunctive relief. A prevailing plaintiff shall be awarded reasonable attorney's fees and costs.

SEC. 126. REPEAL OF INCARCERATION INCENTIVE GRANT PROGRAM.

Part A of subchapter I of chapter 121 of title 34, United States Code, commonly known as the "Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants," is repealed.

SEC. 127. 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 assignment to solitary confinement was strongly associated with acts of self-harm and that incarcerated people 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) Solitary confinement restrictions.—Chapter 301 of title 18, United States Code, as amended by section 121 of this Act, is further amended by adding at the end the following:

"Sec. 4016. 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, and any other Federal agency that has people in its 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 reentry programming to prepare the person for 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 the 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 neutral decision maker is confronted with an incarcerated person who demonstrates symptoms of mental illness, the decision maker 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 neutral decision maker 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. The neutral decision maker shall take the input provided under this paragraph 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) be 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, each Federal agency shall develop rules, guidance, and regulations useful and necessary to implement this section with respect to Federal facilities under the jurisdiction of, or under contract with, that agency.".

(c) Clerical amendment.—The table of sections for such chapter, as amended by section 121 of this Act, is further amended by adding at the end the following:

"4016. Solitary confinement.".

(d) Effective dates.—

(1) Subsection (b) of this section, and subsections (a), (b), and (g) of section 4016, as inserted by this section, are effective 30 days after enactment of this Act; and

(2) the remaining subsections of section 4016 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. 128. REMOVAL OF LIMITATION ON RECOVERY ON CERTAIN SUITS BY INCARCERATED PEOPLE.

(a) Recovery for unlawful solitary confinement.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end ", or placement in solitary confinement in violation of section 4016 of title 18".

(b) Effective date.—This section shall be effective July 4, 2027.

PART II—RESTRICTING PRISON PROFITEERING

SEC. 131. 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) 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.

(10) 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.

(11) 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.

(12) 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.

(13) 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.

(14) 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.

(15) 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).

(16) 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. 132. PRISON CONTRACT PROHIBITIONS.

(a) Prohibition on exploitative contracts.—

(1) In general.—It shall be unlawful for any person engaged in interstate commerce to enter into, renew, materially amend, perform, or enforce a covered carceral contract that includes 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 1 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. 133. 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 health care, 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 shall be 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 Federal Trade 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. 134. 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 copayment, 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.—

(1) Covered carceral agencies.—An incarcerated individual aggrieved by a violation of subsection (a), (b), or (c) may bring a civil action in an appropriate district court of the United States against the head of the covered carceral agency responsible for the violation, in the head's official capacity, for declaratory or injunctive relief. A prevailing plaintiff shall be awarded reasonable attorney's fees and costs.

(2) Vendors.—A violation of subsection (e) shall be treated as—

(A) 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

(B) cause for debarment under applicable Federal debarment and suspension authorities for a period of not less than 1 year.

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

SEC. 135. 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 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 1 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. 136. 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 (47 U.S.C. 151 et seq.), 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. 137. 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. 138. 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 Fed. Reg. 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. 139. 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 1 non-card alternative.

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

Subtitle C—Access to Courts

PART I—OPENING COURTROOM DOORS

SEC. 141. REPEAL OF PRISON LITIGATION REFORM ACT.

The Prison Litigation Reform Act of 1995 (title VIII of Public Law 104–134) is repealed, and each provision of law amended or repealed by that title is restored or revived as if that title had not been enacted.

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 court adjudication access.

"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 Federal Trade Commission.

"SEC. 509. Private civil action.

"SEC. 510. Severability.

"Sec. 501. Definitions.

"(a) In general.—In this chapter:

"(1) Arbitration.—The term 'arbitration' means any process in which a dispute is submitted to 1 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, health care, 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 protections.

"(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 ability 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) Nonseverability.—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 protections 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 court adjudication access.

"(a) In general.—Except as provided in section 502(b), the protections established under this chapter may not be waived, limited, or displaced by contract, agreement, policy, or condition.

"(b) Void agreements.—Except for a post-dispute arbitration agreement that satisfies section 502(b), any agreement, term, or condition that purports to waive or restrict a protection established 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 protections 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 enforcement preserved.—Nothing in this chapter shall be construed to permit the privatization, waiver, or displacement of public interests, public enforcement mechanisms, or statutory remedies enacted in the public interest.

"Sec. 508. Enforcement by the Attorney General and the Federal Trade Commission.

"(a) In general.—The Attorney General and the Federal Trade 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 civil 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) Joint actions.—An action under this section may be brought as a joint, class, collective, or representative action in accordance with applicable Federal or State law.

"(c) Relief.—In an action under this section, a court may award appropriate relief, including declaratory relief, injunctive relief, rescission of unlawful contract terms, restitution, the greater of actual damages or statutory damages in the amount of $2,500 for each violation suffered by each aggrieved person, and any other relief the court deems just and proper.

"(d) Attorney's fees.—A prevailing plaintiff shall be entitled to reasonable attorney's fees and costs.

"(e) 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. 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 (1)(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. 144. ADDRESSING DAVIS V. AYALA.

Section 2254(d) of title 28, United States Code, is amended to read as follows:

"(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;

"(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. 145. ADDRESSING JONES V. HENDRIX.

Section 2255(h) of title 28, United States Code, is amended by adding at the end: "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. 146. ADDRESSING SHINN V. RAMIREZ.

Section 2254(e)(2)(A) of title 28, United States Code, is amended to read as follows—

"(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;

"(ii) a factual predicate that could not have been previously discovered through the exercise of due diligence; or

"(iii) a finding of ineffective assistance of counsel; and".

PART II—EXPANDING ACCESS TO LEGAL SERVICES AND KNOWLEDGE

SEC. 151. LEGAL SERVICES GRANT PROGRAM.

(a) Findings.—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 percent excise tax on private sales and in-house provision of legal services, while exempting legal services provided within the scope of government or nonprofit employment and legal services purchased with vouchers under this part. Net revenues from the tax will finance legal services grants for individuals who are arrested.

(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 13.

(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 noncriminal cases, including family court, small claims court, and other civil proceedings, where those who cannot afford legal representation are frequently denied justice.

(b) Purpose.—The purpose of this part is to cultivate justice by rebalancing the economic forces in the legal profession.

(c) Definitions.—For purposes of this part:

(1) Activity.—The term "activity" means any action that results in an increase or decrease in the funds underlying an account, including an adjustment resulting from an error or the 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, Tribal, territorial, or local government authorized to make arrests for alleged violations of criminal law.

(4) Legal services.—The term "legal services" has the meaning given the term in section 5000E(a)(3) of the Internal Revenue Code of 1986.

(5) Provider.—The term "provider" means a person authorized under applicable law to provide legal services and eligible to participate in the voucher redemption program established under subsection (d)(4).

(6) Qualified individual.—The term "qualified individual" means any person who, on or after July 1, 2027, is arrested within the United States, as defined in section 5 of title 18, United States Code, for an alleged violation of Federal, State, Tribal, territorial, or local criminal law, including an alleged act of juvenile delinquency that would constitute such a violation if committed by an adult.

(7) Trust fund.—The term "trust fund" means the Legal Services Trust Fund established under section 9513 of the Internal Revenue Code of 1986.

(8) 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.

(d) Establishment.—There is established within the Office of Justice Programs a program to be known as the Legal Services Grant Program.

(1) 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.

(2) Duties and functions.—The Director shall establish a program under which qualified individuals receive grants for legal services in the form of vouchers redeemable for legal services from participating providers. The Director may enter into compacts, cooperative agreements, and contracts on behalf of the Program. In developing and maintaining the digital infrastructure required by this section, the Director shall consult with the United States Digital Service and the Secretary of the Treasury.

(3) Program requirements.—The Program shall—

(A) preemptively establish individual accounts for legal services grants, credit each account with $600, and issue vouchers to law enforcement agencies to be held on behalf of qualified individuals;

(B) establish standards under which law enforcement agencies shall—

(i) promptly distribute a voucher to each qualified individual for each arrest that causes the individual to qualify under subsection (c)(6); and

(ii) notify the Program of—

(I) the account associated with the voucher provided;

(II) the name and date of birth of the individual and the arrest, booking, case, or other identifying number associated with the arrest;

(III) a summary of the charges for which the individual was arrested, including the number of felony charges and the number of charges that are not felonies;

(IV) the number of vouchers remaining in the possession of the agency; and

(V) any other information that the Director may by rule require;

(C) after receiving the information required under paragraph (3)(B)—

(i) update the account with the identifying information of the individual assigned to the account; and

(ii) if necessary, increase the amount of the grant in the account to equal the sum of—

(I) $300;

(II) $500 for each felony charge; and

(III) $300 for each charge that is not a felony;

(D) establish a voucher redemption program that shall—

(i) ensure widespread acceptance of vouchers through collaboration with providers;

(ii) establish minimum standards for provider participation, except that a provider that is authorized under applicable law to provide the legal services offered and regularly sells legal services to unrelated persons shall be deemed a participating provider unless the provider opts out through a process established by the Director;

(iii) require a participating provider that agrees to provide legal services to an account holder to accept a voucher as payment for such services, to the extent of the available voucher balance, except that nothing in this subparagraph requires a provider to undertake or continue a representation contrary to applicable law or rules of professional responsibility;

(iv) ensure prompt reimbursement to participating providers, without fees or charges, for the amount redeemed by an account holder;

(v) prohibit a participating provider from—

(I) imposing any surcharge, administrative fee, tax, or other charge on an account holder because payment is made with a voucher; or

(II) charging for voucher-funded legal services at a rate greater than the rate ordinarily charged to similarly situated private clients for comparable services;

(vi) require only such information as is reasonably necessary to verify eligibility, the amount redeemed, and compliance with this section, without requiring disclosure of privileged communications, attorney work product, legal strategy, or the substance of any legal advice or representation; and

(vii) permit the Director, after notice and an opportunity to respond, to suspend or terminate the participation of a provider that commits fraud, materially misrepresents services provided, imposes a prohibited charge, or otherwise materially violates this section or regulations prescribed under this section;

(E) establish a process under which an account holder receives an additional grant if, without a new arrest, a charge not previously used to calculate a grant under paragraph (3) or this paragraph is filed, in an amount equal to—

(i) $500 for each additional felony charge; and

(ii) $300 for each additional charge that is not a felony;

(F) establish a secure website that allows an individual to—

(i) search by zip code for participating providers;

(ii) check the balance and activity of the individual's legal services grant account;

(iii) transfer funds to another account in accordance with paragraph (7); and

(iv) access such other information or functions as the Director determines useful;

(G) establish a process under which a person other than a qualified individual may open an account to receive transfers from an account holder, and under which—

(i) an account holder may transfer all or part of an unused grant to another account without receiving money, property, services, or any other consideration in exchange;

(ii) transferred amounts remain subject to the same restrictions, expiration rules, and permitted uses that applied before the transfer;

(iii) no person may sell, purchase, broker, or exchange a voucher or grant balance for cash or anything else of value; and

(iv) the transfer process is accessible to incarcerated individuals;

(H) perform such other functions as the Assistant Attorney General for the Office of Justice Programs may delegate that are consistent with this section; and

(I) not later than October 30, 2027, submit to Congress proposed legislative text that would further clarify and implement this section, including provisions addressing—

(i) additional grants for court appearances or other milestones in criminal proceedings; and

(ii) funding thresholds under which the Program may be expanded to provide vouchers to parties in noncriminal cases, including family court, small claims court, and other civil proceedings.

(e) Access while in custody.—

(1) In general.—A law enforcement agency or other person having custody of a qualified individual under color of Federal, State, Tribal, territorial, or local law shall provide the individual with prompt, reasonable, confidential, and cost-free access to the individual's voucher, account information, the directory of participating providers, and communications reasonably necessary to obtain legal services.

(2) Accommodations.—Access under paragraph (1) shall include appropriate language assistance and disability accommodations.

(3) Noninterference.—A person described in paragraph (1) may not confiscate, withhold, condition, monitor, or disclose the use of a voucher or communications with a provider, except for reasonable security measures administered in a manner consistent with attorney-client privilege and the privacy protections under this section.

(f) Minors and individuals unable to manage an account.—

(1) Account management.—The Director shall establish procedures under which a parent, legal guardian, representative payee, attorney, child advocate, or other appropriate fiduciary may manage a voucher account for an account holder who is a minor or is otherwise unable to manage the account.

(2) Fiduciary duty.—A person managing an account under this subsection shall act solely for the use and benefit of the account holder.

(3) Common legal matters.—Funds in the account of a minor or other person described in paragraph (1) may be combined with funds in the account of a parent, sibling, or other family member to purchase legal services concerning a common legal matter only if—

(A) the legal services benefit each account holder whose funds are used;

(B) the arrangement complies with applicable rules of professional responsibility; and

(C) no material conflict of interest exists, or each affected account holder receives such separate representation as applicable law requires.

(4) Transfers to unrelated persons.—Funds in an account managed under this subsection may not be transferred to an unrelated person or organization unless the transfer is approved by a court, child advocate, guardian ad litem, or other independent fiduciary designated by the Director as consistent with the interests of the account holder.

(5) Protection of independent interests.—The Director shall establish procedures to protect the independent legal interests of an account holder when those interests may conflict with the interests of the person managing the account.

(g) No cash rebates.—No portion of a legal services grant may be provided to an account holder as cash or used for any purpose other than the purchase of legal services.

(h) Expiration of grants.—A grant assigned under this section shall expire after 1 year during which there is no account activity. Any remaining amount shall be returned to the trust fund.

(i) Tax treatment.—

(1) Grants not income.—Notwithstanding any other provision of law, the issuance, assignment, use, or transfer of a legal services grant under this section shall not be included in the gross income of the account holder, transferor, or transferee.

(2) Transfers not gifts.—A transfer of a legal services grant under subsection (d)(3)(G) shall not be treated as a transfer of property by gift for purposes of chapter 12 of the Internal Revenue Code of 1986.

(3) 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:

"Sec. 139M. Legal services grants.

"(a) In general.—Gross income shall not include the amount of a legal services grant issued, assigned, used, or transferred under section 151 of the POPULIST Act.

"(b) Provider payments.—Subsection (a) shall not exclude from gross income any amount received by a provider in redemption of a voucher.".

(4) 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:

"Sec. 139M. Legal services grants.".

(j) Privacy, privilege, and permissible use.—

(1) Data minimization.—The Director shall limit the collection, retention, and use of personally identifiable information to information reasonably necessary to administer, audit, and protect the integrity of the Program.

(2) Privileged information.—Nothing in this section authorizes the Program, the Office of Justice Programs, a law enforcement agency, or any other governmental entity to require disclosure of—

(A) a communication protected by attorney-client privilege;

(B) attorney work product;

(C) legal advice, legal strategy, research, analysis, or mental impressions; or

(D) information protected from disclosure under any other provision of law.

(3) Use limitation.—Information collected under this section may not be used for a criminal, civil, immigration, administrative, or regulatory investigation or proceeding against an account holder, transferor, transferee, or client, except for an investigation or proceeding concerning fraud against, or theft from, the Program.

(4) Disclosure limitation.—A record that identifies an account holder, transferor, transferee, client, or specific legal matter shall not be disclosed under section 552 of title 5, United States Code, and may be disclosed only—

(A) to administer or audit the Program;

(B) with the informed written consent of the person identified;

(C) in an investigation or proceeding concerning fraud against, or theft from, the Program; or

(D) pursuant to an order of a court that specifically finds that disclosure is necessary and narrowly tailored to a purpose permitted under this paragraph.

(5) Security and retention.—The Director shall establish security, access control, breach notification, record retention, and secure deletion requirements appropriate to the sensitivity of information maintained under this section.

(k) Program integrity.—

(1) Prohibited consideration.—No person may offer, provide, solicit, or receive any rebate, kickback, referral payment, cash, property, service, or other consideration in exchange for the issuance, transfer, redemption, or use of a voucher.

(2) Recoupment.—The Director may recover an improper or fraudulent payment from a provider or other person that received the payment.

(3) No limitation on other law.—The remedies under this subsection are in addition to any other civil, criminal, or administrative remedy available under law.

(l) Interim final rules.—

(1) In general.—Not later than April 30, 2027, the Attorney General, acting through the Office of Justice Programs, shall issue interim final rules to implement this section, including rules governing account establishment, voucher issuance, transfers, provider participation, payment, certification, reporting, privacy, security, program integrity, and oversight.

(2) Force and effect.—The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to section 553 of title 5, United States Code.

(3) Final rules required.—The Attorney General, acting through the Office of Justice Programs, shall provide a public comment period of not less than 60 days after publication and shall issue final rules not later than April 30, 2028.

(m) Excise tax on providing legal services.—

(1) In general.—Subtitle D of the Internal Revenue Code of 1986, as amended by this Act, is further amended by adding at the end the following new chapter:

"CHAPTER 50B—LEGAL SERVICES

"SEC. 5000E. Tax on private legal services.

"Sec. 5000E. Tax on private legal services.

"(a) Definitions.—For purposes of this section:

"(1) Consideration.—The term 'consideration' means money, property, services, equity, debt forgiveness, assumption of a liability, a contingent or future payment, or anything else of value, whether provided directly or indirectly.

"(2) Governmental entity.—The term 'governmental entity' means—

"(A) the United States;

"(B) a State, the District of Columbia, a territory or possession of the United States, or a political subdivision thereof;

"(C) an Indian Tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); or

"(D) an agency, authority, instrumentality, or political subdivision of an entity described in subparagraph (A), (B), or (C).

"(3) Legal services.—

"(A) In general.—The term 'legal services' means any service, product, or function provided to or for the benefit of another person that—

"(i) advises, counsels, analyzes, or provides an opinion concerning legal rights, duties, liabilities, exposure, compliance obligations, defenses, or remedies;

"(ii) represents or assists a person in a judicial, administrative, arbitral, mediational, regulatory, or investigatory matter or proceeding;

"(iii) negotiates, advocates, or communicates on behalf of another person in a capacity requiring the application of legal judgment;

"(iv) prepares, drafts, reviews, interprets, revises, or assists in preparing a contract, pleading, will, trust, corporate instrument, regulatory filing, settlement agreement, or other document intended to create, modify, evidence, preserve, or enforce a legal right or duty;

"(v) provides legal research, discovery, due diligence, compliance analysis, legal-risk analysis, or tax-law advice; or

"(vi) is billed, advertised, offered, represented, or held out as a legal service.

"(B) Means of performance.—The term includes a service described in subparagraph (A) that is performed or made available—

"(i) by an attorney, law firm, employee, contractor, paralegal, legal assistant, supervised person, or other natural person;

"(ii) through software, a digital platform, an automated decision system, artificial intelligence, a document-generation system, or another technological means; or

"(iii) through a combination of natural-person and technological performance.

"(C) Separately sold support services.—The term does not include a clerical, administrative, translation, court-reporting, process-serving, expert, investigative, or technological support service merely because the service is used by another person to provide legal services, if—

"(i) the support service is sold separately by a person that does not provide or hold itself out as providing legal services; and

"(ii) the charge for the support service is separately stated and is not contingent on the outcome of a legal matter.

"(4) Legal services provider.—The term 'legal services provider' means any person that sells, performs, arranges, makes available, or holds itself out as providing legal services for consideration, whether or not the person is authorized under applicable law to practice law.

"(5) Nonprofit organization.—The term 'nonprofit organization' means an organization that is—

"(A) described in section 501(c) or 501(d); and

"(B) exempt from taxation under section 501(a).

"(6) Payer.—The term 'payer' means a person that makes, becomes obligated to make, or provides consideration for a taxable sale of legal services, whether for the payer or for another person.

"(7) Recipient.—The term 'recipient' means the person whose legal rights, duties, liabilities, exposure, compliance obligations, defenses, remedies, matter, or proceeding is the subject of the legal services.

"(8) Related person.—Persons are related persons if—

"(A) the persons bear a relationship described in section 267(b) or 707(b)(1); or

"(B) the persons are under common control within the meaning of section 52(a) or 52(b).

"(b) Imposition of tax.—

"(1) In general.—There is imposed on each taxable sale of legal services a tax equal to 12 percent of the taxable amount.

"(2) Taxable sale of legal services.—The term 'taxable sale of legal services' means the provision of legal services for consideration if—

"(A) the services have a United States nexus under subsection (h); and

"(B) the services are not exempt under subsection (f) or (g).

"(3) Deemed sales.—A deemed sale under subsection (e) shall be treated as a taxable sale of legal services.

"(4) Substance over form.—The tax imposed by this section shall apply without regard to—

"(A) the title, label, billing category, occupational classification, professional credential, or organizational form used with respect to the services;

"(B) whether the person providing the services is authorized under applicable law to practice law;

"(C) whether the services are provided directly, through an employee or contractor, through a related person, or through a digital or automated system; or

"(D) whether consideration is paid by the recipient, an insurer, an employer, a litigation funder, an adverse party, or any other person.

"(c) Taxable amount.—

"(1) In general.—The taxable amount is the total consideration paid or incurred for a taxable sale of legal services, determined without regard to—

"(A) the tax imposed by this section; or

"(B) any other separately stated product tax.

"(2) Included consideration.—The taxable amount includes—

"(A) hourly, fixed, contingent, success-based, subscription, membership, retainer, availability, monitoring, and similar fees;

"(B) amounts paid by an insurer, employer, litigation funder, adverse party, governmental entity, nonprofit organization, related person, or other third party;

"(C) court-awarded attorney's fees, settlement amounts specifically allocable to legal fees, and amounts paid pursuant to a fee-shifting statute, contract, judgment, or order; and

"(D) the fair market value of property, services, equity, debt forgiveness, or other noncash consideration.

"(3) Retainers and client trust accounts.—

"(A) An amount deposited into a client trust account shall not be included in the taxable amount until the amount is earned, applied to charges for legal services, or otherwise becomes available for the unrestricted use of the legal services provider.

"(B) A nonrefundable retainer or other payment over which the provider obtains an unrestricted right shall be included in the taxable amount when that right arises.

"(4) Third-party costs.—The taxable amount does not include a separately stated amount paid or incurred without markup for a court filing fee, recording fee, transcript, service of process, expert or witness fee, or other third-party charge prescribed by the Secretary, if—

"(A) the amount is paid or payable to an unrelated third party;

"(B) the legal services provider does not retain any portion of the amount; and

"(C) adequate records substantiate the amount and purpose of the payment.

"(5) Mixed or bundled transactions.—

"(A) If a transaction includes legal services and other property or services, the parties shall make a reasonable allocation supported by contemporaneous records.

"(B) If the parties fail to make and substantiate a reasonable allocation, the entire amount shall be treated as consideration for legal services.

"(C) The Secretary may reallocate consideration if an allocation does not reflect economic substance or has a principal purpose of avoiding tax under this section.

"(6) Refunds and adjustments.—If consideration previously included in the taxable amount is refunded, credited, charged back, or determined to be uncollectible, the person that remitted the tax may claim a credit or refund under rules prescribed by the Secretary. Any amount subsequently recovered shall be included when recovered.

"(7) Related persons.—In a transaction between related persons, the taxable amount shall not be less than the fair market value of the legal services.

"(d) Liability, collection, and payment.—

"(1) Liability of payer.—Except as otherwise provided in this section, the payer is liable for the tax imposed under subsection (b).

"(2) Collection.—Every person receiving a payment for a taxable sale of legal services shall, at the time the payment is made, collect the tax from the person making the payment.

"(3) Multiple payers.—If more than 1 person pays consideration for the same legal services, each payer is liable for the tax attributable to the consideration paid by that payer.

"(4) Secondary liability.—

"(A) A legal services provider, billing entity, or other person required to collect tax under paragraph (2) that fails to collect and remit the tax shall be liable for the uncollected amount.

"(B) Liability under subparagraph (A) is in addition to the liability of the payer, except that the tax may be collected only once.

"(5) Exemption certificates.—A collecting person shall not be liable for failure to collect tax on an exempt transaction if the person accepts, in good faith, a properly completed exemption certificate prescribed by the Secretary and has no reason to know that the certificate is false or invalid.

"(6) Returns and remittance.—A person required to collect or pay tax under this section shall file returns and remit the tax not less frequently than quarterly, at such times and in such manner as the Secretary shall prescribe.

"(7) Purchaser self-assessment.—If tax required under this section is not collected by a legal services provider or other collecting person, including because the provider is outside the United States, the payer shall report and pay the tax in the manner prescribed by the Secretary.

"(e) In-house and related-party legal services.—

"(1) Deemed sale.—To the extent not otherwise included in a taxable sale under subsection (b), a person that receives legal services from an employee, officer, partner, member, proprietor, leased employee, independent contractor, or other worker shall be treated as purchasing those services from itself.

"(2) Primary legal duties.—If the primary duties of a worker are the provision of legal services, the taxable amount shall equal the worker's total compensation for the period during which the services are provided.

"(3) Mixed duties.—If the provision of legal services is not the primary duty of a worker, the taxable amount shall equal the reasonable portion of the worker's total compensation allocable to legal services.

"(4) Primary duties.—For purposes of this subsection, legal services are the primary duties of a worker if more than 50 percent of the worker's compensated time, responsibilities, or reasonably expected services consist of legal services.

"(5) Total compensation.—The term 'total compensation' includes—

"(A) wages, salary, bonuses, commissions, and guaranteed payments;

"(B) deferred compensation;

"(C) the fair market value of equity, options, property, and in-kind compensation;

"(D) employer or entity contributions for retirement, health, insurance, and other benefits;

"(E) partnership, membership, or ownership distributions attributable to services; and

"(F) any other remuneration for services prescribed by the Secretary.

"(6) Related-party service entities.—If legal services are provided between related persons, the taxable amount shall be the greater of—

"(A) the consideration paid or incurred;

"(B) the total compensation and other costs reasonably allocable to providing the legal services; or

"(C) the fair market value of the legal services.

"(7) Liability.—The person receiving legal services under this subsection shall report and pay the tax not less frequently than quarterly.

"(f) Exempt legal services.—

"(1) Government employment.—The tax imposed by this section shall not apply to legal services performed by an officer or employee of a governmental entity if—

"(A) the services are performed within the scope of the officer's or employee's employment; and

"(B) the compensation for the services is paid by the governmental entity.

"(2) Nonprofit legal services.—The tax imposed by this section shall not apply to legal services provided by a nonprofit organization through an officer or employee of the organization if—

"(A) the services are performed within the scope of that employment;

"(B) the services further the purpose or function constituting the basis for the organization's exemption under section 501(a); and

"(C) any consideration paid by a recipient or third party for the services is paid to and retained by the nonprofit organization.

"(3) Pro bono services.—The tax imposed by this section shall not apply to legal services for which no person provides or is obligated to provide consideration.

"(4) Limitations.—

"(A) Paragraph (1) or (2) does not exempt legal services performed outside the scope of the person's government or nonprofit employment, including private moonlighting or services for which consideration is retained by the individual.

"(B) A purchase of legal services from a private legal services provider is not exempt solely because the payer or recipient is a governmental entity or nonprofit organization.

"(C) Paragraph (2) does not apply if the legal services principally benefit—

"(i) a related for-profit person;

"(ii) an owner, director, officer, employee, or other person in a position to exercise substantial influence over the affairs of the nonprofit organization, in a personal capacity, unless the legal services are provided on substantially the same terms as to similarly situated persons who are not in such a position; or

"(iii) an unrelated trade or business of the nonprofit organization.

"(g) Voucher-funded legal services.—

"(1) Exemption.—The portion of a legal service paid with a voucher issued or transferred under section 151 of the POPULIST Act shall not be subject to the tax imposed by this section.

"(2) Additional consideration.—Any portion paid with money or other consideration not derived from a voucher remains subject to tax.

"(3) No collection from account holder.—A provider may not collect or attempt to collect tax under this section from an account holder with respect to an amount paid with a voucher.

"(4) Records.—The provider shall retain such records as the Secretary may require to substantiate the amount paid with a voucher, without disclosing privileged communications, attorney work product, legal strategy, or the substance of the legal services.

"(h) United States nexus and imported legal services.—

"(1) United States nexus.—Legal services have a United States nexus if—

"(A) the payer or recipient is a United States person, as defined in section 7701(a)(30);

"(B) the services concern Federal, State, Tribal, territorial, or local law of the United States;

"(C) the services concern a proceeding, transaction, property, business activity, legal obligation, or regulatory requirement in the United States; or

"(D) a material portion of the services is performed in the United States.

"(2) Foreign providers.—A foreign legal services provider that receives consideration for legal services having a United States nexus shall collect and remit the tax in the same manner as a domestic provider.

"(3) Self-assessment.—If a foreign provider does not collect the tax, the payer shall report and pay the tax under subsection (d)(7).

"(4) No United States nexus.—Legal services provided to and for the exclusive benefit of foreign persons, concerning only foreign law or activities outside the United States, and performed entirely outside the United States shall not be subject to tax under this section.

"(i) Administration, records, and anti-abuse.—

"(1) Records and returns.—The Secretary may require such records, returns, exemption certificates, information statements, and payment procedures as are necessary to administer this section.

"(2) Privilege protected.—A return, record, or information requirement under this section shall not require disclosure of—

"(A) a privileged communication;

"(B) attorney work product;

"(C) legal advice, strategy, research, analysis, or mental impressions; or

"(D) the substance of a legal representation beyond information reasonably necessary to establish the identity of the provider and payer, the date and amount of payment, the general category of service, and the applicability of an exemption.

"(3) Anti-abuse authority.—If a transaction, arrangement, organizational structure, billing practice, allocation, employment classification, offshore arrangement, related-party arrangement, or technological method has as 1 of its principal purposes the avoidance or significant reduction of tax under this section, the Secretary may aggregate, allocate, recharacterize, or disregard the transaction or arrangement as necessary to carry out this section.

"(4) Regulations.—The Secretary shall prescribe regulations addressing—

"(A) mixed and bundled services;

"(B) contingent, deferred, subscription, and noncash consideration;

"(C) in-house and related-party legal services;

"(D) foreign providers and purchaser self-assessment;

"(E) digital platforms, automated systems, and artificial intelligence;

"(F) exemptions, certificates, refunds, and credits;

"(G) collection through insurers, employers, intermediaries, and third-party payers; and

"(H) such other matters as are necessary to prevent avoidance and ensure consistent administration.

"(5) Rulemaking schedule.—Not later than April 30, 2027, the Secretary shall issue interim final regulations to implement this section. The regulations shall take effect upon publication in the Federal Register and may be issued without regard to section 553 of title 5, United States

Code. The Secretary shall provide a public comment period of not less than 60 days and shall issue final regulations not later than April 30, 2028.

"(6) Practice of law unaffected.—Nothing in this section authorizes any person to practice law, provide legal services, or engage in conduct prohibited under Federal, State, Tribal, territorial, or local law.

"(j) Coordination with value added tax.—

"(1) Taxes cumulative.—The tax imposed by this section is in addition to any tax imposed under chapter 7 of subtitle A.

"(2) Product tax treatment.—The tax imposed by this section shall be treated as a product tax for purposes of chapter 7 of subtitle A and shall be separately stated on an invoice or other payment record.

"(3) Exclusion from taxable receipts.—An amount collected as tax under this section shall not be included in the taxable receipts of the person collecting the tax for purposes of chapter 7 of subtitle A.

"(4) Legal service receipts preserved.—Except for the amount collected as tax under this section, consideration received for legal services shall remain taxable receipts under chapter 7 of subtitle A to the extent otherwise provided under that chapter.

"(5) Business purchase treatment.—A tax paid under this section with respect to legal services acquired for use in a business activity shall be treated as part of the cost of the business purchase to the extent otherwise allowed under chapter 7 of subtitle A.".

(2) Clerical amendment.—The table of chapters for subtitle D of the Internal Revenue Code of 1986, as amended by this Act, is further amended by inserting after the item relating to chapter 50A the following:

"Chapter 50B—Legal Services".

(3) Effective date.—

(A) In general.—The amendments made by this subsection shall apply to legal services performed on or after July 1, 2027.

(B) Continuing matters and advance payments.—In the case of a matter, contract, retainer, subscription, or other arrangement that begins before July 1, 2027, only the portion of the taxable amount reasonably allocable to legal services performed on or after that date shall be subject to tax.

(C) In-house services.—Section 5000E(e) of the Internal Revenue Code of 1986 shall apply to compensation attributable to legal services performed on or after July 1, 2027.

(D) Regulations not a condition.—The amendments made by this subsection shall take effect without regard to whether final regulations have been prescribed.

(n) Establishing the Legal Services Trust Fund.—

(1) In general.—Subchapter A of chapter 98 of title 26, United States Code, as amended by section 842, is further amended by adding at the end the following new section:

"Sec. 9513. 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 the fund as provided in this section or section 9602(b).

"(b) Transfers to Legal Services Trust Fund.—

"(1) In general.—There are hereby appropriated to the Legal Services Trust Fund amounts equivalent to the net revenues received in the Treasury from taxes imposed under chapter 50B of subtitle D.

"(2) Net revenues.—For purposes of paragraph (1), net revenues are the taxes received under chapter 50B, reduced by refunds and credits allowed with respect to those taxes.

"(3) Timing.—The Secretary shall transfer amounts under paragraph (1) from the general fund of the Treasury to the Legal Services Trust Fund not less frequently than quarterly.

"(c) Expenditures.—Amounts in the Legal Services Trust Fund shall be available, without further appropriation, only to administer and carry out the Legal Services Grant Program established under section 151 of the POPULIST Act.

"(d) Initial funding.—

"(1) Appropriation.—There is appropriated to the Legal Services Trust Fund, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, not to exceed $4,000,000,000, to administer the Legal Services Grant Program and make grants under that Program before sufficient amounts are available under subsection (b).

"(2) Availability.—Amounts appropriated under paragraph (1) shall remain available until expended.

"(3) Repayment.—Amounts appropriated under paragraph (1) shall be repaid to the general fund of the Treasury from amounts subsequently transferred to the Legal Services Trust Fund under subsection (b), at such times and in such amounts as the Secretary determines appropriate, but not later than 10 years after the first appropriation is made under paragraph (1).".

(2) Clerical amendment.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"Sec. 9513. Legal Services Trust Fund.".

SEC. 152. 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), 1 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 90 days after the date of enactment of this Act, 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 subsections (a) and (b) of section 152 of the POPULIST Act." 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 subsection (a) of section 152 of the POPULIST 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—

"(1) shall be based on the extent of use of the system described under subsection (a) of section 152 of the POPULIST Act for purposes of carrying out such subsection;

"(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 subsection (a) of section 152 of the POPULIST Act.

"(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 subsections (a) and (b) of section 152 of the POPULIST Act in accordance with subsection (b) of such section, 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 subsection (b) of section 152 of the POPULIST Act.

"(2) To cover any additional marginal costs of ensuring the public accessibility, free of charge, of all materials in the system described under subsections (a) and (b) of section 152 of the POPULIST Act in accordance with subsection (b) of such section, 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 subsection (a) of section 152 of the POPULIST Act;

"(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 subsection (b) of section 152 of the POPULIST Act.

"(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 subsection (b) of section 152 of the POPULIST Act may be used to reimburse expenses incurred in carrying out subsection (a) of such section 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 the 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. 153. 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.

Subtitle D—The Weldon Angelos Prosecutorial Reform Act

PART I—PROSECUTORIAL FAIRNESS AND ASSET FORFEITURE REFORM

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 by inserting ", except that a court of the United States shall not consider, except for purposes of mitigating a sentence, acquitted conduct under this section" before the period at the end.

(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—

(1) in the matter preceding paragraph (1), by striking "As" and inserting "(a) As"; and

(2) by adding at the end the following:

"(b) As used in this chapter, the term 'acquitted conduct' means—

"(1) an act—

"(A) for which a person was criminally charged and with regard to which—

"(i) that person was adjudicated not guilty after trial in a Federal, State, or Tribal court; or

"(ii) any favorable disposition to the person in any prior charge was made, regardless of whether the disposition was pretrial, at trial, or post trial; or

"(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.—Section 793 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "with intent or reason to believe" and inserting "with specific intent";

(2) in subsection (b)—

(A) by striking "or reason to believe"; and

(B) by inserting "that has been properly classified that is" after "of anything";

(3) in subsection (c)—

(A) by inserting "that has been properly classified that is" after "of anything"; and

(B) by striking "he" and inserting "such person"; and

(4) in subsections (d) and (e), by inserting after "willfully" each place it appears the following: ", and with specific intent to injure the United States or advantage any foreign nation,".

(b) Disclosure of classified information.—Section 798(a) of title 18, United States Code, is amended by inserting after "knowingly and willfully" the following: ", and with specific intent to injure the United States or advantage any foreign nation,".

(c) Authority to disclose information.—Section 798(c) of title 18, United States Code, is amended by striking "furnishing," and all that follows and inserting the following: "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 Chair 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 Chair 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 Chair 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.

"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—

"(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 of title 18, United States Code, 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) Repeal of outdated provisions.—Sections 983-987 of title 18, United States Code, are repealed.

(c) Rule of construction.—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) Findings.—Congress finds the following:

(1) State civil asset forfeiture proceedings permit the deprivation of property under color of State law without requiring a criminal conviction of the property owner.

(2) Modern civil asset forfeiture proceedings are punitive in purpose or effect and implicate rights secured by the Due Process Clause of the Fourteenth Amendment.

(3) Financial incentives associated with civil asset forfeiture and the absence of the procedural protections afforded to criminal defendants have resulted in repeated deprivations of property without adequate due process of law.

(4) The minimum procedures and remedies established by this section are necessary and appropriate legislation to enforce the Fourteenth Amendment.

(b) Constitutional authority.—Congress enacts this section pursuant to section 5 of the Fourteenth Amendment to the Constitution of the United States.

(c) 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.

(d) Civil action.—

(1) In general.—A person aggrieved by a violation of subsection (c) may bring a civil action against the State or a responsible State officer in an appropriate district court of the United States.

(2) Relief.—In an action under paragraph (1), the court may award—

(A) declaratory or injunctive relief;

(B) return of the forfeited property or, if return is impossible, payment of the fair market value of the property; and

(C) reasonable attorney's fees and costs.

(3) State officers.—Nothing in this subsection shall limit an action against a State officer for prospective declaratory or injunctive relief.

(e) Abrogation of sovereign immunity.—A State shall not be immune under the Eleventh Amendment to the Constitution of the United States or any other doctrine of sovereign immunity from an action in Federal or State court for a violation of this section.

(f) Applicability.—This section shall apply with respect to forfeiture proceedings occurring or pending on or after enactment.

PART II—DE-ESCALATING 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 waiting 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, not later than 30 days after the date of enactment of this Act, 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) Personal drug possession.—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) Repeal of civil penalty provision.—Section 844a of title 21, United States Code, is repealed.

SEC. 174. DE-ESCALATING THE FEDERAL DRUG WAR.

(a) Reduction of authorized terms of imprisonment.—

(1) 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 Act, each provision of such Act that authorizes a maximum term of imprisonment or penalty shall be deemed amended as follows:

(A) If the otherwise applicable maximum term of imprisonment is 5 years or less, the maximum term shall be one-half of the otherwise applicable maximum term.

(B) If the otherwise applicable maximum term is more than 5 years but not more than 10 years, the maximum term shall be 4 years.

(C) If the otherwise applicable maximum term is more than 10 years but not more than 20 years, the maximum term shall be 7 years.

(D) If the otherwise applicable maximum term is more than 20 years but not more than 30 years, the maximum term shall be 10 years.

(E) If the otherwise applicable maximum term is more than 30 years but not more than 40 years, the maximum term shall be 14 years.

(F) If the otherwise applicable maximum term is more than 40 years or is life imprisonment, whether mandatory or discretionary, the maximum term shall be 17 years.

(G) 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.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

(b) 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.

(c) Restoring nutrition assistance after drug convictions.—

(1) Assistance and benefits for certain drug-related convictions.—Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking "for—" and all that follows through the period at the end of paragraph (2) and inserting "for assistance

under any State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).";

(B) in subsection (b)—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows through "The amount of" in paragraph (1) and inserting the following:

"(b) Program of temporary assistance for needy families.—The amount of"; and

(iii) by inserting "(42 U.S.C. 601 et seq.)" after "Social Security Act"; and

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

"(e) Definition of State.—In this section, the term 'State' has the meaning given the term in section 419 of the Social Security Act (42 U.S.C. 619), when referring to assistance provided under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).".

(2) Effect on State policies.—Any State law, policy, or regulation that imposes conditions on eligibility for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) based on an individual having a conviction for an offense related to a controlled substance shall have no force or effect.

(3) Modification of definition of household under SNAP.—Section 3(m)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)(5)) is amended by adding at the end the following:

"(F) Incarcerated individuals who are scheduled to be released from an institution within 30 days.".

(d) Elimination of crack cocaine disparity and automatic relief.—

(1) Disparities repealed.—

(A) The following provisions of the Controlled Substances Act (21 U.S.C. 801 et seq.) are repealed:

(i) Clause (iii) of section 401(b)(1)(A) (21 U.S.C. 841(b)(1)(A)).

(ii) Clause (iii) of section 401(b)(1)(B) (21 U.S.C. 841(b)(1)(B)).

(B) The following provisions of the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) are repealed:

(i) Subparagraph (C) of section 1010(b)(1) (21 U.S.C. 960(b)(1)).

(ii) Subparagraph (C) of section 1010(b)(2) (21 U.S.C. 960(b)(2)).

(2) Applicability to pending cases.—The amendments made by paragraph (1) shall apply to any sentence imposed on or after July 4, 2026, regardless of when the offense was committed.

(3) Automatic retroactive sentence recalculation.—

(A) In general.—The amendments made by paragraph (1) shall apply by operation of law to the sentence of each defendant who, before July 4, 2026, was sentenced for a Federal offense involving cocaine base. Notwithstanding any other provision of law, the Bureau of Prisons shall, not later than January 1, 2027, perform the ministerial recalculation of each such term of imprisonment by treating any reference to cocaine base as a reference to cocaine for purposes of revising the applicable penalty.

(B) Release.—If the term of imprisonment recalculated under subparagraph (A) is less than the term of imprisonment the defendant has already served, the Bureau of Prisons shall release the defendant as soon as practicable.

(C) 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.

(D) Disputes.—The sentencing court shall have jurisdiction to resolve any dispute concerning a recalculation under subparagraph (A) and to enter any order necessary to conform the judgment to the sentence as modified by operation of law.

SEC. 175. LEGALIZING MARIJUANA AND AUTOMATIC RETROACTIVE RELIEF.

(a) Marijuana legalized.—Federal prohibitions on marijuana are amended or repealed as follows:

(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) Controlled Substances Import and Export Act conforming amendments.—The Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) is amended—

(A) in section 1010(b)(1) (21 U.S.C. 960(b)(1))—

(i) in subparagraph (F), by striking the semicolon at the end and inserting "; or";

(ii) by striking subparagraph (G);

(iii) by redesignating subparagraph (H) as subparagraph (G); and

(iv) in subparagraph (G), as redesignated, by striking the period at the end and inserting a colon;

(B) in section 1010(b)(2) (21 U.S.C. 960(b)(2))—

(i) in subparagraph (F), by striking the semicolon at the end and inserting "; or";

(ii) by striking subparagraph (G);

(iii) by redesignating subparagraph (H) as subparagraph (G); and

(iv) in subparagraph (G), as redesignated, by striking the period at the end and inserting a colon; and

(C) by striking section 1010(b)(4) (21 U.S.C. 960(b)(4)).

(b) Applicability to pending cases.—The amendments made by subsection (a) shall apply to any sentence imposed on or after the date of enactment of this Act, 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.—The changes made by this section shall apply by operation of law to the sentence of each defendant who, before the date of enactment of this Act, was sentenced for a Federal offense involving marijuana. Notwithstanding any other provision of law, the Bureau of Prisons shall, not later than January 1, 2027, perform the ministerial recalculation of each such term of imprisonment 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 marijuana, the sentencing court shall modify the term of supervised release to reflect the changes made by this section.

(4) Disputes.—The sentencing court shall have jurisdiction to resolve any dispute concerning a recalculation under paragraph (1) and to enter any order necessary to conform the judgment to the sentence as modified by operation of law.

(f) Expungement of drug offense convictions for individuals not under a criminal justice sentence.—

(1) In general.—Not later than December 31, 2027, each Federal district court shall conduct a comprehensive review and issue an order expunging each adjudication of juvenile delinquency or conviction for a marijuana offense entered by a Federal court in the district on or after May 1, 1971, and before the date of enactment of this Act, if the individual subject to the adjudication or conviction is not under a criminal justice sentence on the date the order is issued. 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 court 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 the date of enactment of this Act, 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.

(g) 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. 176. SAFE HARBOR FOR MARIJUANA-RELATED FINANCIAL SERVICES.

(a) Definitions.—In this section:

(1) Appropriate Federal banking agency.—The term "appropriate Federal banking agency" has the meaning given the term in section 3(q) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)).

(2) 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)).

(3) 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).

(4) 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.

(5) 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.

(6) 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.

(7) 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.

(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. 177. RETAIL EXCISE TAX, IMPLEMENTATION, AND PRODUCT STANDARDS FOR 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 general.—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 4057 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 4057 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) Treasury implementation.—Not later than March 1, 2027, the Secretary of the Treasury shall issue interim final rules to carry out the amendments made by subsection (a). The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to section 553 of title 5, United States Code.

(1) Comment and final rules.—The Secretary shall provide a public comment period of not less than 60 days after publication of the interim final rules under this subsection and shall issue final rules not later than January 1, 2028.

(2) No delay.—A delay in issuance or finalization of rules under this subsection shall not delay, limit, or otherwise affect the tax imposed by subsection (a), any exemption from such tax, or the authority of the Secretary to administer and enforce the amendments made by subsection (a).

(3) Transitional administration.—The Secretary may administer the amendments made by subsection (a) through forms, instructions, notices, or other guidance.

(c) Justice Department implementation.—Not later than July 4, 2027, the Attorney General shall issue interim final rules to carry out sections 173 through 176, except that nothing in this subsection shall alter the implementation deadline under section 176(e)(3). The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to section 553 of title 5, United States Code.

(1) Comment and final rules.—The Attorney General shall provide a public comment period of not less than 60 days after publication of the interim final rules under this subsection and shall issue final rules not later than January 1, 2028.

(2) Effect of statutory provisions.—Sections 173 through 176, and the amendments made by such sections, shall take effect and remain enforceable according to their terms on and after the date of enactment of this Act, whether or not the Attorney General has issued interim final rules or final rules under this subsection. A delay in issuance or finalization of rules under this subsection shall not delay, limit, extinguish, or reduce any protection, prohibition, duty, safe harbor, resentencing process, expungement process, repeal, or amendment established by sections 173 through 176 or the amendments made by such sections.

(d) FDA standards.—

(1) Interim final rules.—Not later than July 4, 2027, the Commissioner of Food and Drugs shall issue interim final rules establishing standards for the quality, purity, potency, labeling, packaging, testing, and manufacturing of marijuana products offered for sale in the United States. The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to section 553 of title 5, United States Code.

(2) Comment and final rules.—The Commissioner shall provide a public comment period of not less than 60 days after publication of the interim final rules under this subsection and shall issue final rules not later than January 1, 2028.

(e) Effective date for retail excise tax.—The amendments made by subsection (a) shall apply to retail sales occurring on or after April 1, 2027.

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; and

(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 ongoing experience of substance use disorder;

(8) not fewer than 1 member with experience in State-regulated marijuana sales; and

(9) broad political party representation such that no single political party has a majority of members.

(f) Appointment deadline.—All members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(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 120 days after the date of enactment of this Act.

(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.—

(1) Administrative support.—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, and information technology support necessary for the Commission to carry out its duties, in consultation with the Attorney General and the Secretary of the Treasury.

(2) Appropriation.—Out of any money in the Treasury not otherwise appropriated, there are appropriated to the Secretary of Health and Human Services such sums as may be necessary to carry out this section for fiscal years 2027 and 2028, to remain available through September 30, 2028.

(n) Reports.—

(1) Interim report.—Not later than 180 days after the date of enactment of this Act, 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 E—The George Floyd Justice Act

SEC. 181. QUALIFIED IMMUNITY REFORM.

Section 1983 of title 42, United States Code, is amended—

(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 subsection (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, gaiter, 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.—Subsections (b) and (c) shall not apply to the extent that—

(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) Presumption of refused admittance.—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. DUTY TO INTERVENE.

(a) Duty to intervene.—It shall be unlawful for a Federal law enforcement officer knowingly to fail to take reasonable action to prevent or stop another law enforcement officer from using excessive force against a person if the Federal law enforcement officer—

(1) knows that the force is excessive;

(2) has a realistic opportunity to intervene; and

(3) can intervene without creating an unreasonable risk of death or serious bodily injury to the Federal law enforcement officer or another person.

(b) Treatment under section 242.—For purposes of section 242 of title 18, United States Code, a knowing failure described in subsection (a) shall be deemed to subject the person against whom excessive force is used to a deprivation of rights under color of law.

(c) Training.—The Attorney General shall establish a training program for Federal law enforcement officers covering the duty established under subsection (a).

(d) 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 program established under subsection (c).

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) Knowing or reckless deprivation of rights.—Section 242 of title 18, United States Code, is amended by striking "willfully" and inserting "knowingly or recklessly".

(c) Chokeholds and carotid restraints.—Section 242 of title 18, United States Code, is further amended in the matter following "and if bodily injury results from the acts committed in violation of this section or if such acts include" by inserting "the application of any pressure to the throat or windpipe that prevents 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," before "the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire".

(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 law enforcement officers in the State or unit of local government from applying pressure to the throat or windpipe that prevents or hinders breathing or reduces intake of air, or using a carotid artery restraint or other maneuver that restricts blood or oxygen flow to the brain.

SEC. 187. POLICE EXERCISING ABSOLUTE CARE WITH EVERYONE.

(a) Definitions.—

(1) Deadly force.—The term "deadly force" means force that creates a substantial risk of causing death or serious bodily injury, including the discharge of a firearm, respiratory chokeholds, and multiple discharges of an electronic control weapon.

(2) De-escalation tactics and techniques.—The term "de-escalation 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.

(3) Federal law enforcement officer.—The term "Federal law enforcement officer" means any officer, agent, or employee of the United States authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal criminal law.

(4) Less lethal force.—The term "less lethal force" means any degree of force that is not likely to have lethal effect.

(5) Imminent threat.—The term "imminent threat"—

(A) means—

(i) a threat of harm involving the present ability, opportunity, and apparent intent immediately to cause the threatened harm; and

(ii) a risk that, based on the information available to the Federal law enforcement officer at the time, must be immediately confronted and addressed; and

(B) does not include merely a fear of future harm.

(6) Necessary.—The term "necessary", with respect to a use of force, means that a reasonable Federal law enforcement officer would objectively conclude, under the totality of the circumstances, that there was no reasonable, less harmful alternative to the force used.

(7) Proportional.—The term "proportional", with respect to a use of force, means that the potential harm likely to be caused by the force does not outweigh the benefit to be gained by achieving the direct and legitimate law enforcement objective.

(8) Reasonable alternatives.—

(A) In general.—The term "reasonable alternatives" means tactics and methods used by a Federal law enforcement officer to prevent an imminent threat of physical injury, prevent imminent death or serious bodily injury to the person against whom force is used, or effectuate a lawful arrest that do not unreasonably increase the risk posed to the officer or another person, including verbal communication, distance, warnings, de-escalation 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.

(9) 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.—

(1) In general.—A Federal law enforcement officer may not use any less lethal force unless such force—

(A) is the least amount of force that is necessary and proportional—

(i) to prevent an imminent threat of physical injury to the Federal law enforcement officer or another person;

(ii) to prevent imminent death or serious bodily injury to the person against whom force is used; or

(iii) to effectuate the lawful arrest of a person whom the officer has probable cause to believe has committed a criminal offense; and

(B) is used only after available and reasonable alternatives to the use of less lethal force have been exhausted.

(2) Requirement to reduce and cease force.—With respect to the use of less lethal force, a Federal law enforcement officer shall—

(A) immediately reduce the force as the threat diminishes; and

(B) cease the force as soon as—

(i) the person against whom force is used is under the control of the officer or no longer poses a threat of physical injury; or

(ii) the force will no longer accomplish, or is no longer necessary to accomplish, a legitimate law enforcement objective.

(c) Prohibition on deadly use of force.—

(1) In general.—A Federal law enforcement officer may not use deadly force against a person unless—

(A) the use of deadly force is necessary and proportional, as a last resort, to prevent imminent and serious bodily injury or death to the officer or another person;

(B) the use of deadly force creates no substantial risk of injury to a third person; and

(C) available and reasonable alternatives to the use of deadly force have been exhausted.

(2) Danger only to self.—A Federal law enforcement officer may not use deadly force against a person who poses a danger only to themself.

(d) Requirement to give verbal warning.—When feasible, prior to using force against a person, a Federal law enforcement officer shall identify themself as a law enforcement officer and issue a verbal warning to the person that—

(1) directs the person to cease the conduct creating the need for force or, if applicable, requests that the person surrender to the officer; and

(2) notifies the person that force may be used if the person fails to comply.

(e) Guidance on use of force.—Not later than April 4, 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 subsections (b) and (c); 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 subsections (e)(2)(B)(i) through (vii).

(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 187 of the POPULIST 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 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, categorized as—

(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 188.

(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.—Not later than September 30, 2027, and every 6 months thereafter, each State that receives funds under the Byrne grant program shall 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—

(1) in paragraph (11), by striking "or";

(2) in paragraph (12), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(13) pursuant to the National Police Misconduct Registry established by section 189 of the POPULIST Act.".