SENATE COMPANION VERSION

PURGE Act

of 2026 — Senate Companion

119TH CONGRESS · 2D SESSION · S. ___

Prepared by Anazao Solutions LLC · admin@anazaosolutions.com

Operations, lobbying, and policy tracking for the public sector.

119TH CONGRESS

2D SESSION

S. ____

To enforce transparency in the Federal investigation and prosecution of Jeffrey Epstein and related sex-trafficking conspiracies, to require disclosure of contact with the Epstein-Maxwell trafficking network by Federal officeholders and candidates, to mandate accountability in the investigation and prosecution of co-conspirators, to provide for restitution to victims through forfeiture, to strengthen victims' rights in trafficking plea agreements, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr./Ms. ____________ (for himself or herself) introduced the following bill; which was read twice and referred to the Committee on the Judiciary.

A BILL

To enforce transparency in the Federal investigation and prosecution of Jeffrey Epstein and related sex-trafficking conspiracies, to require disclosure of contact with the Epstein-Maxwell trafficking network by Federal officeholders and candidates, to mandate accountability in the investigation and prosecution of co-conspirators, to provide for restitution to victims through forfeiture, to strengthen victims' rights in trafficking plea agreements, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Predator Unmasking, Restitution, and Government-wide Exposure Act of 2026" or the "PURGE Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

Congress finds the following:

(1) On November 19, 2025, the President signed into law the Epstein Files Transparency Act (Public Law 119–38; 139 Stat. 656) (in this Act referred to as "EFTA"), which passed the House of Representatives by a recorded vote of 427 to 1 and was agreed to in the Senate without objection.

(2) EFTA directed the Attorney General, not later than 30 days after the date of enactment, to make publicly available in a searchable and downloadable format all unclassified records, documents, communications, and investigative materials in the possession of the Department of Justice relating to Jeffrey Epstein, Ghislaine Maxwell, associated flight and travel records, individuals named or referenced in connection with Epstein's criminal activities, and related matters, establishing a full-release deadline of December 19, 2025.

(3) EFTA permitted withholding or redaction only of narrowly defined categories of segregable material, and expressly prohibited the withholding, delay, or redaction of any record on the basis of embarrassment, reputational harm, or political sensitivity, including with respect to any government official, public figure, or foreign dignitary.

(4) According to representations made by the Department of Justice to the United States District Court for the District of Columbia and reported on or about January 6, 2026, the Department had reviewed and released less than 1 percent of relevant Epstein records by the Department's own count as of that date, notwithstanding the statutory deadline of December 19, 2025.

(5) In a formal complaint submitted to the Acting Inspector General of the Department of Justice, the Democracy Defenders Fund documented that the Department had released less than 1 percent of all relevant Epstein records by the Department's own count, had not published any justification for redactions or withholdings in the Federal Register as required by EFTA, and had surreptitiously modified records already released to the public by adding redactions without notice, explanation, change history, or audit trail.

(6) On January 30, 2026, the Department of Justice represented that, of approximately 6,000,000 records reviewed, it would release approximately 3,500,000 pages, and conceded that records had been redacted beyond the categories permitted by EFTA, including the withholding or redaction of approximately 200,000 pages on the basis of deliberative-process, attorney work-product, and attorney-client privileges not enumerated in EFTA.

(7) Numerous redactions applied to materials released under EFTA were technically defective and could be reversed using commonly available software, demonstrating that redaction was applied to information beyond the victim-protective and other categories permitted by law, and that the Department's review process did not reliably protect victim-identifying information while reliably concealing the identities of other persons.

(8) The original enactment of EFTA contained no private right of action, no civil penalty, no criminal sanction, and no other mechanism by which any person or entity could compel compliance, and counsel familiar with the statute have publicly observed that Congress did not incorporate any enforcement mechanism.

(9) Congressional access to unredacted materials has been constrained by Department-imposed conditions, including a reading-room procedure relying on a limited number of review terminals, prohibitions on electronic devices, and limitations on the time available to Members and staff, under which a complete review of the materials by the committees of jurisdiction would, at the rate of access afforded, require a period measured in years rather than weeks.

(10) In April 2026, the Office of the Inspector General of the Department of Justice announced an audit relating to the Department's compliance with EFTA, and the Attorney General, the Deputy Attorney General, and other senior officials have been called to testify before the Committee on Oversight and Government Reform and the Committee on the Judiciary of the House of Representatives concerning the Department's compliance.

(11) The 2007 and 2008 disposition of Federal allegations against Jeffrey Epstein in the Southern District of Florida, including a non-prosecution agreement entered into without notice to identified victims, was subsequently determined by a Federal court to have violated the rights of crime victims under section 3771 of title 18, United States Code (the Crime Victims' Rights Act), demonstrating a structural deficiency in the enforcement of victims' rights in connection with plea, non-prosecution, deferred-prosecution, and immunity agreements in trafficking matters.

(12) Victims of trafficking by Jeffrey Epstein, Ghislaine Maxwell, and associated persons and entities have not received full and timely restitution, and substantial assets traceable to the proceeds of the trafficking conspiracy remain held by estates, trusts, and successor entities.

(13) The public interest in full disclosure of the records described in EFTA, in the accountability of persons who participated in or facilitated the trafficking conspiracy, and in restitution to victims, is compelling and is not adequately served by existing law.

(14) The enforcement, disclosure, accountability, and restitution provisions of this Act are necessary to give effect to the transparency mandate that Congress enacted in EFTA and that the Department of Justice has failed to fulfill.

SEC. 3. DEFINITIONS.

In this Act:

(1) ATTORNEY GENERAL.—The term "Attorney General" means the Attorney General of the United States or any officer or employee of the Department of Justice acting under the authority of the Attorney General.

(2) COVERED RECORDS.—The term "covered records" means the records, documents, communications, and investigative materials described in section 2(a) of the Epstein Files Transparency Act (Public Law 119–38), as in effect on the date of enactment of this Act.

(3) DEPARTMENT.—The term "Department" means the Department of Justice, including the Federal Bureau of Investigation and the United States Attorneys' Offices.

(4) EPSTEIN-MAXWELL TRAFFICKING NETWORK.—The term "Epstein-Maxwell trafficking network" means the network of persons and entities that participated in, facilitated, or knowingly benefited from the commercial sexual exploitation or trafficking of persons by or in coordination

with Jeffrey Epstein or Ghislaine Maxwell, as established by unsealed court records, Federal or State investigations, or the materials released or required to be released under the Epstein Files Transparency Act.

(5) TRAFFICKING.—The term "trafficking" means conduct constituting a violation of, or conspiracy or attempt to violate, chapter 77 of title 18, United States Code (relating to peonage, slavery, and trafficking in persons), or section 1591 of such title (relating to sex trafficking of children or by force, fraud, or coercion).

(6) UNITED STATES PERSON.—The term "United States person" means a citizen or national of the United States, a lawful permanent resident of the United States, or an entity organized under the laws of the United States or of any State.

(7) VICTIM.—The term "victim" means a person directly and proximately harmed as a result of trafficking by Jeffrey Epstein, Ghislaine Maxwell, or any member of the Epstein-Maxwell trafficking network, and includes a person who would qualify as a crime victim under section 3771(e)(2) of title 18, United States Code, with respect to such conduct.

TITLE I—TRANSPARENCY ENFORCEMENT

SEC. 101. DEFINITIONS.

(a) INCORPORATION BY REFERENCE.—In this title, the terms "covered records", "Department", and "Attorney General" have the meanings given those terms in section 3, and any term used in this title that is defined in the Epstein Files Transparency Act (Public Law 119–38) and not otherwise defined in this Act has the meaning given that term in such Act.

(b) ADDITIONAL DEFINITIONS.—In this title:

(1) PAGE.—The term "page" means a single side of a single sheet of a record, or, with respect to a record maintained in electronic form, a unit of the record corresponding to a single displayed or printed page, as determined by the Bates numbering or equivalent control numbering applied by the Department.

(2) REDACTION.—The term "redaction" means the removal, masking, obscuring, or withholding of any portion of a covered record, whether by deletion, blacking out, electronic masking, or any other means.

(3) RE-REDACTION.—The term "re-redaction" means the application of any redaction to a covered record, or any portion thereof, after that record or portion has been made publicly available under the Epstein Files Transparency Act or this title.

SEC. 102. MANDATORY RELEASE SCHEDULE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall make publicly available, in a searchable and downloadable format, all covered records, subject only to the redactions and withholdings expressly permitted under section 103.

(b) INTERIM MONTHLY DEADLINES.—

(1) MONTHLY RELEASES.—Beginning not later than 30 days after the date of enactment of this Act, and not less frequently than once every 30 days thereafter until the requirement of subsection (a) is fully satisfied, the Attorney General shall make publicly available all covered records that have completed review as of the applicable date.

(2) MINIMUM PROGRESS.—Each release under paragraph (1) shall include not less than the number of pages equal to the total number of covered records not yet released, divided by the number of 30-day periods remaining before the deadline established in subsection (a).

(c) PROHIBITION ON RE-REDACTION.—The Attorney General may not apply any re-redaction to a covered record except in accordance with section 103 and section 104, and any re-redaction applied without compliance with section 104 is void.

(d) INTEGRITY OF RELEASED RECORDS.—

(1) IN GENERAL.—The Attorney General shall maintain, for each covered record made publicly available, a complete change history and audit trail documenting each version of the record, the date of each modification, the identity of the official authorizing each modification, and the legal basis for each redaction.

(2) PUBLIC AVAILABILITY.—The change history and audit trail required under paragraph (1) shall be made publicly available concurrently with each affected record.

(e) CERTIFICATION.—Upon satisfying the requirement of subsection (a), the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate a written certification, signed by the Attorney General, that all covered records have been made publicly available except as permitted under section 103.

SEC. 103. LIMITATION ON REDACTIONS AND WITHHOLDINGS.

(a) IN GENERAL.—The Attorney General may withhold or redact only the segregable portion of a covered record that falls within a category described in subsection (b). All other redactions and withholdings are prohibited.

(b) PERMITTED CATEGORIES.—The categories described in this subsection are the following:

(1) VICTIM-IDENTIFYING INFORMATION.—Information that identifies, or could reasonably lead to the identification of, a victim, including a victim's name, address, contact information, and personal or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, and child sexual abuse material as defined in section 2256 of title 18, United States Code, and prohibited under sections 2252 and 2252A of such title.

(2) CLASSIFIED NATIONAL SECURITY INFORMATION.—Information that is properly classified pursuant to an Executive order in the interest of the national defense or foreign policy of the United States, subject to the judicial-review requirement of subsection (c) and the declassification requirement of subsection (d).

(3) ONGOING INVESTIGATIONS.—Information the disclosure of which would jeopardize a specifically identified active Federal investigation or ongoing prosecution, provided that any such withholding is narrowly tailored, temporary, and accompanied by the quarterly justification required under subsection (e).

(c) JUDICIAL REVIEW OF CLASSIFICATION WITHHOLDINGS.—

(1) IN GENERAL.—Before withholding or redacting any covered record under subsection (b)(2), the Attorney General shall submit the record, together with the asserted basis for classification, for in camera, ex parte review by the United States District Court for the District of Columbia.

(2) STANDARD.—The court shall sustain a withholding or redaction under subsection (b)(2) only if the Government establishes that the information is properly classified and that no reasonable segregation or unclassified summary would protect the national security interest asserted.

(d) DECLASSIFICATION AND SUMMARIES.—To the extent that any covered information would otherwise be withheld or redacted as classified, the Attorney General shall declassify that information to the maximum extent possible and, where declassification is not possible consistent with the national security of the United States, shall release an unclassified summary of each withheld or redacted item.

(e) QUARTERLY JUSTIFICATION FOR INVESTIGATIVE WITHHOLDINGS.—Not later than the last day of each calendar quarter, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate, and shall publish in the Federal Register, a justification for each withholding or redaction maintained under subsection (b)(3), identifying the investigation or prosecution at issue by an unclassified case reference and stating why disclosure would jeopardize that matter.

(f) NO PRIVILEGE-BASED WITHHOLDING.—Notwithstanding any other provision of law, the deliberative-process privilege, the attorney work-product doctrine, and the attorney-client privilege do not constitute permissible grounds for withholding or redacting a covered record under this title.

(g) PROHIBITED GROUNDS.—No covered record shall be withheld, delayed, or redacted on the basis of embarrassment, reputational harm, or political sensitivity, including with respect to any government official, public figure, or foreign dignitary.

SEC. 104. FEDERAL REGISTER PUBLICATION OF REDACTIONS.

(a) IN GENERAL.—Not later than 7 days after applying any redaction or withholding to a covered record, the Attorney General shall publish in the Federal Register a notice identifying—

(1) the covered record by control number;

(2) the specific portion redacted or withheld;

(3) the category under section 103(b) on which the redaction or withholding is based; and

(4) the specific legal and factual justification for the redaction or withholding.

(b) PRIOR REDACTIONS.—Not later than 30 days after the date of enactment of this Act, the Attorney General shall publish in the Federal Register the notice required under subsection (a) for each redaction or withholding applied to a covered record before the date of enactment of this Act and maintained on or after that date.

(c) EFFECT OF NONCOMPLIANCE.—Any redaction or withholding for which the notice required under this section has not been published within the time required is presumed to be impermissible, and the affected covered record shall be released in unredacted form unless and until the required notice is published and the redaction is sustained under section 103.

SEC. 105. INDEPENDENT INSPECTOR GENERAL AUDIT.

(a) IN GENERAL.—The Inspector General of the Department of Justice shall conduct a continuing audit of the Department's compliance with the Epstein Files Transparency Act and this title, which shall extend and incorporate any audit relating to such compliance commenced by the Office of the Inspector General before the date of enactment of this Act.

(b) SCOPE.—The audit shall examine—

(1) the completeness and timeliness of the release of covered records;

(2) the legal sufficiency of each category of redaction and withholding;

(3) any re-redaction of previously released covered records;

(4) the adequacy of the change history and audit trail maintained under section 102(d); and

(5) the conditions afforded for Congressional access under section 108.

(c) QUARTERLY PUBLIC REPORTS.—Not later than the last day of each calendar quarter, the Inspector General shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate, and shall make publicly available, a report on the findings of the audit, including any instance of noncompliance and any recommendation for corrective action.

(d) ACCESS AND INDEPENDENCE.—The Inspector General shall have access to all covered records, including unredacted records and the change history and audit trail required under section 102(d), and shall conduct the audit independently and without direction from any official with redaction authority.

SEC. 106. PRIVATE RIGHT OF ACTION; OFFICE-FORFEITURE TRIGGER.

(a) RIGHT OF ACTION.—Any United States person may bring a civil action in the United States District Court for the District of Columbia to compel compliance with the Epstein Files Transparency Act or this title.

(b) RELATIONSHIP TO FOIA.—An action under this section shall be governed, to the extent not inconsistent with this title, by the procedures applicable to actions under section 552(a)(4)(B) of title 5, United States Code (commonly known as the "Freedom of Information Act"), and the court—

(1) shall determine the matter de novo;

(2) may examine the contents of any covered record in camera to determine whether the record or any portion thereof is properly withheld or redacted under section 103; and

(3) shall place the burden on the Department to sustain its action.

(c) RELIEF.—In an action under this section, the court may—

(1) enjoin the Department from withholding any covered record and order the production of any covered record improperly withheld or redacted;

(2) issue a declaratory judgment that the Department, or a named covered official as defined in section 107(b), has violated this title; and

(3) award reasonable attorney's fees and other litigation costs reasonably incurred to a complainant who has substantially prevailed.

(d) NO MONETARY PENALTY.—No monetary fine, civil penalty, or damages award shall be assessed against the Department of Justice or against any individual official under this section. The consequences of a knowing and willful violation are governed exclusively by section 107 (removal, disqualification, and professional referral) and by section 108 (congressional access).

(e) OFFICE-FORFEITURE TRIGGER.—A final judgment under subsection (c) that a covered official knowingly and willfully violated section 102, 103, or 104 shall be transmitted by the court to—

(1) the Attorney General, for action under section 107(c);

(2) the relevant State bar of admission, for action under section 107(d); and

(3) the appointing or confirming authority, for action under section 107(e).

(f) NO EXHAUSTION REQUIRED.—A United States person is not required to submit a request under section 552 of title 5, United States Code, or to exhaust any administrative remedy, before bringing an action under this section.

SEC. 107. ACCOUNTABILITY CONSEQUENCES FOR KNOWING VIOLATIONS.

(a) FINDING OF VIOLATION.—A "finding of violation" under this section means a determination by—

(1) a Federal court in an action under section 106;

(2) the Inspector General of the Department of Justice in a report under section 105; or

(3) the House or Senate Committee of jurisdiction in a published committee finding,

that a covered official knowingly and willfully withheld, redacted, re-redacted, concealed, destroyed, altered, or failed to release a covered record in violation of section 102 or 103, or knowingly and willfully failed to publish a notice required under section 104. A finding under this section does not require, and is not, a criminal conviction.

(b) COVERED OFFICIAL DEFINED.—In this section, the term "covered official" means—

(1) the Attorney General;

(2) the Deputy Attorney General;

(3) the Director of the Federal Bureau of Investigation; and

(4) any officer or employee of the Department of Justice or of a component thereof who exercised authority to redact, withhold, release, or re-classify covered records.

(c) REMOVAL AND DISQUALIFICATION.—Upon a finding of violation under subsection (a)—

(1) the President may remove the covered official under the President's existing Article II removal authority, and removal under this paragraph shall be deemed for cause;

(2) the covered official shall be ineligible to hold any Federal office, position, or appointment, including any position requiring the advice and consent of the Senate, any position in the civil service, any position as a Federal contractor, and any reemployment in the Federal Government, for a period of 10 years beginning on the date of the finding; and

(3) the covered official shall be ineligible to receive, for the period described in paragraph (2), any retirement annuity, pension benefit, or other deferred compensation attributable to Federal service performed during which the violation occurred, except that this paragraph shall not apply to benefits attributable to Federal service performed before any conduct giving rise to the finding.

(d) PROFESSIONAL CONDUCT REFERRAL.—A finding of violation under subsection (a) shall, within 30 days, be transmitted by the Attorney General to—

(1) the Office of Professional Responsibility of the Department of Justice;

(2) the State bar of admission of the covered official; and

(3) any other licensing or accrediting authority before which the covered official is admitted to practice.

(e) SECURITY CLEARANCE REVOCATION.—Upon a finding of violation under subsection (a), the Director of National Intelligence shall, within 60 days, conduct an adjudicative review of any security clearance held by the covered official under existing adjudicative guidelines.

(f) CONTEMPT OF CONGRESS PRESERVED.—Nothing in this section limits the application of section 192 of title 2, United States Code (relating to contempt of Congress), section 1001 of title 18, United States Code (relating to false statements), section 1505 of such title (relating to obstruction of proceedings before departments, agencies, and committees), or any other provision of law.

(g) NO SUPERVISORY DEFENSE.—It is not a defense to a finding under this section that the covered official acted at the direction of a superior. This section does not apply to a person who in good faith reported a violation or refused to participate in a violation; such person is protected under section 109.

(h) DUE PROCESS.—Before a finding of violation under subsection (a) becomes effective for purposes of subsection (c), the covered official shall be entitled to—

(1) written notice of the alleged violation;

(2) a reasonable opportunity, of not less than 30 days, to respond in writing; and

(3) judicial review of any administrative finding in the United States District Court for the District of Columbia under chapter 7 of title 5, United States Code.

SEC. 108. CONGRESSIONAL ACCESS TO UNREDACTED MATERIALS.

(a) IN GENERAL.—The Attorney General shall provide to the Committees on the Judiciary and the Committees on Oversight of the House of Representatives and of the Senate, and to any other committee of jurisdiction, access to all covered records in unredacted form.

(b) ADEQUATE FACILITIES.—Access under subsection (a) shall be provided through secure facilities and secure electronic terminals sufficient in number, capacity, and availability to permit each committee, acting through its Members and designated staff, to complete a review of all covered records within 90 days of the date access is first afforded.

(c) STAFF AND TIME.—The Attorney General shall not impose any limitation on the number of designated committee staff, the hours of access, or the duration of review that would prevent completion of the review within the period specified in subsection (b), and shall permit the taking of notes by Members and designated staff.

(d) PROHIBITION ON OBSTRUCTIVE CONDITIONS.—The Attorney General may not condition access under this section on terms that, taken together, would require more than 90 days to complete review, and may not rely on a limitation in the number of review terminals as a basis for extending the review period.

(e) HANDLING OF CLASSIFIED INFORMATION.—With respect to covered records containing properly classified information, access shall be provided in a manner consistent with the protection of classified national security information, including through appropriately secured facilities.

SEC. 109. PROTECTION OF DISCLOSING EMPLOYEES.

(a) PROHIBITION.—No officer, employee, contractor, or detailee of the Department of Justice, the Federal Bureau of Investigation, or any component thereof, may discharge, demote, suspend, threaten, harass, transfer, deny promotion, or in any other manner discriminate against any officer, employee, contractor, or detailee because such individual—

(1) in good faith reported a suspected violation of section 102, 103, or 104 to the Inspector General, to the Office of Professional Responsibility, to a Committee of Congress of jurisdiction, or to the Special Counsel;

(2) refused to participate in an act the individual reasonably believed to be a violation of this title; or

(3) provided testimony, documents, or other assistance to any of the foregoing.

(b) REMEDIES.—An individual who alleges discrimination prohibited under subsection (a) may bring an action for reinstatement, back pay, restoration of benefits, attorney's fees, and equitable relief under the procedures of section 2302 of title 5, United States Code, or, at the individual's election, in the United States District Court for the District of Columbia.

(c) NO RETALIATION FOR INTERNAL DISSENT.—An individual who, in writing through ordinary supervisory channels, raised a concern that an instruction or directive would violate this title shall not be subject to discipline for that internal dissent, irrespective of whether the instruction was ultimately carried out.

(d) RULE OF CONSTRUCTION.—This section is in addition to, and not in derogation of, protections available under the Whistleblower Protection Act of 1989 (5 U.S.C. § 2302(b)(8)), the Inspector General Act of 1978, and any other applicable law.

TITLE II—FEDERAL OFFICEHOLDER AND CANDIDATE DISCLOSURE

SEC. 201. DEFINITIONS.

In this title:

(1) FEDERAL OFFICEHOLDER.—The term "Federal officeholder" means—

(A) a Member of Congress;

(B) an officer of the executive branch holding a position that requires the advice and consent of the Senate; and

(C) a justice or judge of the United States appointed under Article III of the Constitution of the United States.

(2) FEDERAL CANDIDATE.—The term "Federal candidate" means any individual who files a statement of candidacy, designation, or other document required to seek nomination or election to the office of President, Vice President, Senator, or Representative in, or Delegate or Resident Commissioner to, the Congress.

(3) SUBSTANTIVE CONTACT.—

(A) IN GENERAL.—The term "substantive contact" means any of the following occurring with Jeffrey Epstein, Ghislaine Maxwell, or any entity owned or controlled by either of them:

(i) An in-person meeting, other than an incidental encounter at a public event.

(ii) Travel together aboard any aircraft, vessel, or vehicle owned, operated, chartered, or used by Jeffrey Epstein, Ghislaine Maxwell, or any entity owned or controlled by either of them.

(iii) A financial transaction, including the receipt or provision of money, property, services, or anything of value.

(iv) Residence, as a guest or otherwise, at any real property owned, leased, or controlled by Jeffrey Epstein, Ghislaine Maxwell, or any entity owned or controlled by either of them.

(v) Employment by, or the provision of professional services to, any entity owned or controlled by Jeffrey Epstein or Ghislaine Maxwell.

(B) EXCLUSION.—The term "substantive contact" does not include an incidental, social, or one-time encounter at a public event at which neither of the persons described in subparagraph (A) was the host, and does not include the lawful performance of official duties as a Federal officeholder.

(4) COMMISSION.—The term "Commission" means the Federal Election Commission.

SEC. 202. SWORN DISCLOSURE REQUIREMENT.

(a) IN GENERAL.—Each Federal officeholder and each Federal candidate shall file a disclosure, under oath and subject to the penalties for perjury and for false statements under section 1001 of title 18, United States Code, stating whether the individual has had any substantive contact and, if so, describing each instance of substantive contact, including the approximate date, location, and nature of the contact.

(b) TIME FOR FILING.—

(1) OFFICEHOLDERS.—A Federal officeholder shall file the disclosure required under subsection (a) not later than 90 days after the date of enactment of this Act, and shall file an amended disclosure not later than 30 days after any subsequent substantive contact or discovery of a substantive contact not previously disclosed.

(2) CANDIDATES.—A Federal candidate shall file the disclosure required under subsection (a) not later than 15 days after the date on which the individual becomes a Federal candidate.

(c) PLACE OF FILING.—

(1) MEMBERS AND CANDIDATES.—A Member of Congress and a Federal candidate shall file with the Commission.

(2) EXECUTIVE AND JUDICIAL OFFICEHOLDERS.—An officeholder described in subparagraph (B) or (C) of section 201(1) shall file with the Office of Government Ethics, which shall transmit a copy to the Commission for publication under section 203.

(d) FORM.—The Commission, in consultation with the Office of Government Ethics, shall prescribe a standard form for the disclosure required under this section not later than 60 days after the date of enactment of this Act.

SEC. 203. PUBLIC POSTING.

(a) IN GENERAL.—Not later than 30 days after a disclosure is filed under section 202, the Commission shall—

(1) publish the disclosure in the Federal Register; and

(2) make the disclosure publicly available in a searchable and downloadable format on the public website of the Commission.

(b) VICTIM PROTECTION.—The Commission shall redact from any published disclosure any information that identifies, or could reasonably lead to the identification of, a victim.

SEC. 204. FAILURE TO FILE; DISQUALIFICATION.

(a) IN GENERAL.—An individual who fails to file a disclosure required under section 202 within the time required, and who does not cure the failure within 30 days after written notice from the Commission, shall be ineligible to hold or seek any office described in section 201(1) or 201(2) for a period of 10 years beginning on the date of the failure to cure.

(b) ENFORCEMENT FOR CANDIDATES.—The Commission shall enforce subsection (a) with respect to a Federal candidate by—

(1) providing written notice of the disqualification; and

(2) notifying the relevant State election authority that the individual is ineligible under Federal law to appear on the ballot for the office sought.

(c) REFERRAL FOR SITTING MEMBERS.—With respect to a sitting Member of Congress, the Commission shall refer a failure described in subsection (a) to the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate, as applicable, for such action as that committee determines appropriate. Nothing in this title authorizes or requires the removal or expulsion of a sitting Member, and any determination respecting the seat of a sitting Member is reserved to the relevant House of Congress under Article I of the Constitution of the United States.

(d) RULE OF CONSTRUCTION.—This section regulates the filing requirements applicable to candidacy for, and prospective eligibility for, Federal office, and does not add any qualification for membership in either House of Congress beyond those prescribed by the Constitution of the United States.

SEC. 205. FALSE FILING.

(a) APPLICATION OF EXISTING LAW.—A disclosure filed under section 202 is a statement within the jurisdiction of the legislative or executive branch of the Government of the United States for purposes of section 1001 of title 18, United States Code, and a materially false, fictitious, or fraudulent statement or representation in such a disclosure is punishable under that section.

(b) ADDITIONAL DISQUALIFICATION.—In addition to any penalty imposed under section 1001 of title 18, United States Code, an individual convicted of making a materially false statement in a disclosure filed under section 202 shall be ineligible to hold or seek any office described in section 201(1) or 201(2) for a period of 10 years beginning on the date of conviction, subject to the rule of construction in section 204(d).

SEC. 206. MANDATORY ETHICS REFERRAL.

(a) IN GENERAL.—If a disclosure filed under section 202 discloses any substantive contact, the Commission shall, not later than 15 days after publication under section 203, refer the disclosure—

(1) in the case of a Member of Congress or a Federal candidate for a seat in a House of Congress, to the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate, as applicable; and

(2) in the case of an officeholder described in section 201(1)(B), to the Office of Government Ethics and the Inspector General of the relevant department or agency.

(b) NO LIMITATION.—A referral under this section is in addition to, and does not limit, any other review or proceeding authorized by law or by the rules of either House of Congress.

SEC. 207. EXECUTIVE BRANCH INELIGIBILITY FOR CONFIRMATION.

(a) IN GENERAL.—An individual who has had a substantive contact and who is nominated to a covered position shall not be confirmed by the Senate unless the individual has filed the disclosure required under section 202 and the substantive contact has been reviewed by the committee of jurisdiction.

(b) COVERED POSITION DEFINED.—In this section, the term "covered position" means—

(1) a position in the Cabinet;

(2) the position of United States Attorney;

(3) a position as a justice or judge of the United States appointed under Article III of the Constitution of the United States; and

(4) the position of Director or Deputy Director of the Federal Bureau of Investigation, Administrator or Deputy Administrator of the Drug Enforcement Administration, or Director or Deputy Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(c) RULE OF CONSTRUCTION.—This section governs the information that must be before the Senate in the exercise of its constitutional function of advice and consent, and does not limit the discretion of the Senate to confirm or decline to confirm any nominee.

SEC. 208. SECURITY CLEARANCE REVIEW.

(a) IN GENERAL.—A disclosure of substantive contact under section 202 by an individual who holds or is being considered for eligibility for access to classified information shall trigger a mandatory review of that individual's eligibility by the Director of National Intelligence, acting as the Security Executive Agent.

(b) STANDARD.—The review shall be conducted in accordance with applicable adjudicative guidelines for determining eligibility for access to classified information.

TITLE III—CO-CONSPIRATOR INVESTIGATION ACCOUNTABILITY

SEC. 301. DEFINITIONS.

In this title:

(1) CO-CONSPIRATOR.—The term "co-conspirator" means a person, other than Jeffrey Epstein or Ghislaine Maxwell, who is identified under the listing triggers in section 303 as a subject of investigation for participation in, facilitation of, or knowing benefit from the Epstein-Maxwell trafficking network.

(2) JUDICIARY COMMITTEES.—The term "Judiciary Committees" means the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate.

(3) LISTED PERSON.—The term "listed person" means a person identified in a report required under section 302.

SEC. 302. QUARTERLY CO-CONSPIRATOR INVESTIGATION REPORT.

(a) IN GENERAL.—Not later than the last day of each calendar quarter, beginning with the first full calendar quarter after the date of enactment of this Act, the Attorney General shall submit to the Judiciary Committees, and shall make publicly available, a report on the status of investigations relating to co-conspirators.

(b) CONTENTS.—Each report under subsection (a) shall include, with respect to each listed person—

(1) the listing trigger under section 303 that supports the listing;

(2) whether an investigation has been opened, and if so, the date on which it was opened;

(3) the status of any such investigation, stated at a level of generality that does not compromise the investigation; and

(4) any written response submitted by the listed person under section 304, published alongside the listing.

(c) PROTECTION OF VICTIMS AND INVESTIGATIONS.—A report under this section shall not include victim-identifying information and shall not include information the disclosure of which would jeopardize a specifically identified active investigation, provided that the omission of such information is itself noted in the report.

SEC. 303. LISTING TRIGGERS.

(a) IN GENERAL.—A person may be listed in a report under section 302 only if the person satisfies one or more of the following:

(1) The person is named in an unsealed filing in a criminal or civil proceeding in connection with the Epstein-Maxwell trafficking network.

(2) The person is the subject of a credible referral from a United States Attorney's Office, the attorney general of a State, or a committee of Congress.

(3) The person is the subject of an active grand jury proceeding relating to the Epstein-Maxwell trafficking network.

(4) The person has self-disclosed a substantive contact under title II.

(b) LIMITATION.—No person may be listed in a report under section 302 except on the basis of a listing trigger described in subsection (a), and no person may be listed solely on the basis of an anonymous allegation, an unverified accusation, or media report unaccompanied by a listing trigger described in subsection (a).

SEC. 304. DUE PROCESS SAFEGUARDS.

(a) NOTICE AND OPPORTUNITY TO RESPOND.—

(1) NOTICE.—Not later than 14 days before a person is first listed in a report under section 302, the Attorney General shall provide written notice to the person of the proposed listing and the listing trigger on which it is based.

(2) WRITTEN RESPONSE.—A person who receives notice under paragraph (1) shall have 30 days to submit a written response, which the Attorney General shall publish in full alongside the person's name in the report in which the person is first listed and in each subsequent report in which the person is listed.

(b) AUTOMATIC REMOVAL.—If no investigation relating to a listed person is opened within 12 months after the date on which the person is first listed, the Attorney General shall remove the person from the report and shall note the removal in the next report.

(c) CAUSE OF ACTION FOR FALSE LISTING.—

(1) IN GENERAL.—A person who is listed in a report under section 302 in violation of section 303 or this section may bring a civil action against the United States in an appropriate district court of the United States for declaratory relief, injunctive relief, and damages.

(2) DAMAGES.—In an action under this subsection, the court may award actual damages and reasonable attorney's fees and costs.

(3) WAIVER OF SOVEREIGN IMMUNITY.—Sovereign immunity is waived to the extent necessary to permit the relief described in this subsection.

(d) CORRECTION.—Upon a determination by a court that a person was listed in violation of section 303 or this section, the Attorney General shall remove the person from the report and shall publish a correction in the next report.

SEC. 305. SPECIAL COUNSEL TRIGGER.

(a) IN GENERAL.—The Attorney General shall appoint a Special Counsel under part 600 of title 28, Code of Federal Regulations, to investigate the Epstein-Maxwell trafficking network if—

(1) the Attorney General fails to submit a report required under section 302 within 30 days after the date on which it is due; or

(2) the reports submitted under section 302 over any period of 4 consecutive calendar quarters reflect that fewer than 3 investigations relating to listed persons have been opened during that period, and the Comptroller General determines under section 308 that the number of investigations opened is not commensurate with the number of listed persons and the available evidence.

(b) INDEPENDENCE.—A Special Counsel appointed under this section shall have the authorities and protections provided under part 600 of title 28, Code of Federal Regulations, and shall report to the Judiciary Committees on the progress of the investigation not less frequently than once every 6 months.

(c) NOTICE TO CONGRESS.—If a triggering condition under subsection (a) occurs and the Attorney General does not appoint a Special Counsel within 30 days, the Attorney General shall submit to the Judiciary Committees a written explanation, and the failure to appoint shall be subject to the oversight authorities in section 306.

SEC. 306. CONGRESSIONAL OVERSIGHT.

(a) IN GENERAL.—The Judiciary Committees may compel the testimony of, and the production of documents by, officials of the Department, including the Attorney General, the Deputy Attorney General, and the Director of the Federal Bureau of Investigation, regarding the status of investigations relating to listed persons.

(b) PROTECTION OF ACTIVE INVESTIGATIONS.—Testimony and documents provided under this section that relate to an active investigation may be received in executive session, and the committee shall protect from public disclosure any information the disclosure of which would jeopardize an active investigation or identify a victim.

SEC. 307. SUNSET AND REAUTHORIZATION.

The provisions of this title shall cease to have effect on the date that is 10 years after the date of enactment of this Act, unless reauthorized by an Act of Congress enacted before that date.

SEC. 308. COMPTROLLER GENERAL STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for the duration of this title, the Comptroller General of the United States shall submit to the Judiciary Committees a report on the implementation of this title.

(b) CONTENTS.—Each report shall include—

(1) an assessment of the timeliness and completeness of the reports submitted under section 302;

(2) an assessment of whether the number of investigations opened is commensurate with the number of listed persons and the available evidence, for purposes of section 305(a)(2);

(3) an assessment of compliance with the due process safeguards in section 304; and

(4) any recommendation for legislative or administrative action.

TITLE IV—ASSET CLAWBACK AND VICTIM RESTITUTION

SEC. 401. DEFINITIONS.

In this title:

(1) FUND.—The term "Fund" means the Epstein Network Victim Restitution Fund established under section 403.

(2) PROCEEDS.—The term "proceeds" has the meaning given that term in section 981(a)(2) of title 18, United States Code.

(3) SUCCESSOR ENTITY.—The term "successor entity" means an estate, trust, partnership, corporation, foundation, or other entity that holds, controls, or has received assets that are traceable to, or derived from, the proceeds of trafficking by Jeffrey Epstein, Ghislaine Maxwell, or any member of the Epstein-Maxwell trafficking network.

(4) TRUSTEE.—The term "Trustee" means the Victim Restitution Trustee appointed under section 404.

SEC. 402. EXTENDED FORFEITURE AUTHORITY.

(a) IN GENERAL.—The forfeiture authority under sections 981 and 982 of title 18, United States Code, extends to all proceeds of trafficking by Jeffrey Epstein, Ghislaine Maxwell, or any member of the Epstein-Maxwell trafficking network, and to all property traceable to such proceeds, including property held by an estate, trust, or successor entity.

(b) PROPERTY SUBJECT TO FORFEITURE.—Property described in subsection (a) is subject to civil forfeiture under section 981 of title 18, United States Code, and to criminal forfeiture under section 982 of such title, without regard to whether the person who committed the underlying offense is living, has been convicted, or is amenable to prosecution.

(c) THIRD-PARTY PROTECTIONS.—Nothing in this section limits the rights of a bona fide purchaser for value or other innocent owner under section 983(d) of title 18, United States Code.

(d) DISPOSITION.—Notwithstanding any other provision of law governing the disposition of forfeited property, the net proceeds of any property forfeited under this section shall be deposited in the Fund.

(e) NO RETROACTIVE CRIMINAL LIABILITY.—Nothing in this title creates any criminal liability for conduct occurring before the date of enactment of this Act, and this title shall be construed consistent with the prohibition on ex post facto laws under Article I, Section 9 of the Constitution of the United States.

(f) COORDINATION WITH HOUSE-ORIGINATED REVENUE PROVISIONS.—To the extent that any provision of this title is determined to be a bill for raising revenue within the meaning of Article I, Section 7 of the Constitution of the United States, this section shall be effective upon the enactment of the companion measure originating in the House of Representatives, in order to give full effect to the Origination Clause.

SEC. 402A. PRE-FORFEITURE FREEZE; NO SALE, NO TRANSFER, NO PROFIT.

(a) AUTOMATIC FREEZE ON ENACTMENT.—On the date of enactment of this Act, and by operation of law, all property described in section 402(a) is restrained from sale, transfer, encumbrance, distribution, dissipation, or other disposition, except as expressly authorized under subsection (c) or by order of a Federal court of competent jurisdiction.

(b) NO PROFIT.—No person who is identified in the quarterly report under section 302, who is the subject of an investigation under this Act, or who holds, controls, or is a beneficiary of any property described in section 402(a), may, directly or indirectly—

(1) sell, license, syndicate, or otherwise commercialize any depiction, account, image, or likeness of, or any information about, conduct that is the subject of this Act, including through book, film, audio, streaming, or digital media; or

(2) receive any monetary gain or in-kind benefit attributable to the conduct that is the subject of this Act.

Any consideration received in violation of this subsection shall, by operation of law, be the property of the United States and shall be deposited in the Fund.

(c) AUTHORIZED USE DURING FREEZE.—Property restrained under subsection (a) may be used only for—

(1) reasonable preservation, maintenance, insurance, and security costs, paid from the property itself and subject to court accounting;

(2) ordinary, non-luxury living expenses of any natural person who is a beneficiary, subject to a court-approved budget that does not exceed the median household income of the State of residence; and

(3) the reasonable, necessary, and documented costs of legal defense in any proceeding under this Act, subject to court approval.

(d) PROHIBITED USES DURING FREEZE.—Property restrained under subsection (a) may not be used for, and no court shall approve the use of any such property for—

(1) luxury goods, real estate, or vehicles;

(2) any payment, gift, or transfer to any person identified in the quarterly report under section 302 or to any successor entity;

(3) any political contribution, lobbying activity, or charitable contribution; or

(4) any transaction the purpose or effect of which is to dissipate, conceal, or place beyond the reach of forfeiture any property described in section 402(a).

(e) DUTY TO INVENTORY.—Each personal representative, executor, trustee, or other fiduciary holding property described in section 402(a) shall, within 60 days of the date of enactment, file with the United States District Court for the Southern District of New York a sworn, complete inventory of all such property, including any disposition or transfer made within the 10 years preceding the date of enactment.

(f) CRIMINAL CONCEALMENT.—A person who knowingly conceals, transfers, dissipates, undervalues, or fails to inventory property in violation of this section shall be subject to the existing penalties of section 1001 of title 18, United States Code (false statements), section 1503 of such title (obstruction of justice), and section 1956 of such title (money laundering), as applicable.

(g) CONSTRUCTION.—This section is remedial and protective of property pending adjudication under section 402. It does not adjudicate guilt of any person and does not impose punishment within the meaning of the Excessive Fines Clause of the Eighth Amendment.

(h) JUDICIAL REVIEW.—Any person claiming an ownership interest in property restrained under this section may petition the United States District Court for the Southern District of New York for release of specific property, upon a showing of innocent ownership under section 983(d) of title 18, United States Code.

SEC. 403. EPSTEIN NETWORK VICTIM RESTITUTION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the "Epstein Network Victim Restitution Fund".

(b) DEPOSITS.—There shall be deposited in the Fund—

(1) the net proceeds of property forfeited under section 402;

(2) any consideration received in violation of section 402A(b) (no-profit clause);

(3) fines and other monetary penalties collected under this Act; and

(4) such amounts as are appropriated to the Fund.

(c) USE OF FUND.—Amounts in the Fund shall be available to the Trustee, without further appropriation, for—

(1) the payment of claims approved under section 405; and

(2) the reasonable costs of administering the Fund and the claims process, not to exceed 5 percent of the amounts in the Fund in any fiscal year.

(d) INVESTMENT.—Amounts in the Fund not currently needed for the purposes described in subsection (c) shall be invested in interest-bearing obligations of the United States, and the interest earned shall be credited to the Fund.

SEC. 404. VICTIM RESTITUTION TRUSTEE.

(a) APPOINTMENT.—The Attorney General shall appoint a Victim Restitution Trustee to administer the Fund and the claims process under this title.

(b) ACCOUNTABILITY.—The Trustee shall be accountable to the United States District Court for the Southern District of New York, which shall have jurisdiction to review the Trustee's administration of the claims process.

(c) DUTIES.—The Trustee shall—

(1) establish and publish procedures for the filing and adjudication of claims;

(2) adjudicate claims in accordance with section 405;

(3) authorize payments from the Fund in accordance with sections 405 and 406; and

(4) submit the annual report required under section 407.

(d) INDEPENDENCE.—The Trustee shall exercise independent judgment in the adjudication of claims and shall not be subject to direction by any person with respect to the outcome of a particular claim.

SEC. 405. CLAIMS PROCESS.

(a) IN GENERAL.—The claims process under this title shall be modeled on the claims process for the United States Victims of State Sponsored Terrorism Fund under section 404 of the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144).

(b) ELIGIBILITY.—A victim of trafficking by Jeffrey Epstein, Ghislaine Maxwell, or any member of the Epstein-Maxwell trafficking network may file a claim with the Trustee.

(c) STANDARD OF PROOF.—A claimant shall establish eligibility and the amount of the claim by a preponderance of the evidence.

(d) CONFIDENTIALITY.—The Trustee shall maintain the confidentiality of victim-identifying information submitted in support of a claim, and such information shall not be subject to disclosure under section 552 of title 5, United States Code.

(e) NO EFFECT ON OTHER REMEDIES.—The filing or payment of a claim under this title does not waive, release, or otherwise affect any other civil remedy available to a victim, except to the extent of any offset the Trustee may apply to avoid duplicative recovery for the same harm.

SEC. 406. PRIORITY OF CLAIMS.

(a) ORDER OF PRIORITY.—The Trustee shall pay approved claims from the Fund in the following order of priority:

(1) First, claims of direct victims.

(2) Second, claims of the estates of deceased direct victims.

(3) Third, claims based on a final civil judgment for trafficking-related harm against Jeffrey Epstein, Ghislaine Maxwell, or any member of the Epstein-Maxwell trafficking network.

(b) PRO RATA DISTRIBUTION.—If the amounts available in the Fund are insufficient to pay in full all approved claims within a priority level, the Trustee shall distribute the available amounts pro rata among the approved claims within that level before paying any claim in a lower priority level.

SEC. 407. REPORTING.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Trustee shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate, and shall make publicly available, a report stating—

(1) the balance of the Fund;

(2) the amount of deposits into the Fund, by source;

(3) the number of claims filed, approved, and denied;

(4) the total amount of claims paid; and

(5) the administrative costs charged to the Fund.

SEC. 408. LIMITATIONS PERIOD FOR CIVIL CLAIMS.

(a) IN GENERAL.—There shall be no period of limitation for a civil claim by a victim arising out of trafficking by Jeffrey Epstein, Ghislaine Maxwell, or any member of the Epstein-Maxwell trafficking network.

(b) RELATIONSHIP TO EXISTING LAW.—This section extends and reinforces the elimination of the period of limitation for civil claims by victims of trafficking under section 3 of the Eliminating Limits to Justice for Child Sex Abuse Victims Act of 2022 (Public Law 117–176) and section 2255 of title 18, United States Code.

(c) REVIVAL.—A civil claim described in subsection (a) that would otherwise be barred by a period of limitation may be commenced not later than 10 years after the date of enactment of this Act, or within any longer period provided by law.

TITLE V—VICTIM NOTIFICATION REFORM

SEC. 501. DEFINITIONS.

In this title:

(1) COVERED AGREEMENT.—The term "covered agreement" means a plea agreement, non-prosecution agreement, deferred prosecution agreement, or grant of immunity entered into in connection with a trafficking case.

(2) TRAFFICKING CASE.—The term "trafficking case" means a Federal investigation or prosecution of conduct constituting a violation of, or conspiracy or attempt to violate, chapter 77 of title 18, United States Code, or section 1591 of such title.

SEC. 502. PRE-AGREEMENT VICTIM NOTIFICATION.

(a) IN GENERAL.—Section 3771 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (9), by striking "deferred prosecution agreement." and inserting "deferred prosecution agreement, and, in a trafficking case, the right to advance notice and an opportunity to be heard as provided in subsection (g)."; and

(B) by adding at the end the following:

> *"(11) In a trafficking case, the right to be notified of, and to be heard regarding, any proposed plea agreement, non-prosecution agreement, deferred prosecution agreement, or grant of immunity before the agreement is entered into or the grant is made, as provided in subsection (g).";*

(2) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(3) by inserting after subsection (f) the following:

> *"(g) TRAFFICKING CASES; PRE-AGREEMENT NOTIFICATION.— "(1) DEFINITION.—In this subsection, the term 'trafficking case' means a Federal investigation or prosecution of conduct constituting a violation of, or conspiracy or attempt to violate, chapter 77 of this title or section 1591 of this title. "(2) NOTICE AND COMMENT.—In a trafficking case, the attorney for the Government shall, not later than 14 days before entering into any plea agreement, non-prosecution agreement, or deferred prosecution agreement, or making any grant of immunity, provide to each identified victim written notice of the material terms of the proposed agreement or grant and a reasonable opportunity, of not less than 14 days, to submit written comment and to be heard. "(3) PROHIBITION ON CIRCUMVENTION.—The attorney for the Government shall not enter into a covered agreement on terms that require concealment of the agreement from a victim, and shall not avoid the requirements of this subsection by characterizing an agreement under a different name. "(4) RECORD.—The attorney for the Government shall maintain a record of compliance with this subsection, including the date of notice to each identified victim and any comment received.".*

(b) CONFORMING REFERENCE.—Section 3771(d)(3) of title 18, United States Code, is amended by inserting "or subsection (g)" after "subsection (a)" each place it appears in the context of asserting a right in the district court, to the extent necessary to give effect to the right established in subsection (g).

SEC. 503. JUDICIAL REVIEW OF NONCOMPLIANT AGREEMENTS.

(a) IN GENERAL.—A victim in a trafficking case may petition the appropriate district court of the United States to set aside any covered agreement entered into in violation of section 3771(g) of title 18, United States Code, as added by section 502.

(b) PRESUMPTION OF RELIEF.—If the court finds that a covered agreement was entered into in violation of section 3771(g) of title 18, United States Code, there shall be a rebuttable presumption that the agreement is to be set aside, which the Government may overcome only by clear and convincing evidence that the violation did not prejudice the victim and that setting aside the agreement would not serve the interests of justice.

(c) RELATIONSHIP TO PROSECUTORIAL DISCRETION.—Nothing in this section requires the Government to bring or continue any particular prosecution, but the Government may not rely on a covered agreement set aside under this section as a bar to prosecution.

SEC. 504. PRIVATE RIGHT OF ACTION.

(a) IN GENERAL.—A victim in a trafficking case may bring a civil action against the United States for declaratory and injunctive relief to enforce the rights established under section 3771(g) of title 18, United States Code, as added by section 502.

(b) WAIVER OF SOVEREIGN IMMUNITY.—Sovereign immunity is waived to the extent necessary to permit the declaratory and injunctive relief described in subsection (a).

(c) LIMITATION.—This section does not authorize an award of damages against the United States, and does not impair the prosecutorial discretion of the Attorney General except as expressly provided in this title.

SEC. 505. MANDATORY DISCLOSURE OF PLEA OFFERS AND AGREEMENTS.

In a trafficking case, the attorney for the Government shall disclose to each identified victim, at the time it is made, any plea offer, non-prosecution agreement, deferred prosecution agreement, or grant of immunity, in addition to the advance notice required under section 3771(g) of title 18, United States Code, as added by section 502.

SEC. 506. EFFECTIVE DATE; TRANSITIONAL REVIEW WINDOW.

(a) PROSPECTIVE APPLICATION.—The amendments made by this title apply to any covered agreement entered into, and any grant of immunity made, on or after the date of enactment of this Act.

(b) TRANSITIONAL REVIEW WINDOW.—Notwithstanding subsection (a), a victim with respect to a covered agreement entered into before the date of enactment of this Act may, not later than 1 year after the date of enactment of this Act, petition the appropriate district court of the United States for review of the agreement on the ground that it was entered into without the notice that section 3771 of title 18, United States Code, required at the time, and the court may grant such relief as is consistent with law and the interests of justice, except that no relief under this subsection shall require the dismissal of any pending prosecution or the release of any person from custody.

TITLE IX—GENERAL PROVISIONS

SEC. 901. SEVERABILITY.

(a) IN GENERAL.—If any provision of this Act, any amendment made by this Act, or the application of any such provision or amendment to any person, entity, or circumstance, is held to be unconstitutional, preempted, or otherwise invalid by a court of competent jurisdiction, the remainder of this Act, the remaining amendments made by this Act, and the application of the provision or amendment to any other person, entity, or circumstance shall not be affected thereby and shall continue to be given full force and effect.

(b) INTENT OF CONGRESS.—Congress declares that it would have enacted each provision of this Act, and each amendment made by this Act, independently of every other provision and amendment, and that the invalidation of any title, section, subsection, paragraph, subparagraph, clause, sentence, phrase, or word shall not affect the validity of any other portion of this Act.

(c) PRESUMPTION OF SEVERABILITY.—Every provision of this Act is presumed severable, and any reviewing court shall apply the strongest available presumption of severability consistent with the intent of Congress expressed in this section.

SEC. 902. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise expressly provided in this Act, this Act and the amendments made by this Act shall take effect on the date that is 90 days after the date of enactment of this Act.

(b) ROLLING OPERATIONAL DEADLINES.—The deadlines established in sections 102, 104, 202, 302, and 407 apply according to their terms and are measured from the date of enactment of this Act, notwithstanding subsection (a).

SEC. 903. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act, including for the conduct of the audit under section 105, the administration of disclosures under title II, the preparation of reports under title III, the administration of the Fund and the claims process under title IV, and the administration of victim notification under title V.

SEC. 904. RULE OF CONSTRUCTION; NO IMPAIRMENT OF VICTIM PRIVACY.

(a) VICTIM PRIVACY.—Nothing in this Act shall be construed to require or permit the disclosure of victim-identifying information, and each provision of this Act shall be construed to protect the privacy and dignity of victims.

(b) CONSTITUTIONAL AVOIDANCE.—Each provision of this Act shall be construed, to the extent possible, to avoid any conflict with the Constitution of the United States, including the prohibitions on bills of attainder and ex post facto laws under Article I, Section 9, the qualifications for membership in Congress under Article I, the powers of each House over its own Members under Article I, Section 5, and the Origination Clause under Article I, Section 7.

Drafted on behalf of constituents and victims of trafficking, in coordination with Anazao Solutions LLC.

communication, with or without attribution. Once introduced in either chamber, the bill text enters the public domain under 17 U.S.C. § 105 / § 403.