

119TH CONGRESS
2D SESSION

S. 4749

To amend the Communications Act of 1934 to create a Federal cause of action to address jawboning, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2026

Mr. CRUZ (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Communications Act of 1934 to create a Federal cause of action to address jawboning, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Justice Against
5 Weaponized Bureaucratic Overreach to Networked Ex-
6 pression Act” or the “JAWBONE Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Private speech intermediaries, such as
2 broadcasters and interactive computer service pro-
3 viders, as well as providers of speech-enabling artifi-
4 cial intelligence systems, are critical for access to in-
5 formation and individual expression and have a right
6 to independent editorial judgement.

7 (2) Such entities can also serve as chokepoints
8 convenient for the government to target for censor-
9 ship of disfavored speech and information.

10 (3) Government coercion of such private speech
11 intermediaries and artificial intelligence system pro-
12 viders threatens freedom of speech and open inquiry,
13 particularly for users who have no say in, or knowl-
14 edge of, how their speech or access to information
15 is affected.

16 (4) At the same time, not all government com-
17 munication to a private speech platform is coercive.
18 Interactions between the government and websites,
19 for example, may serve lawful enforcement purposes
20 or facilitate legitimate dialogue with the private sec-
21 tor.

22 (5) Members of the public also have an interest
23 under the First Amendment to the Constitution of
24 the United States in hearing what their government
25 has to say. The people of the United States cannot

1 engage with the views of their government unless the
 2 government can express those views.

3 (6) It is therefore necessary to limit the ability
 4 of the government to create, through coercion, a sys-
 5 tem of speech regulation that evades convenient judi-
 6 cial redress and, consequently, the First Amend-
 7 ment, while maintaining the ability of the govern-
 8 ment to inform and persuade.

9 **SEC. 3. FEDERAL CAUSE OF ACTION FOR JAWBONING.**

10 Title VII of the Communications Act of 1934 (47
 11 U.S.C. 601 et seq.) is amended by adding at the end the
 12 following:

13 **“SEC. 723. PROHIBITION ON FEDERAL AGENCY OR EM-**
 14 **PLOYEE JAWBONING.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) AGENCY.—The term ‘agency’ has the
 17 meaning given the term in section 3502 of title 44,
 18 United States Code.

19 “(2) ARTIFICIAL INTELLIGENCE SYSTEM.—The
 20 term ‘artificial intelligence system’ has the meaning
 21 given the term ‘artificial intelligence’ in section 5002
 22 of the National Artificial Intelligence Initiative Act
 23 of 2020 (15 U.S.C. 9401).

24 “(3) BROADCASTER.—The term ‘broadcaster’
 25 means—

1 “(A) any licensee, operator, or owner of a
2 broadcast station; and

3 “(B) any national broadcast network that
4 provides television or radio programming to one
5 or more broadcast stations, including through
6 ownership of, or contractual network affiliation
7 agreements with, those stations.

8 “(4) COERCE.—

9 “(A) IN GENERAL.—The term ‘coerce’
10 means to take a harmful, hostile, or unfavorable
11 action, to imply the possibility of taking such
12 action, or to threaten such action.

13 “(B) FACTORS.—Factors relevant to
14 whether an action by an agency, officer, or em-
15 ployee satisfies the definition of ‘coerce’ under
16 subparagraph (A) include—

17 “(i) the word choice and tone of any
18 relevant communication from the agency,
19 officer, or employee;

20 “(ii) the existence of any Federal reg-
21 ulatory or enforcement authority over the
22 recipient of any relevant communication
23 from the agency, officer, or employee;

24 “(iii) whether any relevant commu-
25 nication from the agency, officer, or em-

1 employee referred to adverse consequences to
2 the recipient;

3 “(iv) whether any relevant commu-
4 nication from the agency, officer, or em-
5 ployee was private or public;

6 “(v) whether any relevant communica-
7 tion from the agency, officer, or employee
8 included an affirmative disclaimer that the
9 communication lacked legal force;

10 “(vi) whether any relevant commu-
11 nication from the agency, officer, or em-
12 ployee included a factual statement without
13 legal force that could be useful to the deci-
14 sion-making of the recipient;

15 “(vii) whether any relevant commu-
16 nication from the agency, officer, or em-
17 ployee was for the purpose of aiding com-
18 pliance with existing law; and

19 “(viii) whether any relevant commu-
20 nication from the agency, officer, or em-
21 ployee led the recipient to act contrary to
22 its own policies.

23 “(5) CONTENT ACTION.—The term ‘content ac-
24 tion’—

1 “(A) with respect to an interactive com-
2 puter service, means—

3 “(i) adding information to, altering
4 information on, or removing information
5 from the interactive computer service, in-
6 cluding with respect to a label appended to
7 information;

8 “(ii) altering the presentation of infor-
9 mation on the interactive computer service,
10 including such presentation by the rec-
11 ommendation system of the interactive
12 computer service;

13 “(iii) limiting interaction by an infor-
14 mation content provider with the inter-
15 active computer service, including termi-
16 nating or suspending an information con-
17 tent provider from the interactive computer
18 service; or

19 “(iv) altering a policy of the inter-
20 active computer service affecting the mod-
21 eration of information;

22 “(B) with respect to an artificial intel-
23 ligence system, means—

1 “(i) adding, altering, or removing in-
 2 formation generated or provided by the ar-
 3 tificial intelligence system; or

4 “(ii) limiting interaction by an infor-
 5 mation content provider with the artificial
 6 intelligence system; and

7 “(C) with respect to a broadcaster, means
 8 adding information or programming to, altering
 9 information or programming on, or removing
 10 information or programming from a broadcast,
 11 including before the programming is finalized or
 12 while the programming is in an investigative or
 13 production phase of development.

14 “(6) EMPLOYEE.—The term ‘employee’ includes
 15 a fellow, contractor, or consultant.

16 “(7) INFORMATION.—The term ‘information’
 17 means lawful expression protected by the First
 18 Amendment to the Constitution of the United
 19 States.

20 “(8) INFORMATION CONTENT PROVIDER.—The
 21 term ‘information content provider’ has the meaning
 22 given the term in section 230.

23 “(9) INTERACTIVE COMPUTER SERVICE.—The
 24 term ‘interactive computer service’ has the meaning
 25 given to the term in section 230.

1 “(10) RECOMMENDATION SYSTEM.—The term
 2 ‘recommendation system’ means a fully or partially
 3 automated system used by an interactive computer
 4 service to suggest, promote, or rank information pro-
 5 vided by an information content provider.

6 “(b) PROHIBITION.—

7 “(1) IN GENERAL.—Except as provided in para-
 8 graph (2), it shall be unlawful for an agency, or an
 9 officer or employee of the United States under color
 10 or pretense of office or employment, to coerce or at-
 11 tempt to coerce a broadcaster, a provider of an
 12 interactive computer service, or a provider of an ar-
 13 tificial intelligence system within the United States
 14 (including the territories of the United States) for
 15 the purpose of, or if a reasonable person would un-
 16 derstand the coercion or attempted coercion to be
 17 for the purpose of, incentivizing the broadcaster or
 18 provider to take a content action.

19 “(2) EXCEPTIONS.—

20 “(A) IN GENERAL.—Paragraph (1) shall
 21 not apply to—

22 “(i) an action that—

23 “(I) is taken pursuant to a lawful
 24 investigation under, or the enforce-
 25 ment of, Federal or State law; and

1 “(II) does not violate the First
2 Amendment to the Constitution of the
3 United States;

4 “(ii) an action or threat to take action
5 authorized by a warrant issued using the
6 procedures described in the Federal Rules
7 of Criminal Procedure (or, in the case of
8 a State court, issued using State warrant
9 procedures) by a court of competent juris-
10 diction; or

11 “(iii) directions from an agency, or an
12 officer or employee of the United States, to
13 a broadcaster, a provider of an interactive
14 computer service, or a provider of an artifi-
15 cial intelligence system to take an action
16 directly relating to the official use of the
17 broadcast station, interactive computer
18 service, or artificial intelligence system, re-
19 spectively, by the agency, officer, or em-
20 ployee.

21 “(B) BURDEN OF ESTABLISHING EXCEP-
22 TION.—An agency, officer, or employee against
23 whom a civil action is brought under subsection
24 (c) shall bear the burden of establishing that an

1 exception under subparagraph (A) of this para-
2 graph applies.

3 “(c) PRIVATE RIGHT OF ACTION.—

4 “(1) IN GENERAL.—A person aggrieved by a
5 violation of subsection (b), including an information
6 content provider, may bring a civil action against the
7 applicable agency, officer, or employee in an appro-
8 priate district court of the United States.

9 “(2) SCOPE OF REVIEW.—In a civil action
10 brought under paragraph (1), to the extent nec-
11 essary to the decision and when presented, the court
12 shall decide all relevant questions of law and inter-
13 pret constitutional and statutory provisions.

14 “(3) RELIEF.—In a civil action brought under
15 paragraph (1)—

16 “(A) a person may obtain compensatory
17 damages and the cost of the civil action, includ-
18 ing reasonable attorney fees and other litigation
19 costs reasonably incurred;

20 “(B) except as provided in subparagraph
21 (C), the court may, in addition to any other re-
22 lief available at law, grant equitable relief that
23 may be appropriate or necessary to correct a
24 violation of subsection (b); and

1 “(C) punitive damages may not be award-
2 ed.

3 “(4) PRE-TRIAL MOTION FOR LIMITED DIS-
4 COVERY.—

5 “(A) MOTION.—If a party to a civil action
6 brought under paragraph (1) moves to dismiss
7 the action under rule 12(b)(6) of the Federal
8 Rules of Civil Procedure or moves to dismiss
9 the action for lack of standing, the party that
10 opposes the motion to dismiss may file a pre-
11 trial motion for limited discovery at the discre-
12 tion of the court.

13 “(B) LIMITATIONS ON TIME AND SCOPE.—
14 If the court grants a pre-trial motion for lim-
15 ited discovery filed under subparagraph (A), the
16 court shall enter an order limiting that dis-
17 covery—

18 “(i) to a period of not more than 30
19 days; and

20 “(ii) to evidence that permits the
21 party that did not move to dismiss the ac-
22 tion under subparagraph (A) to respond to
23 the merits of the motion to dismiss.

24 “(C) EXTENSION.—

1 “(i) HEARING.—Upon request, the
 2 court may hold a hearing to determine
 3 whether to extend discovery, with respect
 4 to a motion for limited discovery granted
 5 under this paragraph, by not more than 1
 6 additional period of not more than 30
 7 days.

8 “(ii) DETERMINATION.—The court
 9 may extend discovery under clause (i) for
 10 good cause shown by the party seeking the
 11 extension.

12 “(5) NO IMMUNITY FROM LIABILITY FOR SUB-
 13 JECTIVE BELIEF OF UNPROTECTED SPEECH.—No
 14 agency, officer, or employee that is a party to a civil
 15 action brought under paragraph (1) shall be immune
 16 from liability on the basis of a finding that the agen-
 17 cy, officer, or employee had a subjective belief that
 18 the information that is the subject of the claim in
 19 the civil action was not lawful expression protected
 20 by the First Amendment to the Constitution of the
 21 United States.

22 “(6) MANDATORY DEFENSE AND INDEMNIFICA-
 23 TION OF FEDERAL EMPLOYEES.—

24 “(A) DEFENSE.—If a civil action is
 25 brought under paragraph (1) against an officer

1 or employee of the United States in the indi-
2 vidual capacity of that officer or employee, the
3 Department of Justice, if the officer or em-
4 ployee so elects, shall represent the officer or
5 employee.

6 “(B) INDEMNIFICATION.—

7 “(i) IN GENERAL.—If a civil action is
8 brought under paragraph (1) against an
9 officer or employee of the United States in
10 the individual capacity of that officer or
11 employee, the Federal Government shall
12 indemnify the officer or employee for any
13 verdict, judgment, or other monetary
14 award rendered against the officer or em-
15 ployee.

16 “(ii) EXCEPTION.—In a civil action
17 described in clause (i), if the court finds
18 that the officer or employee acted in a will-
19 ful and wanton manner in incurring liabil-
20 ity under this section, clause (i) shall not
21 apply and the court shall order the officer
22 or employee to reimburse the Federal Gov-
23 ernment the reasonable costs and reason-
24 able attorney fees expended for the defense
25 of the officer or employee.

1 “(d) ENFORCEMENT BY STATES.—Any attorney gen-
 2 eral of a State may bring a civil action in the name of
 3 the State, as *parens patriae* on behalf of natural persons
 4 residing in the State, in any district court of the United
 5 States having jurisdiction of the defendant to secure relief
 6 as provided in this section for injury sustained by those
 7 natural persons from a violation of subsection (b).”.

8 **SEC. 4. ESTABLISHMENT OF STANDARDS AND GUIDELINES**
 9 **FOR LOGGING COVERED COMMUNICATIONS**
 10 **WITH BROADCASTERS, PROVIDERS INTER-**
 11 **ACTIVE COMPUTER SERVICES, AND PRO-**
 12 **VIDERS OF ARTIFICIAL INTELLIGENCE SYS-**
 13 **TEMS.**

14 The National Institute of Standards and Technology
 15 Act (15 U.S.C. 271 et seq.) is amended by adding at the
 16 end the following:

17 **“SEC. 37. ESTABLISHMENT OF STANDARDS AND GUIDE-**
 18 **LINES FOR LOGGING COVERED COMMUNICA-**
 19 **TIONS WITH BROADCASTERS, PROVIDERS**
 20 **INTERACTIVE COMPUTER SERVICES, AND**
 21 **PROVIDERS OF ARTIFICIAL INTELLIGENCE**
 22 **SYSTEMS.**

23 “(a) DEFINITIONS.—In this section:

1 “(1) AGENCY.—The term ‘agency’ has the
2 meaning given such term in section 3502 of title 44,
3 United States Code.

4 “(2) ARTIFICIAL INTELLIGENCE SYSTEM.—The
5 term ‘artificial intelligence system’ has the meaning
6 given to the term ‘artificial intelligence’ in section
7 5002 of the National Artificial Intelligence Initiative
8 Act of 2020 (15 U.S.C. 9401).

9 “(3) BROADCASTER.—The term ‘broadcaster’
10 has the meaning given such term in section 723 of
11 the Communications Act of 1934.

12 “(4) CHILD SEXUAL ABUSE MATERIAL.—The
13 term ‘child sexual abuse material’ means a visual de-
14 piction defined in section 2256(8) of title 18, United
15 States Code.

16 “(5) COMMUNICATION.—The term ‘communica-
17 tion’ means any transfer, in whole or in part, by
18 wire, oral, or electronic means, of signs, signals,
19 writing, images, sounds, or data of any nature.

20 “(6) COMMUNICATION METADATA.—The term
21 ‘communication metadata’ means structural or de-
22 scriptive information associated with a communica-
23 tion, such as—

24 “(A) the name of the sender and recipient;

1 “(B) the employer or institutional affili-
2 ation of each person identified in subparagraph
3 (A);

4 “(C) contact information for each person
5 identified in subparagraph (A), such as a tele-
6 phone number or email address; and

7 “(D) the date on which the communication
8 was conveyed.

9 “(7) COVERED COMMUNICATION.—The term
10 ‘covered communication’ means the contents of a
11 communication and communication metadata from
12 an officer or employee of the United States under
13 color or pretense of office or employment to a broad-
14 caster, provider of an interactive computer service,
15 or provider of an artificial intelligence system re-
16 garding an act or omission by such broadcaster,
17 service, or system with respect to actual or potential
18 expression on or from the broadcaster, service, or
19 system, including any standards, processes, or poli-
20 cies of such broadcaster or provider governing the
21 broadcast, publication, display, or moderation of ex-
22 pression on or from the broadcaster, service, or sys-
23 tem, but excluding the contents of communications
24 and communications metadata—

1 “(A) to the extent it consists of classified
2 information, as defined in section 1 of the Clas-
3 sified Information Procedures Act (Public Law
4 96–456), if such information is so properly clas-
5 sified;

6 “(B) relating to child sexual abuse mate-
7 rial; and

8 “(C) for actions, threats, or directions de-
9 scribed in a subparagraph of section 723(b)(2)
10 of the Communications Act of 1934.

11 “(8) EXPRESSION.—The term ‘expression’
12 means any speech, text, images, video, or any other
13 information distributed by an information content
14 provider, an interactive computer service, artificial
15 intelligence system, or a broadcaster.

16 “(9) INFORMATION CONTENT PROVIDER.—The
17 term ‘information content provider’ has the meaning
18 given to the term in section 230 of the Communica-
19 tions Act of 1934 (47 U.S.C. 230).

20 “(10) INTERACTIVE COMPUTER SERVICE.—The
21 term ‘interactive computer service’ means an inter-
22 active computer service as defined in section 230 of
23 the Communications Act of 1934 (47 U.S.C. 230).

24 “(b) STANDARDS AND GUIDELINES REQUIRED.—

1 “(1) IN GENERAL.—Not later than 1 year after
2 the date of the enactment of the Justice Against
3 Weaponized Bureaucratic Overreach to Networked
4 Expression Act, the Director shall, in consultation
5 with the Secretary of Commerce, the Director of the
6 Office of Science and Technology Policy, the Direc-
7 tor of the Office of Management and Budget, and
8 the head of any other agency the Director considers
9 appropriate, develop standards and guidelines to as-
10 sist agencies in carrying out the requirements of sec-
11 tion 701 of the National Science and Technology
12 Policy, Organization, and Priorities Act of 1976, in-
13 cluding the collection, retention, and transmission of
14 covered communications through the portal estab-
15 lished under such section.

16 “(2) ACCOUNTING FOR AND ADAPTING FOR
17 SPECIFIC NEEDS OF AGENCIES.—In developing the
18 standards and guidelines pursuant to paragraph (1),
19 the Director shall account for and, as applicable,
20 adapt such standards and guidelines to the specific
21 needs of each agency.

22 “(c) ELEMENTS.—The standards and guidelines re-
23 quired by subsection (b) shall include recommendations re-
24 garding—

1 “(1) standard taxonomies and labeling of cov-
2 ered communications to be transmitted to the portal
3 described in such subsection;

4 “(2) the collection and logging of communica-
5 tion metadata for each covered communication;

6 “(3) standard formats to ensure interoperability
7 of covered communications transmitted to such por-
8 tal;

9 “(4) data security standards and protocols for
10 the collection and transmission of covered commu-
11 nications to such portal; and

12 “(5) audit, management, and monitoring con-
13 trols for the retention of covered communications by
14 the agency.

15 “(d) BIENNIAL UPDATES TO THE STANDARDS AND
16 GUIDELINES.—Not less than once every 2 years, the Di-
17 rector shall, in consultation with the Secretary of Com-
18 merce, the Director of the Office of Science and Tech-
19 nology Policy, and the Director of the Office of Manage-
20 ment and Budget, review the standards and guidelines
21 issued under subsection (b) and may revise and update
22 such standards and guidelines as necessary.

23 “(e) SUBMISSION TO THE DIRECTOR OF THE OFFICE
24 OF SCIENCE AND TECHNOLOGY POLICY.—The Director
25 shall submit the standards and guidelines developed under

1 subsection (b), and any revisions made under subsection
 2 (d), to the Director of the Office of Science and Tech-
 3 nology Policy for purposes of carrying out section 701 of
 4 the National Science and Technology Policy, Organization,
 5 and Priorities Act of 1976.”.

6 **SEC. 5. ESTABLISHMENT OF PORTAL FOR COVERED COM-**
 7 **MUNICATIONS WITH BROADCASTERS, PRO-**
 8 **VIDERS OF INTERACTIVE COMPUTER SERV-**
 9 **ICES, AND PROVIDERS OF ARTIFICIAL INTEL-**
 10 **LIGENCE SYSTEMS.**

11 The National Science and Technology Policy, Organi-
 12 zation, and Priorities Act of 1976 (42 U.S.C. 6611 et seq.)
 13 is amended by adding at the end the following:

14 **“TITLE VII—COMMUNICATIONS**
 15 **WITH BROADCASTERS, PRO-**
 16 **VIDERS OF INTERACTIVE**
 17 **COMPUTER SERVICES, AND**
 18 **PROVIDERS OF ARTIFICIAL**
 19 **INTELLIGENCE SYSTEMS**

20 **“SEC. 701. PORTAL FOR COVERED COMMUNICATIONS WITH**
 21 **BROADCASTERS, PROVIDERS OF INTER-**
 22 **ACTIVE COMPUTER SERVICES, AND PRO-**
 23 **VIDERS OF ARTIFICIAL INTELLIGENCE SYS-**
 24 **TEMS.**

25 **“(a) DEFINITIONS.—**In this section:

1 “(1) AGENCY.—The term ‘agency’ has the
2 meaning given such term in section 3502 of title 44,
3 United States Code.

4 “(2) ARTIFICIAL INTELLIGENCE SYSTEM.—The
5 term ‘artificial intelligence system’ has the meaning
6 given to the term ‘artificial intelligence’ in section
7 5002 of the National Artificial Intelligence Initiative
8 Act of 2020 (15 U.S.C. 9401).

9 “(3) BROADCASTER.—The term ‘broadcaster’
10 has the meaning given such term in section 723 of
11 the Communications Act of 1934.

12 “(4) COMMUNICATION, COMMUNICATION
13 METADATA, COVERED COMMUNICATION, EMPLOYEE,
14 AND EXPRESSION.—The terms ‘communication’,
15 ‘communication metadata’, ‘covered communication’,
16 ‘employee’, and ‘expression’ have the meanings given
17 such terms in section 37 of the National Institute of
18 Standards and Technology Act.

19 “(5) CONTENT ACTION.—The term ‘content ac-
20 tion’ has the meaning given such term in section
21 723 of the Communications Act of 1934.

22 “(6) INFORMATION CONTENT PROVIDER AND
23 INTERACTIVE COMPUTER SERVICE.—The terms ‘in-
24 formation content provider’ and ‘interactive com-
25 puter service’ have the meanings given such terms in

1 section 230 of the Communications Act of 1934 (47
2 U.S.C. 230).

3 “(7) PORTAL.—The term ‘portal’ means the
4 covered communications portal established by the
5 Director of the Office of Science and Technology
6 Policy pursuant to subsection (c).

7 “(b) ADOPTION OF NATIONAL INSTITUTE OF STAND-
8 ARDS AND TECHNOLOGY STANDARDS AND GUIDE-
9 LINES.—Upon receiving the standards and guidelines
10 from the Director of the National Institute of Standards
11 and Technology pursuant to section 37(e) of the National
12 Institute of Standards and Technology Act, the Director
13 shall, in consultation with the Secretary of Commerce and
14 the Director of the Office of Management and Budget,
15 issue a requirement that the head of each agency—

16 “(1) adopt such standards and guidelines; and

17 “(2) comply with the requirements for trans-
18 mission of covered communications pursuant to sub-
19 section (c).

20 “(c) ESTABLISHMENT OF COVERED COMMUNICA-
21 TIONS PORTAL.—The Director shall, in consultation with
22 the Secretary of Commerce and the Director of the Office
23 of Management and Budget—

24 “(1) establish a portal for covered communica-
25 tions; and

1 “(2) require each head of an agency to transmit
 2 to the portal, not less than once every 120 days, new
 3 or previously unreported covered communications
 4 discovered through reasonable efforts, including em-
 5 ployee self-reporting.

6 “(d) PUBLIC WEBSITE FOR COVERED COMMUNICA-
 7 TIONS.—

8 “(1) IN GENERAL.—Subject to paragraph (2),
 9 the Director of the Office of Science and Technology
 10 Policy shall make available on a publicly accessible,
 11 searchable website, a detailed description of each
 12 covered communication, received by the Director
 13 under subsection (c) that—

14 “(A) summarizes the contents of each cov-
 15 ered communication; and

16 “(B) identifies all requests, whether im-
 17 plied or express, for content actions included in
 18 such covered communications.

19 “(2) AVAILABILITY OF SENSITIVE COVERED
 20 COMMUNICATIONS.—

21 “(A) IN GENERAL.—The Director may, in
 22 consultation with the Director of the Office of
 23 Management and Budget and the applicable
 24 agency head, redact information contained in a
 25 detailed description of a covered communica-

tion, as described in paragraph (1), before publication to the public, to the extent that such information falls into an exemption described in a paragraph of section 552(b) of title 5, United States Code (commonly known as the ‘Freedom of Information Act’), if—

“(i) the description includes markings detailing the specific exemption under which such redactions were made; and

“(ii) such information is unredacted when an exemption is no longer applicable.

“(B) AVAILABILITY TO CONGRESS.—The full, unredacted record of all covered communications shall be made available to the Chairman and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and the Chairman and Ranking Member of the Committee on Energy and Commerce of the House of Representatives at an interval determined appropriate by the Chairmen and Ranking Members each Congress, but not less than once every fiscal year.

“(e) PROVIDER COMPLAINT PROCESS.—

“(1) IN GENERAL.—In establishing the publicly accessible, searchable website under subsection (d),

1 the Director shall also establish a process within
2 such website through which the broadcaster, pro-
3 vider of an interactive computer service, or provider
4 of an artificial intelligence system may, without re-
5 taliation by the Federal Government, submit a com-
6 plaint alleging that an officer or employee of the
7 United States has violated section 723(b) of the
8 Communications Act of 1934.

9 “(2) TRANSMITTAL OF COMPLAINT.—

10 “(A) TRANSMITTAL.—Not later than 15
11 days after receiving a valid complaint pursuant
12 to paragraph (1) regarding an officer or em-
13 ployee of the United States, the Director shall
14 transmit such complaint to—

15 “(i) the Inspector General of the
16 agency that employs the officer or em-
17 ployee;

18 “(ii) the Chairman and Ranking
19 Member of the Committee on Commerce,
20 Science, and Transportation of the Senate;
21 and

22 “(iii) the Chairman and Ranking
23 Member of the Committee on Energy and
24 Commerce of the House of Representa-
25 tives.

“(B) VALIDITY.—For purposes of this paragraph, a complaint of the broadcaster, provider of an interactive computer service, or provider of an artificial intelligence system is considered valid if the complaint—

“(i) is brought by an employee or an authorized person acting on behalf of the broadcaster or provider; and

“(ii) identifies the communication and includes sufficient information to reasonably substantiate an alleged violation of section 723(b) of the Communications Act of 1934.

“(f) AUDITS FOR COMPLIANCE WITH THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY STANDARDS AND GUIDELINES.—

“(1) AUDITS REQUIRED.—Not less frequently than once every 2 years, each Inspector General of an agency shall audit the compliance of the agency of the Inspector General with—

“(A) the standards and guidelines required to be adopted under subsection (b)(1); and

“(B) the requirements of paragraph (2) of subsection (c) regarding transmittal of covered communications to the portal established under

1 paragraph (1) of such subsection, including a
2 review of whether the agency is properly catego-
3 rizing a communication as a covered commu-
4 nication for listing in the portal and trans-
5 mission to Congress and consideration of
6 whether the agency is properly excluding a com-
7 munication from categorization as a covered
8 communication.

9 “(2) TRANSMITTAL OF FINDINGS.—Not later
10 than 7 days after an Inspector General completes an
11 audit under paragraph (1), the Inspector General
12 shall transmit a summary of the findings of the In-
13 spector General with respect to the audit to the fol-
14 lowing:

15 “(A) The Director.

16 “(B) The Chairman and Ranking Member
17 of the Committee on Commerce, Science, and
18 Transportation of the Senate.

19 “(C) The Chairman and Ranking Member
20 of the Committee on Energy and Commerce of
21 the House of Representatives.”.

22 **SEC. 6. SEVERABILITY.**

23 If any provision of this Act, or any amendment made
24 by this Act, is determined to be unenforceable or invalid,

- 1 the remaining provisions of this Act and the amendments
- 2 made by this Act shall not be affected.

