

119TH CONGRESS
1ST SESSION

S. 3021

AN ACT

To amend title 18, United States Code, to enhance enforcement with respect to material depicting obscene child sexual abuse or constituting child pornography, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Enhancing Necessary
3 Federal Offenses Regarding Child Exploitation Act” or
4 the “ENFORCE Act”.

5 **SEC. 2. CLARIFYING PRODUCTION WITH RESPECT TO MA-**
6 **TERIAL CONSTITUTING OR CONTAINING**
7 **CHILD PORNOGRAPHY.**

8 Section 2252A of title 18, United States Code, is
9 amended—

10 (1) in subsection (a), by striking paragraph (7)
11 and inserting the following:

12 “(7) knowingly produces child pornography, as
13 defined in section 2256(8)(C), that—

14 “(A) the person knows, or has reason to
15 know, will be mailed, shipped, or transported
16 using any means or facility of interstate or for-
17 eign commerce or in or affecting interstate or
18 foreign commerce;

19 “(B) was produced using materials that
20 have been mailed, shipped, or transported in or
21 affecting interstate or foreign commerce; or

22 “(C) has been mailed, shipped, or trans-
23 ported using any means or facility of interstate
24 or foreign commerce or in or affecting inter-
25 state or foreign commerce,”; and

26 (2) in subsection (b)—

1 (A) in paragraph (1), by striking “or (6)”
 2 and inserting “(6), or (7)”; and

3 (B) by striking paragraph (3).

4 **SEC. 3. ENHANCING ENFORCEMENT WITH RESPECT TO OB-**
 5 **SCENE VISUAL REPRESENTATIONS OF CHILD**
 6 **SEXUAL ABUSE.**

7 (a) REMOVING THE STATUTE OF LIMITATIONS FOR
 8 OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL
 9 ABUSE.—Section 3299 of title 18, United States Code, is
 10 amended by inserting “1466A or” before “1591”.

11 (b) INCLUDING CRIMES OF OBSCENE VISUAL REP-
 12 RESENTATIONS OF CHILD SEXUAL ABUSE IN SEX OF-
 13 FENDER REGISTRATION.—Section 111(5)(A)(iii) of the
 14 Adam Walsh Child Protection and Safety Act of 2006 (34
 15 U.S.C. 20911(5)(A)(iii)) is amended by inserting “1466A
 16 or” before “1591”.

17 (c) PROHIBITION ON REPRODUCTION OF OBSCENE
 18 VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE IN
 19 DISCOVERY.—Section 1466A of title 18, United States
 20 Code, is amended—

21 (1) by redesignating subsection (f) as sub-
 22 section (g); and

23 (2) by inserting after subsection (e) the fol-
 24 lowing:

1 “(f) PROHIBITION ON REPRODUCTION OF OBSCENE
 2 VISUAL DEPICTIONS OF CHILD SEXUAL ABUSE.—In any
 3 criminal proceeding brought under this section—

4 “(1) any visual depiction involved in a violation
 5 of this section shall remain in the care, custody, and
 6 control of either the Government or the court in the
 7 same manner specified for child pornography in
 8 paragraphs (1) and (2) of section 3509(m); and

9 “(2) any identifiable minor, as that term is de-
 10 fined in section 2256(9), depicted in any visual de-
 11 piction involved in a violation of this section may
 12 have access to such depiction in the same manner
 13 specified for a victim, with respect to child pornog-
 14 raphy depicting the victim, in section 3509(m)(3).”.

15 (d) PRESUMPTION OF DETENTION FOR VIOLATIONS
 16 OF SECTION 1466A PENDING TRIAL.—Section 3142 of
 17 title 18, United States Code, is amended—

18 (1) in subsection (e)(1)(B), in the undesignated
 19 matter following clause (xiv), by striking “that in-
 20 volves” and all that follows through “2425 of this
 21 title” and inserting “that involves an offense de-
 22 scribed in subsection (e)(3)(E)”; and

23 (2) in subsection (e)(3), by striking subpara-
 24 graph (E) and inserting the following:

25 “(E) an offense—

1 “(i) involving a minor victim under
2 section 1201, 1591, 2241(a), 2241(b),
3 2242, 2244(a)(1), 2245, 2421, or 2422(a)
4 of this title; or

5 “(ii) under section 1466A(a), 2241(c),
6 2251A, 2252(a)(1), 2252(a)(2),
7 2252(a)(3), 2252A(a)(1), 2252A(a)(2),
8 2252A(a)(3), 2252A(a)(4), 2260, 2422(b),
9 2423, or 2425 of this title.”.

10 (e) SUPERVISED RELEASE FOR VIOLATIONS OF SEC-
11 TION 1466A AFTER IMPRISONMENT.—Section 3583(k) of
12 title 18, United States Code, is amended, in the first sen-
13 tence, by inserting “1466A,” before “1591.”.

Passed the Senate December 16, 2025.

Attest:

Secretary.

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