

1<sup>ST</sup> SESSION **H.R. 13**  
160<sup>TH</sup> CONGRESS

To protect the privacy and rights of every student, faculty  
member, and employee of institutions of learning, to  
defend liberty and freedom of speech, and for other  
purposes

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21<sup>ST</sup>, 2022

Mr. REYES-GUERRERO (For himself and the Guy Administration)  
introduced the following bill

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**A BILL**

To protect the privacy and rights of every student, faculty  
member, and employee of institutions of learning, to  
defend liberty and freedom of speech, and for other  
purposes

*1 Be it enacted by the Senate and House of 2 Representatives of  
the United States of America in Congress 3 assembled,*

**4 TITLE I**

**5 SECTION 1001. TABLE OF CONTENTS**

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## 12 SECTION 1002. SHORT TITLE.

13 (a) SHORT TITLE—This Act may be cited as the 14 “Securing  
Trust in Our Public Schools Act of 2022,” or the 15 “STOPS Act  
of 2022.”

## 16 SECTION 1003. SEVERABILITY

17 (a) SEVERABILITY— If any provision of this Act, an 18  
amendment made by this Act, or the application of such 19  
provision or amendment to any person or circumstance is 20  
held to be unconstitutional, the remainder of this Act, the 21  
amendments made by this Act, and the application of the 22  
provisions of such to any person or circumstance shall not 23 be  
affected thereby.

24 (b) REPEAL, AMENDMENT, OR REVISION— The repeal, 25  
revision, amendment, or consolidation of this Act shall not 26  
have the effect to release, extinguish, alter, modify, or 27  
change in whole or in part any penalty, forfeiture, or 28  
liability, either civil or criminal, which shall have been 29  
incurred under this Act, unless the repealing, revising, 30  
amending, or consolidating act so expressly provides, and 31  
this Act or any part of this Act so repealed, amended, or 32  
revised shall be treated and held as still remaining in force

1 for the purpose of sustaining any and all proper actions, 2  
suits, proceedings, and prosecutions, criminal as well as 3  
civil, for the enforcement of such penalty, forfeiture, or 4  
liability, as well as for the purpose of sustaining any 5  
judgment, decree, or order which can or may be rendered, 6  
entered, or made in such actions, suits, proceedings, or 7  
prosecutions imposing, inflicting, or declaring such 8 penalty,  
forfeiture, or liability.

#### **9 SECTION 1004. DEFINITIONS.**

10 (a) DEFINITIONS— Within this Act—

11 (i) the term “educational institution” 12 (1) means any  
institution of learning, 13 library, public or private elementary  
14 school, middle school, junior high 15 school, high school,  
junior college, 16 college, or institution—

17 a) that is operated or managed by 18 the United States; 19

b) that is operated or managed by 20 any of the several States  
or 21 pursuant to their authority, and 22 which receives  
monies from the 23 Treasury of the United States, 24 through  
any program, Act of 25 Congress, or otherwise; 26 c) that is  
operated as a private 27 entity, and which receives 28 monies  
from the Treasury of the 29 United States, through any

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1 program, Act of Congress, or 2 otherwise;

3 (ii) The term “federal law enforcement officer”— 4 (1) means  
a Federal employee— 5 a) who has statutory authority to 6  
make arrests or apprehensions; 7 b) who is authorized by the  
agency 8 of the employee to carry 9 firearms; and

10 c) whose duties are primarily— 11 i) engagement in or 12  
supervision of the 13 prevention, detection, 14 investigation, or  
15 prosecution of, or the 16 incarceration of any 17 person for,  
any violation 18 of law; or

19 ii) the protection of Federal, 20 State, local, or foreign 21  
government officials 22 against threats to 23 personal safety;  
and

24 (2) includes a law enforcement officer 25 employed by the  
Amtrak Police 26 Department or Federal Reserve. 27

## 28 **SECTION 1005. FINDINGS.**

29 Congress finds and declares the following—

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1 (a) Schools regularly violate the electronic privacy 2 rights of  
students;

3 (b) Congress endorses this practice through the 4 Children’s  
Internet Protection Act;

5 (c) It is the intent of Congress to secure and defend the 6  
freedom of speech;

7 (d) It is not the concern of the Federal government to 8  
regulate the minds and thoughts of children; 9 (e) In a free  
society, all persons must have access to 10 information that is  
uncensored;

11 (f) The United States must teach students how to 12 think,  
not what to think.

## 13 **SECTION 1006. GENERAL PROVISIONS.** 14 (a)

PERSONAL DEVICES— No educational institution 15 shall—

16 (i) compel, or require as a condition of 17 admittance, or  
participation in any class, 18 program, or activity, whether  
directly or 19 indirectly, any student, faculty member, 20  
employee, or any other person to—

21 (1) download or use any software on any 22 privately owned  
device which is— 23 a) capable of communicating, 24 storing, or  
making accessible the 25 actions, location, image, or other 26  
real-time information of any 27 person, nor shall any 28  
educational institution 29 incentivize the use thereof;

1 (2) require any person to reveal their location at any time,  
past, present, or future;

3 capable of—

4 a) tracking the movement or 5 location of any person, nor  
shall 6 any institution require any 7 person to reveal their  
location at 8 any time, past, present, or 9 future;

10 (3) download or use any software on any 11 personally  
owned device which is— 12 a) capable of accessing the 13  
internet search history, message 14 history, device history, or  
social 15 media activity of any person; 16 (4) use any electronic  
device, computing 17 device, phone, calculator, or 18  
technology, whether owned privately or 19 by any other entity,  
for the purposes of 20 evading the provisions of this section; 21  
(b) PUBLIC DEVICES AND OTHER PROVISIONS— No 22 educational  
institution shall—

25 (1) any software or hardware capable of 26 limiting,  
censoring, filtering, or 27 controlling access to the Internet; or  
28 (ii) download, install, or maintain, at any time— 29 (1) onto  
or for the purposes of any device 30 owned, in the possession of,  
borrowed,

1 or obtained by that educational 2 institution—

3 a) any software, hardware, or 4 device capable of— 6 search  
history of any 7 person;

8 ii) utilizing any camera on 9 any device without 10 receiving  
prior 11 authorization from the 12 person utilizing the 13  
device, nor shall the 14 educational institution 15 require as a  
condition of 16 using the device such an  
17 authorization; 22 (iii) compel, or require as a condition of 23  
admittance, or participation in any class, 24 program, or

activity, whether directly or 25 indirectly, any student, faculty member, 26 employee, or any other person— 27 (1) to waive any right created by this Act; 28 (2) to authorize the search of any 29 electronic device or digital information 30 owned by that person, or contained

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1 within any device, public or private, 2 nor shall that educational institution 3 search any such device or obtain any 4 such information, except—

5 a) as authorized by a judge with 6 jurisdiction over that person, 7 and device, and school; and— 8 i) in the presence of a law 9 enforcement officer duly

10 empowered and as 11 defined by the State 12 where the device is 13 located, or a federal law 14 enforcement officer.

15 (3) to agree to a contract, or an enforceable 16 document or agreement, requiring any 17 person to—

18 a) limit their use of any device, 19 owned by any person or any 20 entity; except that— 21 i) the educational 22 institution may require 23 that a device owned by it 24 be used only in a manner 25 that is—

26 1) lawful; or 27 2) free of content that 28 is sexually explicit; 29 and

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1 ii) the educational 2 institution may prohibit 3 in the agreement the 4 download of certain 5 programs, applications, or 6 software onto any device 7 owned by the educational 8 institution; except that—

9 1) no educational 10 institution as 11 provided by this 12 Act shall prohibit 13 the download of 14 any software, 15 programs, or 16 application that—

17 a. provides 18 access to the 19 Internet; 20 b. provides a 21 mean 22 through 23 which a 24 student, 25 faculty 26

member, or 27 employee 28 may express 29 free speech;

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1 (iv) prohibit, inhibit, refuse to recognize, disallow, 2 or ban—

3 (1) any student organization from forming, 4 organizing,  
meeting, or advertising; 5 except that—

6 a) the educational institution may 7 refuse official  
recognition or 8 prohibit the meeting of any 9 institution  
which advocates for

10 any act which is unlawful; 11 (2) any student organization  
from using 12 the grounds of the school for meetings, 13  
events, or campaigns; except that— 14 a) the educational  
institution may 15 limit the times of meetings 16 which occur  
on grounds owned 17 by the educational institution 18 between  
one (1) hour before the 19 start of the school day and two 20 (2)  
hours after the end of the 21 school day;

22 (3) any student or student organization 23 from placing  
posters, signs, or 24 distributing literature on grounds 25  
owned by the educational institution 26 relevant to the  
message or aim of the 27 organization or individual, or the 28  
promotion of the organization, except 29 as authorized  
pursuant to subsection 30 (iv)(1)(a) of this Section.

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## 2 **SECTION 1007. INTENT OF CONGRESS.** 3 (a)

TRACKING— It is the intent of Congress to prohibit 4 any  
school funded or operated by the United States to 5 track,  
monitor, or censor any person on any electronic 6 device;

7 (b) FREEDOM OF SPEECH— It is the intent of Congress to 8  
require educational institutions to adhere to the standards 9 of  
free speech prescribed in the Constitution of the United 10  
States;

11 (c) OTHER RIGHTS— It is the intent of Congress to 12 express

that students, faculty, and employees do not lose the right to the freedom of speech, nor any right to privacy, in any context, including schools.

**SECTION 1008. REPEAL OF THE CHILDREN'S INTERNET PROTECTION ACT.**

(a) CIPA I— Section 254(h)(5) of Title 47 of the United States Code is repealed, null, and void;

(b) CIPA II— Section 254(h)(6) of Title 47 of the United States Code is repealed, null, and void;

(c) CIPA III— Section 254(l) of Title 47 of the United States Code is repealed, null, and void.

**SECTION 1009. VIOLATIONS.**

(a) PENALTIES— Any institution of learning found in violation of any provision of this Act—

(i) shall not receive funding or monies from the Treasury of the United States until the violation is resolved;

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(ii) shall be made subject to inspection every three months by a federal law enforcement officer to verify compliance with this Act, and such an inspection—

(1) shall include—

a) an inspection of—

i) thirty (30) electronic devices owned by the educational institution,

selected in a stratified sample composed of three strata of students, educators, and administrators;

ii) ten (10) electronic devices owned by the educational institution, selected in a simple random sample;

b) a survey of twenty-five (25) percent of the students and faculty at the educational institution selected in a simple



23 random sample; and  
24 (2) may be conducted more or less often, or 25 at any time, at  
the discretion of the 26 Attorney General or his or her 27  
designee;

28 (b) PROGRAM— The Attorney General and the Secretary 29  
of Education shall—

30 (i) immediately establish a program—  
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1 (1) to coordinate the execution of section 2 (1009) of this Act;  
3 (2) to facilitate the report of violations of 4 this Act by the  
general public; 5 (3) to facilitate the inspection of non 6  
compliant schools pursuant to section 7 (1009)(a)(iii) of this  
Act;

8 (c) MANDATE OF ENFORCEMENT— The Department of 9  
Justice, the Department of Education, and the Department 10  
of the Treasury shall—

11 (i) enforce this Act in its entirety; 12 (d) MONIES— No  
educational institution shall receive 13 monies or support from  
the United States without 14 accepting and consenting to the  
provisions of this Act. 15 (e) INDIVIDUALS— A person that uses  
funds or monies 16 of the United States to commit or aid a  
violation of this Act 17 is guilty of a felony punishable by a fine  
of not less than 18 \$10,000, not to exceed \$50,000, and  
imprisonment in a 19 federal correctional facility for not less  
than 7 days, not to 20 exceed 365 days.

## 21 **SECTION 1010. OTHER PROVISIONS.**

22 (a) ENACTMENT— The provisions of this Act shall go into 23  
effect immediately upon its passage into law.