NEURAL SAFEGUARD ACT OF 2026

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NEURAL SAFEGUARD ACT OF 2026
#NSAACT2026
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SECTION 1. SHORT TITLE
This Act may be cited as the "Neural Safeguard Act of 2026" or "#NSAACT2026."

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SECTION 3. FINDINGS AND PURPOSE

(a) FINDINGS. — The Congress finds the following:

(1) Rapid advances in neurotechnology, brain-computer interfaces, computer-to-brain interfacing (CBI), N3-class neural systems, directed-energy weapons systems, nano-enabled neural technologies, and AI-driven cognitive systems present novel, unprecedented, and grave threats to individual autonomy, bodily integrity, and civil liberties.

(2) Non-consensual application of neurotechnology, including systems that originated under Special Access Programs (SAP) and Unacknowledged Special Access Programs (USAP) and that have since migrated into laboratory, university, and contractor experimental settings, constitutes a severe and irreversible violation of bodily integrity, cognitive liberty, psychological autonomy, and fundamental constitutional rights under the First, Fourth, Fifth, Eighth, and Fourteenth Amendments.

(3) Existing federal criminal, civil rights, and privacy law does not adequately define, prohibit, or provide meaningful redress for the weaponization of neurotechnology, nano-neurotechnology, or computer-to-brain interfacing systems against civilian persons.

(4) The MIND Act of 2025 established foundational protections. This Act expands upon, reinforces, and complements those protections by addressing gaps in criminal liability, institutional oversight, and enforcement authority.

(5) Organized criminal enterprises, rogue state actors, non-state actors, and independent laboratory networks are actively exploiting gaps in federal law to deploy neurotechnology and nano-enabled systems covertly against civilian persons, including as instruments of experimental and cognitive warfare.

(6) Neural data represents the most intimate form of personal information obtainable from any human being. Its exploitation without consent enables surveillance, behavioral manipulation, and social control at unprecedented scale.

(7) The use of directed-energy weapons, high-powered microwave systems, and nano-enabled neural interfaces to target the nervous systems of civilian persons constitutes covert assault and torture prohibited under domestic and international law.

(8) The absence of an independent federal oversight body dedicated to neurotechnology ethics has allowed abuses to persist without accountability, including the continued experimental use of systems originally developed under classified SAP/USAP frameworks within civilian laboratories and universities.

(9) Congress exercises its authority under Article I, Section 8 and Section 5 of the Fourteenth Amendment to enact legislation protecting cognitive liberty, bodily integrity, and neural sovereignty.

(10) The development and deployment of neurotechnology, computer-to-brain interfacing, N3-class systems, and nano-neurotechnology against civilian persons without knowledge or consent undermines democratic accountability and the fundamental trust between the government and the governed.

(b) PURPOSE. — The purposes of this Act are to:

(1) Close existing gaps in federal law by prohibiting all forms of non-consensual neurotechnology interference, computer-to-brain interfacing, nano-enabled neural systems, cognitive manipulation, directed-energy targeting, and neural data exploitation;

(2) Deter the misuse of neurotechnology and nano-neurotechnology by establishing stringent criminal penalties, civil liability, and organizational accountability;

(3) Protect the cognitive liberty, psychological autonomy, bodily integrity, and neural sovereignty of all persons in the United States;

(4) Establish robust, independent enforcement mechanisms including the Neural Ethics Oversight Board;

(5) Expand existing RICO liability to encompass organized neurotechnology and nano-neurotechnology crimes; and

(6) Mandate declassification and congressional oversight of all covert neurotechnology programs, including those that originated under SAP/USAP authorities and that continue in laboratory or university settings, affecting civilian persons.

SECTION 4. DEFINITIONS

As used in this Act:

(a) “neurotechnology” — Any device, system, method, algorithm, signal, or process that interacts with, monitors, records, stimulates, disrupts, decodes, encodes, or modifies the structure or function of the human nervous system, brain, spinal cord,

or peripheral nerves, including brain-computer interfaces (BCI), computer-to-brain interfacing (CBI) systems, N3-class neural interface technologies, neural implants, transcranial magnetic stimulation devices, directed-energy systems targeting neural tissue, ultrasonic neuromodulation systems, AI-assisted neural signal interpretation systems, and any hybrid or successor architecture derived from such systems.

(b) "nano-neurotechnology" or "nano-enabled neural system" — Any nanoscale material, particle, device, sensor, actuator, construct, or system (including neural dust architectures, injectable or implantable nanoparticles, hybrid bio-nano interfaces, and any component operating at the nanoscale) designed, adapted, or used to interact with, monitor, stimulate, disrupt, record, encode, or modify neural or nervous-system activity, whether independently or as a component of a larger neurotechnology platform.

(c) "non-consensual neural interference" — Any application of neurotechnology or nano-neurotechnology upon or directed at a person without that person's prior, informed, voluntary, explicit, specific, and revocable written consent, free from coercion, deception, undue influence, or incapacitation.

(d) "cognitive manipulation" — The deliberate use of any technology, signal, substance, electromagnetic field, acoustic wave, nano-enabled system, or computer-to-brain interfacing method to alter, suppress, redirect, implant, or otherwise interfere with the thoughts, memories, emotions, perceptions, or cognitive functions of an individual without consent.

(e) "directed-energy weapon" — Any device emitting focused electromagnetic energy, acoustic energy, or particle beams capable of targeting, penetrating, stimulating, disrupting, or injuring the human nervous system at a distance, including high-powered microwave devices, millimeter-wave emitters, acoustic weapons, and radio-frequency energy systems.

(f) "neural data" — Any data derived from, reflecting, or capable of revealing the cognitive state, emotional state, neurological function, psychological state, memories, intentions, or neural activity of an individual.

(g) "covered person" — Any individual physically present within the United States, its territories, or its possessions; or any United States person located abroad.

(h) "neural sovereignty" — The inherent, inalienable, and constitutionally grounded right of every person to exclusive and inviolable control over their own cognitive processes, neural data, memories, thoughts, perceptions, emotions, and neurological functions.

(i) "perpetrating entity" — Any individual, corporation, government agency, military unit, defense contractor, subcontractor, laboratory, university research program, foreign government, or other entity that engages in, facilitates, funds, directs, or benefits from any prohibited act under Section 5.

(j) "MIND Act of 2025" — The Mental Integrity and Neural Defense Act of 2025.

(k) “Neural Ethics Oversight Board” or “NEOB” — The independent federal oversight board established under Section 8 of this Act.
(l) “qualifying neurotechnology crime” — Any act prohibited under Section 5 committed knowingly, recklessly, or with deliberate indifference to the rights of any covered person.
(m) “computer-to-brain interfacing” or “CBI” — Any system, method, or architecture that transmits information, signals, commands, or content from a computational or external source into the human nervous system or brain, including N3-class technologies and any successor systems originally developed or tested under Special Access Program or Unacknowledged Special Access Program frameworks.

SECTION 5. PROHIBITIONS

(a) GENERAL PROHIBITIONS. — It shall be unlawful for any person or entity to:

(1) Apply, deploy, or use any neurotechnology upon any covered person without prior, informed, voluntary, explicit, specific, and revocable written consent;

(2) Apply, deploy, introduce, or operate any nano-neurotechnology or nano-enabled neural system upon, within, or directed at any covered person without prior, informed, voluntary, explicit, specific, and revocable written consent;

(3) Use or direct any directed-energy weapon at any covered person without consent;

(4) Engage in cognitive manipulation of any covered person through any means, including computer-to-brain interfacing or N3-class systems, without consent;

(5) Collect, intercept, store, transmit, sell, or otherwise exploit the neural data of any covered person without consent;

(6) Conduct covert surveillance of any covered person through neurotechnology, nano-neurotechnology, or neural-signal interception without consent and without a court order;

(7) Implant, install, attach, introduce, or operate any neural device, nano-enabled system, or computer-to-brain interfacing component in, on, or in proximity to a covered person without their consent;

(8) Retaliate against any covered person who reports or threatens to report a suspected violation of this Act;

(9) Conspire, agree, coordinate, or collude with any other person or entity to commit, facilitate, fund, conceal, or obstruct any act prohibited by this subsection.

(b) GOVERNMENT AGENCY AND RESEARCH ENTITY PROHIBITION. —
No federal, state, or local government agency, contractor, laboratory, university research program, or agent may conduct any activity prohibited under subsection (a), regardless of whether such activity is classified, conducted under national security authority, or framed as experimental, medical, or cognitive research.
(c) EXTRATERRITORIAL APPLICATION. —
The prohibitions of this section apply to: United States persons acting outside the United States; United States agencies operating abroad; United States-incorporated entities acting outside the United States; and foreign persons directing prohibited acts within United States jurisdiction.
(d) EXCEPTIONS. —
This section does not prohibit: consensual medical neurotechnology administered by a licensed provider; voluntary IRB-approved research conducted with documented informed consent; or law enforcement use pursuant to a specific court order, provided such order is reported to the NEOB within 30 days of issuance

SECTION 6. CRIMINAL PENALTIES
(a) FELONY OFFENSES. — Any person who knowingly violates Section 5 shall be guilty of a federal felony and, upon conviction, shall be subject to:

(1) Imprisonment of not less than 10 years and not more than 30 years per separate offense;
(2) Criminal fines of $1,000,000 to $10,000,000 per violation;
(3) Mandatory restitution to each victim; and
(4) Permanent prohibition from any employment in any neurotechnology company, research institution, federal agency, or defense contractor.

(b) AGGRAVATED OFFENSES. —
The maximum term of imprisonment shall be life without the possibility of parole if the violation: results in death; results in serious bodily injury; results in permanent cognitive or neurological impairment; is committed against a person under 18 years of age; or is committed against a person with a disability in a discriminatory manner.
(c) ORGANIZATIONAL LIABILITY. —
Organizations found to have violated Section 5 shall be subject to: criminal fines of $10,000,000 to $100,000,000 per violation; mandatory dissolution or court-supervised restructuring; and disgorgement of all profits derived from the violation into the Neural Victims Compensation Fund established under subsection (f).
(d) CIVIL LIABILITY. —
Any covered person harmed by a violation of this Act may bring a civil action and recover: compensatory damages; punitive damages of three times to ten times compensatory damages; injunctive relief; declaratory judgment; and reasonable attorneys' fees and costs.

(e) STATUTE OF LIMITATIONS. —
Civil actions under this Act may be brought within 10 years of the date the violation is discovered by the plaintiff. The limitations period shall be tolled during any period of active concealment by the perpetrating entity or during any period in which the victim is incapacitated as a result of the violation.
(f) NEURAL VICTIMS COMPENSATION FUND. —
There is hereby established in the Treasury of the United States a fund designated as the "Neural Victims Compensation Fund," which shall be funded from criminal fines, disgorgement proceeds, and forfeited assets collected pursuant to this Act.

SECTION 7. RICO EXPANSION — NEUROTECHNOLOGY RACKETEERING
(a) AMENDMENT TO 18 U.S.C. §1961(1). —
Section 1961(1) of title 18, United States Code, is amended to include qualifying neurotechnology crimes as defined in this Act as racketeering activity for all purposes under the Racketeer Influenced and Corrupt Organizations Act.
(b) ENTERPRISE LIABILITY. —
Any enterprise engaging in a pattern of racketeering activity involving qualifying neurotechnology crimes shall be subject to the full criminal and civil penalties of RICO, including criminal forfeiture of all proceeds and instrumentalities.
(c) TREBLE DAMAGES. —
Any person injured in their business or property by reason of a RICO violation involving neurotechnology crimes may recover treble damages in addition to any punitive damages available under this Act.
(d) FORFEITURE. —
All proceeds and assets derived from or used in connection with qualifying neurotechnology crimes are subject to civil and criminal forfeiture; all forfeited proceeds shall be deposited into the Neural Victims Compensation Fund.
(e) CONSPIRACY. —
Any person who conspires to commit a qualifying neurotechnology crime shall be subject to the same penalties as a principal offender and shall be jointly and severally liable for all civil damages arising from the conspiracy.
(f) LIBERAL CONSTRUCTION. —
The provisions of this section shall be liberally construed to effectuate the remedial purposes of this Act and the Racketeer Influenced and Corrupt Organizations Act.

SECTION 8. NEURAL ETHICS OVERSIGHT BOARD (NEOB)
(a) ESTABLISHMENT. —
There is hereby established an independent agency of the United States Government to be known as the Neural Ethics Oversight Board ("NEOB"), which shall not be subject to direction or control by any officer of the executive branch.

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b) COMPOSITION. —
The NEOB shall consist of 11 members, as follows: 3 members appointed by the President with the advice and consent of the Senate, representing the fields of neuroscience, bioethics, and civil rights law; 2 members appointed by the Speaker of the House of Representatives; 2 members appointed by the Senate Majority Leader; 2 members appointed by the Senate Minority Leader; 1 member representing civil liberties, human rights, or disability rights organizations; and 1 member who is a documented survivor of non-consensual neurotechnology use.
(c) TERMS. —
Members shall serve staggered 5-year terms and may serve a maximum of 2 consecutive full terms. No member shall hold any financial interest in, or employment relationship with, any neurotechnology company or contractor during their tenure. Members shall be removable only for cause.
(d) DUTIES AND POWERS. —
The NEOB shall: monitor compliance of all federal agencies, contractors, laboratories, and university research programs with this Act; receive, investigate, and adjudicate complaints from covered persons; conduct both scheduled and unannounced audits of any program subject to this Act; issue legally binding guidance and enforcement orders; refer criminal violations to the Attorney General; publish comprehensive annual public reports to Congress; issue subpoenas for testimony and documentary evidence; and operate a secure, fully anonymous whistleblower reporting system.
(e) FUNDING. —
The NEOB shall be funded through annual discretionary appropriations. The NEOB shall submit its budget request directly to Congress without modification by the Office of Management and Budget.
(f) INDEPENDENCE. —
The NEOB shall be fully independent from the Department of Defense, the Intelligence Community, the Department of Homeland Security, the Department of Energy, and any other agency operating neurotechnology programs.

SECTION 9. CIVILIAN NEURAL SOVEREIGNTY RIGHTS
(a) DECLARATION OF RIGHTS. — Every covered person possesses the following rights:

(1) The right to be free from any non-consensual neural interference, cognitive manipulation, directed-energy targeting, nano-enabled neural systems, computer-to-brain interfacing, and neurotechnology surveillance;
(2) The right to access, review, correct, amend, and permanently delete one's own neural data within 30 days of a written request;

(3) The right to full plain-language disclosure of the nature, purpose, duration, risks, and uses of any neurotechnology or nano-neurotechnology before consent is solicited;
(4) The right to withdraw consent for any neurotechnology at any time, for any reason, without penalty or retaliation;
(5) The right to timely notification within 72 hours of discovery of any breach involving one's neural data; and
(6) The right to full and adequate redress for any violation of any right enumerated in this subsection.

(b) NON-WAIVER. —
No contract, employment agreement, non-disclosure agreement, classification order, or other instrument shall operate to waive, limit, or condition any right enumerated in subsection (a). Any provision purporting to do so is void and unenforceable as against public policy.

(c) EQUAL PROTECTION. —
The rights declared in this section shall be enforced equally and without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, disability, age, socioeconomic status, immigration status, or any other characteristic.

(d) PRIVATE RIGHT OF ACTION. —
Any covered person whose rights under this section are violated may bring a civil action in federal district court and recover compensatory damages, punitive damages, injunctive relief, declaratory judgment, and reasonable attorneys' fees.

SECTION 10. MANDATORY DECLASSIFICATION AND DISCLOSURE

(a) DECLASSIFICATION REVIEW. —
Within 180 days of the date of enactment of this Act, the Director of National Intelligence shall complete a comprehensive review of all classified programs involving the use or deployment of neurotechnology, nano-neurotechnology, computer-to-brain interfacing, or N3-class systems against civilian persons, including programs that originated under Special Access Program or Unacknowledged Special Access Program authorities and that continue in laboratory or university settings, and shall declassify all information that may lawfully be disclosed.

(b) MANDATORY DISCLOSURE TO CONGRESS. —
Within 270 days of enactment, the executive branch shall provide a full written accounting to the intelligence and judiciary committees of both chambers, covering: all programs involving neurotechnology or nano-neurotechnology directed at civilian persons; all contracts with private entities, laboratories, or universities relating to such programs; all incidents and complaints involving non-consensual neurotechnology use; and the identity of all participating agencies and contractors.

(c) PUBLIC DISCLOSURE. —
The executive branch shall make maximum public release of disclosed information within one year of enactment. Written justification, including applicable legal authority, shall be required for any information withheld from public disclosure.
(d) PROHIBITION ON RETROACTIVE CLASSIFICATION. —
No information subject to the disclosure requirements of this section may be classified or re-classified for the purpose of avoiding such requirements. Any such classification shall be presumptively invalid and subject to judicial review in the United States District Court for the District of Columbia.
(e) CONGRESSIONAL OVERSIGHT HEARINGS. —
The intelligence and judiciary committees of both chambers of Congress shall hold open public hearings on the implementation of this Act and on NEOB findings not less than twice per calendar year.

SECTION 11. RELATIONSHIP TO THE MIND ACT OF 2025
(a) COMPLEMENTARY AUTHORITY. —
This Act is intended to complement and expand the protections established by the Mental Integrity and Neural Defense Act of 2025. Where both Acts address the same conduct, the provision affording greater protection to the covered person shall govern.
(b) CROSS-ENFORCEMENT. —
The enforcement mechanisms of both Acts shall be mutually available to aggrieved parties. The NEOB and the oversight body established under the MIND Act of 2025 shall cooperate fully in all investigations and enforcement actions.
(c) CONFORMING AMENDMENTS. —
The MIND Act of 2025 is hereby amended to incorporate the definitions set forth in Section 4 of this Act and to provide that any violation of Section 5 of this Act shall also constitute a violation of the MIND Act of 2025, subject to the penalties of both Acts applied cumulatively.
(d) JOINT ANNUAL REPORT. —
The NEOB and the oversight body established under the MIND Act of 2025 shall jointly publish an annual report to Congress covering compliance status, enforcement actions taken, complaint statistics, and legislative recommendations for strengthening protections.

SECTION 12. WHISTLEBLOWER PROTECTIONS
(a) PROHIBITION ON RETALIATION. —
No person or entity shall take any adverse action against any individual who: reports a suspected violation of this Act to the NEOB, the Department of Justice, the Federal Bureau of Investigation, or any member or committee of Congress;

participates in any investigation, audit, or proceeding under this Act; or refuses to participate in any activity prohibited by this Act.
(b) REMEDIES. —
Any individual subjected to retaliation in violation of subsection (a) shall be entitled to: reinstatement to their former position; full back pay and restoration of benefits; compensatory damages; punitive damages where the retaliation was willful; and reasonable attorneys' fees and costs.
(c) ANONYMOUS REPORTING SYSTEM. —
Within 90 days of its establishment, the NEOB shall create and operate a secure, end-to-end encrypted, fully anonymous reporting system available to all covered persons and government employees.
(d) PROHIBITION ON SECURITY CLEARANCE RETALIATION. —
Any adverse security clearance action taken within 2 years of a protected disclosure or activity shall create a rebuttable presumption of unlawful retaliation. Such presumption may be rebutted only by clear and convincing evidence that the adverse action was taken for reasons wholly independent of the protected activity.

SECTION 13. FEDERAL AGENCY COMPLIANCE
(a) COMPLIANCE PLANS. —
The head of each federal agency shall submit a written compliance plan to the NEOB within 90 days of enactment of this Act. Each compliance plan shall identify: all neurotechnology and nano-neurotechnology programs operated by or on behalf of the agency; specific measures implemented to ensure compliance with this Act; a timeline for remediation of any non-compliant programs; and the name and contact information of a designated senior compliance official.
(b) ANNUAL INSPECTOR GENERAL CERTIFICATION. —
The Inspector General of each federal agency shall submit an annual written certification to the NEOB and to Congress confirming the agency's compliance with this Act. Failure to certify compliance shall trigger a mandatory NEOB investigation and a referral to the Department of Justice.
(c) CONTRACTOR AND RESEARCH ENTITY OBLIGATIONS. —
All federal contracts and research agreements involving neurotechnology or nano-neurotechnology shall include: a full compliance clause requiring adherence to this Act; an audit submission clause permitting the NEOB to inspect records; a material breach and termination clause allowing contract termination for any violation of this Act; and a suspension and debarment clause consistent with 48 C.F.R. Part 9, Subpart 9.4.

SECTION 14. SEVERABILITY
If any provision of this Act or the application thereof to any person or circumstance is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not affect the validity or enforceability of the remaining provisions of this Act or the application of such provisions to other persons or circumstances. Congress hereby declares that it would have enacted each provision of this Act independently and severably of every other provision.

SECTION 15. EFFECTIVE DATE
This Act shall take effect upon the date of enactment. The Neural Ethics Oversight Board shall be established within 90 days of enactment. Contractor and research-entity compliance clauses shall be incorporated into all new contracts and agreements upon enactment and into all existing contracts and agreements upon their renewal or modification.

SECTION 16. AUTHORIZATION OF APPROPRIATIONS
There are authorized to be appropriated such sums as may be necessary for fiscal years 2027 through 2031 to carry out the provisions of this Act, allocated as follows:
— 40 percent to the Neural Ethics Oversight Board for operations and investigations;
— 25 percent to the Department of Justice for prosecution of qualifying neurotechnology crimes;
— 20 percent to the Neural Victims Compensation Fund; and
— the remainder for declassification review and such other purposes as may be determined jointly by the NEOB and the Attorney General of the United States.

— END OF BILL —