

[Roll No. 117]

YEAS—230

Adams Golden
Aguilar Gomez
Allred Gonzalez (TX)
Axne Gottheimer
Barragan Green, Al (TX)
Bass Grijalva
Beatty Haaland
Bera Harder (CA)
Beyer Hastings
Bishop (GA) Hayes
Blumenauer Higgins (NY)
Blunt Rochester Himes
Bonamici Horn, Kendra S.
Boyle, Brendan Horsford
F. Houlihan
Brindisi Hoyer
Brown (MD) Huffman
Brownley (CA) Jackson Lee
Bustos Jayapal
Butterfield Jeffries
Carbajal Johnson (GA)
Cárdenas Johnson (TX)
Carson (IN) Kaptur
Cartwright Keating
Case Kelly (IL)
Casten (IL) Kennedy
Castor (FL) Khanna
Castro (TX) Kildee
Chu, Judy Kilmer
Cicilline Kim
Cisneros Kind
Clark (MA) Kirkpatrick
Clarke (NY) Krishnamoorthi
Clay Kuster (NH)
Cleaver Lamb
Clyburn Langevin
Cohen Larsen (WA)
Connolly Larson (CT)
Cooper Lawrence
Correa Lawson (FL)
Costa Lee (CA)
Courtney Lee (NV)
Cox (CA) Levin (CA)
Craig Levin (MI)
Crist Lewis
Crow Lieu, Ted
Cuellar Lipinski
Cunningham Loeb sack
Davids (KS) Lofgren
Davis (CA) Lowenthal
Davis, Danny K. Lowey
Dean Lujan
DeFazio Luria
DeGette Lynch
DeLauro Malinowski
DelBene Maloney,
Delgado Carolyn B.
Demings Maloney, Sean
DeSaulnier Matsui
Deutch McBath
Dingell McCollum
Doggett McEachin
Doyle, Michael McGovern
F. McNerney
Engel Meeeks
Escobar Meng
Eshoo Mfume
Españlat Moore
Evans Morelle
Finkenauer Moulton
Fletcher Mucarsel-Powell
Foster Murphy (FL)
Frankel Nadler
Fudge Napolitano
Gabbard Neal
Gallego Neguse
Garamendi Norcross
Garcia (IL) O'Halleran
Garcia (TX) Ocasio-Cortez

NAYS—180

Abraham Brady
Aderholt Brooks (AL)
Allen Brooks (IN)
Amash Buchanan
Amodei Buck
Armstrong Bucshon
Bacon Budd
Baird Burchett
Balderson Burgess
Banks Byrne
Bergman Calvert
Biggs Carter (GA)
Bilirakis Chabot
Bishop (NC) Cheney
Bost Cline

Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Fulcher
Gaetz
Garcia (CA)
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)

NOT VOTING—20

Arrington Emmer
Babin Gallagher
Barr Heck
Bishop (UT) Joyce (OH)
Carter (TX) King (IA)
Curtis LaHood
Duncan Marchant

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Axne (Raskin) Kirkpatrick
Cárdenas (Gallego)
(Gomez) Langevin
DeSaulnier (Lynch)
Bishop (Matsui) Lawson (FL)
Deutch (Rice (Evans)
(NY)) Lewis (Kildee)
Engel (Nadler) Lieu, Ted (Beyer)
Frankel (Kuster) Lipinski (Cooper)
(NH)) Lofgren (Boyle,
Brendan F.)
Garamendi (Boyle, Lowenthal
(Beyer)
Johnson (TX) Lowey (Meng)
(Jeffries) Moore (Beyer)
Khanna (Gomez) Napolitano
Kind (Beyer) (Correa)

Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Staubert
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Witman
Womack
Woodall
Wright
Yoho
Young
Zeldin

□ 1329

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. UNDERWOOD) at 1 o'clock and 29 minutes p.m.

ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM PERMANENT EXTENSION ACT

Mr. NADLER. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 7036) to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill is as follows:

H.R. 7036

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Conspiracies among competitors to fix prices, rig bids, and allocate markets are categorically and irredeemably anticompetitive and contravene the competition policy of the United States.

(2) Cooperation incentives are important to the efforts of the Antitrust Division of the Department of Justice to prosecute and deter the offenses described in paragraph (1).

(b) PURPOSE.—The purpose of this Act, and the amendments made by this Act, is to strengthen public and private antitrust enforcement by providing incentives for antitrust violators to cooperate fully with government prosecutors and private litigants through the repeal of the sunset provision of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note).

SEC. 3. REPEAL OF SUNSET PROVISION.

(a) IN GENERAL.—Section 211 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 212 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is amended—

- (1) by striking paragraph (6); and
- (2) by redesignating paragraph (7) as paragraph (6).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020

Mr. NADLER. Madam Speaker, pursuant to House Resolution 1017, I call up the bill (H.R. 7120) to hold law enforcement accountable for misconduct

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 14 minutes p.m.), the House stood in recess.

in court, improve transparency through data collection, and reform police training and policies, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1017, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, modified by the amendment printed in part D of House Report 116-436, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 7120

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 “George Floyd Justice in Policing Act of 2020”.

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

- Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—POLICE ACCOUNTABILITY

Subtitle A—Holding Police Accountable in the Courts

- Sec. 101. Deprivation of rights under color of law.
Sec. 102. Qualified immunity reform.
Sec. 103. Pattern and practice investigations.
Sec. 104. Independent investigations.

Subtitle B—Law Enforcement Trust and Integrity Act

- Sec. 111. Short title.
Sec. 112. Definitions.
Sec. 113. Accreditation of law enforcement agencies.
Sec. 114. Law enforcement grants.
Sec. 115. Attorney General to conduct study.
Sec. 116. Authorization of appropriations.
Sec. 117. National task force on law enforcement oversight.
Sec. 118. Federal data collection on law enforcement practices.

TITLE II—POLICING TRANSPARENCY THROUGH DATA

Subtitle A—National Police Misconduct Registry

- Sec. 201. Establishment of National Police Misconduct Registry.
Sec. 202. Certification requirements for hiring of law enforcement officers.

Subtitle B—PRIDE Act

- Sec. 221. Short title.
Sec. 222. Definitions.
Sec. 223. Use of force reporting.
Sec. 224. Use of force data reporting.
Sec. 225. Compliance with reporting requirements.
Sec. 226. Federal law enforcement reporting.
Sec. 227. Authorization of appropriations.

TITLE III—IMPROVING POLICE TRAINING AND POLICIES

Subtitle A—End Racial and Religious Profiling Act

- Sec. 301. Short title.
Sec. 302. Definitions.

PART I—PROHIBITION OF RACIAL PROFILING

- Sec. 311. Prohibition.
Sec. 312. Enforcement.

PART II—PROGRAMS TO ELIMINATE RACIAL PROFILING BY FEDERAL LAW ENFORCEMENT AGENCIES

- Sec. 321. Policies to eliminate racial profiling.

PART III—PROGRAMS TO ELIMINATE RACIAL PROFILING BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES

- Sec. 331. Policies required for grants.

Sec. 332. Involvement of Attorney General.

Sec. 333. Data collection demonstration project.

Sec. 334. Development of best practices.

Sec. 335. Authorization of appropriations.

PART IV—DATA COLLECTION

Sec. 341. Attorney General to issue regulations.

Sec. 342. Publication of data.

Sec. 343. Limitations on publication of data.

PART V—DEPARTMENT OF JUSTICE REGULATIONS AND REPORTS ON RACIAL PROFILING IN THE UNITED STATES

Sec. 351. Attorney General to issue regulations and reports.

Subtitle B—Additional Reforms

Sec. 361. Training on racial bias and duty to intervene.

Sec. 362. Ban on no-knock warrants in drug cases.

Sec. 363. Incentivizing banning of chokeholds and carotid holds.

Sec. 364. PEACE Act.

Sec. 365. Stop Militarizing Law Enforcement Act.

Sec. 366. Public safety innovation grants.

Subtitle C—Law Enforcement Body Cameras

PART 1—FEDERAL POLICE CAMERA AND ACCOUNTABILITY ACT

Sec. 371. Short title.

Sec. 372. Requirements for Federal law enforcement officers regarding the use of body cameras.

Sec. 373. Patrol vehicles with in-car video recording cameras.

Sec. 374. Facial recognition technology.

Sec. 375. GAO study.

Sec. 376. Regulations.

Sec. 377. Rule of construction.

PART 2—POLICE CAMERA ACT

Sec. 381. Short title.

Sec. 382. Law enforcement body-worn camera requirements.

TITLE IV—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

Sec. 401. Short title.

Sec. 402. Prohibition on engaging in sexual acts while acting under color of law.

Sec. 403. Enactment of laws penalizing engaging in sexual acts while acting under color of law.

Sec. 404. Reports to Congress.

Sec. 405. Definition.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Severability.

Sec. 502. Savings clause.

SEC. 2. DEFINITIONS.

In this Act:

(1) **BYRNE GRANT PROGRAM.**—The term “Byrne grant program” means any grant program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.), without regard to whether the funds are characterized as being made available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(2) **COPS GRANT PROGRAM.**—The term “COPS grant program” means the grant program authorized under section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381).

(3) **FEDERAL LAW ENFORCEMENT AGENCY.**—The term “Federal law enforcement agency” means any agency of the United States authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal criminal law.

(4) **FEDERAL LAW ENFORCEMENT OFFICER.**—The term “Federal law enforcement officer” has the meaning given the term in section 115 of title 18, United States Code.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term “Indian tribe”

in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(6) **LOCAL LAW ENFORCEMENT OFFICER.**—The term “local law enforcement officer” means any officer, agent, or employee of a State or unit of local government authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

(7) **STATE.**—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(8) **TRIBAL LAW ENFORCEMENT OFFICER.**—The term “tribal law enforcement officer” means any officer, agent, or employee of an Indian tribe, or the Bureau of Indian Affairs, authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

(9) **UNIT OF LOCAL GOVERNMENT.**—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(10) **DEADLY FORCE.**—The term “deadly force” means that force which a reasonable person would consider likely to cause death or serious bodily harm, including—

(A) the discharge of a firearm;

(B) a maneuver that restricts blood or oxygen flow to the brain, including chokeholds, strangulations, neck restraints, neckholds, and carotid artery restraints; and

(C) multiple discharges of an electronic control weapon.

(11) **USE OF FORCE.**—The term “use of force” includes—

(A) the use of a firearm, electronic control weapon, explosive device, chemical agent (such as pepper spray), baton, impact projectile, blunt instrument, hand, fist, foot, canine, or vehicle against an individual;

(B) the use of a weapon, including a personal body weapon, chemical agent, impact weapon, extended range impact weapon, sonic weapon, sensory weapon, conducted energy device, or firearm, against an individual; or

(C) any intentional pointing of a firearm at an individual.

(12) **LESS LETHAL FORCE.**—The term “less lethal force” means any degree of force that is not likely to cause death or serious bodily injury.

(13) **FACIAL RECOGNITION.**—The term “facial recognition” means an automated or semiautomated process that analyzes biometric data of an individual from video footage to identify or assist in identifying an individual.

TITLE I—POLICE ACCOUNTABILITY

Subtitle A—Holding Police Accountable in the Courts

SEC. 101. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW.

Section 242 of title 18, United States Code, is amended—

(1) by striking “willfully” and inserting “knowingly or recklessly”;

(2) by striking “, or may be sentenced to death”; and

(3) by adding at the end the following: “For purposes of this section, an act shall be considered to have resulted in death if the act was a substantial factor contributing to the death of the person.”

SEC. 102. QUALIFIED IMMUNITY REFORM.

Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by adding at the end the following: “It shall not be a defense or immunity in any action brought under this section against a local law enforcement officer (as such term is defined in section 2 of the George Floyd Justice in Policing Act of 2020), or in any action under any source of law against a Federal investigative or law enforcement officer (as such term is defined in section 2680(h) of title 28, United States Code), that—

“(1) the defendant was acting in good faith, or that the defendant believed, reasonably or otherwise, that his or her conduct was lawful at the time when the conduct was committed; or

“(2) the rights, privileges, or immunities secured by the Constitution and laws were not clearly established at the time of their deprivation by the defendant, or that at such time, the state of the law was otherwise such that the defendant could not reasonably have been expected to know whether his or her conduct was lawful.”.

SEC. 103. PATTERN AND PRACTICE INVESTIGATIONS.

(a) **SUBPOENA AUTHORITY.**—Section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601) is amended—

(1) in subsection (a), by inserting “, by prosecutors,” after “conduct by law enforcement officers”;

(2) in subsection (b), by striking “paragraph (1)” and inserting “subsection (a)”;

(3) by adding at the end the following:

“(c) **SUBPOENA AUTHORITY.**—In carrying out the authority in subsection (b), the Attorney General may require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium (including electronically stored information), as well as any tangible thing and documentary evidence, and the attendance and testimony of witnesses necessary in the performance of the Attorney General under subsection (b). Such a subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate district court of the United States.

“(d) **CIVIL ACTION BY STATE ATTORNEYS GENERAL.**—Whenever it shall appear to the attorney general of any State, or such other official as a State may designate, that a violation of subsection (a) has occurred within their State, the State attorney general or official, in the name of the State, may bring a civil action in the appropriate district court of the United States to obtain appropriate equitable and declaratory relief to eliminate the pattern or practice. In carrying out the authority in this subsection, the State attorney general or official shall have the same subpoena authority as is available to the Attorney General under subsection (c).

“(e) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to limit the authority of the Attorney General under subsection (b) in any case in which a State attorney general has brought a civil action under subsection (d).

“(f) **REPORTING REQUIREMENTS.**—On the date that is one year after the enactment of the George Floyd Justice in Policing Act of 2020, and annually thereafter, the Civil Rights Division of the Department of Justice shall make publicly available on an internet website a report on, during the previous year—

“(1) the number of preliminary investigations of violations of subsection (a) that were commenced;

“(2) the number of preliminary investigations of violations of subsection (a) that were resolved; and

“(3) the status of any pending investigations of violations of subsection (a).”.

(b) **GRANT PROGRAM.**—

(1) **GRANTS AUTHORIZED.**—The Attorney General may award a grant to a State to assist the State in conducting pattern and practice investigations under section 210401(d) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601).

(2) **APPLICATION.**—A State seeking a grant under paragraph (1) shall submit an application in such form, at such time, and containing such information as the Attorney General may require.

(3) **FUNDING.**—There are authorized to be appropriated \$100,000,000 to the Attorney General for each of fiscal years 2021 through 2023 to carry out this subsection.

(c) **DATA ON EXCESSIVE USE OF FORCE.**—Section 210402 of the Violent Crime Control and

Law Enforcement Act of 1994 (34 U.S.C. 12602) is amended—

(1) in subsection (a)—

(A) by striking “The Attorney General” and inserting the following:

“(1) **FEDERAL COLLECTION OF DATA.**—The Attorney General”; and

(B) by adding at the end the following:

“(2) **STATE COLLECTION OF DATA.**—The attorney general of a State may, through appropriate means, acquire data about the use of excessive force by law enforcement officers and such data may be used by the attorney general in conducting investigations under section 210401. This data may not contain any information that may reveal the identity of the victim or any law enforcement officer.”; and

(2) by amending subsection (b) to read as follows:

“(b) **LIMITATION ON USE OF DATA ACQUIRED BY THE ATTORNEY GENERAL.**—Data acquired under subsection (a)(1) shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of the victim or any law enforcement officer.”.

(d) **ENFORCEMENT OF PATTERN OR PRACTICE RELIEF.**—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government that receives funds under the Byrne grant program or the COPS grant program during a fiscal year may not make available any amount of such funds to a local law enforcement agency if that local law enforcement agency enters into or renews any contractual arrangement, including a collective bargaining agreement with a labor organization, that—

(1) would prevent the Attorney General from seeking or enforcing equitable or declaratory relief against a law enforcement agency engaging in a pattern or practice of unconstitutional misconduct; or

(2) conflicts with any terms or conditions contained in a consent decree.

SEC. 104. INDEPENDENT INVESTIGATIONS.

(a) **IN GENERAL.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **INDEPENDENT INVESTIGATION.**—The term “independent investigation” means a criminal investigation or prosecution of a law enforcement officer’s use of deadly force, including one or more of the following:

(i) Using an agency or civilian review board that investigates and independently reviews all allegations of use of deadly force made against law enforcement officers in the jurisdiction.

(ii) Assigning of the attorney general of the State in which the alleged use of deadly force was committed to conduct the criminal investigation and prosecution.

(iii) Adopting a procedure under which an independent prosecutor is assigned to investigate and prosecute the case, including a procedure under which an automatic referral is made to an independent prosecutor appointed and overseen by the attorney general of the State in which the alleged use of deadly force was committed.

(iv) Adopting a procedure under which an independent prosecutor is assigned to investigate and prosecute the case.

(v) Having law enforcement agencies agree to and implement memoranda of understanding with other law enforcement agencies under which the other law enforcement agencies—

(I) shall conduct the criminal investigation into the alleged use of deadly force; and

(II) upon conclusion of the criminal investigation, shall file a report with the attorney general of the State containing a determination regarding whether—

(aa) the use of deadly force was appropriate; and

(bb) any action should be taken by the attorney general of the State.

(vi) Any substantially similar procedure to ensure impartiality in the investigation or prosecution.

(B) **INDEPENDENT INVESTIGATION OF LAW ENFORCEMENT STATUTE.**—The term “independent investigation of law enforcement statute” means a statute requiring an independent investigation in a criminal matter in which—

(i) one or more of the possible defendants is a law enforcement officer;

(ii) one or more of the alleged offenses involves the law enforcement officer’s use of deadly force in the course of carrying out that officer’s duty; and

(iii) the non-Federal law enforcement officer’s use of deadly force resulted in a death or injury.

(C) **INDEPENDENT PROSECUTOR.**—The term “independent prosecutor” means, with respect to a criminal investigation or prosecution of a law enforcement officer’s use of deadly force, a prosecutor who—

(i) does not oversee or regularly rely on the law enforcement agency by which the law enforcement officer under investigation is employed; and

(ii) would not be involved in the prosecution in the ordinary course of that prosecutor’s duties.

(2) **GRANT PROGRAM.**—The Attorney General may award grants to eligible States and Indian Tribes to assist in implementing an independent investigation of law enforcement statute.

(3) **ELIGIBILITY.**—To be eligible for a grant under this subsection, a State or Indian Tribe shall have in effect an independent investigation of law enforcement statute.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Attorney General \$750,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

(b) **COPS GRANT PROGRAM USED FOR CIVILIAN REVIEW BOARDS.**—Part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.) is amended—

(1) in section 1701(b) (34 U.S.C. 10381(b))—

(A) by redesignating paragraphs (22) and (23) as paragraphs (23) and (24), respectively;

(B) in paragraph (23), as so redesignated, by striking “(21)” and inserting “(22)”;

(C) by inserting after paragraph (21) the following:

“(22) to develop best practices for and to create civilian review boards;”;

(2) in section 1709 (34 U.S.C. 10389), by adding at the end the following:

“(B) ‘civilian review board’ means an administrative entity that investigates civilian complaints against law enforcement officers and—

“(A) is independent and adequately funded;

“(B) has investigatory authority and subpoena power;

“(C) has representative community diversity;

“(D) has policy making authority;

“(E) provides advocates for civilian complainants;

“(F) may conduct hearings; and

“(G) conducts statistical studies on prevailing complaint trends.”.

Subtitle B—Law Enforcement Trust and Integrity Act

SEC. 111. SHORT TITLE.

This subtitle may be cited as the “Law Enforcement Trust and Integrity Act of 2020”.

SEC. 112. DEFINITIONS.

In this subtitle:

(1) **COMMUNITY-BASED ORGANIZATION.**—The term “community-based organization” means a grassroots organization that monitors the issue of police misconduct and that has a local or national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the National Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC).

(2) **LAW ENFORCEMENT ACCREDITATION ORGANIZATION.**—The term “law enforcement accreditation organization” means a professional law enforcement organization involved in the development of standards of accreditation for law enforcement agencies at the national, State, regional, or Tribal level, such as the Commission on Accreditation for Law Enforcement Agencies (CALEA).

(3) **LAW ENFORCEMENT AGENCY.**—The term “law enforcement agency” means a State, local, Indian tribal, or campus public agency engaged in the prevention, detection, investigation, prosecution, or adjudication of violations of criminal laws.

(4) **PROFESSIONAL LAW ENFORCEMENT ASSOCIATION.**—The term “professional law enforcement association” means a law enforcement membership association that works for the needs of Federal, State, local, or Indian tribal law enforcement agencies and with the civilian community on matters of common interest, such as the Hispanic American Police Command Officers Association (HAPCOA), the National Asian Pacific Officers Association (NAPOA), the National Black Police Association (NBPA), the National Latino Peace Officers Association (NLPOA), the National Organization of Black Law Enforcement Executives (NOBLE), Women in Law Enforcement, the Native American Law Enforcement Association (NALEA), the International Association of Chiefs of Police (IACP), the National Sheriffs’ Association (NSA), the Fraternal Order of Police (FOP), or the National Association of School Resource Officers.

(5) **PROFESSIONAL CIVILIAN OVERSIGHT ORGANIZATION.**—The term “professional civilian oversight organization” means a membership organization formed to address and advance civilian oversight of law enforcement and whose members are from Federal, State, regional, local, or Tribal organizations that review issues or complaints against law enforcement agencies or officers, such as the National Association for Civilian Oversight of Law Enforcement (NACOLE).

SEC. 113. ACCREDITATION OF LAW ENFORCEMENT AGENCIES.

(a) **STANDARDS.**—

(1) **INITIAL ANALYSIS.**—The Attorney General shall perform an initial analysis of existing accreditation standards and methodology developed by law enforcement accreditation organizations nationwide, including national, State, regional, and Tribal accreditation organizations. Such an analysis shall include a review of the recommendations of the Final Report of the President’s Taskforce on 21st Century Policing, issued by the Department of Justice, in May 2015.

(2) **DEVELOPMENT OF UNIFORM STANDARDS.**—After completion of the initial review and analysis under paragraph (1), the Attorney General shall—

(A) recommend, in consultation with law enforcement accreditation organizations and community-based organizations, the adoption of additional standards that will result in greater community accountability of law enforcement agencies and an increased focus on policing with a guardian mentality, including standards relating to—

- (i) early warning systems and related intervention programs;
- (ii) use of force procedures;
- (iii) civilian review procedures;
- (iv) traffic and pedestrian stop and search procedures;
- (v) data collection and transparency;
- (vi) administrative due process requirements;
- (vii) video monitoring technology;
- (viii) youth justice and school safety; and
- (ix) recruitment, hiring, and training; and

(B) recommend additional areas for the development of national standards for the accreditation of law enforcement agencies in consultation with existing law enforcement accreditation organizations, professional law enforcement associations, labor organizations, community-based

organizations, and professional civilian oversight organizations.

(3) **CONTINUING ACCREDITATION PROCESS.**—The Attorney General shall adopt policies and procedures to partner with law enforcement accreditation organizations, professional law enforcement associations, labor organizations, community-based organizations, and professional civilian oversight organizations to—

(A) continue the development of further accreditation standards consistent with paragraph (2); and

(B) encourage the pursuit of accreditation of Federal, State, local, and Tribal law enforcement agencies by certified law enforcement accreditation organizations.

(b) **USE OF FUNDS REQUIREMENTS.**—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)) is amended by adding at the end the following:

“(7) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to assist law enforcement agencies of the applicant, including campus public safety departments, gain or maintain accreditation from certified law enforcement accreditation organizations in accordance with section 113 of the Law Enforcement Trust and Integrity Act of 2020.”.

(c) **ELIGIBILITY FOR CERTAIN GRANT FUNDS.**—The Attorney General shall, as appropriate and consistent with applicable law, allocate Department of Justice discretionary grant funding only to States or units of local government that require law enforcement agencies of that State or unit of local government to gain and maintain accreditation from certified law enforcement accreditation organizations in accordance with this section.

SEC. 114. LAW ENFORCEMENT GRANTS.

(a) **USE OF FUNDS REQUIREMENT.**—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by section 113, is amended by adding at the end the following:

“(8) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to study and implement effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies in accordance with section 114 of the Law Enforcement Trust and Integrity Act of 2020.”.

(b) **GRANT PROGRAM FOR COMMUNITY ORGANIZATIONS.**—The Attorney General may make grants to community-based organizations to study and implement—

(1) effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies; or

(2) effective strategies and solutions to public safety, including strategies that do not rely on Federal and local law enforcement agency responses.

(c) **USE OF FUNDS.**—Grant amounts described in paragraph (8) of section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as added by subsection (a) of this section, and grant amounts awarded under subsection (b) shall be used to—

(1) study management and operations standards for law enforcement agencies, including standards relating to administrative due process, residency requirements, compensation and benefits, use of force, racial profiling, early warning and intervention systems, youth justice, school safety, civilian review boards or analogous procedures, or research into the effectiveness of existing programs, projects, or other activities designed to address misconduct; and

(2) develop pilot programs and implement effective standards and programs in the areas of

training, hiring and recruitment, and oversight that are designed to improve management and address misconduct by law enforcement officers.

(d) **COMPONENTS OF PILOT PROGRAM.**—A pilot program developed under subsection (c)(2) shall include implementation of the following:

(1) **TRAINING.**—The implementation of policies, practices, and procedures addressing training and instruction to comply with accreditation standards in the areas of—

(A) the use of deadly force, less lethal force, and de-escalation tactics and techniques;

(B) investigation of officer misconduct and practices and procedures for referring to prosecuting authorities allegations of officer use of excessive force or racial profiling;

(C) disproportionate contact by law enforcement with minority communities;

(D) tactical and defensive strategy;

(E) arrests, searches, and restraint;

(F) professional verbal communications with civilians;

(G) interactions with—

(i) youth;

(ii) individuals with disabilities;

(iii) individuals with limited English proficiency; and

(iv) multi-cultural communities;

(H) proper traffic, pedestrian, and other enforcement stops; and

(I) community relations and bias awareness.

(2) **RECRUITMENT, HIRING, RETENTION, AND PROMOTION OF DIVERSE LAW ENFORCEMENT OFFICERS.**—Policies, procedures, and practices for—

(A) the hiring and recruitment of diverse law enforcement officers who are representative of the communities they serve;

(B) the development of selection, promotion, educational, background, and psychological standards that comport with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.); and

(C) initiatives to encourage residency in the jurisdiction served by the law enforcement agency and continuing education.

(3) **OVERSIGHT.**—Complaint procedures, including the establishment of civilian review boards or analogous procedures for jurisdictions across a range of sizes and agency configurations, complaint procedures by community-based organizations, early warning systems and related intervention programs, video monitoring technology, data collection and transparency, and administrative due process requirements inherent to complaint procedures for members of the public and law enforcement.

(4) **YOUTH JUSTICE AND SCHOOL SAFETY.**—Uniform standards on youth justice and school safety that include best practices for law enforcement interaction and communication with children and youth, taking into consideration adolescent development and any disability, including—

(A) the right to effective and timely notification of a parent or legal guardian of any law enforcement interaction, regardless of the immigration status of the individuals involved; and

(B) the creation of positive school climates by improving school conditions for learning by—

(i) eliminating school-based arrests and referrals to law enforcement;

(ii) using evidence-based preventative measures and alternatives to school-based arrests and referrals to law enforcement, such as restorative justice and healing practices; and

(iii) using school-wide positive behavioral interventions and supports.

(5) **VICTIM SERVICES.**—Counseling services, including psychological counseling, for individuals and communities impacted by law enforcement misconduct.

(e) **TECHNICAL ASSISTANCE.**—

(1) **IN GENERAL.**—The Attorney General may provide technical assistance to States and community-based organizations in furtherance of the purposes of this section.

(2) **MODELS FOR REDUCTION OF LAW ENFORCEMENT MISCONDUCT.**—The technical assistance

provided by the Attorney General may include the development of models for States and community-based organizations to reduce law enforcement officer misconduct. Any development of such models shall be in consultation with community-based organizations.

(f) **USE OF COMPONENTS.**—The Attorney General may use any component or components of the Department of Justice in carrying out this section.

(g) **APPLICATIONS.**—An application for a grant under subsection (b) shall be submitted in such form, and contain such information, as the Attorney General may prescribe by rule.

(h) **PERFORMANCE EVALUATION.**—

(1) **MONITORING COMPONENTS.**—

(A) **IN GENERAL.**—Each program, project, or activity funded under this section shall contain a monitoring component, which shall be developed pursuant to rules made by the Attorney General.

(B) **REQUIREMENT.**—Each monitoring component required under subparagraph (A) shall include systematic identification and collection of data about activities, accomplishments, and programs throughout the duration of the program, project, or activity and presentation of such data in a usable form.

(2) **EVALUATION COMPONENTS.**—

(A) **IN GENERAL.**—Selected grant recipients shall be evaluated on the local level or as part of a national evaluation, pursuant to rules made by the Attorney General.

(B) **REQUIREMENTS.**—An evaluation conducted under subparagraph (A) may include independent audits of police behavior and other assessments of individual program implementations. For community-based organizations in selected jurisdictions that are able to support outcome evaluations, the effectiveness of funded programs, projects, and activities may be required.

(3) **PERIODIC REVIEW AND REPORTS.**—The Attorney General may require a grant recipient to submit biannually to the Attorney General the results of the monitoring and evaluations required under paragraphs (1) and (2) and such other data and information as the Attorney General determines to be necessary.

(i) **REVOCATION OR SUSPENSION OF FUNDING.**—If the Attorney General determines, as a result of monitoring under subsection (h) or otherwise, that a grant recipient under the Byrne grant program or under subsection (b) is not in substantial compliance with the requirements of this section, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

(j) **CIVILIAN REVIEW BOARD DEFINED.**—In this section, the term “civilian review board” means an administrative entity that investigates civilian complaints against law enforcement officers and—

(1) is independent and adequately funded;

(2) has investigatory authority and subpoena power;

(3) has representative community diversity;

(4) has policy making authority;

(5) provides advocates for civilian complainants;

(6) may conduct hearings; and

(7) conducts statistical studies on prevailing complaint trends.

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Attorney General \$25,000,000 for fiscal year 2021 to carry out the grant program authorized under subsection (b).

SEC. 115. ATTORNEY GENERAL TO CONDUCT STUDY.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Attorney General shall conduct a nationwide study of the prevalence and effect of any law, rule, or procedure that allows a law enforcement officer to delay the response to questions posed by a local internal affairs officer, or review board on the investigative integrity and prosecution of law enforcement

misconduct, including pre-interview warnings and termination policies.

(2) **INITIAL ANALYSIS.**—The Attorney General shall perform an initial analysis of existing State laws, rules, and procedures to determine whether, at a threshold level, the effect of the type of law, rule, or procedure that raises material investigatory issues that could impair or hinder a prompt and thorough investigation of possible misconduct, including criminal conduct.

(3) **DATA COLLECTION.**—After completion of the initial analysis under paragraph (2), and considering material investigatory issues, the Attorney General shall gather additional data nationwide on similar laws, rules, and procedures from a representative and statistically significant sample of jurisdictions, to determine whether such laws, rules, and procedures raise such material investigatory issues.

(b) **REPORTING.**—

(1) **INITIAL ANALYSIS.**—Not later than 120 days after the date of the enactment of this Act, the Attorney General shall—

(A) submit to Congress a report containing the results of the initial analysis conducted under subsection (a)(2);

(B) make the report submitted under subparagraph (A) available to the public; and

(C) identify the jurisdictions for which the study described in subsection (a)(3) is to be conducted.

(2) **DATA COLLECTED.**—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall submit to Congress a report containing the results of the data collected under this section and publish the report in the Federal Register.

SEC. 116. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2021, in addition to any other sums authorized to be appropriated—

(1) \$25,000,000 for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), criminal enforcement under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department of Justice of such sections, including compliance with consent decrees or judgments entered into under such section 210401; and

(2) \$3,300,000 for additional expenses related to conflict resolution by the Department of Justice’s Community Relations Service.

SEC. 117. NATIONAL TASK FORCE ON LAW ENFORCEMENT OVERSIGHT.

(a) **ESTABLISHMENT.**—There is established within the Department of Justice a task force to be known as the Task Force on Law Enforcement Oversight (hereinafter in this section referred to as the “Task Force”).

(b) **COMPOSITION.**—The Task Force shall be composed of individuals appointed by the Attorney General, who shall appoint not less than 1 individual from each of the following:

(1) The Special Litigation Section of the Civil Rights Division.

(2) The Criminal Section of the Civil Rights Division.

(3) The Federal Coordination and Compliance Section of the Civil Rights Division.

(4) The Employment Litigation Section of the Civil Rights Division.

(5) The Disability Rights Section of the Civil Rights Division.

(6) The Office of Justice Programs.

(7) The Office of Community Oriented Policing Services (COPS).

(8) The Corruption/Civil Rights Section of the Federal Bureau of Investigation.

(9) The Community Relations Service.

(10) The Office of Tribal Justice.

(11) The unit within the Department of Justice assigned as a liaison for civilian review boards.

(c) **POWERS AND DUTIES.**—The Task Force shall consult with professional law enforcement associations, labor organizations, and commu-

nity-based organizations to coordinate the process of the detection and referral of complaints regarding incidents of alleged law enforcement misconduct.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$5,000,000 for each fiscal year to carry out this section.

SEC. 118. FEDERAL DATA COLLECTION ON LAW ENFORCEMENT PRACTICES.

(a) **AGENCIES TO REPORT.**—Each Federal, State, Tribal, and local law enforcement agency shall report data of the practices enumerated in subsection (c) of that agency to the Attorney General.

(b) **BREAKDOWN OF INFORMATION BY RACE, ETHNICITY, AND GENDER.**—For each practice enumerated in subsection (c), the reporting law enforcement agency shall provide a breakdown of the numbers of incidents of that practice by race, ethnicity, age, and gender of the officers of the agency and of members of the public involved in the practice.

(c) **PRACTICES TO BE REPORTED ON.**—The practices to be reported on are the following:

(1) Traffic violation stops.

(2) Pedestrian stops.

(3) Frisk and body searches.

(4) Instances where law enforcement officers used deadly force, including—

(A) a description of when and where deadly force was used, and whether it resulted in death;

(B) a description of deadly force directed against an officer and whether it resulted in injury or death; and

(C) the law enforcement agency’s justification for use of deadly force, if the agency determines it was justified.

(d) **RETENTION OF DATA.**—Each law enforcement agency required to report data under this section shall maintain records relating to any matter reported for not less than 4 years after those records are created.

(e) **PENALTY FOR STATES FAILING TO REPORT AS REQUIRED.**—

(1) **IN GENERAL.**—For any fiscal year, a State shall not receive any amount that would otherwise be allocated to that State under section 505(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10156(a)), or any amount from any other law enforcement assistance program of the Department of Justice, unless the State has ensured, to the satisfaction of the Attorney General, that the State and each local law enforcement agency of the State is in substantial compliance with the requirements of this section.

(2) **REALLOCATION.**—Amounts not allocated by reason of this subsection shall be reallocated to States not disqualified by failure to comply with this section.

(f) **REGULATIONS.**—The Attorney General shall prescribe regulations to carry out this section.

TITLE II—POLICING TRANSPARENCY THROUGH DATA

Subtitle A—National Police Misconduct Registry

SEC. 201. ESTABLISHMENT OF NATIONAL POLICE MISCONDUCT REGISTRY.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish a National Police Misconduct Registry to be compiled and maintained by the Department of Justice.

(b) **CONTENTS OF REGISTRY.**—The Registry required to be established under subsection (a) shall contain the following data with respect to all Federal and local law enforcement officers:

(1) Each complaint filed against a law enforcement officer, aggregated by—

(A) complaints that were found to be credible or that resulted in disciplinary action against the law enforcement officer, disaggregated by whether the complaint involved a use of force or racial profiling (as such term is defined in section 302);

(B) complaints that are pending review, disaggregated by whether the complaint involved a use of force or racial profiling; and

(C) complaints for which the law enforcement officer was exonerated or that were determined to be unfounded or not sustained, disaggregated by whether the complaint involved a use of force or racial profiling.

(2) Discipline records, disaggregated by whether the complaint involved a use of force or racial profiling.

(3) Termination records, the reason for each termination, disaggregated by whether the complaint involved a use of force or racial profiling.

(4) Records of certification in accordance with section 202.

(5) Records of lawsuits against law enforcement officers and settlements of such lawsuits.

(6) Instances where a law enforcement officer resigns or retires while under active investigation related to the use of force.

(c) **FEDERAL AGENCY REPORTING REQUIREMENTS.**—Not later than 1 year after the date of enactment of this Act, and every 6 months thereafter, the head of each Federal law enforcement agency shall submit to the Attorney General the information described in subsection (b).

(d) **STATE AND LOCAL LAW ENFORCEMENT AGENCY REPORTING REQUIREMENTS.**—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act and each fiscal year thereafter in which a State receives funds under the Byrne grant program, the State shall, once every 180 days, submit to the Attorney General the information described in subsection (b) for the State and each local law enforcement agency within the State.

(e) **PUBLIC AVAILABILITY OF REGISTRY.**—

(1) **IN GENERAL.**—In establishing the Registry required under subsection (a), the Attorney General shall make the Registry available to the public on an internet website of the Attorney General in a manner that allows members of the public to search for an individual law enforcement officer's records of misconduct, as described in subsection (b), involving a use of force or racial profiling.

(2) **PRIVACY PROTECTIONS.**—Nothing in this subsection shall be construed to supersede the requirements or limitations under section 552a of title 5, United States Code (commonly known as the "Privacy Act of 1974").

SEC. 202. CERTIFICATION REQUIREMENTS FOR HIRING OF LAW ENFORCEMENT OFFICERS.

(a) **IN GENERAL.**—Beginning in the first fiscal year that begins after the date that is one year after the date of the enactment of this Act, a State or unit of local government, other than an Indian Tribe, may not receive funds under the Byrne grant program for that fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government has not—

(1) submitted to the Attorney General evidence that the State or unit of local government has a certification and decertification program for purposes of employment as a law enforcement officer in that State or unit of local government that is consistent with the rules made under subsection (c); and

(2) submitted to the National Police Misconduct Registry established under section 201 records demonstrating that all law enforcement officers of the State or unit of local government have completed all State certification requirements during the 1-year period preceding the fiscal year.

(b) **AVAILABILITY OF INFORMATION.**—The Attorney General shall make available to law enforcement agencies all information in the registry under section 201 for purposes of compliance with the certification and decertification programs described in subsection (a)(1) and considering applications for employment.

(c) **RULES.**—The Attorney General shall make rules to carry out this section and section 201, including uniform reporting standards.

Subtitle B—PRIDE Act

SEC. 221. SHORT TITLE.

This subtitle may be cited as the "Police Reporting Information, Data, and Evidence Act of 2020" or the "PRIDE Act of 2020".

SEC. 222. DEFINITIONS.

In this subtitle:

(1) **LOCAL EDUCATIONAL AGENCY.**—The term "local educational agency" has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **LOCAL LAW ENFORCEMENT OFFICER.**—The term "local law enforcement officer" has the meaning given the term in section 2, and includes a school resource officer.

(3) **SCHOOL.**—The term "school" means an elementary school or secondary school (as those terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(4) **SCHOOL RESOURCE OFFICER.**—The term "school resource officer" means a sworn law enforcement officer who is—

(A) assigned by the employing law enforcement agency to a local educational agency or school;

(B) contracting with a local educational agency or school; or

(C) employed by a local educational agency or school.

SEC. 223. USE OF FORCE REPORTING.

(a) **REPORTING REQUIREMENTS.**—

(1) **IN GENERAL.**—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act and each fiscal year thereafter in which a State or Indian Tribe receives funds under a Byrne grant program, the State or Indian Tribe shall—

(A) report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding—

(i) any incident involving the use of deadly force against a civilian by—

(I) a local law enforcement officer who is employed by the State or by a unit of local government in the State; or

(II) a tribal law enforcement officer who is employed by the Indian Tribe;

(ii) any incident involving the shooting of a local law enforcement officer or tribal law enforcement officer described in clause (i) by a civilian;

(iii) any incident involving the death or arrest of a local law enforcement officer or tribal law enforcement officer;

(iv) any incident during which use of force by or against a local law enforcement officer or tribal law enforcement officer described in clause (i) occurs, which is not reported under clause (i), (ii), or (iii);

(v) deaths in custody; and

(vi) uses of force in arrests and booking;

(B) establish a system and a set of policies to ensure that all use of force incidents are reported by local law enforcement officers or tribal law enforcement officers; and

(C) submit to the Attorney General a plan for the collection of data required to be reported under this section, including any modifications to a previously submitted data collection plan.

(2) **REPORT INFORMATION REQUIRED.**—

(A) **IN GENERAL.**—The report required under paragraph (1)(A) shall contain information that includes, at a minimum—

(i) the national origin, sex, race, ethnicity, age, disability, English language proficiency, and housing status of each civilian against whom a local law enforcement officer or tribal law enforcement officer used force;

(ii) the date, time, and location, including whether it was on school grounds, and the zip code, of the incident and whether the jurisdiction in which the incident occurred allows for the open-carry or concealed-carry of a firearm;

(iii) whether the civilian was armed, and, if so, the type of weapon the civilian had;

(iv) the type of force used against the officer, the civilian, or both, including the types of weapons used;

(v) the reason force was used;

(vi) a description of any injuries sustained as a result of the incident;

(vii) the number of officers involved in the incident;

(viii) the number of civilians involved in the incident; and

(ix) a brief description regarding the circumstances surrounding the incident, which shall include information on—

(I) the type of force used by all involved persons;

(II) the legitimate police objective necessitating the use of force;

(III) the resistance encountered by each local law enforcement officer or tribal law enforcement officer involved in the incident;

(IV) the efforts by local law enforcement officers or tribal law enforcement officers to—

(aa) de-escalate the situation in order to avoid the use of force; or

(bb) minimize the level of force used; and

(V) if applicable, the reason why efforts described in subclause (IV) were not attempted.

(B) **INCIDENTS REPORTED UNDER DEATH IN CUSTODY REPORTING ACT.**—A State or Indian Tribe is not required to include in a report under subsection (a)(1) an incident reported by the State or Indian Tribe in accordance with section 20104(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12104(a)(2)).

(C) **RETENTION OF DATA.**—Each law enforcement agency required to report data under this section shall maintain records relating to any matter so reportable for not less than 4 years after those records are created.

(3) **AUDIT OF USE-OF-FORCE REPORTING.**—Not later than 1 year after the date of enactment of this Act, and each year thereafter, each State or Indian Tribe described in paragraph (1) shall—

(A) conduct an audit of the use of force incident reporting system required to be established under paragraph (1)(B); and

(B) submit a report to the Attorney General on the audit conducted under subparagraph (A).

(4) **COMPLIANCE PROCEDURE.**—Prior to submitting a report under paragraph (1)(A), the State or Indian Tribe submitting such report shall compare the information compiled to be reported pursuant to clause (i) of paragraph (1)(A) to publicly available sources, and shall revise such report to include any incident determined to be missing from the report based on such comparison. Failure to comply with the procedures described in the previous sentence shall be considered a failure to comply with the requirements of this section.

(b) **INELIGIBILITY FOR FUNDS.**—

(1) **IN GENERAL.**—For any fiscal year in which a State or Indian Tribe fails to comply with this section, the State or Indian Tribe, at the discretion of the Attorney General, shall be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State or Indian Tribe under a Byrne grant program.

(2) **REALLOCATION.**—Amounts not allocated under a Byrne grant program in accordance with paragraph (1) to a State for failure to comply with this section shall be reallocated under the Byrne grant program to States that have not failed to comply with this section.

(3) **INFORMATION REGARDING SCHOOL RESOURCE OFFICERS.**—The State or Indian Tribe shall ensure that all schools and local educational agencies within the jurisdiction of the State or Indian Tribe provide the State or Indian Tribe with the information needed regarding school resource officers to comply with this section.

(c) **PUBLIC AVAILABILITY OF DATA.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall publish,

and make available to the public, a report containing the data reported to the Attorney General under this section.

(2) **PRIVACY PROTECTIONS.**—Nothing in this subsection shall be construed to supersede the requirements or limitations under section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”).

(d) **GUIDANCE.**—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Director of the Federal Bureau of Investigation, shall issue guidance on best practices relating to establishing standard data collection systems that capture the information required to be reported under subsection (a)(2), which shall include standard and consistent definitions for terms.

SEC. 224. USE OF FORCE DATA REPORTING.

(a) **TECHNICAL ASSISTANCE GRANTS AUTHORIZED.**—The Attorney General may make grants to eligible law enforcement agencies to be used for the activities described in subsection (c).

(b) **ELIGIBILITY.**—In order to be eligible to receive a grant under this section a law enforcement agency shall—

(1) be a tribal law enforcement agency or be located in a State that receives funds under a Byrne grant program;

(2) employ not more than 100 local or tribal law enforcement officers;

(3) demonstrate that the use of force policy for local law enforcement officers or tribal law enforcement officers employed by the law enforcement agency is publicly available; and

(4) establish and maintain a complaint system that—

(A) may be used by members of the public to report incidents of use of force to the law enforcement agency;

(B) makes all information collected publicly searchable and available; and

(C) provides information on the status of an investigation related to a use of force complaint.

(c) **ACTIVITIES DESCRIBED.**—A grant made under this section may be used by a law enforcement agency for—

(1) the cost of assisting the State or Indian Tribe in which the law enforcement agency is located in complying with the reporting requirements described in section 223;

(2) the cost of establishing necessary systems required to investigate and report incidents as required under subsection (b)(4);

(3) public awareness campaigns designed to gain information from the public on use of force by or against local and tribal law enforcement officers, including shootings, which may include tip lines, hotlines, and public service announcements; and

(4) use of force training for law enforcement agencies and personnel, including training on de-escalation, implicit bias, crisis intervention techniques, and adolescent development.

SEC. 225. COMPLIANCE WITH REPORTING REQUIREMENTS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall conduct an audit and review of the information provided under this subtitle to determine whether each State or Indian Tribe described in section 223(a)(1) is in compliance with the requirements of this subtitle.

(b) **CONSISTENCY IN DATA REPORTING.**—

(1) **IN GENERAL.**—Any data reported under this subtitle shall be collected and reported—

(A) in a manner consistent with existing programs of the Department of Justice that collect data on local law enforcement officer encounters with civilians; and

(B) in a manner consistent with civil rights laws for distribution of information to the public.

(2) **GUIDELINES.**—Not later than 1 year after the date of enactment of this Act, the Attorney General shall—

(A) issue guidelines on the reporting requirement under section 223; and

(B) seek public comment before finalizing the guidelines required under subparagraph (A).

SEC. 226. FEDERAL LAW ENFORCEMENT REPORTING.

The head of each Federal law enforcement agency shall submit to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, the information required to be reported by a State or Indian Tribe under section 223.

SEC. 227. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as are necessary to carry out this subtitle.

TITLE III—IMPROVING POLICE TRAINING AND POLICIES

Subtitle A—End Racial and Religious Profiling Act

SEC. 301. SHORT TITLE.

This subtitle may be cited as the “End Racial and Religious Profiling Act of 2020” or “ERRPA”.

SEC. 302. DEFINITIONS.

In this subtitle:

(1) **COVERED PROGRAM.**—The term “covered program” means any program or activity funded in whole or in part with funds made available under—

(A) a Byrne grant program; and

(B) the COPS grant program, except that no program, project, or other activity specified in section 1701(b)(13) of part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.) shall be a covered program under this paragraph.

(2) **GOVERNMENTAL BODY.**—The term “governmental body” means any department, agency, special purpose district, or other instrumentality of Federal, State, local, or Indian Tribal government.

(3) **HIT RATE.**—The term “hit rate” means the percentage of stops and searches in which a law enforcement agent finds drugs, a gun, or something else that leads to an arrest. The hit rate is calculated by dividing the total number of searches by the number of searches that yield contraband. The hit rate is complementary to the rate of false stops.

(4) **LAW ENFORCEMENT AGENCY.**—The term “law enforcement agency” means any Federal, State, or local public agency engaged in the prevention, detection, or investigation of violations of criminal, immigration, or customs laws.

(5) **LAW ENFORCEMENT AGENT.**—The term “law enforcement agent” means any Federal, State, or local official responsible for enforcing criminal, immigration, or customs laws, including police officers and other agents of a law enforcement agency.

(6) **RACIAL PROFILING.**—

(A) **IN GENERAL.**—The term “racial profiling” means the practice of a law enforcement agent or agency relying, to any degree, on actual or perceived race, ethnicity, national origin, religion, gender, gender identity, or sexual orientation in selecting which individual to subject to routine or spontaneous investigatory activities or in deciding upon the scope and substance of law enforcement activity following the initial investigatory procedure, except when there is trustworthy information, relevant to the locality and timeframe, that links a person with a particular characteristic described in this paragraph to an identified criminal incident or scheme.

(B) **EXCEPTION.**—For purposes of subparagraph (A), a tribal law enforcement officer exercising law enforcement authority within Indian country, as that term is defined in section 1151 of title 18, United States Code, is not considered to be racial profiling with respect to making key jurisdictional determinations that are necessarily tied to reliance on actual or perceived race, ethnicity, or tribal affiliation.

(7) **ROUTINE OR SPONTANEOUS INVESTIGATORY ACTIVITIES.**—The term “routine or spontaneous

investigatory activities” means the following activities by a law enforcement agent:

(A) Interviews.

(B) Traffic stops.

(C) Pedestrian stops.

(D) Frisks and other types of body searches.

(E) Consensual or nonconsensual searches of the persons, property, or possessions (including vehicles) of individuals using any form of public or private transportation, including motorists and pedestrians.

(F) Data collection and analysis, assessments, and predicated investigations.

(G) Inspections and interviews of entrants into the United States that are more extensive than those customarily carried out.

(H) Immigration-related workplace investigations.

(I) Such other types of law enforcement encounters compiled for or by the Federal Bureau of Investigation or the Department of Justice Bureau of Justice Statistics.

(8) **REASONABLE REQUEST.**—The term “reasonable request” means all requests for information, except for those that—

(A) are immaterial to the investigation;

(B) would result in the unnecessary disclosure of personal information; or

(C) would place a severe burden on the resources of the law enforcement agency given its size.

PART I—PROHIBITION OF RACIAL PROFILING

SEC. 311. PROHIBITION.

No law enforcement agent or law enforcement agency shall engage in racial profiling.

SEC. 312. ENFORCEMENT.

(a) **REMEDY.**—The United States, or an individual injured by racial profiling, may enforce this part in a civil action for declaratory or injunctive relief, filed either in a State court of general jurisdiction or in a district court of the United States.

(b) **PARTIES.**—In any action brought under this part, relief may be obtained against—

(1) any governmental body that employed any law enforcement agent who engaged in racial profiling;

(2) any agent of such body who engaged in racial profiling; and

(3) any person with supervisory authority over such agent.

(c) **NATURE OF PROOF.**—Proof that the routine or spontaneous investigatory activities of law enforcement agents in a jurisdiction have had a disparate impact on individuals with a particular characteristic described in section 302(6) shall constitute prima facie evidence of a violation of this part.

(d) **ATTORNEY’S FEES.**—In any action or proceeding to enforce this part against any governmental body, the court may allow a prevailing plaintiff, other than the United States, reasonable attorney’s fees as part of the costs, and may include expert fees as part of the attorney’s fee. The term “prevailing plaintiff” means a plaintiff that substantially prevails pursuant to a judicial or administrative judgment or order, or an enforceable written agreement.

PART II—PROGRAMS TO ELIMINATE RACIAL PROFILING BY FEDERAL LAW ENFORCEMENT AGENCIES

SEC. 321. POLICIES TO ELIMINATE RACIAL PROFILING.

(a) **IN GENERAL.**—Federal law enforcement agencies shall—

(1) maintain adequate policies and procedures designed to eliminate racial profiling; and

(2) cease existing practices that permit racial profiling.

(b) **POLICIES.**—The policies and procedures described in subsection (a)(1) shall include—

(1) a prohibition on racial profiling;

(2) training on racial profiling issues as part of Federal law enforcement training;

(3) the collection of data in accordance with the regulations issued by the Attorney General under section 341;

(4) procedures for receiving, investigating, and responding meaningfully to complaints alleging racial profiling by law enforcement agents; and

(5) any other policies and procedures the Attorney General determines to be necessary to eliminate racial profiling by Federal law enforcement agencies.

PART III—PROGRAMS TO ELIMINATE RACIAL PROFILING BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES

SEC. 331. POLICIES REQUIRED FOR GRANTS.

(a) *IN GENERAL.*—An application by a State or a unit of local government for funding under a covered program shall include a certification that such State, unit of local government, and any law enforcement agency to which it will distribute funds—

(1) maintains adequate policies and procedures designed to eliminate racial profiling; and

(2) has eliminated any existing practices that permit or encourage racial profiling.

(b) *POLICIES.*—The policies and procedures described in subsection (a)(1) shall include—

(1) a prohibition on racial profiling;

(2) training on racial profiling issues as part of law enforcement training;

(3) the collection of data in accordance with the regulations issued by the Attorney General under section 341; and

(4) participation in an administrative complaint procedure or independent audit program that meets the requirements of section 332.

(c) *EFFECTIVE DATE.*—This section shall take effect 12 months after the date of enactment of this Act.

SEC. 332. INVOLVEMENT OF ATTORNEY GENERAL.

(a) *REGULATIONS.*—

(1) *IN GENERAL.*—Not later than 6 months after the date of enactment of this Act and in consultation with stakeholders, including Federal, State, and local law enforcement agencies and community, professional, research, and civil rights organizations, the Attorney General shall issue regulations for the operation of administrative complaint procedures and independent audit programs to ensure that such procedures and programs provide an appropriate response to allegations of racial profiling by law enforcement agents or agencies.

(2) *GUIDELINES.*—The regulations issued under paragraph (1) shall contain guidelines that ensure the fairness, effectiveness, and independence of the administrative complaint procedures and independent auditor programs.

(b) *NONCOMPLIANCE.*—If the Attorney General determines that the recipient of a grant from any covered program is not in compliance with the requirements of section 331 or the regulations issued under subsection (a), the Attorney General shall withhold, in whole or in part (at the discretion of the Attorney General), funds for one or more grants to the recipient under the covered program, until the recipient establishes compliance.

(c) *PRIVATE PARTIES.*—The Attorney General shall provide notice and an opportunity for private parties to present evidence to the Attorney General that a recipient of a grant from any covered program is not in compliance with the requirements of this part.

SEC. 333. DATA COLLECTION DEMONSTRATION PROJECT.

(a) *TECHNICAL ASSISTANCE GRANTS FOR DATA COLLECTION.*—

(1) *IN GENERAL.*—The Attorney General may, through competitive grants or contracts, carry out a 2-year demonstration project for the purpose of developing and implementing data collection programs on the hit rates for stops and searches by law enforcement agencies. The data collected shall be disaggregated by race, ethnicity, national origin, gender, and religion.

(2) *NUMBER OF GRANTS.*—The Attorney General shall provide not more than 5 grants or contracts under this section.

(3) *ELIGIBLE GRANTEEES.*—Grants or contracts under this section shall be awarded to law en-

forcement agencies that serve communities where there is a significant concentration of racial or ethnic minorities and that are not already collecting data voluntarily.

(b) *REQUIRED ACTIVITIES.*—Activities carried out with a grant under this section shall include—

(1) developing a data collection tool and reporting the compiled data to the Attorney General; and

(2) training of law enforcement personnel on data collection, particularly for data collection on hit rates for stops and searches.

(c) *EVALUATION.*—Not later than 3 years after the date of enactment of this Act, the Attorney General shall enter into a contract with an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to analyze the data collected by each of the grantees funded under this section.

(d) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated to carry out activities under this section—

(1) \$5,000,000, over a 2-year period, to carry out the demonstration program under subsection (a); and

(2) \$500,000 to carry out the evaluation under subsection (c).

SEC. 334. DEVELOPMENT OF BEST PRACTICES.

(a) *USE OF FUNDS REQUIREMENT.*—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by sections 113 and 114, is amended by adding at the end the following:

“(9) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 10 percent of the total amount of the grant award for the fiscal year to develop and implement best practice devices and systems to eliminate racial profiling in accordance with section 334 of the End Racial and Religious Profiling Act of 2020.”

(b) *DEVELOPMENT OF BEST PRACTICES.*—Grant amounts described in paragraph (9) of section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as added by subsection (a) of this section, shall be for programs that include the following:

(1) The development and implementation of training to prevent racial profiling and to encourage more respectful interaction with the public.

(2) The acquisition and use of technology to facilitate the accurate collection and analysis of data.

(3) The development and acquisition of feedback systems and technologies that identify law enforcement agents or units of agents engaged in, or at risk of engaging in, racial profiling or other misconduct.

(4) The establishment and maintenance of an administrative complaint procedure or independent auditor program.

SEC. 335. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as are necessary to carry out this part.

PART IV—DATA COLLECTION

SEC. 341. ATTORNEY GENERAL TO ISSUE REGULATIONS.

(a) *REGULATIONS.*—Not later than 6 months after the date of enactment of this Act, the Attorney General, in consultation with stakeholders, including Federal, State, and local law enforcement agencies and community, professional, research, and civil rights organizations, shall issue regulations for the collection and compilation of data under sections 321 and 331.

(b) *REQUIREMENTS.*—The regulations issued under subsection (a) shall—

(1) provide for the collection of data on all routine and spontaneous investigatory activities;

(2) provide that the data collected shall—

(A) be disaggregated by race, ethnicity, national origin, gender, disability, and religion;

(B) include the date, time, and location of such investigatory activities;

(C) include detail sufficient to permit an analysis of whether a law enforcement agency is engaging in racial profiling; and

(D) not include personally identifiable information;

(3) provide that a standardized form shall be made available to law enforcement agencies for the submission of collected data to the Department of Justice;

(4) provide that law enforcement agencies shall compile data on the standardized form made available under paragraph (3), and submit the form to the Civil Rights Division and the Department of Justice Bureau of Justice Statistics;

(5) provide that law enforcement agencies shall maintain all data collected under this subtitle for not less than 4 years;

(6) include guidelines for setting comparative benchmarks, consistent with best practices, against which collected data shall be measured;

(7) provide that the Department of Justice Bureau of Justice Statistics shall—

(A) analyze the data for any statistically significant disparities, including—

(i) disparities in the percentage of drivers or pedestrians stopped relative to the proportion of the population passing through the neighborhood;

(ii) disparities in the hit rate; and

(iii) disparities in the frequency of searches performed on racial or ethnic minority drivers and the frequency of searches performed on nonminority drivers; and

(B) not later than 3 years after the date of enactment of this Act, and annually thereafter—

(i) prepare a report regarding the findings of the analysis conducted under subparagraph (A);

(ii) provide such report to Congress; and

(iii) make such report available to the public, including on a website of the Department of Justice, and in accordance with accessibility standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(8) protect the privacy of individuals whose data is collected by—

(A) limiting the use of the data collected under this subtitle to the purposes set forth in this subtitle;

(B) except as otherwise provided in this subtitle, limiting access to the data collected under this subtitle to those Federal, State, or local employees or agents who require such access in order to fulfill the purposes for the data set forth in this subtitle;

(C) requiring contractors or other nongovernmental agents who are permitted access to the data collected under this subtitle to sign use agreements incorporating the use and disclosure restrictions set forth in subparagraph (A); and

(D) requiring the maintenance of adequate security measures to prevent unauthorized access to the data collected under this subtitle.

SEC. 342. PUBLICATION OF DATA.

The Director of the Bureau of Justice Statistics of the Department of Justice shall provide to Congress and make available to the public, together with each annual report described in section 341, the data collected pursuant to this subtitle, excluding any personally identifiable information described in section 343.

SEC. 343. LIMITATIONS ON PUBLICATION OF DATA.

The name or identifying information of a law enforcement agent, complainant, or any other individual involved in any activity for which data is collected and compiled under this subtitle shall not be—

(1) released to the public;

(2) disclosed to any person, except for—

(A) such disclosures as are necessary to comply with this subtitle;

(B) disclosures of information regarding a particular person to that person; or

(C) disclosures pursuant to litigation; or

(3) subject to disclosure under section 552 of title 5, United States Code (commonly known as

the Freedom of Information Act), except for disclosures of information regarding a particular person to that person.

PART V—DEPARTMENT OF JUSTICE REGULATIONS AND REPORTS ON RACIAL PROFILING IN THE UNITED STATES

SEC. 351. ATTORNEY GENERAL TO ISSUE REGULATIONS AND REPORTS.

(a) **REGULATIONS.**—In addition to the regulations required under sections 333 and 341, the Attorney General shall issue such other regulations as the Attorney General determines are necessary to implement this subtitle.

(b) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit to Congress a report on racial profiling by law enforcement agencies.

(2) **SCOPE.**—Each report submitted under paragraph (1) shall include—

(A) a summary of data collected under sections 321(b)(3) and 331(b)(3) and from any other reliable source of information regarding racial profiling in the United States;

(B) a discussion of the findings in the most recent report prepared by the Department of Justice Bureau of Justice Statistics under section 341(b)(7);

(C) the status of the adoption and implementation of policies and procedures by Federal law enforcement agencies under section 321 and by the State and local law enforcement agencies under sections 331 and 332; and

(D) a description of any other policies and procedures that the Attorney General believes would facilitate the elimination of racial profiling.

Subtitle B—Additional Reforms

SEC. 361. TRAINING ON RACIAL BIAS AND DUTY TO INTERVENE.

(a) **IN GENERAL.**—The Attorney General shall establish—

(1) a training program for law enforcement officers to cover racial profiling, implicit bias, and procedural justice; and

(2) a clear duty for Federal law enforcement officers to intervene in cases where another law enforcement officer is using excessive force against a civilian, and establish a training program that covers the duty to intervene.

(b) **MANDATORY TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS.**—The head of each Federal law enforcement agency shall require each Federal law enforcement officer employed by the agency to complete the training programs established under subsection (a).

(c) **LIMITATION ON ELIGIBILITY FOR FUNDS.**—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not require each law enforcement officer in the State or unit of local government to complete the training programs established under subsection (a).

(d) **GRANTS TO TRAIN LAW ENFORCEMENT OFFICERS ON USE OF FORCE.**—Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is amended by adding at the end the following:

“(1) Training programs for law enforcement officers, including training programs on use of force and a duty to intervene.”.

SEC. 362. BAN ON NO-KNOCK WARRANTS IN DRUG CASES.

(a) **BAN ON FEDERAL WARRANTS IN DRUG CASES.**—Section 509 of the Controlled Substances Act (21 U.S.C. 879) is amended by adding at the end the following: “A search warrant authorized under this section shall require that a law enforcement officer execute the search warrant only after providing notice of his or her authority and purpose.”.

(b) **LIMITATION ON ELIGIBILITY FOR FUNDS.**—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits the issuance of a no-knock warrant in a drug case.

(c) **DEFINITION.**—In this section, the term “no-knock warrant” means a warrant that allows a law enforcement officer to enter a property without requiring the law enforcement officer to announce the presence of the law enforcement officer or the intention of the law enforcement officer to enter the property.

SEC. 363. INCENTIVIZING BANNING OF CHOKEHOLDS AND CAROTID HOLDS.

(a) **DEFINITION.**—In this section, the term “chokehold or carotid hold” means the application of any pressure to the throat or windpipe, the use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints that prevent or hinder breathing or reduce intake of air of an individual.

(b) **LIMITATION ON ELIGIBILITY FOR FUNDS.**—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program or the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits law enforcement officers in the State or unit of local government from using a chokehold or carotid hold.

(c) **CHOKEHOLDS AS CIVIL RIGHTS VIOLATIONS.**—

(1) **SHORT TITLE.**—This subsection may be cited as the “Eric Garner Excessive Use of Force Prevention Act”.

(2) **CHOKEHOLDS AS CIVIL RIGHTS VIOLATIONS.**—Section 242 of title 18, United States Code, as amended by section 101, is amended by adding at the end the following: “For the purposes of this section, the application of any pressure to the throat or windpipe, use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints which prevent or hinder breathing or reduce intake of air is a punishment, pain, or penalty.”.

SEC. 364. PEACE ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Police Exercising Absolute Care With Everyone Act of 2020” or the “PEACE Act of 2020”.

(b) **USE OF FORCE BY FEDERAL LAW ENFORCEMENT OFFICERS.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **DEESCALATION TACTICS AND TECHNIQUES.**—The term “deescalation tactics and techniques” means proactive actions and approaches used by a Federal law enforcement officer to stabilize the situation so that more time, options, and resources are available to gain a person’s voluntary compliance and reduce or eliminate the need to use force, including verbal persuasion, warnings, tactical techniques, slowing down the pace of an incident, waiting out a subject, creating distance between the officer and the threat, and requesting additional resources to resolve the incident.

(B) **NECESSARY.**—The term “necessary” means that another reasonable Federal law enforcement officer would objectively conclude, under the totality of the circumstances, that there was no reasonable alternative to the use of force.

(C) **REASONABLE ALTERNATIVES.**—

(i) **IN GENERAL.**—The term “reasonable alternatives” means tactics and methods used by a Federal law enforcement officer to effectuate an arrest that do not unreasonably increase the risk posed to the law enforcement officer or another person, including verbal communication, distance, warnings, deescalation tactics and

techniques, tactical repositioning, and other tactics and techniques intended to stabilize the situation and reduce the immediacy of the risk so that more time, options, and resources can be called upon to resolve the situation without the use of force.

(ii) **DEADLY FORCE.**—With respect to the use of deadly force, the term “reasonable alternatives” includes the use of less lethal force.

(D) **TOTALITY OF THE CIRCUMSTANCES.**—The term “totality of the circumstances” means all credible facts known to the Federal law enforcement officer leading up to and at the time of the use of force, including the actions of the person against whom the Federal law enforcement officer uses such force and the actions of the Federal law enforcement officer.

(2) **PROHIBITION ON LESS LETHAL FORCE.**—A Federal law enforcement officer may not use any less lethal force unless—

(A) the form of less lethal force used is necessary and proportional in order to effectuate an arrest of a person who the officer has probable cause to believe has committed a criminal offense; and

(B) reasonable alternatives to the use of the form of less lethal force have been exhausted.

(3) **PROHIBITION ON DEADLY USE OF FORCE.**—A Federal law enforcement officer may not use deadly force against a person unless—

(A) the form of deadly force used is necessary, as a last resort, to prevent imminent and serious bodily injury or death to the officer or another person;

(B) the use of the form of deadly force creates no substantial risk of injury to a third person; and

(C) reasonable alternatives to the use of the form of deadly force have been exhausted.

(4) **REQUIREMENT TO GIVE VERBAL WARNING.**—When feasible, prior to using force against a person, a Federal law enforcement officer shall identify himself or herself as a Federal law enforcement officer, and issue a verbal warning to the person that the Federal law enforcement officer seeks to apprehend, which shall—

(A) include a request that the person surrender to the law enforcement officer; and

(B) notify the person that the law enforcement officer will use force against the person if the person resists arrest or flees.

(5) **GUIDANCE ON USE OF FORCE.**—Not later than 120 days after the date of enactment of this Act, the Attorney General, in consultation with impacted persons, communities, and organizations, including representatives of civil and human rights organizations, victims of police use of force, and representatives of law enforcement associations, shall provide guidance to Federal law enforcement agencies on—

(A) the types of less lethal force and deadly force that are prohibited under paragraphs (2) and (3); and

(B) how a Federal law enforcement officer can—

(i) assess whether the use of force is appropriate and necessary; and

(ii) use the least amount of force when interacting with—

(I) pregnant individuals;

(II) children and youth under 21 years of age;

(III) elderly persons;

(IV) persons with mental, behavioral, or physical disabilities or impairments;

(V) persons experiencing perceptual or cognitive impairments due to use of alcohol, narcotics, hallucinogens, or other drugs;

(VI) persons suffering from a serious medical condition; and

(VII) persons with limited English proficiency.

(6) **TRAINING.**—The Attorney General shall provide training to Federal law enforcement officers on interacting people described in subclauses (I) through (VII) of paragraph (5)(B)(ii).

(7) **LIMITATION ON JUSTIFICATION DEFENSE.**—

(A) **IN GENERAL.**—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

“§ 1123. Limitation on justification defense for Federal law enforcement officers

“(a) *IN GENERAL.*—It is not a defense to an offense under section 1111 or 1112 that the use of less lethal force or deadly force by a Federal law enforcement officer was justified if—

“(1) that officer’s use of use of such force was inconsistent with section 364(b) of the George Floyd Justice in Policing Act of 2020; or

“(2) that officer’s gross negligence, leading up to and at the time of the use of force, contributed to the necessity of the use of such force.

“(b) *DEFINITIONS.*—In this section—

“(1) the terms ‘deadly force’ and ‘less lethal force’ have the meanings given such terms in section 2 and section 364 of the George Floyd Justice in Policing Act of 2020; and

“(2) the term ‘Federal law enforcement officer’ has the meaning given such term in section 115.”.

(B) *CLERICAL AMENDMENT.*—The table of sections for chapter 51 of title 18, United States Code, is amended by inserting after the item relating to section 1122 the following:

“1123. Limitation on justification defense for Federal law enforcement officers.”.

(C) *LIMITATION ON THE RECEIPT OF FUNDS UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.*—

(1) *LIMITATION.*—A State or unit of local government, other than an Indian Tribe, may not receive funds that the State or unit of local government would otherwise receive under a Byrne grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that is consistent with subsection (b) of this section and section 1123 of title 18, United States Code, as determined by the Attorney General.

(2) *SUBSEQUENT ENACTMENT.*—

(A) *IN GENERAL.*—If funds described in paragraph (1) are withheld from a State or unit of local government pursuant to paragraph (1) for 1 or more fiscal years, and the State or unit of local government enacts or puts in place a law described in paragraph (1), and demonstrates substantial efforts to enforce such law, subject to subparagraph (B), the State or unit of local government shall be eligible, in the fiscal year after the fiscal year during which the State or unit of local government demonstrates such substantial efforts, to receive the total amount that the State or unit of local government would have received during each fiscal year for which funds were withheld.

(B) *LIMIT ON AMOUNT OF PRIOR YEAR FUNDS.*—A State or unit of local government may not receive funds under subparagraph (A) in an amount that is more than the amount withheld from the State or unit of local government during the 5-fiscal-year period before the fiscal year during which funds are received under subparagraph (A).

(3) *GUIDANCE.*—Not later than 120 days after the date of enactment of this Act, the Attorney General, in consultation with impacted persons, communities, and organizations, including representatives of civil and human rights organizations, individuals against whom a law enforcement officer used force, and representatives of law enforcement associations, shall make guidance available to States and units of local government on the criteria that the Attorney General will use in determining whether the State or unit of local government has in place a law described in paragraph (1).

(4) *APPLICATION.*—This subsection shall apply to the first fiscal year that begins after the date that is 1 year after the date of the enactment of this Act, and each fiscal year thereafter.

SEC. 365. STOP MILITARIZING LAW ENFORCEMENT ACT.

(a) *FINDINGS.*—Congress makes the following findings:

(1) Under section 2576a of title 10, United States Code, the Department of Defense is au-

thorized to provide excess property to local law enforcement agencies. The Defense Logistics Agency, administers such section by operating the Law Enforcement Support Office program.

(2) New and used material, including mine-resistant ambush-protected vehicles and weapons determined by the Department of Defense to be “military grade” are transferred to Federal, Tribal, State, and local law enforcement agencies through the program.

(3) As a result local law enforcement agencies, including police and sheriff’s departments, are acquiring this material for use in their normal operations.

(4) As a result of the wars in Iraq and Afghanistan, military equipment purchased for, and used in, those wars has become excess property and has been made available for transfer to local and Federal law enforcement agencies.

(5) In Fiscal Year 2017, \$504,000,000 worth of property was transferred to law enforcement agencies.

(6) More than \$6,800,000,000 worth of weapons and equipment have been transferred to police organizations in all 50 States and four territories through the program.

(7) In May 2012, the Defense Logistics Agency instituted a moratorium on weapons transfers through the program after reports of missing equipment and inappropriate weapons transfers.

(8) Though the moratorium was widely publicized, it was lifted in October 2013 without adequate safeguards.

(9) On January 16, 2015, President Barack Obama issued Executive Order 13688 to better coordinate and regulate the federal transfer of military weapons and equipment to State, local, and Tribal law enforcement agencies.

(10) In July, 2017, the Government Accountability Office reported that the program’s internal controls were inadequate to prevent fraudulent applicants’ access to the program.

(11) On August, 28, 2017, President Donald Trump rescinded Executive Order 13688 despite a July 2017 Government Accountability Office report finding deficiencies with the administration of the 1033 program.

(12) As a result, Federal, State, and local law enforcement departments across the country are eligible again to acquire free “military-grade” weapons and equipment that could be used inappropriately during policing efforts in which people and taxpayers could be harmed.

(13) The Department of Defense categorizes equipment eligible for transfer under the 1033 program as “controlled” and “un-controlled” equipment. “Controlled equipment” includes weapons, explosives such as flash-bang grenades, mine-resistant ambush-protected vehicles, long-range acoustic devices, aircraft capable of being modified to carry armament that are combat coded, and silencers, among other military grade items.

(b) *LIMITATION ON DEPARTMENT OF DEFENSE TRANSFER OF PERSONAL PROPERTY TO LOCAL LAW ENFORCEMENT AGENCIES.*—

(1) *IN GENERAL.*—Section 2576a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A), by striking “counterdrug, counterterrorism, and border security activities” and inserting “counterterrorism”; and

(ii) in paragraph (2), by striking “, the Director of National Drug Control Policy,”;

(B) in subsection (b)—

(i) in paragraph (5), by striking “and” at the end;

(ii) in paragraph (6), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new paragraphs:

“(7) the recipient submits to the Department of Defense a description of how the recipient expects to use the property;

“(8) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the re-

ipient, the recipient will return the property to the Department of Defense;

“(9) with respect to a recipient that is not a Federal agency, the recipient certifies to the Department of Defense that the recipient notified the local community of the request for personal property under this section by—

“(A) publishing a notice of such request on a publicly accessible Internet website;

“(B) posting such notice at several prominent locations in the jurisdiction of the recipient; and

“(C) ensuring that such notices were available to the local community for a period of not less than 30 days; and

“(10) the recipient has received the approval of the city council or other local governing body to acquire the personal property sought under this section.”;

(C) by striking subsection (d);

(D) by redesignating subsections (e) and (f) as subsections (o) and (p), respectively; and

(E) by inserting after subsection (c) the following new subsections:

“(d) *ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.*—(1) For each fiscal year, the Secretary shall submit to Congress certification in writing that each Federal or State agency to which the Secretary has transferred property under this section—

“(A) has provided to the Secretary documentation accounting for all controlled property, including arms and ammunition, that the Secretary has transferred to the agency, including any item described in subsection (f) so transferred before the date of the enactment of the George Floyd Justice in Policing Act of 2020; and

“(B) with respect to a non-Federal agency, carried out each of paragraphs (5) through (8) of subsection (b).

“(2) If the Secretary does not provide a certification under paragraph (1) for a Federal or State agency, the Secretary may not transfer additional property to that agency under this section.

“(e) *ANNUAL REPORT ON EXCESS PROPERTY.*—Before making any property available for transfer under this section, the Secretary shall annually submit to Congress a description of the property to be transferred together with a certification that the transfer of the property would not violate this section or any other provision of law.

“(f) *LIMITATIONS ON TRANSFERS.*—(1) The Secretary may not transfer to Federal, Tribal, State, or local law enforcement agencies the following under this section:

“(A) Firearms, ammunition, bayonets, grenade launchers, grenades (including stun and flash-bang), and explosives.

“(B) Vehicles, except for passenger automobiles (as such term is defined in section 32901(a)(18) of title 49, United States Code) and bucket trucks.

“(C) Drones.

“(D) Controlled aircraft that—

“(i) are combat configured or combat coded; or

“(ii) have no established commercial flight application.

“(E) Silencers.

“(F) Long-range acoustic devices.

“(G) Items in the Federal Supply Class of banned items.

“(2) The Secretary may not require, as a condition of a transfer under this section, that a Federal or State agency demonstrate the use of any small arms or ammunition.

“(3) The limitations under this subsection shall also apply with respect to the transfer of previously transferred property of the Department of Defense from one Federal or State agency to another such agency.

“(4) (A) The Secretary may waive the applicability of paragraph (1) to a vehicle described in subparagraph (B) of such paragraph (other than a mine-resistant ambush-protected vehicle), if the Secretary determines that such a

waiver is necessary for disaster or rescue purposes or for another purpose where life and public safety are at risk, as demonstrated by the proposed recipient of the vehicle.

“(B) If the Secretary issues a waiver under subparagraph (A), the Secretary shall—

“(i) submit to Congress notice of the waiver, and post such notice on a public Internet website of the Department, by not later than 30 days after the date on which the waiver is issued; and

“(ii) require, as a condition of the waiver, that the recipient of the vehicle for which the waiver is issued provides public notice of the waiver and the transfer, including the type of vehicle and the purpose for which it is transferred, in the jurisdiction where the recipient is located by not later than 30 days after the date on which the waiver is issued.

“(5) The Secretary may provide for an exemption to the limitation under subparagraph (D) of paragraph (1) in the case of parts for aircraft described in such subparagraph that are transferred as part of regular maintenance of aircraft in an existing fleet.

“(6) The Secretary shall require, as a condition of any transfer of property under this section, that the Federal or State agency that receives the property shall return the property to the Secretary if the agency—

“(A) is investigated by the Department of Justice for any violation of civil liberties; or

“(B) is otherwise found to have engaged in widespread abuses of civil liberties.

“(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to Congress certification that for the preceding fiscal year that—

“(1) each Federal or State agency that has received controlled property transferred under this section has—

“(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

“(B) been suspended from the program pursuant to paragraph (4);

“(2) with respect to each non-Federal agency that has received controlled property under this section, the State coordinator responsible for each such agency has verified that the coordinator or an agent of the coordinator has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended from the program pursuant to paragraph (4);

“(3) with respect to each Federal agency that has received controlled property under this section, the Secretary of Defense or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended from the program pursuant to paragraph (4);

“(4) the eligibility of any agency that has received controlled property under this section for which 100 percent of the property was not accounted for during an inventory described in paragraph (1) or (2), as applicable, to receive any property transferred under this section has been suspended; and

“(5) each State coordinator has certified, for each non-Federal agency located in the State for which the State coordinator is responsible that—

“(A) the agency has complied with all requirements under this section; or

“(B) the eligibility of the agency to receive property transferred under this section has been suspended; and

“(6) the Secretary of Defense has certified, for each Federal agency that has received property under this section that—

“(A) the agency has complied with all requirements under this section; or

“(B) the eligibility of the agency to receive property transferred under this section has been suspended.

“(h) PROHIBITION ON OWNERSHIP OF CONTROLLED PROPERTY.—A Federal or State agency that receives controlled property under this section may not take ownership of the property.

“(i) NOTICE TO CONGRESS OF PROPERTY DOWNGRADES.—Not later than 30 days before downgrading the classification of any item of personal property from controlled or Federal Supply Class, the Secretary shall submit to Congress notice of the proposed downgrade.

“(j) NOTICE TO CONGRESS OF PROPERTY CANNIBALIZATION.—Before the Defense Logistics Agency authorizes the recipient of property transferred under this section to cannibalize the property, the Secretary shall submit to Congress notice of such authorization, including the name of the recipient requesting the authorization, the purpose of the proposed cannibalization, and the type of property proposed to be cannibalized.

“(k) QUARTERLY REPORTS ON USE OF CONTROLLED EQUIPMENT.—Not later than 30 days after the last day of a fiscal quarter, the Secretary shall submit to Congress a report on any uses of controlled property transferred under this section during that fiscal quarter.

“(l) REPORTS TO CONGRESS.—Not later than 30 days after the last day of a fiscal year, the Secretary shall submit to Congress a report on the following for the preceding fiscal year:

“(1) The percentage of equipment lost by recipients of property transferred under this section, including specific information about the type of property lost, the monetary value of such property, and the recipient that lost the property.

“(2) The transfer of any new (condition code A) property transferred under this section, including specific information about the type of property, the recipient of the property, the monetary value of each item of the property, and the total monetary value of all such property transferred during the fiscal year.”

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to any transfer of property made after the date of the enactment of this Act.

SEC. 366. PUBLIC SAFETY INNOVATION GRANTS.

(a) BYRNE GRANTS USED FOR LOCAL TASK FORCES ON PUBLIC SAFETY INNOVATION.—Section 501(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151(a)), as amended by this Act, is further amended by adding at the end the following:

“(3) LOCAL TASK FORCES ON PUBLIC SAFETY INNOVATION.—

“(A) IN GENERAL.—A law enforcement program under paragraph (1)(A) may include the development of best practices for and the creation of local task forces on public safety innovation, charged with exploring and developing new strategies for public safety, including non-law enforcement strategies.

“(B) DEFINITION.—The term ‘local task force on public safety innovation’ means an administrative entity, created from partnerships between community-based organizations and other local stakeholders, that may develop innovative law enforcement and non-law enforcement strategies to enhance just and equitable public safety, repair breaches of trust between law enforcement agencies and the community they pledge to serve, and enhance accountability of law enforcement officers.”

(b) CRISIS INTERVENTION TEAMS.—Section 501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(c)) is amended by adding at the end the following:

“(3) In the case of crisis intervention teams funded under subsection (a)(1)(H), a program assessment under this subsection shall contain a report on best practices for crisis intervention.”

(c) USE OF COPS GRANT PROGRAM TO HIRE LAW ENFORCEMENT OFFICERS WHO ARE RESIDENTS OF THE COMMUNITIES THEY SERVE.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)), as amended by this Act, is further amended—

(1) by redesignating paragraphs (23) and (24) as paragraphs (26) and (27), respectively;

(2) in paragraph (26), as so redesignated, by striking “(22)” and inserting “(25)”; and

(3) by inserting after paragraph (22) the following:

“(23) to recruit, hire, incentivize, retain, develop, and train new, additional career law enforcement officers or current law enforcement officers who are willing to relocate to communities—

“(A) where there are poor or fragmented relationships between police and residents of the community, or where there are high incidents of crime; and

“(B) that are the communities that the law enforcement officers serve, or that are in close proximity to the communities that the law enforcement officers serve;

“(24) to collect data on the number of law enforcement officers who are willing to relocate to the communities where they serve, and whether such law enforcement officer relocations have impacted crime in such communities;

“(25) to develop and publicly report strategies and timelines to recruit, hire, promote, retain, develop, and train a diverse and inclusive law enforcement workforce, consistent with merit system principles and applicable law;”

Subtitle C—Law Enforcement Body Cameras PART 1—FEDERAL POLICE CAMERA AND ACCOUNTABILITY ACT

SEC. 371. SHORT TITLE.

This part may be cited as the “Federal Police Camera and Accountability Act”.

SEC. 372. REQUIREMENTS FOR FEDERAL LAW ENFORCEMENT OFFICERS REGARDING THE USE OF BODY CAMERAS.

(a) DEFINITIONS.—In this section:

(1) MINOR.—The term “minor” means any individual under 18 years of age.

(2) SUBJECT OF THE VIDEO FOOTAGE.—The term “subject of the video footage”—

(A) means any identifiable Federal law enforcement officer or any identifiable suspect, victim, detainee, conversant, injured party, or other similarly situated person who appears on the body camera recording; and

(B) does not include people who only incidentally appear on the recording.

(3) VIDEO FOOTAGE.—The term “video footage” means any images or audio recorded by a body camera.

(b) REQUIREMENT TO WEAR BODY CAMERA.—

(1) IN GENERAL.—Federal law enforcement officers shall wear a body camera.

(2) REQUIREMENT FOR BODY CAMERA.—A body camera required under paragraph (1) shall—

(A) have a field of view at least as broad as the officer’s vision; and

(B) be worn in a manner that maximizes the camera’s ability to capture video footage of the officer’s activities.

(c) REQUIREMENT TO ACTIVATE.—

(1) IN GENERAL.—Both the video and audio recording functions of the body camera shall be activated whenever a Federal law enforcement officer is responding to a call for service or at the initiation of any other law enforcement or investigative stop (as such term is defined in section 373) between a Federal law enforcement officer and a member of the public, except that when an immediate threat to the officer’s life or safety makes activating the camera impossible or dangerous, the officer shall activate the camera at the first reasonable opportunity to do so.

(2) ALLOWABLE DEACTIVATION.—The body camera shall not be deactivated until the stop has fully concluded and the Federal law enforcement officer leaves the scene.

(d) **NOTIFICATION OF SUBJECT OF RECORDING.**—A Federal law enforcement officer who is wearing a body camera shall notify any subject of the recording that he or she is being recorded by a body camera as close to the inception of the stop as is reasonably possible.

(e) **REQUIREMENTS.**—Notwithstanding subsection (c), the following shall apply to the use of a body camera:

(1) Prior to entering a private residence without a warrant or in non-exigent circumstances, a Federal law enforcement officer shall ask the occupant if the occupant wants the officer to discontinue use of the officer's body camera. If the occupant responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

(2) When interacting with an apparent crime victim, a Federal law enforcement officer shall, as soon as practicable, ask the apparent crime victim if the apparent crime victim wants the officer to discontinue use of the officer's body camera. If the apparent crime victim responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

(3) When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, a Federal law enforcement officer shall, as soon as practicable, ask the person seeking to remain anonymous if the person seeking to remain anonymous wants the officer to discontinue use of the officer's body camera. If the person seeking to remain anonymous responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

(f) **RECORDING OF OFFERS TO DISCONTINUE USE OF BODY CAMERA.**—Each offer of a Federal law enforcement officer to discontinue the use of a body camera made pursuant to subsection (e), and the responses thereto, shall be recorded by the body camera prior to discontinuing use of the body camera.

(g) **LIMITATIONS ON USE OF BODY CAMERA.**—Body cameras shall not be used to gather intelligence information based on First Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative stop between a law enforcement officer and a member of the public, and shall not be equipped with or employ any facial recognition technologies.

(h) **EXCEPTIONS.**—Federal law enforcement officers—

(1) shall not be required to use body cameras during investigative or enforcement stops with the public in the case that—

(A) recording would risk the safety of a confidential informant, citizen informant, or undercover officer;

(B) recording would pose a serious risk to national security; or

(C) the officer is a military police officer, a member of the United States Army Criminal Investigation Command, or a protective detail assigned to a Federal or foreign official while performing his or her duties; and

(2) shall not activate a body camera while on the grounds of any public, private or parochial elementary or secondary school, except when responding to an imminent threat to life or health.

(i) **RETENTION OF FOOTAGE.**—

(1) **IN GENERAL.**—Body camera video footage shall be retained by the law enforcement agency that employs the officer whose camera captured the footage, or an authorized agent thereof, for 6 months after the date it was recorded, after which time such footage shall be permanently deleted.

(2) **RIGHT TO INSPECT.**—During the 6-month retention period described in paragraph (1), the following persons shall have the right to inspect the body camera footage:

(A) Any person who is a subject of body camera video footage, and their designated legal counsel.

(B) A parent or legal guardian of a minor subject of body camera video footage, and their designated legal counsel.

(C) The spouse, next of kin, or legally authorized designee of a deceased subject of body camera video footage, and their designated legal counsel.

(D) A Federal law enforcement officer whose body camera recorded the video footage, and their designated legal counsel, subject to the limitations and restrictions in this part.

(E) The superior officer of a Federal law enforcement officer whose body camera recorded the video footage, subject to the limitations and restrictions in this part.

(F) Any defense counsel who claims, pursuant to a written affidavit, to have a reasonable basis for believing a video may contain evidence that exculpates a client.

(3) **LIMITATION.**—The right to inspect subject to subsection (j)(1) shall not include the right to possess a copy of the body camera video footage, unless the release of the body camera footage is otherwise authorized by this part or by another applicable law. When a body camera fails to capture some or all of the audio or video of an incident due to malfunction, displacement of camera, or any other cause, any audio or video footage that is captured shall be treated the same as any other body camera audio or video footage under this part.

(j) **ADDITIONAL RETENTION REQUIREMENTS.**—Notwithstanding the retention and deletion requirements in subsection (i), the following shall apply to body camera video footage under this part:

(1) Body camera video footage shall be automatically retained for not less than 3 years if the video footage captures an interaction or event involving—

(A) any use of force; or

(B) an stop about which a complaint has been registered by a subject of the video footage.

(2) Body camera video footage shall be retained for not less than 3 years if a longer retention period is voluntarily requested by—

(A) the Federal law enforcement officer whose body camera recorded the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value in an ongoing investigation;

(B) any Federal law enforcement officer who is a subject of the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value;

(C) any superior officer of a Federal law enforcement officer whose body camera recorded the video footage or who is a subject of the video footage, if that superior officer reasonably asserts the video footage has evidentiary or exculpatory value;

(D) any Federal law enforcement officer, if the video footage is being retained solely and exclusively for police training purposes;

(E) any member of the public who is a subject of the video footage;

(F) any parent or legal guardian of a minor who is a subject of the video footage; or

(G) a deceased subject's spouse, next of kin, or legally authorized designee.

(k) **PUBLIC REVIEW.**—For purposes of subparagraphs (E), (F), and (G) of subsection (j)(2), any member of the public who is a subject of video footage, the parent or legal guardian of a minor who is a subject of the video footage, or a deceased subject's next of kin or legally authorized designee, shall be permitted to review the specific video footage in question in order to make a determination as to whether they will voluntarily request it be subjected to a minimum 3-year retention period.

(l) **DISCLOSURE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), all video footage of an interaction or event captured by a body camera, if that interaction or event is identified with reasonable specificity and requested by a member of the public, shall be provided to the person or entity

making the request in accordance with the procedures for requesting and providing government records set forth in the section 552a of title 5, United States Code.

(2) **EXCEPTIONS.**—The following categories of video footage shall not be released to the public in the absence of express written permission from the non-law enforcement subjects of the video footage:

(A) Video footage not subject to a minimum 3-year retention period pursuant to subsection (j).

(B) Video footage that is subject to a minimum 3-year retention period solely and exclusively pursuant to paragraph (1)(B) or (2) of subsection (j).

(3) **PRIORITY OF REQUESTS.**—Notwithstanding any time periods established for acknowledging and responding to records requests in section 552a of title 5, United States Code, responses to requests for video footage that is subject to a minimum 3-year retention period pursuant to subsection (j)(1)(A), where a subject of the video footage is recorded being killed, shot by a firearm, or grievously injured, shall be prioritized and, if approved, the requested video footage shall be provided as expeditiously as possible, but in no circumstances later than 5 days following receipt of the request.

(4) **USE OF REDACTION TECHNOLOGY.**—

(A) **IN GENERAL.**—Whenever doing so is necessary to protect personal privacy, the right to a fair trial, the identity of a confidential source or crime victim, or the life or physical safety of any person appearing in video footage, redaction technology may be used to obscure the face and other personally identifying characteristics of that person, including the tone of the person's voice, provided the redaction does not interfere with a viewer's ability to fully, completely, and accurately comprehend the events captured on the video footage.

(B) **REQUIREMENTS.**—The following requirements shall apply to redactions under subparagraph (A):

(i) When redaction is performed on video footage pursuant to this paragraph, an unedited, original version of the video footage shall be retained pursuant to the requirements of subsections (i) and (j).

(ii) Except pursuant to the rules for the redaction of video footage set forth in this subsection or where it is otherwise expressly authorized by this Act, no other editing or alteration of video footage, including a reduction of the video footage's resolution, shall be permitted.

(m) **PROHIBITED WITHHOLDING OF FOOTAGE.**—Body camera video footage may not be withheld from the public on the basis that it is an investigatory record or was compiled for law enforcement purposes where any person under investigation or whose conduct is under review is a police officer or other law enforcement employee and the video footage relates to that person's conduct in their official capacity.

(n) **ADMISSIBILITY.**—Any video footage retained beyond 6 months solely and exclusively pursuant to subsection (j)(2)(D) shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.

(o) **CONFIDENTIALITY.**—No government agency or official, or law enforcement agency, officer, or official may publicly disclose, release, or share body camera video footage unless—

(1) doing so is expressly authorized pursuant to this part or another applicable law; or

(2) the video footage is subject to public release pursuant to subsection (l), and not exempted from public release pursuant to subsection (l)(1).

(p) **LIMITATION ON FEDERAL LAW ENFORCEMENT OFFICER VIEWING OF BODY CAMERA FOOTAGE.**—No Federal law enforcement officer shall review or receive an accounting of any body camera video footage that is subject to a minimum 3-year retention period pursuant to subsection (j)(1) prior to completing any required initial reports, statements, and interviews regarding the recorded event, unless doing so is

necessary, while in the field, to address an immediate threat to life or safety.

(q) **ADDITIONAL LIMITATIONS.**—Video footage may not be—

(1) in the case of footage that is not subject to a minimum 3-year retention period, viewed by any superior officer of a Federal law enforcement officer whose body camera recorded the footage absent a specific allegation of misconduct; or

(2) divulged or used by any law enforcement agency for any commercial or other non-law enforcement purpose.

(r) **THIRD PARTY MAINTENANCE OF FOOTAGE.**—Where a law enforcement agency authorizes a third party to act as its agent in maintaining body camera footage, the agent shall not be permitted to independently access, view, or alter any video footage, except to delete videos as required by law or agency retention policies.

(s) **ENFORCEMENT.**—

(1) **IN GENERAL.**—If any Federal law enforcement officer, or any employee or agent of a Federal law enforcement agency fails to adhere to the recording or retention requirements contained in this part, intentionally interferes with a body camera's ability to accurately capture video footage, or otherwise manipulates the video footage captured by a body camera during or after its operation—

(A) appropriate disciplinary action shall be taken against the individual officer, employee, or agent;

(B) a rebuttable evidentiary presumption shall be adopted in favor of a criminal defendant who reasonably asserts that exculpatory evidence was destroyed or not captured; and

(C) a rebuttable evidentiary presumption shall be adopted on behalf of a civil plaintiff suing the Government, a Federal law enforcement agency, or a Federal law enforcement officer for damages based on misconduct who reasonably asserts that evidence supporting their claim was destroyed or not captured.

(2) **PROOF COMPLIANCE WAS IMPOSSIBLE.**—The disciplinary action requirement and rebuttable presumptions described in paragraph (1) may be overcome by contrary evidence or proof of exigent circumstances that made compliance impossible.

(t) **USE OF FORCE INVESTIGATIONS.**—In the case that a Federal law enforcement officer equipped with a body camera is involved in, a witness to, or within viewable sight range of either the use of force by another law enforcement officer that results in a death, the use of force by another law enforcement officer, during which the discharge of a firearm results in an injury, or the conduct of another law enforcement officer that becomes the subject of a criminal investigation—

(1) the law enforcement agency that employs the law enforcement officer, or the agency or department conducting the related criminal investigation, as appropriate, shall promptly take possession of the body camera, and shall maintain such camera, and any data on such camera, in accordance with the applicable rules governing the preservation of evidence;

(2) a copy of the data on such body camera shall be made in accordance with prevailing forensic standards for data collection and reproduction; and

(3) such copied data shall be made available to the public in accordance with subsection (1).

(u) **LIMITATION ON USE OF FOOTAGE AS EVIDENCE.**—Any body camera video footage recorded by a Federal law enforcement officer that violates this part or any other applicable law may not be offered as evidence by any government entity, agency, department, prosecutorial office, or any other subdivision thereof in any criminal or civil action or proceeding against any member of the public.

(v) **PUBLICATION OF AGENCY POLICIES.**—Any Federal law enforcement agency policy or other guidance regarding body cameras, their use, or the video footage therefrom that is adopted by a

Federal agency or department, shall be made publicly available on that agency's website.

(w) **RULE OF CONSTRUCTION.**—Nothing in this part shall be construed to preempt any laws governing the maintenance, production, and destruction of evidence in criminal investigations and prosecutions.

SEC. 373. PATROL VEHICLES WITH IN-CAR VIDEO RECORDING CAMERAS.

(a) **DEFINITIONS.**—In this section:

(1) **AUDIO RECORDING.**—The term “audio recording” means the recorded conversation between a Federal law enforcement officer and a second party.

(2) **EMERGENCY LIGHTS.**—The term “emergency lights” means oscillating, rotating, or flashing lights on patrol vehicles.

(3) **ENFORCEMENT OR INVESTIGATIVE STOP.**—The term “enforcement or investigative stop” means an action by a Federal law enforcement officer in relation to enforcement and investigation duties, including traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance.

(4) **IN-CAR VIDEO CAMERA.**—The term “in-car video camera” means a video camera located in a patrol vehicle.

(5) **IN-CAR VIDEO CAMERA RECORDING EQUIPMENT.**—The term “in-car video camera recording system” means a video camera recording system located in a patrol vehicle consisting of a camera assembly, recording mechanism, and an in-car video recording medium.

(6) **RECORDING.**—The term “recording” means the process of capturing data or information stored on a recording medium as required under this section.

(7) **RECORDING MEDIUM.**—The term “recording medium” means any recording medium for the retention and playback of recorded audio and video including VHS, DVD, hard drive, solid state, digital, or flash memory technology.

(8) **WIRELESS MICROPHONE.**—The term “wireless microphone” means a device worn by a Federal law enforcement officer or any other equipment used to record conversations between the officer and a second party and transmitted to the recording equipment.

(b) **REQUIREMENTS.**—

(1) **IN GENERAL.**—Each Federal law enforcement agency shall install in-car video camera recording equipment in all patrol vehicles with a recording medium capable of recording for a period of 10 hours or more and capable of making audio recordings with the assistance of a wireless microphone.

(2) **RECORDING EQUIPMENT REQUIREMENTS.**—In-car video camera recording equipment with a recording medium capable of recording for a period of 10 hours or more shall record activities—

(A) whenever a patrol vehicle is assigned to patrol duty;

(B) outside a patrol vehicle whenever—

(i) a Federal law enforcement officer assigned that patrol vehicle is conducting an enforcement or investigative stop;

(ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement; or

(iii) an officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose; and

(C) inside the vehicle when transporting an arrestee or when an officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose.

(3) **REQUIREMENTS FOR RECORDING.**—

(A) **IN GENERAL.**—A Federal law enforcement officer shall begin recording for an enforcement or investigative stop when the officer determines an enforcement stop is necessary and shall continue until the enforcement action has been completed and the subject of the enforcement or investigative stop or the officer has left the scene.

(B) **ACTIVATION WITH LIGHTS.**—A Federal law enforcement officer shall begin recording when patrol vehicle emergency lights are activated or when they would otherwise be activated if not for the need to conceal the presence of law enforcement, and shall continue until the reason for the activation ceases to exist, regardless of whether the emergency lights are no longer activated.

(C) **PERMISSIBLE RECORDING.**—A Federal law enforcement officer may begin recording if the officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose; and shall continue until the reason for recording ceases to exist.

(4) **ENFORCEMENT OR INVESTIGATIVE STOPS.**—A Federal law enforcement officer shall record any enforcement or investigative stop. Audio recording shall terminate upon release of the violator and prior to initiating a separate criminal investigation.

(c) **RETENTION OF RECORDINGS.**—Recordings made on in-car video camera recording medium shall be retained for a storage period of at least 90 days. Under no circumstances shall any recording made on in-car video camera recording medium be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use unless otherwise ordered or if designated for evidentiary or training purposes.

(d) **ACCESSIBILITY OF RECORDINGS.**—Audio or video recordings made pursuant to this section shall be available under the applicable provisions of section 552a of title 5, United States Code. Only recorded portions of the audio recording or video recording medium applicable to the request will be available for inspection or copying.

(e) **MAINTENANCE REQUIRED.**—The agency shall ensure proper care and maintenance of in-car video camera recording equipment and recording medium. An officer operating a patrol vehicle must immediately document and notify the appropriate person of any technical difficulties, failures, or problems with the in-car video camera recording equipment or recording medium. Upon receiving notice, every reasonable effort shall be made to correct and repair any of the in-car video camera recording equipment or recording medium and determine if it is in the public interest to permit the use of the patrol vehicle.

SEC. 374. FACIAL RECOGNITION TECHNOLOGY.

No camera or recording device authorized or required to be used under this part may be equipped with or employ facial recognition technology, and footage from such a camera or recording device may not be subjected to facial recognition technology.

SEC. 375. GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on Federal law enforcement officer training, vehicle pursuits, use of force, and interaction with citizens, and submit a report on such study to—

(1) the Committees on the Judiciary of the House of Representatives and of the Senate;

(2) the Committee on Oversight and Reform of the House of Representatives; and

(3) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 376. REGULATIONS.

Not later than 6 months after the date of the enactment of this Act, the Attorney General shall issue such final regulations as are necessary to carry out this part.

SEC. 377. RULE OF CONSTRUCTION.

Nothing in this part shall be construed to impose any requirement on a Federal law enforcement officer outside of the course of carrying out that officer's duty.

PART 2—POLICE CAMERA ACT

SEC. 381. SHORT TITLE.

This part may be cited as the “Police Creating Accountability by Making Effective Recording

Available Act of 2020” or the “Police CAMERA Act of 2020”.

SEC. 382. LAW ENFORCEMENT BODY-WORN CAMERA REQUIREMENTS.

(a) **USE OF FUNDS REQUIREMENT.**—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by section 334, is amended by adding at the end the following:

“(10) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to develop policies and protocols in compliance with part OO.”.

(b) **REQUIREMENTS.**—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

“PART OO—LAW ENFORCEMENT BODY-WORN CAMERAS AND RECORDED DATA

“SEC. 3051. USE OF GRANT FUNDS.

“(a) **IN GENERAL.**—Grant amounts described in paragraph (10) of section 502(a) of this title—

“(1) shall be used—

“(A) to purchase or lease body-worn cameras for use by State, local, and tribal law enforcement officers (as defined in section 2503);

“(B) for expenses related to the implementation of a body-worn camera program in order to deter excessive force, improve accountability and transparency of use of force by law enforcement officers, assist in responding to complaints against law enforcement officers, and improve evidence collection; and

“(C) to implement policies or procedures to comply with the requirements described in subsection (b); and

“(2) may not be used for expenses related to facial recognition technology.

“(b) **REQUIREMENTS.**—A recipient of a grant under subpart 1 of part E of this title shall—

“(1) establish policies and procedures in accordance with the requirements described in subsection (c) before law enforcement officers use of body-worn cameras;

“(2) adopt recorded data collection and retention protocols as described in subsection (d) before law enforcement officers use of body-worn cameras;

“(3) make the policies and protocols described in paragraphs (1) and (2) available to the public; and

“(4) comply with the requirements for use of recorded data under subsection (f).

“(c) **REQUIRED POLICIES AND PROCEDURES.**—A recipient of a grant under subpart 1 of part E of this title shall—

“(1) develop with community input and publish for public view policies and protocols for—

“(A) the safe and effective use of body-worn cameras;

“(B) the secure storage, handling, and destruction of recorded data collected by body-worn cameras;

“(C) protecting the privacy rights of any individual who may be recorded by a body-worn camera;

“(D) the release of any recorded data collected by a body-worn camera in accordance with the open records laws, if any, of the State; and

“(E) making recorded data available to prosecutors, defense attorneys, and other officers of the court in accordance with subparagraph (E); and

“(2) conduct periodic evaluations of the security of the storage and handling of the body-worn camera data.

“(d) **RECORDED DATA COLLECTION AND RETENTION PROTOCOL.**—The recorded data collection and retention protocol described in this paragraph is a protocol that—

“(1) requires—

“(A) a law enforcement officer who is wearing a body-worn camera to provide an explanation if an activity that is required to be recorded by the body-worn camera is not recorded;

“(B) a law enforcement officer who is wearing a body-worn camera to obtain consent to be recorded from a crime victim or witness before interviewing the victim or witness;

“(C) the collection of recorded data unrelated to a legitimate law enforcement purpose be minimized to the greatest extent practicable;

“(D) the system used to store recorded data collected by body-worn cameras to log all viewing, modification, or deletion of stored recorded data and to prevent, to the greatest extent practicable, the unauthorized access or disclosure of stored recorded data;

“(E) any law enforcement officer be prohibited from accessing the stored data without an authorized purpose; and

“(F) the law enforcement agency to collect and report statistical data on—

“(i) incidences of use of force, disaggregated by race, ethnicity, gender, and age of the victim;

“(ii) the number of complaints filed against law enforcement officers;

“(iii) the disposition of complaints filed against law enforcement officers;

“(iv) the number of times camera footage is used for evidence collection in investigations of crimes; and

“(v) any other additional statistical data that the Director determines should be collected and reported;

“(2) allows an individual to file a complaint with a law enforcement agency relating to the improper use of body-worn cameras; and

“(3) complies with any other requirements established by the Director.

“(e) **REPORTING.**—Statistical data required to be collected under subsection (d)(1)(D) shall be reported to the Director, who shall—

“(1) establish a standardized reporting system for statistical data collected under this program; and

“(2) establish a national database of statistical data recorded under this program.

“(f) **USE OR TRANSFER OF RECORDED DATA.**—

“(1) **IN GENERAL.**—Recorded data collected by an entity receiving a grant under a grant under subpart 1 of part E of this title from a body-worn camera shall be used only in internal and external investigations of misconduct by a law enforcement agency or officer, if there is reasonable suspicion that a recording contains evidence of a crime, or for limited training purposes. The Director shall establish rules to ensure that the recorded data is used only for the purposes described in this paragraph.

“(2) **PROHIBITION ON TRANSFER.**—Except as provided in paragraph (3), an entity receiving a grant under subpart 1 of part E of this title may not transfer any recorded data collected by the entity from a body-worn camera to another law enforcement or intelligence agency.

“(3) **EXCEPTIONS.**—

“(A) **CRIMINAL INVESTIGATION.**—An entity receiving a grant under subpart 1 of part E of this title may transfer recorded data collected by the entity from a body-worn camera to another law enforcement agency or intelligence agency for use in a criminal investigation if the requesting law enforcement or intelligence agency has reasonable suspicion that the requested data contains evidence relating to the crime being investigated.

“(B) **CIVIL RIGHTS CLAIMS.**—An entity receiving a grant under subpart 1 of part E of this title may transfer recorded data collected by the law enforcement agency from a body-worn camera to another law enforcement agency for use in an investigation of the violation of any right, privilege, or immunity secured or protected by the Constitution or laws of the United States.

“(g) **AUDIT AND ASSESSMENT.**—

“(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this part, the Director of the Office of Audit, Assessment, and Management shall perform an assessment of the use of funds under this section and the policies and protocols of the grantees.

“(2) **REPORTS.**—Not later than September 1 of each year, beginning 2 years after the date of

enactment of this part, each recipient of a grant under subpart 1 of part E of this title shall submit to the Director of the Office of Audit, Assessment, and Management a report that—

“(A) describes the progress of the body-worn camera program; and

“(B) contains recommendations on ways in which the Federal Government, States, and units of local government can further support the implementation of the program.

“(3) **REVIEW.**—The Director of the Office of Audit, Assessment, and Management shall evaluate the policies and protocols of the grantees and take such steps as the Director of the Office of Audit, Assessment, and Management determines necessary to ensure compliance with the program.

“SEC. 3052. BODY-WORN CAMERA TRAINING TOOLKIT.

“(a) **IN GENERAL.**—The Director shall establish and maintain a body-worn camera training toolkit for law enforcement agencies, academia, and other relevant entities to provide training and technical assistance, including best practices for implementation, model policies and procedures, and research materials.

“(b) **MECHANISM.**—In establishing the toolkit required to under subsection (a), the Director may consolidate research, practices, templates, and tools that been developed by expert and law enforcement agencies across the country.

“SEC. 3053. STUDY.

“(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of the Police CAMERA Act of 2020, the Director shall conduct a study on—

“(1) the efficacy of body-worn cameras in deterring excessive force by law enforcement officers;

“(2) the impact of body-worn cameras on the accountability and transparency of the use of force by law enforcement officers;

“(3) the impact of body-worn cameras on responses to and adjudications of complaints of excessive force;

“(4) the effect of the use of body-worn cameras on the safety of law enforcement officers on patrol;

“(5) the effect of the use of body-worn cameras on public safety;

“(6) the impact of body-worn cameras on evidence collection for criminal investigations;

“(7) issues relating to the secure storage and handling of recorded data from the body-worn cameras;

“(8) issues relating to the privacy of individuals and officers recorded on body-worn cameras;

“(9) issues relating to the constitutional rights of individuals on whom facial recognition technology is used;

“(10) issues relating to limitations on the use of facial recognition technology;

“(11) issues relating to the public’s access to body-worn camera footage;

“(12) the need for proper training of law enforcement officers that use body-worn cameras;

“(13) best practices in the development of protocols for the safe and effective use of body-worn cameras;

“(14) a review of law enforcement agencies that found body-worn cameras to be unhelpful in the operations of the agencies; and

“(15) any other factors that the Director determines are relevant in evaluating the efficacy of body-worn cameras.

“(b) **REPORT.**—Not later than 180 days after the date on which the study required under subsection (a) is completed, the Director shall submit to Congress a report on the study, which shall include any policy recommendations that the Director considers appropriate.”.

TITLE IV—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

SEC. 401. SHORT TITLE.

This title may be cited as the “Closing the Law Enforcement Consent Loophole Act of 2019”.

SEC. 402. PROHIBITION ON ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) IN GENERAL.—Section 2243 of title 18, United States Code, is amended—

(1) in the section heading, by adding at the end the following: “**or by any person acting under color of law**”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

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

“(c) OF AN INDIVIDUAL BY ANY PERSON ACTING UNDER COLOR OF LAW.—

“(1) IN GENERAL.—Whoever, acting under color of law, knowingly engages in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any Federal law enforcement officer, shall be fined under this title, imprisoned not more than 15 years, or both.

“(2) DEFINITION.—In this subsection, the term ‘sexual act’ has the meaning given the term in section 2246.”; and

(4) in subsection (d), as so redesignated, by adding at the end the following:

“(3) In a prosecution under subsection (c), it is not a defense that the other individual consented to the sexual act.”.

(b) DEFINITION.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”;

(3) by inserting after paragraph (6) the following:

“(7) the term ‘Federal law enforcement officer’ has the meaning given the term in section 115.”.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 109A of title 18, United States Code, is amended by amending the item related to section 2243 to read as follows:

“2243. Sexual abuse of a minor or ward or by any person acting under color of law.”.

SEC. 403. ENACTMENT OF LAWS PENALIZING ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) IN GENERAL.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, in the case of a State or unit of local government that does not have in effect a law described in subsection (b), if that State or unit of local government that would otherwise receive funds under the COPS grant program, that State or unit of local government shall not be eligible to receive such funds. In the case of a multi-jurisdictional or regional consortium, if any member of that consortium is a State or unit of local government that does not have in effect a law described in subsection (b), if that consortium would otherwise receive funds under the COPS grant program, that consortium shall not be eligible to receive such funds.

(b) DESCRIPTION OF LAW.—A law described in this subsection is a law that—

(1) makes it a criminal offense for any person acting under color of law of the State or unit of local government to engage in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any law enforcement officer; and

(2) prohibits a person charged with an offense described in paragraph (1) from asserting the consent of the other individual as a defense.

(c) REPORTING REQUIREMENT.—A State or unit of local government that receives a grant under the COPS grant program shall submit to the Attorney General, on an annual basis, information on—

(1) the number of reports made to law enforcement agencies in that State or unit of local government regarding persons engaging in a sexual act while acting under color of law during the previous year; and

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year.

SEC. 404. REPORTS TO CONGRESS.

(a) REPORT BY ATTORNEY GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report containing—

(1) the information required to be reported to the Attorney General under section 403(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act while acting under color of law; and

(B) the disposition of each case in which sexual misconduct by a person acting under color of law was reported.

(b) REPORT BY GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243(c) of title 18, United States Code, as amended by section 402, committed during the 1-year period covered by the report.

SEC. 405. DEFINITION.

In this title, the term “sexual act” has the meaning given the term in section 2246 of title 18, United States Code.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SEVERABILITY.

If any provision of this Act, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act and the application of the remaining provisions of this Act to any person or circumstance shall not be affected thereby.

SEC. 502. SAVINGS CLAUSE.

Nothing in this Act shall be construed—

(1) to limit legal or administrative remedies under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.), or title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);

(2) to affect any Federal, State, or Tribal law that applies to an Indian Tribe because of the political status of the Tribe; or

(3) to waive the sovereign immunity of an Indian Tribe without the consent of the Tribe.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 4 hours, equally divided among and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 2 hours.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 7120.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the tragic and brutal death of George Floyd has been a wake-up call for millions of Americans. Across the Nation and around the

world, the streets are lined with protesters demanding fundamental change in the culture of law enforcement and meaningful accountability for officers who commit misconduct. Today, we answer their call.

We value and respect the many brave and honorable police officers who put their lives on the line every day to protect us and our communities. We know that most law enforcement officers do their jobs with dignity, selflessness, and honor, and they are deserving of our respect and gratitude for all they do to keep us safe.

But we must also acknowledge that there are too many exceptions. Too many law enforcement officers do not uphold the ethic of protecting and serving their community. Instead, the reality for too many Americans—especially for too many African Americans—is that police officers are perceived as a threat to their liberties, to their dignity, and, all too often, to their safety.

To those who do not believe it, look at these tragic statistics. African Americans are more than twice as likely to be shot and killed by police each year, and Black men between the ages of 15 and 34 are approximately 10 times more likely to be killed by police than other Americans.

This is not a new problem. Our country’s history of racism and racially motivated violence is rooted in the original sin of slavery, lynchings, and Jim Crow, and systemic racism continues to haunt our Nation. We see it in the rates of COVID deaths, in our system of mass incarceration, and in the vast chasm of economic inequality, all of which fall disproportionately on the backs of African Americans. We see it in the harassment and excessive force that people of color routinely face by far too many of our police officers.

An unmistakable message has been sent to African Americans in this country that they are second class citizens and that their lives are somehow of less value. Well, let me state clearly and unequivocally that Black lives matter.

George Floyd mattered.
Breonna Taylor mattered.
Eric Garner mattered.
Amadou Diallo mattered.
Tamir Rice mattered.
Walter Scott mattered.

Laquan McDonald and so many others mattered.

Rayshard Brooks mattered, and the countless other people who have lost their lives at the hands of law enforcement mattered.

For far too long, pleas for justice and reform have fallen on deaf ears in Congress. But that changes today. The George Floyd Justice in Policing Act would finally allow for meaningful accountability in cases of police misconduct, and it would begin the process of reimagining policing in the 21st century.

This legislation makes it easier for the Federal Government to successfully prosecute police misconduct

cases. It effectively bans chokeholds, ends racial and religious profiling, encourages prosecutions independent from local police, and eliminates the dubious court-made doctrine of qualified immunity in civil rights lawsuits against law enforcement officers.

At the same time, it works to prevent police violence and bias through a series of front-end approaches aimed at encouraging departments to meet a gold standard in training, hiring, de-escalation strategies, bystander duty, use of body cameras, and other best practices.

The bill also ends no-knock warrants in drug cases, stops the militarization of local policing, and requires the collection of data on a number of key policing matters which would be made public, including the first ever national database on police misconduct incidents to prevent the movement of dangerous officers from department to department.

It also creates a new grant program for community-based organizations to create local commissions and task forces on policing innovation to reimagine how public safety could work in a truly equitable and just way in each community.

I want to thank the sponsor of this legislation, the gentlewoman from California (Ms. BASS), for her tremendous work in crafting a bill that is at once bold and transformative, while also taking a responsible and balanced approach to the many complicated issues associated with policing.

I also want to thank the activists across the country who are leading the protests. It is because of you that we are here today considering the most significant reforms to policing in a generation. It is because of your energy, your determination, and your demands for justice that the Nation has awakened to the need for action.

I know that everyone in this Chamber mourns those who have lost their lives at the hands of law enforcement. But today is our opportunity to offer more than just sympathy. Today is our opportunity to show the world that we are listening and that we will respond with real and lasting reforms.

Thoughts and prayers are not enough. Pledges to study the problem are not enough. Half measures are not enough. Pretend sham measures are not enough.

We must not let this moment slip away. If we do, it will be a terrible stain on our legacy.

Madam Speaker, I urge all of my colleagues to support this vital legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 18, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House
of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning section 365 of H.R. 7120, the "Justice in Policing Act of 2020."

I appreciate your willingness to work cooperatively on this legislation. I recognize that

section 365 of the bill contains provisions that fall within the jurisdiction of the Committee on Armed Services. I acknowledge that your Committee will not formally consider H.R. 7120 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7120 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 19, 2020.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary, House
of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: I am writing to you concerning H.R. 7120, the "Justice in Policing Act of 2020." There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Armed Services Committee.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, we will not formally consider H.R. 7120. We do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claims over the subject matters contained in the bill which fall within its Rule X jurisdiction.

Please ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective Committees.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 24, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to you concerning section 362 of H.R. 7120, the "Justice in Policing Act of 2020."

I appreciate your willingness to work cooperatively on this legislation. I recognize that section 362 of the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider H.R. 7120 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7120 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, June 24, 2020.

Hon. JERROLD NADLER,
Chair, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN NADLER: I write concerning H.R. 7120, the "Justice in Policing Act of 2020," which was additionally referred to the Committee on Energy and Commerce (Committee).

In recognition of the desire to expedite consideration of H.R. 7120, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the Congressional Record during floor consideration of H.R. 7120.

Sincerely,

FRANK PALLONE, JR.
Chairman.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, what happened to George Floyd last month in Minneapolis was tragic, horrific, and as wrong as wrong could be. His family deserved justice, and I hope they get that swiftly. Bad police officers must be held accountable for their misconduct, and justice must be carried out.

While we focus on rooting out the bad apples, we need to remember that the overwhelming majority of law enforcement officers are good people who put themselves in harm's way to keep the rest of us safe.

We need meaningful legislation that increases training, ensures transparency, holds everyone accountable, and guarantees that tragedies similar to what happened in Minneapolis don't happen again.

This moment in our great Nation's history demands that we work together across the aisle to fashion legislation that works, legislation that actually makes a real and lasting difference.

Unfortunately, Democrats haven't done that, and they show no sign of wanting to do that. They didn't consult us when they put together this legislation.

In committee just last week, Republicans offered 12 thoughtful and good amendments, every single one voted down—every single one.

In the Senate just yesterday, Democrats voted to not even debate a commonsense proposal put forward by Senator SCOTT.

Now, it is interesting. There was some bipartisan support for moving to debate. Two Democrats and one Independent voted with the Republicans, yet Democrats chose partisanship over real reform.

We need reform, but House Democrats have delivered a bill that is designed to keep cops in the car; and when you do that, it makes our communities less safe by preventing good law enforcement officers from being able to do their job. That is what this bill is going to do. Now is not the time to cripple the men and women who so selflessly serve our communities.

This bill has serious due process concerns for law enforcement officers.

Bad officers must be held accountable for their crimes. No one disputes that. But this bill would punish unadjudicated allegations against officers, including officers who may be innocent of those allegations.

This bill will make our law enforcement officers less safe by prohibiting them from obtaining surplus equipment from our Federal Government.

We had an amendment in the committee that says: What about just allowing folks on the border dealing with the cartels, dealing with the terrorists they deal with down there, what about letting those law enforcement agencies have access to surplus military equipment? Democrats said no. That was one of the 12 amendments they said no to.

This equipment allows officers to protect themselves and the communities they serve. For example, armored vehicles in Texas were used to rescue people from rising floodwaters during Hurricane Harvey, and helmets saved the lives of officers who were shot at while responding to the terrorist attack at the Pulse nightclub in Orlando in 2016.

And this bill does nothing to address the calls for defunding and dismantling police departments. Frankly, I have never heard such a crazy idea. This concept, the most insane public policy proposal I have ever heard—and I have been in politics a few years—will certainly make our communities less safe.

It is a real failure of leadership that the Speaker and the chairman chose not to even seek any Republican consensus, any Republican input on the legislation. Rather than working with us in the House to put forward meaningful bipartisan solutions, Democrats have rushed this bill to the floor and have put forward extreme measures, knowing these measures will not pass the Senate and will not get to the President's desk.

Just last week, we held a markup for this bill. As I said, every single one of the Republican amendments were rejected by my Democrat colleagues, all 12 of them.

Fortunately, President Trump has led the way and signed an executive order last week that will invest more energy and resources in police training, recruiting, and community engagement. We have consulted with many of the law enforcement folks on our side, like the sponsor of our legislation, Mr. STAUBER, 20 years as a commander in the Duluth Police Department. That community engagement is essential.

That is what is also in the President's executive order, this in addition to his many achievements over the past 3½ years, including record low unemployment, a booming economy, the 2017 tax cuts, the USMCA, the FIRST STEP Act, and the list goes on and on.

Senator SCOTT's bill, which as I said Mr. STAUBER introduced in the House, also gets to the heart of the issue without hamstringing the men and women who faithfully serve our communities. It focuses on training, accountability, and transparency.

It provides additional training for our law enforcement officers in de-escalation tactics and the duty to intervene when an officer is observing excessive use of force. It provides more funding for body cameras and for the storage of the footage.

It prevents bad officers from going from department to department and creates an enhanced penalty for the falsifying of police reports. It is a bill that has the right answers and a bill that should pass the Senate and get signed into law by the President.

Now is the time for us to come together as Americans and continue to make this country the greatest nation ever.

Madam Speaker, I urge my colleagues to oppose this bill, and I reserve the balance of my time.

Mr. NADLER. Madam Speaker, Mr. JORDAN is correct. The Democrats in the Senate did indeed oppose the Republican bill because that bill is a sham designed to look as if it is doing something, designed to look as if it is having some reform while, in fact, doing nothing, just more sham and just more sham histrionics designed to make sure that nothing real passes and that nothing changes.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Speaker, I thank the chairman.

Madam Speaker, I rise in support of the George Floyd Justice in Policing Act because Black lives matter.

Police killed George Floyd over a counterfeit \$20 bill as if his life didn't matter.

Police in Atlanta, Georgia, killed Rayshard Brooks for running away as if his life didn't matter.

Breonna Taylor, Kathryn Johnston, Tamir Rice, Walter Scott, Philando Castile, Eric Garner, and a long list of others, each killed by police and robbed of their constitutional right to due process.

□ 1345

None of these notorious killings moved Congress to act. It took regular folks of all races, creeds, and colors taking to the streets in every part of this country, even in the face of a global pandemic, to tell the world that we have had enough of police killing Black folks. Our people need to know that we hear them. And Congress knows that on the one hand, President Trump's

cronies, like Roger Stone and Michael Flynn, can lie to Federal investigators only to receive a get-out-of-jail free card from the President's protector, Attorney General William Barr. But on the other hand, regular Black folks, like George Floyd and Rayshard Brooks—accosted for broken-taillight types of offenses—get executed by the police acting as judge, jury, and executioner.

The only way that Congress can prove to the American people that we believe that Black lives matter is for all of us—Republicans and Democrats alike—to take legislative action, to stop police from brutalizing and killing Black people—not tomorrow, not next year. Now.

Madam Speaker, in the name of Michael Brown and the citizens of Ferguson, Missouri, let's demilitarize police departments.

In the name of Breonna Taylor and Kathryn Johnston, let's ban no-knock warrants.

In the name of George Floyd and Eric Garner, let's ban chokeholds and make it easier for police departments to fire bad cops.

In the name of Tamir Rice, let's enact a national registry of bad cops.

Madam Speaker, for the people of the United States demanding action, let's pass the George Floyd Justice in Policing Act now.

Mr. JORDAN. Madam Speaker, I would just point out, the chairman of the committee said that Democrats rejected Senator SCOTT's bill yesterday. Not all of them. Not all of them. A couple of them voted for it—bipartisan support. In fact, that is the only proposal that has bipartisan support right now—Senator SCOTT's bill. In fact, it has tri-partisan support because one of the Independents in the Senate voted for it. So it is not accurate to try to characterize Senator SCOTT's legislation the way the chairman did.

Madam Speaker, I yield 4 minutes to the distinguished gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Madam Speaker, I thank the gentleman for yielding me the time and for his tremendous work on this issue.

Madam Speaker, I am disappointed. I am disappointed by the fact that we had an opportunity today to make real bipartisan and meaningful reform. Yet, that is not the bill that is before us today.

I am disappointed the Democrat leadership seems more interested in passing a bill through the House than having actual solutions signed into law.

And I am disappointed the bill before us today punishes good police officers.

Madam Speaker, this is very personal to me. One month ago, my community lost one of our own. George Floyd was born in Fayetteville, and members of his family still live in our community. I was honored to be asked to speak at his memorial service, where I promised his family and our community that I would work to create real and meaningful reform.

After listening to many leaders in our community, as well as talking to many here in Congress, it became clear that there is a lot that Republican and Democrats agree on: We agree on banning chokeholds, increasing police accountability, and information-sharing, improving training, reforming no-knock warrants, and increasing the use of body cameras.

The reality of our divided government is that for any legislation to become law, it has to pass the Democrat-controlled House, the Republican-controlled Senate, and be signed by the Republican President. The Democrats introduced this legislation with no input from Republicans. It jammed it through the committee without accepting any constructive input or amendments.

Now, many Republican amendments would have strengthened this bill—like increasing the penalty for lynching and blocking unions from protecting bad cops. This bill also removes qualified immunity for police officers. That means any police officer can be dragged into civil court by any disgruntled person they ever come in contact with.

Madam Speaker, we all agree bad cops shouldn't be able to hide behind qualified immunity. Representative BEN CLINE and I introduced an amendment that would have earned the support of a majority of this House and would have solved this problem, but the Democrats wouldn't allow it. Now, why would they do that?

Madam Speaker, my colleagues across the aisle may have the votes to pass this measure in the House, but this legislation is already dead on arrival in the Senate, and the President would never sign it.

They would say to the families who mourn the loss of life, they would say to the people who march for justice, that 100 percent of nothing is better than 80 percent of what they propose in this bill. They want you to believe the failure to get real reform is the thought of the Republicans when they have shut us out of the process, and they blocked us from having an open debate in the Senate.

Wake up, America. The Democrats in Congress hope you aren't smart enough to see the truth. Wake up and demand that your elected officials work together to get you the reform that all people of good will demand. Tell them to stop this charade while there is still time.

Madam Speaker, we owe it to the memory of George Floyd and to good police officers who risk their lives every day to protect us. I am committed to continuing to fight for meaningful reform and for healing in our communities, and I ask my colleagues on both sides of the aisle to stop the political games and answer the cries heard across this country.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, I rise today in strong support of the George Floyd Justice in Policing Act.

Mr. HUDSON is my friend. I think the world of Mr. HUDSON, but Mr. HUDSON wasn't in the markup or the hearing of the Committee on the Judiciary on this bill. And what they would have seen is what I saw and what I put into the Hill publication today.

I saw shams. I saw ruses. I saw them bringing up antifa. I saw them bringing up "Russia hoax," bringing up Michael Flynn. They brought up abortion. They didn't talk about George Floyd. They didn't talk about attacks on African Americans. They didn't talk about justice and making it better. They brought up sham issues to try to divert the American people's eyes to what is the Trump train propaganda machine. And they were on it.

They brought up the sister of a slain officer in Oakland thinking that they were going to change the narrative to the protesters and, really, the rioters. Well, it turned out it was a boogaloo member; people who are white, many are white supremacist, and they want civil war in this country for who killed that officer and then within a week killed a sheriff in Santa Cruz. You don't ever hear them mention boogaloo. They bring up antifa. And there is nothing about antifa to be involved in any of these protests. It is unfortunate what we have seen.

This is a good bill. Its time is now. It collects data on bad cops so other police departments will know about it. It collects data on the use of deadly force. It prohibits chokeholds. It makes reforms on deadly-force usage. It sets up an independent system of judgment on officers where there won't be home cooking and hand-in-glove law, as it has been currently, and there will be better training: Racial bias and de-escalation.

They brought up defunding the police, that Congress has not brought up defunding the police. That is their ruse. It is "re-fund," if anything, but it is not defund. It is embarrassing. I was embarrassed to see the Republicans did it. It was a shame on the lives of George Floyd, Eric Garner, Michael Brown, all the other people in Memphis—Steven Atkins and Darrius Stewart—whose lives have been cut short by improper activities and deadly force by police officers.

Police are mostly good, but the ones that aren't need to be brought to justice.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman from Ohio.

Madam Speaker, I rise to join my colleagues in voicing my great concern with the substance of this bill and the

broken process by which it was produced. As we have all agreed, the issue of updating and reforming the way in which our communities are policed and strengthening the relationship between those brave Americans who serve us in uniform and the communities they serve are matters of critical importance.

The people of this country expect and deserve the Members of this body to rise to this occasion and work together to find common ground on solutions that will preserve the civil liberties of all people and protect and honor the legitimacy of law enforcement. These are not mutually exclusive pursuits.

Madam Speaker, at our hearing in the Committee on the Judiciary 2 weeks ago, you heard a little bit about that.

It is interesting the lens by which we see this. Anybody who watched that, I think they could see that we all heard moving testimony.

George Floyd's brother, Philonise, was there. He testified in a very moving way. Their family attorney was there, and a panel of experts that we all heard from.

At that committee hearing, I, and all my Republican colleagues in the markup that followed, expressed our sincere desire to work together and find common ground with the Democrat majority to solve these problems. We all agreed on the core reform issues.

We talked a lot about transparency and improving training and improving termination ability for those rare individuals who serve in law enforcement and violate the law, and the legitimacy that upholds the character of our legal system.

We could have built consensus around those and other key ideas to restore faith in our institutions and build trust in our communities. But, unfortunately, just 10 days after introduction of the bill, the majority marked up the final version that we are voting on today without any opportunity for input from Republican Members. They blocked us out of the room, and then denied us, as our ranking member, JIM JORDAN, just said, they denied a dozen amendments—good-faith amendments—that we brought to that process. What a tragedy that is.

Madam Speaker, you have to ask yourself, because my constituents are asking themselves, people back home are asking why. Why would they do that? Why would our colleagues on the other side shut us out of the room, when everybody acknowledges this is a real problem, that we need bipartisan solutions to it.

My good friend, Senator TIM SCOTT, explained it well yesterday in his epic speech on the floor of the Senate after the Democrats on the other side spiked and killed his bill. He explained the process: That he went to CHUCK SCHUMER, the leader over there, and the other Democrats, he went to each of them individually to find out what their concerns were with this bill to figure out how to fix it.

He offered first, in good faith, five amendments to the bill, then 20. Then he said he would do a manager's amendment, basically to change much of the substance of his bill just to get something over the lines so we could solve the problem. And you know what happened? They gave him the stiff arm, to use our football metaphor.

Why is that? Because they want to preserve this as a wedge issue for the elections in the fall. That is why.

And TIM SCOTT said it better than we could—and I commend every American to watch the video of his speech on the floor. This reality leaves us at an impasse today, and it makes perfectly clear that this bill in its current form goes too far. As Congressman JORDAN has explained, it ties the hands of American law enforcement, jeopardizes the safety of every American. We have to oppose it.

Madam Speaker, I urge my colleagues to do so, and it is a shame it has come to this.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume. You have heard a lot of errant nonsense on the floor. But it must not go un rebutted.

Ms. BASS, the chairperson of the Black Caucus and the chairperson of our subcommittee talked personally to the Republican leader, Mr. MCCARTHY, and got nowhere. The Committee on the Judiciary's staff talked to the Republican staff of the Committee on the Judiciary and got nowhere. The Republican amendments that Mr. JORDAN advanced at the markup, his wonderful amendments, included antifa, the Seattle autonomous zone, stripping out the entire underlying legislation, defunding police departments, and adding a death penalty to antilynching legislation passed by the House.

Of course, we wouldn't accept these amendments. They couldn't utter the phrase "Black Lives Matter," and could barely engage the subject of police reform. Instead, their amendments—and I have given you about half of them just listed here—were errant nonsense, off-topic, dealing with imaginary things like antifa, and completely negating the entire purpose of the bill. They weren't interested in "Black Lives Matter." They weren't interested in police reform. They were interested in pure demagoguery. Of course, we would not accept their amendments.

Madam Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

□ 1400

Mr. CICILLINE. Madam Speaker, Dr. Martin Luther King, Jr., visited my district in April of 1967. Almost a year to the day he was killed, Dr. King told Rhode Islanders:

I haven't lost faith in the future. But I never intend to adjust myself to the madness of militarism or racial inequality.

More than 50 years later, we are still fighting the madness of racial inequality.

I believe that all of us in this Chamber are here for a reason. It is our solemn duty to acknowledge the sins of the past 400 years and begin to repair the soul of America.

We can build a better, more just country.

Pass the George Floyd Justice in Policing Act, because Black lives matter.

Make the critical reforms that we need to do right now.

End the chokehold. End racial profiling. Demilitarize police departments. Hold bad police officers accountable.

When we do this, we can begin to rebuild trust between the police and the community.

Colleagues, do not be obstructionists. Stand with us in this historic moment. Set aside politics. Stop living in fear of the President's Twitter account. Remember the oath you took to your constituents and to our country.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Before yielding, I just point out, I can't believe the chairman of the Judiciary Committee would utter such a statement on the House floor, but he said, "Imaginary things like antifa." They are not imaginary; they are real. And if you don't believe me, go talk to Andy Ngo, the journalist in Portland who was attacked by antifa, who the President of the United States designated as a terrorist organization.

And to have the chair of the Judiciary Committee on the House floor say these words: "Imaginary things like antifa"? They are far from imaginary. And there are people in every major city in this country who know that, and yet the chair of the Judiciary Committee just made that statement. That is scary.

So when we say we weren't consulted and they talk about—when you have that kind of attitude, we had good, thoughtful amendments in that committee. No, no, no, we can't deal with it, because their attitude is antifa is imaginary. It is far from that. Go ask that journalist in Portland, who just a year ago was beaten up by these individuals. That is ridiculous.

I yield 4 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Madam Speaker, despite what you may hear and read from the majority, there is actually a lot of common ground between the legislation that we are considering today here and the legislation that I am an original cosponsor of recently introduced by Senator TIM SCOTT and here by PETE STAUBER. We ought to pass those provisions that we agree on and continue to discuss and debate the things we don't.

Last week in the Judiciary Committee, as has been mentioned, we offered a dozen reasonable, thoughtful amendments to improve this bill. But every single one was rejected by the majority, every single one.

Improving police-community relations is a critical issue that we should

be working on together to solve, which could have a real and lasting positive impact on preventing future senseless acts of violence.

We should also be working together to honor the memories of all of those lost in the recent unrest, including George Floyd and David Underwood and Breonna Taylor and David Dorn. Doing so would serve as a beginning to a healing process to emerge a stronger, more unified Nation.

Madam Speaker, I represent Ohio's First Congressional District, which includes much of the city of Cincinnati.

Back in 2002, following protests and civil unrest over the shooting of a young man, the death of a young man named Timothy Thomas, the city, police representatives, community leaders, and local and Federal officials entered into something called the Collaborative Agreement, to build positive, constructive relationships between the police department and the communities that they serve.

The Collaborative Agreement implemented many of the reforms that we are discussing today: Revised use-of-force policies and mandatory training; emphasizing de-escalation procedures; increased transparency; and independent citizen complaint authority to investigate allegations against police officers; and use of automatic body cameras, among other reforms.

The results haven't been perfect, but we have seen a dramatic improvement in local police-community relations. Also arrests and serious crimes have decreased across the city. And, notably, excessive use of force and violence against police officers has decreased.

These positive results are not due to heavy-handed mandates from the Federal Government. Rather, the changes are more attributable to the grassroots collaborative process, which required everyone involved to put aside their political agendas and work together. Both police and the neighborhoods that they serve had to reach out to each other and come together to address concerns and problem areas.

One of my suggestions to improve this bill calls for a study of Cincinnati's Collaborative Agreement, and other similar agreements, to explore what worked well, what didn't, and what lessons can help other communities across the Nation.

At the same time, we must recognize the important work law enforcement officers do to keep our communities safe. That is why I suggest that we also focus on supporting those police officers who dedicate their lives to protecting our communities.

Specifically, I propose that we add retired police officers who are killed while serving in public or private security roles, like Sergeant David Dorn, to the Public Safety Officers' Benefits Program, which provides death and education benefits to the families of officers killed in the line of duty.

Madam Speaker, these and other proposals from my colleagues are reasonable and would improve the legislation that we are considering today.

I hope that Democrats and Republicans here in the House can work together with the Senate to get meaningful legislation to the President, just as we did with the coronavirus legislation, before another life is lost.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we agree on some things; nothing meaningful. The Republicans agree on studies, not on action. They agree on nothing that will add accountability to the police, nothing that will prevent police brutality, nothing that contributes in any way to Black Lives Matter.

They will not agree to banning chokeholds. They will not agree to changing the mens rea statutes so we can hold brutal officers accountable. They will not agree to banning no-knock warrants in drug cases. They will not agree to ending qualified immunity.

They will agree to studies. They will agree to gestures. They will agree to shams. Their whole approach is a sham, because they agree to nothing meaningful, and they claim to be meaningful.

Their claim is a sham. They will do nothing that will add accountability, nothing that will save one life, nothing that will put one brutal policeman in jail. Nothing.

Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I thank him for his stalwart support for justice in policing. Thank you so much for bringing this legislation to the floor, to you, Mr. NADLER, members of the Judiciary Committee, and the Congressional Black Caucus.

Madam Speaker, exactly one month ago, George Floyd spoke his final words, "I can't breathe," and changed the course of history in our Nation. I will never forget that, nor will many others. I will also never forget his calling out for his mama right there at the end.

Since that horrific day in Minneapolis, Americans from every walk of life and corner of the country have been marching, protesting, and demanding that this moment of national agony become a moment of national action.

Today, by passing the George Floyd Justice in Policing Act, the House is honoring his life and the lives of all killed by police brutality by saying never again and taking action.

The Congress and the country are well served by the leadership of the Congressional Black Caucus, the conscience of the Congress, as we call it, with JOHN LEWIS and so many other leaders, which has been developing these reforms contained in this legislation for decades, 49 years to be exact.

We are blessed to be led by CBC Chair KAREN BASS, who brings 47 years of leadership advocating for an end to police brutality. She brings extraordinary gentility, grace, and strength to this fight.

As you know, Madam Speaker, the George Floyd Justice in Policing Act will fundamentally transform the culture of policing to address systemic racism, curb police brutality, and save lives, as it puts an end to shielding police from accountability.

We don't paint all police with the same brush. But for those who need to be painted with that brush, we need to take the action contained in this bill.

This legislation contains bold, unprecedented reforms, including banning chokeholds. People say, "Well, why can't you compromise with the other side?" Well, they don't ban chokeholds. We ban chokeholds. So are we supposed to come up with a number of chokeholds we will agree with? No. We ban chokeholds. Stopping no-knock warrants on drug offenses. Ending the court-created qualified immunity doctrine that is a barrier to holding police officers accountable for wrongful conduct.

Our distinguished chairman enumerated all of these things just now. Combatting racial profiling, mandating data collection, including body and dashboard cameras, strengthening independent investigations of police departments, creating a publicly accessible national police misconduct registry.

Publicly accessible, that is what the Senate bill does not do. We will take the data and keep it to ourselves? Well, what is the use?

And establishing strong new standards for policing.

This week, a coalition of more than 135 leading civil and human rights groups sent a letter stating their opposition to the Senate bill. We have our bill; they have their bill.

And this is what 135 leading civil rights groups had to say:

The Senate act is an inadequate response to the decades of pain, hardship, and devastation that Black people have and continue to endure as a result of systemic racism and lax policies that fail to hold police accountable for misconduct.

This bill falls woefully short of the comprehensive reform needed to address the current policing crisis and achieve meaningful law enforcement accountability.

It is deeply problematic to meet this moment with a menial incremental approach that offers more funding to police and few policies to effectively address the constant loss of Black lives at the hands of police.

Passing watered-down legislation that fails to remedy the actual harms resulting in the loss of life is a moral statement that is inconsistent with a genuine belief that Black lives matter.

Further, any attempt to amend or salvage the Senate act will only serve to check the box and claim reform, when in actuality no reform has occurred to combat police misconduct and to protect Black lives.

135 leading civil and human rights organizations said that.

House Democrats hoped to work in a bipartisan way to create meaningful change to end the epidemic of racial injustice and police brutality. However, it is disappointing that the Senate GOP has ignored the voices of hundreds of thousands of people peacefully calling out for justice and progress, day in and day out, week in and week out, for the past month.

The Senate proposal mimics words of real reform but takes no action to make any difference. It is inadequate and unworthy of support.

During this moment of anguish, which we want to turn into action, it would be a moral failure to accept anything less than transformational change.

But it is clear that the White House has zero interest in real change. Yesterday, the White House went so far as to issue a veto threat, stating that the George Floyd Justice in Policing Act would deter good people from pursuing careers in law enforcement.

No, Mr. President, good people are pursuing careers in law enforcement. Banning chokeholds is not going to deter good people from pursuing careers in law enforcement. That is a White House concern.

Hundreds of people are dying. Vetoing this will make the White House what? Ignoring of this epidemic?

The George Floyd Justice in Policing Act is a bill that American people are insisting on, that this moment in history demands. And what a shameful, bad-faith act to dismiss the will of the public out of hand.

Two weeks ago, Philonise Floyd, the brother of George Floyd, testified so beautifully and powerfully before Mr. NADLER's committee, the Judiciary Committee, on this legislation. He said that day: "The people marching in the streets are telling you enough is enough. Be the leaders that this country, this world, needs." That was his challenge to us.

□ 1415

Then, he said: "George's name means something. . . . If his death ends up changing the world for the better, and I think it will"—I think it has—"then he died as he lived. It is on you to make sure his death is not in vain."

Today, with this bill, we have the opportunity and the obligation to ensure that George Floyd's death and the death of so many are not in vain. Their lives matter, Black lives matter.

Madam Speaker, I urge a strong bipartisan vote on the George Floyd Justice in Policing Act. Justice is for George by passing this bill.

Madam Speaker, I thank the distinguished chairman for all of his leadership and work on these issues, not only today and this past month but over time. I urge an "aye" vote.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Madam Speaker, I agree with what was just

said. This is here to talk about justice, and justice is supposed to be blind to everything, race, socioeconomic status, blind to politics.

It was interesting just a few minutes ago that when confronted with an amendment that they didn't like, they chose to deal with their collective bargaining agreements on things that actually do pander and stop us from getting at the bad actors in the police departments from going on. The Democrats chose not to talk about it, to walk away and obfuscate and not talk about it.

That was an amendment, frankly, that the chairman didn't list because the chairman understands that that is a problem that needs to be worked on, and we could have, but we didn't.

The bill does not do, in fact, what it is said to do. Some of the provisions of this bill actually will hurt the police officers and the police in our community. It doesn't help; it actually hurts. There are many things that do help, and we can work on those.

The Speaker of the House just said that passing a watered-down bill is wrong. Well, I will tell you what else is wrong. It is coming to the floor of this House and saying passing this bill will change anything because it will not. And stopping the Senate bill from going forward and having amendment and having process is wrong as well because the only way the two bodies will come together and find the common ground and denominator to actually pass a bill—I have been on this floor before, many times, having to remind our colleagues that simply coming to this floor and passing something doesn't make it law.

In this case, it is more important than ever to know that the Senate is working on the Republican side because they are a Republican majority. We are a Democratic majority. You are going to pass a Democratic bill. That is fine. The Senate will pass a Republican bill. But then you go to conference. But when you poison the discussion like we are doing today, that is wrong.

Justice, as I have seen in my home State when I have a DA who is charging police officers before investigations are over—Paul Howard needs to recuse himself. Why? Because good people are being harmed.

The Speaker actually said, Madam Speaker, that good police officers want to do their jobs. That is correct. Yet, right now, the city of Atlanta is seeing a large increase in officers from the Atlanta Police Department applying anywhere else but Fulton County because they don't think they can get backed up. That is what the problem of this bill is.

This is not something that we just simply should take lightly. Justice for George Floyd should be the first and foremost thing, and not just George Floyd, anyone in this case.

There are areas that we can work on, but simply putting things together, throwing it together, and then having

the obstruction of the Senate coupled with the bill in the House that cannot get signed is simply talking to these cameras and making a point that nothing else is going to get done.

That is the travesty, Madam Speaker. The travesty is thinking this actually does something. Watered-down bills, not watered-down bills but bills that are not allowed to go to conference and actually work the will of these two bodies, one controlled by Republicans, one controlled by Democrats, is simply wrong. We did it in the FIRST STEP Act, and some of those very same civil rights groups that spoke against the FIRST STEP Act came around when they saw that we were honestly negotiating to an end.

So as we move forward, I would urge "no" on this. But I would urge that the destruction stop, and it doesn't start here. So we all need to help and put justice first for everyone.

Mr. NADLER. Madam Speaker, the gentleman who just spoke referred to the collective bargaining provision. He apparently hasn't read the bill. That provision is in the bill. I suggest he read the bill.

Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, my friends on the other side of the aisle are consistently being persistent in the language of why process for them is more important than saving lives. I answer the question with a little book called the Constitution of the United States, which on this day we hope that we will make it holier and more potent for the large numbers of African American men and women who have seen the brunt of racial profiling and police brutality.

Now, let me be very clear. In the opening of this Constitution, it tracks the language that says we are created for a more perfect union. Centuries later, Dr. Martin Luther King asked the question of why we can't wait to be allowed to be full citizens in this Nation as African Americans. He also said now is the time.

So when a Member asked me about the moment of this bill, this day, I said: There are few seismic moments on the floor of the House. There are few catastrophic earthquake moments that change lives and save lives. Today, we cannot wait. Amadou Diallo could not wait more than 20, 30 years ago. Now, we have legislation that will be a significant civil rights moment in our history.

I am very pleased to have introduced the Law Enforcement Trust and Integrity Act with my colleagues that does help police, that does require the accreditation of 18,000 police departments. Maybe if the officers in Minneapolis had been trained in human decency and the stopping of excessive force and the duty to intervene, not only would George Floyd's life been saved, but many others in times before.

But we have a bill that says that you have to require something. And when I

walked amongst the neighbors of George Floyd that grew up in Cuney Homes near Jack Yates, they surrounded me, even in the midst of COVID-19, and said: What is this bill going to do? Is it going to do something?

This bill provides a direct requirement for accreditation, the requirement to professionalize police. And, yes, it is racial profiling, and it has teeth in it because it includes a prohibition in profiling based on ethnicity, national origin, religion, and gender. And it creates a cause of action by the Attorney General of any who are injured. We have never had that before. And, yes, it adds a modification of roll-back on qualified immunity.

But I say to my friends, in rolling back qualified immunity, you have due process. You are in the courthouse.

It limits the military hardware disbursements, use of force, and it professionalizes the police.

Now, I want to answer the question of Philonise Floyd. He doesn't want his brother to be on his shirt; he wants justice.

As I conclude, Madam Speaker, I just want to answer his daughter's point. His daughter, Gianna, said: "My daddy changed the world."

We are changing the world. We can't wait, and now is the time—not process, but reality, and making a bill that changes civil rights in this Nation.

Mr. JORDAN. Madam Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Madam Speaker, I rise today in opposition to the bill.

While I have many major concerns with this attempt to federalize State and local law enforcement, I would like to specifically address the issue of qualified immunity.

Qualified immunity protects police officers, teachers, and social workers from civil liability when performing their duties in a proper manner. Should this bill become law, it would completely eliminate qualified immunity for law enforcement.

Now, I know that many of my colleagues on the other side, along with many well-meaning folks around the country, think that that is a good idea, but they have been fed a false narrative. So, let me break a few myths surrounding qualified immunity and explain why it is so important to protect it.

Myth number one: If you are a good police officer, you have nothing to worry about. That is absolutely not true. Imagine this scenario, and this is one that occurs every day in departments across America. You are attempting to make an arrest. The suspect physically resists arrest. The suspect is now fighting the police, and the officer uses empty-hand techniques to secure him. But the suspect is injured while being lawfully and properly secured.

The officer has done nothing wrong, properly followed the law, followed department policy and agency training,

did everything by the book. If this bill becomes law, he will still be sued individually, despite doing everything by the book, and that is just wrong.

I spent 41 years of my life in law enforcement, including 12 years as sheriff. Every single day I went to work, I knew and was willing to put my life on the line for my community. It is what I signed up for, and it is what every officer in this country signs up for.

However, I shouldn't be asked to put my wife's future and my children's future in that breach also. That is not what I signed up for, not when I properly followed the law, followed my agency's policies, followed my training to the letter, but I could still be sued. That is not part of the deal.

Myth number two: Qualified immunity is always granted by the courts. This also is not true. In fact, courts only grant qualified immunity to officers 57 percent of the time. In the majority of the cases where qualified immunity was granted, it was determined that officers did not violate anyone's constitutional rights.

Under current law, even if the court grants the officer qualified immunity, the plaintiff can still sue the agency for alleged ineffective training or policies.

Myth number three: Qualified immunity gives officers free rein on the job. That is absolutely false. It is not true. In order for qualified immunity to apply, an officer must have followed the law, followed agency policy, followed all the proper training. If he violates any one of those, he is on his own and open to civil litigation.

Madam Speaker, law enforcement is too dangerous of a profession that deals in split-second decisions. Most people in this room have no idea what it is like to determine in a high-stress situation whether a suspect is pulling out a gun or a cell phone. They never wrestled a man to the ground who is fighting like hell to evade arrest.

Police officers don't get to watch a video in slow motion over and over again to figure out what to do. That is why qualified immunity exists. In fact, the U.S. Supreme Court just confirmed it.

We cannot be so eager to make major policing reforms on the Federal level that we overcorrect and prevent good officers on the street from being able to do their jobs. We should not put our communities at that kind of risk.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Madam Speaker, I yield an additional 30 seconds to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Madam Speaker, I want to invite my colleagues on the other side of the aisle to reconsider this legislation. Not one single point will destroy the bedrock of law enforcement in this country, and I know there are Members across the aisle that understand that because they have been there; they have done that; they have made those arrests.

I ask you to listen to them and vote "no" on this legislation.

Mr. NADLER. Madam Speaker, the gentleman stated a moment ago, I think he said 60 or 65 percent of police officers who got qualified immunity did not violate the constitutional rights of the victims. Well, he is conceding, in other words, that in 40 or 30 percent, or whatever it is, of the time when qualified immunity is granted and holds officers unaccountable, they have violated the constitutional rights of the victims. That is one of the reasons why we must change the doctrine of qualified immunity.

Madam Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. RICHMOND).

□ 1430

Mr. RICHMOND. Madam Speaker, I thank the gentleman for yielding.

Let me just quickly reply to what I think the big difference is between the two sides. We just heard an eloquent argument about the financial impact to families if a police officer loses his job, that they have loss of income. What we are talking about is the loss of love and support both financially and emotionally to a family when they lose their father or their mother or their child. So while one side looks at this as a purely financial or economic problem, we look at it as life or death.

I also heard them talk about the Senate bill. I won't even go into the Senate bill. It doesn't ban chokeholds. It doesn't end no-knock warrants. That bill has about as much teeth as a newborn baby.

But what I will say, Madam Speaker, is that America is burning, and my colleagues can't see it or they don't want to see it because of blind loyalty to a self-absorbed leader who lacks the character or concern to care.

But America is not only burning; America is also weeping. She is weeping for the victims of excessive force by those sworn to protect and serve. She is crying for her American leadership to man up to meet this moment and to write in the laws of this country once and for all that Black lives do matter.

She is calling on us to act, not to cower to the moment, be wilfully ignorant, or just deny the ugly facts. Now is not the time for the quintessential coward or the political hypocrite.

America is crying and America is weeping. If you open your hearts and your ears and get past the purposeful irrelevant noise, you will then hear that she is begging for help. Just listen. America is crying for help just like George Floyd did.

So the real question today is: Will you pretend you didn't see those horrific 8 minutes and 46 seconds? Will you cower to the white nationalists or will you continue to only protect life until it is born?

In church, we are taught that weeping may endure for the night, but joy cometh in the morning. Colleagues,

today we will determine how long the night lasts, how long the mourning will last, the weeping will last. How long before we see the joy of the morning? How long before we make this a more perfect Union?

It is time for results, not rhetoric.

And to the Members on the other side who may have African-American children, let me just tell you the difference really quickly.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Madam Speaker, I yield the gentleman from Louisiana an additional 30 seconds.

Mr. RICHMOND. Madam Speaker, let's assume two kids go out at night to the school dance. When the Black mother is waiting by the phone and the phone rings and the child says, "Well, there was a problem," and both kids say, "We see police lights. The police are on the way," the White mother and parent is going to think help is on the way and feel relieved; the Black mother is going to get more concerned and say, "Just do whatever they tell you, baby. Just come home. No matter how much they degrade you, just come home."

There is a difference of policing in this country, and we are just asking to fix it.

Mr. JORDAN. Madam Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. KING), who, for 28 years, has served his fine constituents.

Mr. KING of New York. Madam Speaker, I thank the gentleman for yielding.

I rise in opposition to H.R. 7120.

The brutal murder of George Floyd and the protests and demonstrations since then highlight the racial issues which still afflict our Nation and which deserve thoughtful discussion and debate. I want to use my time today to reject the premise of systemic police racism, which is the genesis of today's legislation.

I say the opposite: No one has done more to protect all lives than the police. Take New York City, where thousands of protesters have regularly taken to the streets to demonstrate against the NYPD even though, in the past 25 years, the policies and actions of the NYPD have literally saved tens of thousands of lives of people of color. The city has gone from more than 2,000 murders a year, with a great majority of them being African American, to less than 300.

Last year, NYPD officers fired their weapon 35 times. That is 35 times in a police force of 36,000 in a city of more than 8 million, and millions more commuters and tourists. Five African Americans were killed by the NYPD in the entire year, four of whom had a gun or knife.

You won't hear this on the House floor from the other side today, but nationally, more Whites are killed by police than African Americans each year, both in total numbers and in proportion to their encounters with police.

Supporting this legislation, which targets the police, might make people feel better about themselves in the short run but would result in more crime and murder in the minority communities, which already suffer from inadequate healthcare, housing, and educational opportunity.

Just in the past month, we have seen shootings increase dramatically in cities such as Chicago and New York, where shootings are at their highest level in almost 25 years.

It is time to be honest. It is not a peaceful protest when businesses are wrecked and looted, when rocks and bricks and Molotov cocktails are thrown at cops and more than 300 police officers are injured, as we are seeing right now in New York.

No, police are not perfect—none of us are, that is for sure—but they do outstanding work. Just last month, this House, under Democratic leadership, passed the HEROES Act, recognizing the great work of the police in combating COVID-19. How things change in one month.

My father was in the NYPD for more than 30 years. I have been to too many wakes and funerals of cops who have made the ultimate sacrifice, laying down their lives for others.

Police deserve more than this legislation, which targets them for society's ills. It is time to stand with the men and women in blue who put their lives on the line for all the rest of us every day of the year. I strongly urge a "no" vote.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Madam Speaker, I thank the distinguished chair for yielding and for his great leadership.

Madam Speaker, we have a national problem here in America of police violence, police brutality, and the police use of excessive force. It requires a national solution. That is why Congress should pass the George Floyd Justice in Policing Act.

Here in America, every Black mother and every Black father has to have the talk with their child about what to do when approached by the police because any encounter can turn deadly, not because of criminal conduct but because of the color of their skin.

Just ask the family of Amadou Diallo, the family of Sean Bell, the family of Eric Garner, the family of Tamir Rice, the family of Walter Scott, the family of Oscar Grant, the family of Stephon Clark, the family of Breonna Taylor. Just ask the family of George Floyd, who narrated his own death for 8 minutes and 46 seconds and called for his mama.

It is a difficult conversation. I had to have the talk with my two sons, and I knew what to say word for word because my father had the same talk with me decades ago, and nothing has changed.

So all of us in this Chamber, whether you are a Democrat or Republican,

should want to make sure that people like our good friend and colleague CEDRIC RICHMOND shouldn't have to have the same talk with his beautiful Black son, 6-year-old little Ced.

We have an opportunity to change things today, and that is what we should do. To the protesters: We hear you; we see you; we are you. We are sick and tired of being sick and tired.

America is a great country. We have come a long way. We still have a long way to go.

We are tired of police violence in a country where the Declaration of Independence promises life, liberty, and the pursuit of happiness.

We are tired of police violence in a country where the Pledge of Allegiance promises liberty and justice for all.

We are tired of police violence in a country where the Constitution promises equal protection under the law.

We are sick and tired of being sick and tired. That is why we should act.

It is time to end racial profiling, time to criminalize the chokehold, time to demilitarize the police, time to end qualified immunity, time for a national standard on the excessive use of force, time for a database on brutal officers, time to expand the Justice Department Office of Civil Rights' jurisdiction, and time for the George Floyd Justice in Policing Act so we can continue our country's long, necessary, and majestic march toward a more perfect Union.

Mr. BIGGS. Madam Speaker, I ask unanimous consent that I be permitted to control the balance of the Republican time.

The SPEAKER pro tempore (Ms. OMAR). Without objection, the gentleman from Arizona (Mr. BIGGS) will control the balance of the Republican time.

There was no objection.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentlewoman from Arizona (Mrs. LESKO.)

Mrs. LESKO. Madam Speaker, I thank the gentleman for yielding.

Black lives matter. My two grandsons, who are Black, their lives matter. I don't want anything bad to happen to them.

My life matters. White lives matter. Hispanic lives matter. Asian lives matter. Native American lives matter. Quite frankly, all lives matter. Police officers' lives matter, too.

What happened to George Floyd was terrible, and bad cops or cops that do bad things have to be held accountable. But we have to recognize that the vast majority of law enforcement officers are good, honest people trying to help our community and protect our community.

We can't throw the baby out with the bathwater, as the saying goes. We need a bipartisan bill because you guys know, I know you are passionate, I know you believe in this, but you also know that this bill that you are pushing through without negotiating with Republicans on is not going to go anywhere.

So, if you actually want something done, you have to negotiate with Republicans because, after all, they have a majority in the Senate, and we have a Republican President.

I ask that we work on a bill that not only holds police officers that do bad things accountable, but that does not undermine law enforcement so that they can do what they need to do to protect our society.

I have talked to numerous law enforcement officers and police chiefs in my district. All of them, every single one of them, said there are portions of this Democrat bill that would undermine their ability to protect us in our communities.

Now, there are other parts of this bill that I support, that Republicans support, that the President could sign. So why don't we try to unite on the things that we can agree on?

It has been said before that in Judiciary Committee none of the Republican amendments were—you voted them all down. Democrats voted them all down. And then Senator SCOTT said that he offered 20 amendments to the Democrats in the Senate, and they rejected them.

So, if we really want to get something done—and we should get something done—let's try to work together instead of pushing through a bill that you haven't reached out to Republicans to negotiate on.

I also am very dismayed by what is happening around our country. I know people are upset, and I applaud the people who are peaceful in their protests.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BIGGS. Madam Speaker, I yield the gentlewoman from Arizona an additional 30 seconds.

Mrs. LESKO. Madam Speaker, I ask all Members, both Republican and Democrat, to call on the people who are violent out in our streets, people who are looting, people who are tearing down statues, people who are setting up autonomous zones—in the one in Seattle they killed somebody there—please, let's try to heal our country together.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Madam Speaker, I thank the gentleman for yielding.

I support this bill because Black lives matter.

Gianna Floyd, the 6-year-old daughter of George Floyd, said, "My daddy changed the world." We are here to prove that she is right.

□ 1445

I spoke to an African American member of my community 2 weeks ago who told me he feels safe twice a day: when he wakes up in his own house and after work when he comes into his own house.

He said, "In between, people look at me, at the nice car I worked hard to

buy, and they think that I stole it. I have police officers often running my plates and then realize I don't have any warrants, and they drive off."

This member of our community is a police captain. So if a Black police captain feels that way, imagine how people in the Black community who are not in law enforcement feel.

We can change the world with these necessary police reforms, because Black lives do matter.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Madam Speaker, I rise today disappointed and frustrated with this legislation and the dysfunction of this legislative body.

Police work is vital, sometimes thankless, sometimes dangerous.

My oldest son is a police officer, and we talked about these issues long before the events of the last several weeks. He recently had to put on a vest and police multiple times, protests where, Madam Speaker, I prayed to God they would not turn violent and someone would get hurt. So it is near and dear to my heart, as well as some Members on the other side of the aisle.

It is not an economic issue. It is an issue of America, it is an issue of rights, and meaningful change is needed now.

All across this country, our constituents, our neighbors, and, yes, my family, are begging us to step forward and lead, to come together for reform.

We see these demonstrations in our cities and towns across this Nation, and we all agree reform is needed, yet yesterday in the Senate, constructive legislation proposed by Senator SCOTT was blocked by Democrats despite a commitment to full debate on the floor and amendments.

We apparently don't want to legislate, do we?

I have actively reached out for substantive discussion on this bill with the sponsor to offer input and support, to no avail.

I spoke with Ms. BASS today, and she hopes maybe we will set up a work group, but not until we vote on this Democrat-developed bill, without the ability to even consider a single amendment.

Heaven forbid we legislate.

Senator SCOTT was correct in his speech yesterday: the issue is about not what action we take, but about who takes and can claim the action.

My colleagues in the other party are so focused upon election messaging, they overlook some critical things.

We have needed to address these issues for decades. Even when a Democrat was in the White House and the Democrats controlled both bodies of this legislature, nothing was done.

This issue will not go away. I think we agree on that. It is staying.

Lacking action, this issue will become more heated and divisive in our communities across this Nation.

What do you say we all simply focus on doing our current jobs rather than worrying about the November election?

What do you say, how about we actually legislate to achieve effective reform instead of messaging, because messaging right now is a disaster for this Nation?

We should all in this body feel ashamed for taking up space and time when we are not solving the problem.

God help us all.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would like to respond to the assertion that we have not been willing to work with the Republicans on this important legislation. Allow me to set the record straight in detail on where we are and how we got here.

We introduced a comprehensive policing reform bill 18 days ago. We explained to our colleagues in the minority that we initiated the process by developing comprehensive legislation with Senators BOOKER and HARRIS as well as with members of our caucus. We also explained the importance of moving quickly given the moment we were in as a Nation.

Since that time, we have indicated to the minority that if they are interested in developing legislation that they could support, we needed to understand how they wanted to change the bill and whether those changes would lead them to support the bill.

Chair BASS has reached out to the minority leader and to Senator SCOTT, and we have reached out to the minority over the course of the last 10 days.

We held a hearing 2 weeks ago in which the minority invited three witnesses.

The minority did not share a single amendment with us before last week's markup. The minority refused our offer to review and work with them on specific amendments they offered, that we indicated we could support if we had the opportunity to review and discuss before we go to the floor.

That is their right, of course, but in my experience, when a Member would like the majority to support their amendments, they would ordinarily share the text with us in advance. That did not happen here.

I would also note that some of what we saw is in the bill now, and we have not received a single outreach regarding this important matter from either the Trump White House or the Trump Department of Justice.

Again, in my experience, if there were a serious and good-faith effort to enact legislation, the White House would seek to work with both sides of the aisle and both sides of the Capitol. That has not happened thus far.

Chair BASS and I and the others on our side of the aisle have remained open to a full and frank discussion with the minority about their possible support of real and meaningful policing reform legislation. That has not happened thus far.

But it is my hope that the Senate will take up meaningful legislation—

the legislation that Senator SCOTT has offered was hardly meaningful—but I hope they will take up meaningful legislation and I hope that we can work with them to pass meaningful legislation.

Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Madam Speaker, the whole premise of civil government is that we will be safer inside the social contract than outside of it, the state of nature which Thomas Hobbes famously described as a state of war, "solitary, poor, nasty, brutish, and short."

So we give up the habits of violent self-help for trust in the rule of law and the impartial administration of justice.

But where was the American social contract for George Floyd as Officer Chauvin asphyxiated him with his knee as he begged for his life; or Breonna Taylor, a 26-year-old EMT who was shot eight times in her own bed by officers carrying a no-knock warrant; or Tamir Rice, a 12-year-old boy who had a water fight in the park, and then was shot dead by a police officer getting out of his car?

The American social contract has always been contaminated by racism. In the words of the Supreme Court in the Dred Scott decision, our Constitution began as a "White man's compact" in which the African American had "no rights the White man was bound to respect."

The Civil War gave us the chance for a new birth of freedom, but after 12 years of reconstruction, it was washed away by the KKK and Jim Crow.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. RASKIN. Madam Speaker, American apartheid lasted until the modern civil rights movement, when the blood sacrifice of JOHN LEWIS and Medgar Evers, Schwerner, Chaney, and Goodman, and Dr. King gave us the Civil Rights Act of 1964 and the Voting Rights Act of 1965, but we have been brought back to the baseline of violent white supremacy by a reactionary Supreme Court and a President who looks into the souls of white supremacists and sees "very fine people."

This is the real deep state in America: violent white racism.

Black Lives Matter and America's young people have given us the chance to launch a new birth of freedom, a third reconstruction in America. Let's start today with the George Floyd Justice in Policing Act.

Mr. BIGGS. Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. GOHMERT), my friend.

Mr. GOHMERT. Madam Speaker, I thank my friend from Arizona for yielding.

There have been tragedies in this country, and yet it still hasn't been

enough, apparently, to have the majority in the House, at least the leadership, try to work together to come to a solution.

We have seen some of those solutions, and I have got the bill here, H.R. 7120, but there is no better example than the legislation that Congressman BOBBY RUSH has worked on for years and years trying to pay an appropriate tribute to a 14-year-old Black young man who was kidnapped, horribly tortured, and killed. And I can just read the last phrase of this section 250:

The person may be in prison for not more than 10 years.

So I have an amendment that I thought should get some Democrat votes. We are not going to pass any of ours unless we have Democrat votes. But I believe the death penalty in lynching cases is totally appropriate, certainly in some of them. That is why I felt it was totally appropriate that the two people under Texas law that lynched, that killed James Byrd got the death penalty. It has already been implemented.

But I understood from hearing Chairman NADLER say three times, I believe it was, the death penalty is barbarous. It is barbarous. It is barbarous. Okay, he made clear to his members, do not support the Gohmert amendment. And I would be happy calling it the Bobby Rush amendment, because a life sentence was originally in his bill.

I offered—and it was spur of the moment, I didn't have it planned—okay. Look, you are stopping the members—this is what I am thinking—from voting for my amendment. All right. I need Democrat votes. Let's take out the death penalty and just say "any term of years, including life," and stop there, not the "or death."

They wouldn't even agree to that. No. They are going to stop anything that Republicans want to do.

We ought to be setting the example to those who are creating a Marxist crime wave across our country trying to destroy what we have instead of playing partisan games in here.

I am glad to hear in here how much the Democrats tried to reach out and work with us, because I sure didn't get that message, because we were ready, willing, and able.

And it is further demonstrated in the Senate, when TIM SCOTT was doing everything he could to get a bill passed, and he couldn't get any support.

Look, what do you see out in the streets? You see White spoiled adults coming up to Black law enforcement officers, spitting, just chiding them, giving them all kinds of crud. The message is clear: We are White spoiled brats, and you came off the plantation. Get back.

That is what Clarence Thomas said he felt like because he was a conservative that wanted to think for himself.

But those same law officers are the ones—I have seen the law officers I know run to the sound of a gun to save lives even of people that make fun of them.

How did we forget 9/11 so quickly, when we saw example after example of their willingness to sacrifice?

Look, this is not going to do anything. This immunity removal is going to help the law enforcement unions. They will make a fortune, like teachers' unions do, selling the insurance, but it is going to keep law officers tied up in civil court instead of criminal court, and it is going to leave criminals on the street.

Madam Speaker, I say to my colleagues, vote "no" on this bill.

Mr. NADLER. Madam Speaker, what do we hear from our Republican friends? "Marxism," "antifa," anything but dealing with the problem.

Madam Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Madam Speaker, I rise for Charleena Lyles, Che Taylor, Manuel Ellis, Tony McDade, George Floyd, Breonna Taylor, Rayshard Brooks, Eric Garner, Atatiana Jefferson, Ezell Ford, Tanisha Anderson, Tamir Rice, Walter Scott, Philando Castile, Gabriella Nevarez, Botham Jean.

I rise for Eric Reason, Stephon Clark, Dominique Clayton, Alton Sterling, Michael Brown, Terence Crutcher, Janisha Fonville, Oscar Grant, Freddie Gray, Laquan McDonald, Michelle Cusseaux, Akai Gurley, Jamar Clark, Ariane McCree, Frank Smart, Natasha McKenna, Tony Robinson, Anthony Hill.

I rise for Alexia Christian, Mya Hall, Calin Roquemore, Peter Gaines, Sandra Bland, Demarcus Semer, Willie Tillman, Alteria Woods, Jordan Edwards, Aaron Bailey, Antwon Rose II, Pamela Turner, Salvado Ellswood, Darrius Stewart, Billy Ray Davis, Samuel DuBose.

I rise for Felix Kumi, Tyree Crawford, India Kager, Antronie Scott, Troy Robinson, Anthony Ashford, Bettie Jones, Nathaniel Harris Pickett, Aura Rosser, Dominique White, George Mann, William Chapman II, Brendon Glenn.

□ 1500

I rise for all of our Black brothers, sisters, and siblings who have been killed by law enforcement in this country.

But, Madam Speaker, it is not enough just to say their names. It is not enough just to say that Black lives matter. We must fight for Black lives and for real transformative justice.

Let us pass the George Floyd Justice in Policing Act as a bold, urgent, necessary first step. It bans chokeholds and defines them as civil rights violations. It bans no-knock warrants for drug cases. It establishes a public police misconduct registry. It reforms qualified immunity and ends racial profiling by law enforcement.

It requires reporting of incidents of use of force, stops, and searches, and the demographics of those involved, too.

It demilitarizes law enforcement by restricting the transfer of military equipment to local police departments.

It finally classifies lynching as a Federal hate crime and gives the Department of Justice the power to subpoena law enforcement departments for pattern and practice investigations.

And so critically important, it invests money into Black and Brown communities to reimagine what policing should look like, so everyone is safe.

Madam Speaker, hundreds of thousands of people in communities across America are standing up and speaking out for bold reform, organizing day after day, night after night, in big cities and small towns. They have not just forced a necessary conversation; they have prompted necessary action.

So let us, today, heed these righteous voices of the powerful movement on the ground so local communities, led by Black voices, can move forward on transformational changes. That begins today by passing the George Floyd Justice in Policing Act.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Madam Speaker, it is going to be hard to think of something original to say, but I will give it a go.

First of all, I would like to point out that nobody I know defends Derek Chauvin. And nobody I know doesn't have sympathy for George Floyd and his family. That should go without saying.

The question is, what can we do to prevent this sort of thing in the future?

I personally believe that part of the problem stems from the close relationship that big city governments have with the local unions.

I had introduced a bill when I was in the State legislature about 13 years ago making it easier to get rid of an underperforming policeman. That bill went nowhere, as most of these bills go nowhere because very few people are willing to take on the unions.

That being said, when I introduced the bill, I did expect it would save lives and would pass. I expected it to save Black lives, and I expected it to save White lives.

Right now, you can Google Heather Mac Donald. She's pretty good on this issue.

First of all, the number of lives lost in which an unarmed person was shot by a police officer has fallen the last 4 years, from 70 lives to 28 lives, which is a good step in the right direction. It doesn't mean we shouldn't do more. We should do more.

The second thing I will point out is, when adjusted for violent crime, actually, a higher percentage of White people are killed by police than Black people, and it offends me that we don't bring that up. We try to racialize the issue.

The same day Breonna Taylor died, Duncan Lemp died in a situation,

killed by the police, the exact same situation. But you don't hear about it talked about by anybody in this body or anybody on national TV. You know why they don't talk about it? Because they want to tear this country apart.

They don't want to talk about when White people are killed because they want to enrage Black people, and they want to make White people feel guilty and not like America. But if you look at the studies, that is what it shows.

Now, hopefully, these local governments can do something to make it easier to get rid of bad cops. But let's look at how this bill affects the average person. The majority of cops, the vast majority of cops, are great cops. What does it do to them? What it does is you take away qualified immunity, which means if you are a police officer, you become afraid to arrest somebody, you become afraid to resist somebody, you become afraid to pursue somebody.

What is going to happen when we have a timid, neutered police force?

Right now, in Milwaukee—I don't represent Milwaukee, but my districts goes right up to it—the number of murders this year has gone up from 37 to 72 murders in the first 5-plus months, this year compared to last year.

Does anybody care about all the people who are dying in the city of Milwaukee who aren't killed by police? I don't hear a lot about it.

Already, they have cut the number of police this year, and they are talking about cutting the number of police next year. What effect will that have on people dying? Does anybody care? I don't hear anybody care about that. All they want to do is tear down the police.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BIGGS. Madam Speaker, I yield the gentleman from Wisconsin (Mr. GROTHMAN) an additional 30 seconds.

Mr. GROTHMAN. Madam Speaker, then, finally, you talk about Black Lives Matter. I want to talk about Black Lives Matter a little bit.

You look on their website, and they want to disrupt the westernized, prescribed nuclear family. I thought everybody was for the family. Black Lives Matter, on their website, is against the strong family.

Cofounder Patrisse Cullors says government controls everything, and she says, we are trained Marxists. That person is the cofounder of Black Lives Matter. Do you want to follow them down the path of complete government control over everything?

Mr. NADLER. Madam Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. CLYBURN), the distinguished majority whip of the House.

Mr. CLYBURN. Madam Speaker, I thank the gentleman for yielding me the time.

The motto of my home State of South Carolina is "Dum spiro spero." That is a Latin phrase for: "While I breathe, I hope."

Today, as the House prepares to vote on the historic George Floyd Justice

and Policing Act, those words take on a new meaning and a very special meaning for me. In this moment, the haunting words of this legislation's namesake, "I can't breathe," echo in the streets daily.

In Mr. Floyd's case, his breath was literally being snuffed out as he cried out for his dead mother. But for so many Blacks in our country today, "I can't breathe" is just another way of saying, "I have no hope."

Today, this august body is going to pass a piece of legislation that will begin the process of restoring hope, hope to many whose ancestors fought for centuries to be included in the Nation's vision of liberty and justice for all.

This legislation gives us an opportunity to live up to what Alexis de Tocqueville observed about America's greatness. He wrote:

America is not great because it is more enlightened than any other nation, but rather because it has always been able to repair its faults.

Today, we are seeking to repair some faults in our policing system, a policing system whose foundation was built upon two pillars of experiences, one by a group of Americans who came to America of their own free will in search of freedom, the other by a group of Americans who came to America against their will and were enslaved for 244 years.

Vestiges of that system are still evident in today's law enforcement culture. Chokeholds on Black arrestees, no-knock entries into Black residences, militarized police forces in Black communities, and qualified immunity are all intended to preserve rather than serve, intended to protect perpetrators of excessive use of force rather than improve conditions and communities.

Today, House Democrats and, I hope, some of our Republican colleagues will say by their votes that enough is enough, that it is time to apply the greatness of America equitably and to all our citizens.

But we cannot stop here. Recent occurrences have exposed and shone a spotlight on inequities in our healthcare system, inadequacies in our educational system, and inappropriateness in our electoral system. Liberty and justice for all remains a deferred dream for far too many.

Job losses, challenges in healthcare, eviction threats—people are trying to catch their breath. If they can't breathe, they can't hope.

As a proud South Carolinian, I believe in and try to live by that principle: "While I breathe, I hope." With the passage of the George Floyd Justice in Policing Act, we will all breathe a little freer and gain a little more hope.

Mr. BIGGS. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, 13 years ago, I partnered with Cali-

ornia State Senate Democrats in advocating for an open records act for complaints against police officers. Five years ago, I cosponsored HANK JOHNSON's Stop Militarizing the Police Act. This year, I cosponsored JUSTIN AMASH's legislation to end qualified immunity for public officials.

So if the majority was seeking bipartisan support for police reform, they would have had it. If they had sought consultation, compromise, and cooperation, if they had reached across the aisle, they would have found many sincere allies among Republicans.

My views on law enforcement were shaped years ago when I had the honor to work for the former Los Angeles police chief, Ed Davis. His approach to law enforcement proved highly effective.

While crime increased dramatically across the rest of the country during these years, in Los Angeles, under Chief Davis, it came down. He believed in the policing principles of Sir Robert Peel, that the police are simply an extension of the community. Chief Davis believed that, and he practiced it.

He introduced neighborhood watch, enlisting citizens to work in partnership with the police. He introduced the Basic Car Plan that matched patrol officers with individual neighborhoods so that they would become a familiar, recognized, and trusted presence in those neighborhoods.

I believe the closer we adhere to these principles, the more effective law enforcement will become and the fewer abuses we will see.

Major parts of this bill move us closer to these principles, including the need to open police records of misconduct, the restriction of no-knock warrants, the restriction of transfers of military hardware to local police departments, and the encouragement of police cameras.

If these provisions were presented as standalone bills, I think many would pass with significant bipartisan support. But by rolling them into a bill that imposes an ideological laundry list of operational restrictions and procedures upon every police department in the country, it makes this bill unwise, unworkable, and unsupportable.

Worse, it ignores the most serious problem we face: the protection of bad cops by collective bargaining agreements that makes it all but impossible to fire them.

Policing is a uniquely community-based function. New York, New York, and Auburn, California, are very different places with very different needs, challenges, and standards. Running and micromanaging every local police department is far beyond our competence or authority.

So, even though there are provisions in the bill I strongly support, I cannot support the attempt to federalize local police departments, which moves us further down a slippery slope I fear we are already on.

Looking at the wreckage on our streets, I feel the ultimate target of

the left is not isolated abuses by law enforcement officers but, rather, law enforcement itself.

As we can now plainly see, without law enforcement, there is no law. And without law, there is no civilization.

Finally, I strongly condemn the sentiments expressed in so many forums that America is systemically racist. There are racists of every color in every society. It is the baser side of human nature.

But no nation has struggled harder to transcend that nature and isolate and ostracize its racists than have Americans. The American Founders placed principles in the Declaration of Independence that they believed would someday produce a nation of free men and women of all races and religions, together enjoying the blessings of liberty under the equal protection of our laws. Lincoln denounced any other claim as “having an evil tendency, if not an evil design.”

An evil tendency and an evil design are exactly what the radical left has introduced into our society, and it is tearing our country apart.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Madam Speaker, I joined the police department in 1984. Few words can describe the feeling that I had when I took my oath to protect and serve. I took it to heart.

We all know the majority of police officers do the job well every day. But today is about those who don't, those who should have never been hired, or those who have forgotten their oaths of office.

□ 1515

Police misconduct has resulted in the deaths of George Floyd, Breonna Taylor, and Rayshard Brooks—people who should be alive today.

As Members of Congress, our primary responsibility is the health, safety, and well-being of the American people. We have made progress. We have come a long way, but we still have a ways to go. Good police officers want us to get there. They need us to help them improve the profession that they love.

As a former police officer and a police chief, I am supporting the George Floyd Justice in Policing Act. Passing this bill will change much. I ask my colleagues to vote for it and pass this legislation.

Mr. BIGGS. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CRENSHAW).

Mr. CRENSHAW. Madam Speaker, I rise today in opposition to this bill, which is unfortunate because it doesn't have to be this way. There is actually a lot of agreement on much of this bill.

Honestly, I was pleasantly surprised when I read it, and if we voted on this section by section, I believe there are some areas where there would be an overwhelming bipartisan majority for some necessary and crucial reforms.

There are other parts where, if we just worked together and made some changes, we would likely get to yes on a lot of these. But as it stands now, it doesn't directly defund the police, but it certainly will result in less policing.

Needless to say, that hurts the communities we are trying to help the most. There isn't a community meeting out there that is asking for less police. Minority neighborhoods or high crime neighborhoods want more police. Now, they want better policing, but they want more of it.

In the Senate, Democrats wouldn't even debate Senator SCOTT's bill. Here in the House, Democrats won't let Republicans offer a single amendment.

What reason could the majority possibly have for refusing to work with us?

When Americans are demanding that we work together toward common goals, why won't Democrats do so?

This is sad, cynical politics. The Speaker of the House would rather call Republicans murderers than work with us on solutions.

But it was never really about police reform. The majority's eyes and actions are fixed on November, not police reform.

It is not too late. I urge my colleagues to do the right thing and work with us to send a bill that the President will sign.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. CORREA).

Mr. CORREA. Madam Speaker, I thank the gentleman for yielding.

I join Congresswoman BASS in support of H.R. 7120, the George Floyd Justice in Policing Act.

The tragic death of George Floyd and countless others will not be in vain. This bill is a comprehensive approach on policing that aims to end decades of systemic racism, and I ask my colleagues to join us in support of this measure.

I had hoped that arrest disparities, especially cannabis-related arrests, would have been part of this measure. According to the ACLU, Black people are more likely to be arrested for marijuana possession, and in some States they are up to 10 times more likely to be arrested for cannabis possession. We can't ask our police officers to enforce flawed cannabis policy. Cannabis use is a social and medical issue and not a criminal matter.

Let's not ask our police officers to do the impossible. I ask for reform in cannabis policy immediately.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Madam Speaker, I rise to express my strong support for the George Floyd Justice in Policing Act.

It is past time for Congress to make systemic changes on issues of racism,

police brutality, and racial profiling. We must put an end to unjustified use of force by the police that has resulted in the death of one too many Black and Brown Americans.

As a person of faith, I believe the responsibility falls on each and every one of us to ensure that everyone is treated as a child of God. However, the reality is George Floyd was not treated as the child of God that he is. He wasn't treated that way when he said his last words, “I can't breathe.”

Justice demands that we must put an end to police brutality, racial profiling, white supremacy, and the vicious racism in America.

Justice demands that long-suffering Americans be made whole for being denied their rights as Americans.

If there is anything that history has taught us, it is that our laws must be equal to all, and we must boldly affirm that Black lives matter.

Mr. BIGGS. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HURD).

Mr. HURD of Texas. Madam Speaker, today we are missing an opportunity to pass an overwhelmingly bipartisan bill. We are missing an opportunity for a police reform bill to actually become law. We are missing an opportunity to do our part to prevent another Black person from dying in police custody.

Everyone here believes, as I do, that whether your skin is black or your uniform is blue, you should not feel targeted in this country.

We have failed to do one simple thing: empower police chiefs to permanently fire bad cops.

This is one of the most important things Congress could have addressed. Keeping bad cops off the force could prevent another killing like George Floyd. It would protect good police officers by ensuring bad officers, like George Floyd's murderer, don't soil the reputations of good officers.

Just a few months ago when dealing with the COVID-19 pandemic, we worked together as one Congress—not two parties—to pass needed relief to our fellow citizens. That is the spirit that I wish was in this Chamber today.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from Colorado (Mr. NEGUSE).

Mr. NEGUSE. Madam Speaker, I want to extend my condolences to my good friend and to the Speaker for her recent loss.

Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act, a powerful and transformative bill that will ultimately help save lives.

In the wake of the tragic deaths of Breonna Taylor, George Floyd, Elijah McClain, Michael Marshall, and so many others, it is critical and it is our duty to act. As a multicultural and multiracial movement sweeps our Nation and as communities across the country plead for change, it lands on each of us to act.

This bill will ban chokeholds. It will bring transparency by standing up the

first ever national database of civilian police encounters, and it will provide additional tools to the Department of Justice and State attorneys general for pattern or practice investigations.

We must enact these reforms. We must stand up on the side of justice and equality. We must act.

Madam Speaker, I urge my colleagues to support this bill.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Madam Speaker, I do offer you my deepest condolences.

We stand here today keenly aware that we are living through history. Yet again, racism and injustice have opened painful wounds 400 years in the making.

I lost my son, Jordan, to those wounds. And, yes, my Black son's life did matter. With each gut-wrenching video, I am reminded of the hole left in my heart by the murder of my own son. That is my history. It is the history of far too many Black Americans, and it is a history that can never, ever be erased.

But America has always been able to rise to the tests of our time. Our future is etched in the courage of our convictions, and today we must respond with bold action.

Madam Speaker, to save American lives, to create a better future for our children, and to help mend the wounds of hate and violence, our response is clear. I urge my colleagues to support the George Floyd Justice in Policing Act.

Our time is now.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act.

I want to thank Chairman NADLER and Congresswoman BASS for their unwavering leadership on this historic legislation.

Black lives matter. George Floyd was murdered 1 month ago today. This month has been a painful and reflective period for our Nation, and the House has taken an essential step to heal that pain with this bill.

Today, we vote on long overdue legislation to bring greater accountability and transparency into policing and to help make everyone more safe. The specific measures included in this bill, from banning chokeholds and no-knock warrants to eliminating qualified immunity, are critical steps to improve policing practices. It includes reforms to combat racial profiling and right injustices that exist in America today.

The ability to end racism in our country is beyond the reach of Congress. We don't have the power to change every heart and mind, but we

do have the power to change the law, to make it more just, and to combat structural racism through measurable, meaningful reforms.

Change starts here today.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Madam Speaker, I, too, offer you my and my family's sympathies on the loss of your father.

Madam Speaker, it is my privilege to rise in support of this historic bill, the George Floyd Justice in Policing Act. Enough is enough.

Racial injustice has been right before our eyes for far too long—Amadou Diallo, Eric Garner, Tamir Rice, Breonna Taylor, Rayshard Brooks, and George Floyd. We can no longer turn a blind eye. We need to meet this civil rights moment of national anguish. We must insist on bold change, not surrender to a bare minimum.

Unarmed Black Americans are being murdered in the street by those who have sworn to protect and serve. This is not a Black problem. It is my problem. It is your problem. It is our American problem.

We must ban chokeholds, no-knock warrants, and finally hold officers accountable.

George Floyd's daughter said, "My daddy changed the world." Let's come together and honor her words. Let's change the world with this transformative bill.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. MUCARSEL-POWELL).

Ms. MUCARSEL-POWELL. Madam Speaker, my condolences. I just heard about your father.

Madam Speaker, today I rise in strong support of the George Floyd Justice in Policing Act. Today marks 1 month since George Floyd called out, "I can't breathe," as an officer suffocated him to death and two complicitly watched. The world has joined Mr. Floyd's family in demanding that we take action. South Florida and my constituents are demanding action.

We can't bring him back, but we can bring justice to him; to his 6-year-old daughter, Gianna; his family; and his brother, Philonise.

We can put an end to chokeholds and hold every police officer accountable for their actions. We can honor the life and legacy of Breonna Taylor, whose murderers still walk free, and we can and must serve the memory of the countless other lives that have been taken and brutalized by bringing law enforcement back to their roots of protecting and serving.

The time for bold and profound action is now.

□ 1530

Mr. JORDAN. Madam Speaker, I ask unanimous consent that I be permitted to control the balance of our time.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio controls the balance of the time.

There was no objection.

Mr. JORDAN. Madam Speaker, I yield as much time as he may consume to the gentleman from the State of Arizona (Mr. BIGGS), chairman of the Freedom Caucus, and my good friend and great Member.

Mr. BIGGS. Madam Speaker, I thank the gentleman for yielding some time to me.

Madam Speaker, we consider something very serious today, and that is reformation of policing. And we are, as Federal elected officials, reaching into State and local police agencies. And if this bill were to become law, we are imposing the values of us collectively—because that is the way this works—on those State and local agencies.

Madam Speaker, when we had this debate in the Committee on the Judiciary, it was often pointed out by some on my side of the aisle that there was movement afoot to defund, and in some cases, even eliminate police agencies at the local and State level. And that was viewed as a ruse, as a deflection from the issue. But in reality, indeed, this bill itself will have that effect.

Madam Speaker, see, on the front side of it, you have a radical group of folks, people who are agitating to actually defund or eliminate police agencies—whether they are affiliated with any of my colleagues, I don't know. We have had some Members of this body suggest that their own police departments are cancerous and should be amputated. We have seen that.

And then on the other hand, though, this bill actually is a rear-guard action.

So you have a frontal attack on State and local police—eliminate them. Then you have a rear-guard action. That is what this does. It brings power to control local and State police to this body.

Madam Speaker, as my friend from California said earlier, one of the most unique things about policing is it is tied to community. So we need to consider that. We need to consider that this bill will actually have the impact that so many seem to want, and that is to attenuate State and local policing. So when we start talking about qualified limited immunity and the proposed elimination of that in this bill, I recall that there were several Members from my side of the aisle that wish to see that. I mean, Mr. MCCLINTOCK said he would like to see it done away with. Others said the same thing. But there were also efforts and attempts to modify the qualified limited immunity rules.

Madam Speaker, now why is this important? Because you need to understand that QLI does not protect a police officer from charges for illegal or unconstitutional conduct. It just doesn't. But when you totally eliminate it, the same protections that are there for, whether it is a schoolteacher

or social worker or some other government worker, police officers will now be left without protection whatsoever. And the result will be, it will be harder to recruit, train, and retain police officers. We are not going to have the best police officers we can get anymore.

Madam Speaker, so what is going to happen, then, is you are going to see fewer police officers. So you are going to see, for instance, in one of the big cities in my State, hundreds of vacancies already there. You will see that move to thousands of vacancies. You will see fewer police on the street. Those police who are there will have to make a calculated cost-risk-ratio assessment.

And that assessment will be this: If I get involved in this particular situation, what will be the risk to my family going forward? If you want police officers to make that calculation, I can guarantee you they will say it is better if I sit in my car. I will wait till this situation has been ameliorated and then I will step forward. So you will have less policing, fewer officers, and that will mean higher crime. More crime.

Madam Speaker, I can't help but comment on something that was said by the chairman earlier today, something that was iterated the other day in our Committee on the Judiciary hearing on this, where a gentleman said at that time the same thing that the chairman said today, that effectively antifa was a fiction. It was imaginary. It was like a unicorn, for Pete's sake.

I refer them to a CNN article from, I believe, it is 2018, where a couple of CNN reporters interviewed leaders of the antifa movement and iterated that some members don't want to advocate for violence but others do because they have an objective and they believe that violence will help them get their objective. I don't think CNN thinks antifa is a fiction. Apparently, here, we do, though.

Madam Speaker, but I have to say that as we are talking about taking away—back to the QLI—qualified immunity, one of the members of the Committee on the Judiciary said, Well, look, here is what will happen: We just tell the police officers to go get an E&O policy, get an errors and omissions policy, like I have to do as an attorney or like doctors have to do.

Well, I viewed that statement at the time as an accidental omission that elimination of qualified limited immunity will actually leave police officers unprotected and subject to the avaricious litigation of trial attorneys. And I say that as a guy who was a trial attorney. I am really familiar with how that works.

So this bill will nationalize policing while at the same time result in higher crime, less policing, less safety. That always means there will be less respect for rights for individuals in this country.

Madam Speaker, I urge my colleagues to vote “no” on this bill.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. ESCOBAR).

Ms. ESCOBAR. Mr. Speaker, I rise in support of the George Floyd Justice in Policing Act.

Mr. Speaker, the day our country witnessed the brutal murder of George Floyd was a critical tipping point for America. His murder has sparked a movement—one of renewed calls for civil rights and justice for all.

Hundreds of thousands of Americans have been marching in the streets. They are not asking for incentives for studies or for task forces. No, they are asking and marching for and demanding meaningful change and meaningful reform. And it is up to us to rise up and deliver on change that will meet this moment.

Mr. Speaker, I pray that our Republican colleagues have a change of heart and decide to join us on our journey toward true reform. This bill is only the beginning and we need to push for a whole-of-government response—from Congress, to the statehouse, to the city halls all over America.

Mr. Speaker, our country deserves no less. This moment deserves no less. George Floyd deserves no less.

Mr. ARMSTRONG. Mr. Speaker, I ask unanimous consent to control the balance of the time of the minority.

The SPEAKER pro tempore (Mr. CASTRO of Texas). Without objection, the gentleman from North Dakota controls the balance of the time.

There was no objection.

Mr. ARMSTRONG. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I come here for two purposes: One is to express my opposition to this bill.

My second purpose is to express my hope, my hope that we can come together and that we can negotiate a long-lasting and a significant compromise, an American compromise to an American problem.

Just yesterday, the Democrats in the Senate blocked Senator TIM SCOTT's bill, the JUSTICE Act. They blocked it from moving forward with debate. They blocked it from moving forward for compromise and for negotiation. That is not an American solution.

We all agree this is an American problem. We all agree we need an American solution, and we all agree that that means we have to have negotiation. That means we have to have compromise.

Mr. Speaker, the minority leader in the Senate wouldn't even allow our counterparts in the Senate to discuss solutions and allow them to decide if it is the right path forward. Now, here we find ourselves in the House facing a situation where we have a partisan bill, drafted without Republican involvement, that is being brought to the

House floor to be voted on in a rush process. That is not an American solution to an American problem.

We have seen calls to defund the police and dismantle police departments across the United States. We all know that can only lead to bad outcomes. We all know that the police are there to protect and to serve.

Yes, we all know that there are bad policemen out there. We all know there are bad actors in every profession, and we know that they need to be weeded out. We need to do that. And we also know that those bad policemen are as offensive to the good policemen as they are to anyone. No one wants to see them weeded out more than the good policemen want to see them weeded out. This bill does nothing to address those calls and reassure Americans that things will happen.

No, this is a partisan bill with no Republican involvement whatsoever. This bill also doesn't take appropriate steps to ensure that law enforcement officers are working to improve their relations with the community—the community that they serve and protect. We have all said we need community policing. You ask any policeman, any good policeman out there, “What is the best police practice?” And they will tell you “Community policing.” That is what we need.

Mr. Speaker, instead, this bill limits their ability to do their jobs, and it keeps them in their cars rather than interacting with the people in their communities. That is what they want to do. They are not there for the money. We know that. There is not a single police person out there that is there for the money. They are there to protect and to serve. And they want community policing. That is what they want.

Mr. Speaker, in my district, we had a tragic death of a young man whose life ended way too early—Ahmaud Arbery. This was something that none of us should accept in our society, and none of us will accept in our society. It should have never happened.

We have had protests. We should have protests. I am very proud of the First Congressional District because our protests have been productive. Yes, we should protest and, yes, we are protesting. And we are getting results because we are protesting in the right way. We are protesting to change the system. That is what we want to do. We are protesting to have an American solution to an American problem.

Mr. Speaker, the right path forward is discussion and negotiation with our eyes, with our goal, with our mission set on real reforms. This bill doesn't have that. This bill doesn't represent that. This bill is not an American solution to an American problem. That is why I am urging my colleagues to oppose this bill. That is why I am urging my colleagues to negotiate, to compromise. That is why I am encouraging my colleagues to come up with an American solution to an American problem.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Minnesota (Ms. OMAR).

Ms. OMAR. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise today on behalf of the people of my city of Minneapolis, who are angry, who are sick, who are tired of being murdered at the hands of police.

I rise on behalf of Jamar Clark, who was shot in the back and killed by Minneapolis police in 2015.

I rise on behalf of Philando Castile, who was brutally murdered by police.

I rise on behalf of Black mothers, like myself, who stay up worried every single night so that their sons can come home safe.

I rise on behalf of Eric Garner, Sandra Bland, Frederick Gray.

I rise on behalf of George Floyd, who was brutally murdered, and his brutal murder touched our Nation.

I rise because so many can no longer rise. When we build a system that provides equal justice for everyone here in America, we might finally all rise.

□ 1545

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, our Nation has reached an inflection point in our history. Our country is demanding change after four centuries of systemic racism toward African Americans.

The Members of this body must listen and respond to the millions of Americans who want this country to correct course and move toward the Constitution's promise of equal justice under the law.

Your neighbors, friends, children, and grandchildren are demanding that we pass the George Floyd Justice in Policing Act and subsequently move forward in a comprehensive way to erase the stain of racism on this Nation existing since Africans first were brought ashore.

This is the moment. History will judge us by our actions today, at this pivotal moment. Future generations will look at this moment and wonder, when you had the opportunity to stand and guide our country in its ongoing quest to be a more perfect union, the question will be asked: What did you do? You can, today, begin to make right the many wrongs perpetrated upon people of color and ensure our country lives up to its great promise.

So we must get to yes. Vote "yes" on this legislation to improve the quality of life for people that are as American as any one of you.

As video evidence has clearly shown, African Americans are still due all the rights and privileges granted by the 14th Amendment.

In the words of the Missouri poet Langston Hughes:

I swear to the Lord
I still can't see

Why democracy means
Everybody but me.
I, too, am America.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1¼ minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act because it is an abomination that the people who keep me safe cause others to live in fear.

I rise because I was Breonna Taylor's Congressman, and I will continue to represent her until she gets justice because Breonna Taylor, when her door was broken down after midnight, wasn't just killed by one cop, a bad apple, or even three.

I rise because Breonna Taylor was killed by a system, a system that allowed police to blindly fire 22 shots, killing an unarmed woman in her home, and says that is not a crime.

I rise because Breonna Taylor's story, though tragic, is not unique. Because far too often, that system is more interested in shielding those who perpetrate these atrocities than seeking justice for those it is meant to serve. And because, while tragedies like Breonna's are not uncommon, and millions must live in fear for their lives every single day—I am not one of them. People who look like me are not among them.

I rise because this system is far too badly broken for Band-Aid solutions. And this bill, the most dramatic rethinking of policing ever to come before the United States Congress, is a much-needed and long-overdue step. And every day we delay will cost more lives.

I rise because hundreds of thousands have risen up and made their voices heard and shown me the way.

And most importantly, I rise because Black lives matter.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Just today, we heard the following: "We are just going to go out and start slaughtering them." North Carolina cops fired after racist talk of killing Black residents. "Wipe them off the F'ing map. That will put them back about four or five generations."

That is why we say it is systemic racism.

I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of this legislation that is long overdue. As a matter of fact, people like me have been fighting these issues for years and years. Now, we get an opportunity to actually vote.

I want to thank Chairman NADLER and Chairman BASS for giving us the opportunity to vote on what might become and should be the most important legislation we will pass this year, because it does say that Black lives, and all lives, matter.

Mr. Speaker, I rise in strong support of the George Floyd Justice in Policing Act. I am an original co-sponsor of The Justice in Policing Act which will for the first time ever under federal law:

1. establish national standard for the operation of police departments;

2. mandate data collection on police encounters;

3. reprogram existing funds to invest in transformative community-based policing programs;

4. streamline federal law to prosecute excessive force and establish independent prosecutors for police investigations;

5. make Lynching a federal crime to conspire to violate existing federal hate crime laws.

Among other specifics it will: make it easier for the federal government to successfully prosecute police misconduct cases, end racial and religious profiling, and eliminate qualified immunity for law enforcement.

The bill incentivizes the use of independent prosecutors for police misconduct investigations, helps take equipment made for war off of our streets, and requires the use of body and dashboard cameras. The legislation bans the use of choke holds and no-knock warrants the federal level and encourages states to do the same.

This bill contains no new federal funds for policing except where constitutionally-mandated for data collection and conditions access to federal grants based on a state's willingness to adopt the transformative provisions in the bill. Instead it reprograms existing grants to law enforcement and reinvests in our communities by supporting critical community-based programs to change the culture of law enforcement and empower our communities to reimagine public safety in an equitable and just manner.

The "Executive Order" signed by President Trump recently was too little, too late. Surrounded by bellicose declarations of "law and order" in the face of persistent and on-going murder of Black men and women, especially our youth, it was nothing less than an insult and an attempt to deny the demands put forward by more than three weeks of protest and calls for real change by hundreds of thousands in more than 100 cities, towns and villages in every state of the union.

I view the Justice in Policing Act as a long overdue minimum federal action to address 400 years of terrorism against the African American community and other oppressed communities and our responsibility as Members of Congress to utilize the power of the voice of the people in streets in every corner of our nation to take decisive and meaningful steps to redress the centuries of brutalization of our people.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. BASS), chair of the Crime, Terrorism, and Homeland Security Subcommittee and sponsor of this important legislation, and I ask unanimous consent that she may control the time on the majority side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, today, we take a crucial step toward racial justice. We do it in the name of George Floyd, Breonna Taylor, Tony McDade, Corey Jones, and all of those lives unjustly taken by law enforcement.

We mourn and say their names on the House floor because their lives and all Black lives matter.

So let's move to end the policing culture that lacks real transparency and accountability. Let us unite to ban barbaric chokeholds and build the national misconduct registry so problematic police don't just move to another town to keep a badge.

Let's outlaw racial profiling, qualified immunity for rights-violating police, and dangerous no-knock warrants.

This bill targets bad actors and practices and affirms the standards professional law enforcement set for themselves, including a duty to serve and protect.

Half-measures are not acceptable, not when men and women are killed because of their skin color.

Let's seize this moment to dismantle the centuries of institutional racism embedded in our justice system.

By the way, in response to what the gentleman on the other side of the aisle said about an American solution for an American problem, it doesn't get more American than making sure that justice is meted out fairly and without regard to one's skin color.

Let us all bend the arc toward justice by voting for the George Floyd Justice in Policing Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, "The arc of the moral universe is long, but it bends toward justice," Martin Luther King said.

I want to thank Chairwoman BASS, Chairman NADLER, and Senator BOOKER for their leadership on this landmark piece of legislation.

We stand here today at a great moral reckoning. For millions of Black and Brown Americans, our country is unequal. The traumatic murders of Black and Brown Americans by the very people and institutions meant to protect them make clear something needs to change.

I watched the protests. I have heard the courage and cries for justice. I have marched.

And today, we show that this House is listening.

The George Floyd Justice in Policing Act is the largest reform Congress has undertaken in generations. It is no half measure but a full measure.

The growing divide between our men and women in blue and the public they are sworn to protect is unhealthy for

democracy. It is unhealthy for public safety. It is unhealthy for the brothers in blue, and I stand here as the co-chair of First Responders and Public Safety in Congress. It is time we make clear that Black lives matter and never forget it.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Mr. Speaker, I rise today on behalf of every Black family that has been robbed of a child, on behalf of every family member that has been forced to see their loved one lynched on national television.

Driving while Black, jogging while Black, sleeping while Black, we have been criminalized for the very way we show up in the world.

Under the harsh gaze of far too many, my black body is seen as a threat, always considered armed. Centuries of institutionalized oppression will not be undone overnight, for racism in America is as structural as the marble pillars of this very institution.

With the power of the pen, we must legislate accountability, dismantle these systems, and move in the direction of justice and healing.

The Justice in Policing Act is a critical step forward, and I applaud the leadership of the Congressional Black Caucus.

But our work is unfinished. There is a rallying cry in communities across the Nation. Black Lives Matter is a mandate from the people. It is time. Pay us what you owe us. Our black skin is not a crime. It is the beautiful robe of nation builders.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. GONZALEZ).

Mr. GONZALEZ of Ohio. Mr. Speaker, while I will not be supporting this bill today, I do want to commend my colleagues for bringing this debate to floor.

Mr. JEFFRIES, Mr. RICHMOND, and many others who I have watched on television back in my office have spoken with a conviction and a truth that cannot be denied.

As a former professional and college football player, I have been hearing these painful stories for my entire adult life from my own teammates. I have seen it myself when I went out in the community with some of my African-American friends.

While I can never fully understand its effects or its impact, I know it is real. We have to address it around our dinner tables, in our communities, and here on the House floor. Black lives have always mattered.

I also know a few other important things.

Number one, the American people are starving for us to work together in a bipartisan way to get a passable bill on the President's desk and signed into law.

This has been one of the most brutal times in our life. First the coronavirus,

then the economy, so much uncertainty, and finally the brutality enacted on George Floyd as he was murdered on the streets of Minneapolis. The legitimate protest movements getting overshadowed and overrun by anarchists who simply wish to destroy America and burn it all down. This has been a brutal summer, and it is only June.

Number two, with very few exceptions, this House is united in wanting to deliver for the country. I have spoken to dozens of Members on both sides of the aisle, and this body wants to act. Every call that I have been on since the murder of George Floyd has been a near-universal desire for action and meaningful reform. We believe our bill does that. I know there is disagreement there, though. But I also know we are not that far apart.

Finally, we all know that today's bill will not become law. I know my colleagues are sincere in their desire to enact this law, but we know that this will never see the light of day in the Senate, and there is no chance that it will be signed into law.

Yesterday, on the Senate floor, we saw Senator SCOTT deliver a powerful, impassioned plea for compromise and debate, true negotiation. We all know that that is the only way that we can live up to our duties as Members of Congress and deliver for the people of this country who so desperately need a win right now.

We live in divided government, whether we like it or not. To the majority, I would say: You are the majority. This choice is yours. Please do not let it slip away.

□ 1600

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act. This is necessary and bold legislation that includes critical provisions to hold police accountable and to save lives. It includes a ban on no-knock warrants that would have saved Breonna Taylor's life, a ban on chokeholds that would have saved George Floyd's life, and the prohibition on racial profiling that would have saved Rayshard Brooks' life.

Breonna Taylor, George Floyd, Rayshard Brooks, and so many other innocent Black lives were ended by law enforcement officers, who often faced little to no consequences for their actions.

This bill also reforms qualified immunity for law enforcement, which is a barrier to achieving justice for victims of police brutality. The Senate majority's idea of compromise is to strip this section out of the bill. I say no.

A police officer has held his knee to George Floyd's neck for 8 minutes and 46 seconds, leading to his death. This atrocious act has finally forced us to confront the racism deeply rooted in our institutions.

Congress must act. Vote “yes” on the George Floyd Justice in Policing Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, racism persists in America today, and its poison pervades our institutions, creating barriers that magnify inequality and injustice.

To Black Americans and communities of color, this comes as no surprise. But, unfortunately, it has taken many Americans too long to acknowledge this truth. We cannot ignore how the remnants of slavery and the Jim Crow era have maintained a stronghold on our institutions.

Our criminal justice system disproportionately penalizes Black Americans and people of color with almost blanket immunity for those who disregard human life and dignity. But, today, we have an opportunity to right these wrongs and to tell the world that the U.S. House of Representatives believes that Black lives matter.

The George Floyd Justice in Policing Act would make much-needed reforms, from holding police accountable to combating racial profiling.

When this law passes, this will make a real difference in American life. I urge my colleagues to vote “yes” on this essential legislation.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my good friend from California for her brilliant leadership on this very important matter.

Mr. Speaker, I rise in support of the bill, the George Floyd Justice in Policing Act of 2020. I am proud to cosponsor this long-overdue proposal to end brutality in law enforcement and to address the systemic racism that has marred American law enforcement for too long.

With this legislation, we finally say enough is enough. We have had enough of racial and religious profiling. We have had enough of no-knock warrants and chokeholds. We have had enough of qualified immunity and enough of police using military-grade equipment on our streets.

This bill will help us move from, frankly, a culture of impunity all too often in our law enforcement entities to a culture of accountability.

We serve the public, whether we are in law enforcement or whether in the Halls of Congress. This bill reaffirms that principle in a democracy. I am proud to support it in the memory of the murdered George Floyd.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Mr. Speaker, I rise today to speak in favor of the Justice

in Policing Act. I want to commend our chairwoman of the Congressional Black Caucus for her tremendous leadership.

George Floyd, Breonna Taylor, Ahmaud Arbery, Rayshard Brooks, Elijah McClain, for them, and for all of the other Black lives that matter, we need, and this bill provides, concrete Federal reforms to address the root causes of these injustices.

George Floyd and so many others like him should be alive today. With the Justice in Policing Act, we can, like the Reverend Dr. Martin Luther King said, bend the arc of justice, when all Americans will be treated with humanity and dignity by law enforcement.

During this moment of national anguish, we must insist on bold change. This legislation is necessary to save lives and to seek justice, and I am proud to cast my vote in favor of this legislation today.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Mr. Speaker, our justice system has been biased: slavery; the Trail of Tears; blankets laced with smallpox; Jim Crow laws; and, recently, Breonna Taylor and George Floyd. Justice has never been just for everyone, but only for some people.

The barriers that have long blocked many people from achieving the American Dream have been revealed most recently under the knees of police. The racism in our system is long-lasting, and change is long overdue. That is why I support the Justice in Policing Act.

This bill is a beacon of hope to victims of the systemic racism that plagues our criminal justice system. This bill envisions a new model of public safety that works to end racial bias; promotes de-escalation training instead of militarization; and is built on community trust, transparency, and accountability.

I urge my colleagues to vote “yes” on this historic bill.

Mr. JORDAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. CLINE), a member of the Judiciary Committee.

Mr. CLINE. Mr. Speaker, the tragic killing of George Floyd, Breonna Taylor, and so many others has led to a nationwide cry for action to address racism and target police violence in America.

Across the country, millions of Americans have peacefully rallied, protested, marched, and prayed for a changing of hearts and a changing of laws to pursue additional accountability and transparency in police departments.

In my own district in Virginia, I was proud to join those who stood up against racism and declare that Black lives matter. A few weeks ago, I was optimistic that we could collaborate on

legislation and rise to the occasion in the wake of the many injustices that have come to light across our Nation. But, today, I am saddened, saddened that the majority has slammed the door shut on Republicans, slammed the door shut on real reform, slammed the door shut on bipartisanship, and slammed the door shut on Senator TIM SCOTT’s proposals as we sought to work together to find a bipartisan solution.

Instead of working across the aisle on this important matter, and instead of taking Senator SCOTT up on his offer to work together on a bill that could be signed into law, the majority is pushing a bill through the House that cannot be signed into law and that will, in fact, impede the ability of good police officers to do their jobs effectively and, further, allow bad cops to hide behind police union collective bargaining agreements.

During the markup of this legislation, my colleagues and I offered a dozen reasonable amendments in an effort to improve this bill. My amendment to ensure collective bargaining agreements do not protect racist and violent officers was rejected by Democrats at the markup and under the closed rule today, unfortunately, was not made in order.

While I do thank the gentlewoman, the chair of the subcommittee, in ensuring that portions of my amendment were included and that the Department of Justice now would have the ability to pursue bad cops through consent decrees regardless of collective bargaining barriers, it fails to directly address the many troublesome provisions found in collective bargaining agreements that my amendment would have prevented, provisions like ensuring access to evidence for officers before interviews or interrogations about alleged wrongdoing occurred; provisions delaying officer interviews after alleged misconduct; mandating the destruction of disciplinary records—nobody wants that to be a policy of a local police department; prohibiting the investigations of misconduct after a set length of time; prohibiting the investigation of anonymous complaints; requiring arbitration after being disciplined or terminated. These are provisions that do not belong in collective bargaining agreements for our local police departments.

Between 2006 and 2017, according to The Washington Post, the Nation’s largest police departments fired nearly 1,900 police officers for misconduct, but those departments were forced to reinstate more than 450 officers after appeals required by union collective bargaining agreements.

Further, collective bargaining agreements have been linked to an increase in violent incidents involving law enforcement officers. One study found a 40 percent increase of violent incidents in Florida after a change in collective bargaining laws there. In 2006, the Bureau of Justice Statistics issued a report and found that law enforcement

agencies operating under a collective bargaining agreement garnered 9.9 use of force complaints for every 100 officers, compared to 7.3 use of force for nonunionized agencies. During the disciplinary process, only 7 percent of the complaints were sustained or found to have merit in departments with collective bargaining agreements. In agencies without unions, the sustain rate was more than double at 15 percent.

This was just another example, by not including my amendment, of how the majority refused to work with us on this legislation, rather than accept good amendments on our side where we could find common ground, but we were cut out of the process. There is nothing in the legislation to address the dangerous and reckless efforts by some officials further to defund, dismantle, or disband police departments.

Our dedicated police officers who serve our communities work to ensure that lawlessness does not prevail in our streets and neighborhoods. The anarchy and death that unfolded within Seattle's autonomous zone, or CHAZ, is a perfect example of what defund the police would look like across America.

Frankly, it is no surprise that the American people are fed up with Washington. As Mr. HUDSON referred to earlier, this was a moment in our history that calls for unity and healing. But, unfortunately, with eyes on November elections, the majority has decided to let politics drive debate rather than sound public policy.

We are all outraged by the horrific tragedies that have occurred across our Nation, and it is utterly unacceptable that the legislation before us reached the House floor in such a partisan manner.

I urge my colleagues to oppose this bill in its current form, and I urge them to reconsider because to get legislation across the finish line, we need to put politics aside to eradicate racism in America, to uphold the foundational principles of our Republic and live out the motto inscribed on the Supreme Court building across the street: Equal Justice Under Law.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague on the other side of the aisle for the ideas that you were concerned about, and the fact that you recognized that part of your ideas we did incorporate in the manager's amendment. And so I do look forward to working with you in the future.

I want to say to several of my other colleagues on the other side of the aisle: This is a process. We have had many conversations, many conversations leading up to this, and I am sure those conversations will continue. But I am really encouraged to hear my colleagues on the other side of the aisle, number one, agree that what happened in Minneapolis was a horrific act of violence, and that the issue of police abuse is a real issue and that the issue of systemic racism is a real issue.

I think it is important to note that because as these situations have happened before when people have been killed, even when they have been killed on video, they always seem to be up for debate. "Well, maybe we don't really know what happened before the camera went on," or, "Maybe somebody was a criminal."

We are united on both sides of the aisle in recognizing that there is a problem in this country. There is a historic problem in this country. And I believe that we will eventually get there and move forward and have a bill. I am happy that we will be passing this bill today, but I don't see this as the end.

Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

□ 1615

Ms. BONAMICI. Mr. Speaker, Black lives matter. I rise in strong support of the George Floyd Justice in Policing Act.

Black people in this country have been fighting for centuries for freedom, equality, and justice under the law. The senseless death of George Floyd is the latest tragic example of how, too often, the Black community is targeted rather than supported by law enforcement.

In Oregon and around the country, people from all backgrounds are demanding change, and the bill before us today answers their call. It bans chokeholds and no-knock warrants, overturns the existing qualified immunity doctrine, creates a public national police misconduct registry, and increases accountability and oversight of Federal, State, and local law enforcement.

The bill cannot bring back George Floyd, Breonna Taylor, or the countless others who have been killed or mistreated by the very individuals who swore an oath to protect them, but we can honor their memory today by passing this legislation to prevent these abuses going forward.

I thank Chairwoman BASS for her leadership.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I thank Chairwoman BASS for yielding and for her visionary and tremendous leadership.

Let me say a couple of things about this bill.

First of all, finally, this bill, after generations, will begin to end systemic racism in policing. Young people from all backgrounds are demanding action and have said to the world that enough is enough.

As the mother and grandmother of Black men and boys, I had too many painful conversations, as do all Black families, about what to do to make sure their encounters with the police are not deadly.

The trauma around these fears are lifelong. This is not normal, but for African American parents, sadly, it is.

The tragic murder of George Floyd and so many African Americans around the country, including in my own district with Oscar Grant, demand action. These tragic murders demand justice that this bill provides, for example, by ending qualified immunity. No one is above the law.

The world is watching today, Mr. Speaker. The United Nations passed a resolution condemning the violent practices perpetrated by law enforcement against people of African descent in the United States of America. Let us show the rest of the world that we truly intend to live up to our creed of liberty and justice for all and, yes, that means also Black lives do matter.

I urge an "aye" vote.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, may I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentlewoman from California has 56 minutes remaining. The gentleman from Ohio has 50 minutes remaining.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Justice, Justice. I have heard my Tampa neighbors and their calls for justice. Black lives matter, and I dedicate my vote on the George Floyd Justice in Policing Act today to the generations of Tampa neighbors who have suffered the unfair burdens of discrimination, disrespect, and violence due to the color of their skin.

Too many lives over too many years in America cut short at the hands of officers who were supposed to protect them, so House Democrats will act decisively today to ensure that police officers are held accountable for misconduct and that lives are saved. We will end harmful policing practices, including racial profiling, no-knock warrants, and chokeholds.

The time for change is now. In fact, a new paradigm for policing in America is overdue.

I thank my good friend, Congresswoman KAREN BASS of California, for bringing us closer to justice today.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, coronavirus has infected our great Nation for months, but racism has infected our society for centuries. Racism has helped cause disparities in education, health, housing, and, of course, criminal justice.

Well, today we take a historic step to finally do something about it. I am proud to support and cosponsor the George Floyd Justice in Policing Act. It is time. It is long past time that we breathe new life again into our motto, "Equal Justice for All."

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding and her leadership, along with the Congressional Black Caucus, in moving this important bill to the floor.

I rise today with Americans across the country who are demanding change. I rise in strong support of the George Floyd Justice in Policing Act.

This vital reform package addresses police brutality, law enforcement accountability, and racial injustice. It creates data collection standards, bans racial and religious profiling, ends the use of chokeholds that killed Eric Garner and George Floyd, and bans no-knock warrants like the one that took the life of Breonna Taylor. It ends qualified immunity to allow full accountability.

This bill is a critical first step toward a more just nation. We cannot be a country that declares Black lives matter if we fail to make lasting change to protect the lives of Black people.

We are facing a historic moment, and we must deliver historic change. Vote “yes” on H.R. 7120.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank Congresswoman BASS for yielding, and I thank the Congressional Black Caucus for their extraordinary leadership.

The death of George Floyd has shaken the conscience of our entire country and people around the world, and it has laid bare the racial disparities in policing that Black Americans face every day but for too long have been ignored. That is why millions of Americans are peacefully protesting across our country demanding justice.

The Justice in Policing Act is bold and it is historic. It takes, head-on, chokeholds, no-knock arrests, racial profiling, and the militarization of the police. It will bring accountability and transparency to police departments across our country and raise the standards of the profession and instill best practices to ensure that all Americans feel safe when interacting with law enforcement.

This legislation is the face of justice. It will make America fairer; it will make America stronger; and every Member of this body should vote for it.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Speaker, I support the George Floyd Justice in Policing Act, which:

Changes the criminal conduct standard from “willful” to “knowing or reckless”;

Ends qualified immunity;

Funds independent prosecutors for police misconduct;

Strengthens the pattern and practice reviews at the Federal and State level;

Establishes national standards for law enforcement;

Invests in public safety innovation grants;

Establishes a public national police misconduct registry;

Requires data collection on the use of force;

Bans chokeholds, and conditions Federal grants on banning chokeholds;

Bans no-knock warrants and racial profiling;

Permits deadly force only as a last resort;

Establishes a duty to intervene by other officers;

Mandates use of body cameras; and Prohibits sexual acts with anyone under arrest, detention, or in custody.

I have always supported law enforcement, and I still do, but today the universal cries for change and justice demand that we hold law enforcement to the same standards of justice as any other American by passing the George Floyd Justice in Policing Act now.

Mr. JORDAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. STEUBE), a member of the Oversight Committee and the Judiciary Committee.

Mr. STEUBE. Mr. Speaker, today I rise in opposition to this bill and House Democrats’ completely partisan attempt at actual law enforcement reform. They call it the Justice in Policing Act, but this legislation would not achieve justice for anyone. Instead, it would promote anarchy and put our law enforcement officers’ lives at risk. It would end legal protection for our officers who actually follow their training and protocol. It would take essential weapons and protective equipment away from our police.

In a time like today where law enforcement officers are ambushed and targeted just because of their profession, we are going to take away their ability to receive protective equipment?

So not only do the Democrats want to take away an officer’s legal protection if they follow their training and protocol, then they want to take away their protective vests, protective shields, and protective vehicles they get in military transfers that physically protect our officers from bullets—none of which has anything to do with George Floyd’s death.

How does this make any sense? I can tell you it doesn’t make any sense to the mass majority of Americans who trust that someone will be there when they call 911.

This legislation comes from the same party who has been calling to defund the police. Members of this very body have called to defund our police officers and our police departments.

I have to ask my colleagues how they think that would help. Defunding the police won’t solve any problems and

only poses an extraordinary risk to our citizens who depend on society’s most basic governmental service of protecting life and property.

This is nothing more than an outburst of political emotion and a willingness to take advantage of civil unrest.

This civil unrest is not constructive; it is anarchy. It also does not take into account the hundreds of thousands of good police officers risking everything to keep us safe, officers like Julian Keen, Jr., from my State of Florida.

Unfortunately, you will never hear about the tragic death of this Black officer in the mainstream media. It doesn’t fit the left’s narrative, so they ignore it. However, in Florida, we will never forget Officer Keen, who was laid to rest this week, and the positive influence that he had on our community. After the criminal who killed him found out that he was a police officer in plain clothes, he pulled out a gun and killed him.

So it begs the question: Who is really responsible for the flaws in law enforcement protocols? All of these departments with all of these problems and issues are all run by Democratic commissions and Democratic city councils.

This is not a Federal issue. This is a Minneapolis police issue or an Atlanta police issue or a Ferguson issue or a Chicago issue, where just this past weekend they had one of the most violent weekends over Father’s Day weekend.

This is an issue with Democratic leadership in these cities that have failed to keep up with standards, training, and protocol. Some of these departments have training standards dating back to the eighties.

“Why?” you ask. Because their Democratic leadership has failed to make necessary reforms in their departments.

And now it is the Federal Government’s role to police local police departments run by a Democratic city council or commission? Will those commissions and leaders ever be held accountable?

Everyone in this Chamber wants justice for George Floyd and his family, and they will get that in a court of law, where justice belongs.

If the Democratic majority truly wants to reform our police departments and if they truly want to fix the problems, then the focus should be on the agencies with the problems and their leadership, not passing a progressive messaging bill in an election year that they know has no chance of becoming law.

This legislation doesn’t get justice for anyone. Instead, it fails to address the real underlying problems, while attempting to vilify our law enforcement officers. It won’t go anywhere in the Senate, and it certainly won’t go to the President’s desk. So let’s call it what it is: a political messaging bill.

The longer we spend on this, the more time we waste not working on actual, tangible solutions. Time to put

politics aside and work on real solutions where the problems are actually located.

□ 1630

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say that there is absolutely nothing in our bill that calls for defunding the police.

In fact, I recall that this body funded first responders in the HEROES Act and that that bill is languishing in the Senate. So maybe my good colleagues on the other side of the aisle might call up their Senators and ask that they move on the HEROES Act. That might be the first thing to do.

This bill is not against police. In fact, this bill is calling for standards and training and accreditation. In conversations that I have had with the Association of Police Chiefs and also the Fraternal Order of Police, they said that there are 18,000 police departments across the United States, and they have been fighting for accreditation and standards for years, but it takes a very long time to do it department by department, and they encouraged this part of the bill.

Now, granted, they don't love the whole bill, but this part of the bill, they absolutely do.

To say that the only departments that have problems are run by Democrats is either magical thinking, fantasy, or denial. That is just not the case at all, and I would encourage my colleague on the other side of the aisle to actually examine his State.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I thank Chairwoman BASS for her extraordinary work and leadership on this bill.

When history is written, it will ask: Why our Nation had to watch George Floyd have the life drained from his body by the knee of a White police officer to know that our system was broken? Why our country had to learn Breonna Taylor's name to know that no-knock warrants get Black people murdered in their rooms? Why our country had to see Ahmaud Arbery hunted and lynched to know that there is an unshakeable target on Black men in this country?

For too long, we let ignorance coddle white supremacists, we let idleness shelter oppression and hate. But we can move from ignorance and idleness to action. We can use the power of this body and this Chamber to do more than acknowledge the movement. We can join it. We can pass the George Floyd Justice in Policing Act today.

Because justice is a nation that didn't have to learn George Floyd, Breonna Taylor, and Ahmaud Arbery's names. That is justice.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in support of the Justice in Policing Act.

Over the past few weeks, we have seen tens of thousands of Americans take to the street demanding justice not only for George Floyd, Breonna Taylor, and Ahmaud Arbery, but also for the countless unnamed Black Americans across the country who have been killed by the police.

The stark reality is that police brutality is a symptom of a larger problem, and that problem is systemic racism.

Mr. Speaker, Black lives matter.

While we cannot legislate away what is in the hearts of people, we can work to ensure that those in power are held accountable for their actions.

The Justice in Policing Act is bold, transformative legislation that will change the culture of law enforcement, and it would also help build trust between law enforcement and our communities by addressing systemic racism.

Mr. Speaker, the streets are crying out for bold and transformational change.

Let's make sure that the people know that we see them, that we hear them, and that at last we are doing something about it.

Mr. Speaker, I urge my colleagues to vote in favor of the George Floyd Justice in Policing Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank the gentlewoman from California (Ms. BASS), my friend, for her long-time and courageous action and leadership on these important issues.

Mr. Speaker, George Floyd, Breonna Taylor, Christopher Whitfield, Chad Robertson, Terence Crutcher, Philando Castile, Alton Sterling, Bettie Jones, Quintonio LeGrier, Sandra Bland, Alfontish Cokerham, Walter Scott, Laquan McDonald, Eric Garner, Rekia Boyd, Darrin Hanna, Calvin Cross, Leon Brackens, Fred Hampton, Mark Clark.

Mr. Speaker, these are the names of the Timeless 20, murdered by rogue police officers, seven of them in my hometown of Chicago, Illinois.

Thank God for H.R. 7120, the George Floyd Justice in Policing Act.

There but for the grace of God go I.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 45 seconds to the gentleman from New Jersey (Mr. GOTTHEIMER).

Mr. GOTTHEIMER. Mr. Speaker, I rise today as a proud cosponsor of the George Floyd Justice in Policing Act of 2020.

Mr. Speaker, I want to thank the Congressional Black Caucus, led by my friend, Chairwoman KAREN BASS, New Jersey's great Senator CORY BOOKER, and others for their work on this landmark legislation.

The need for serious structural reform cannot be clearer as our country mourns the murder of George Floyd, just one of the most recent instances of a long, painful history of violence and discrimination against African American men and women in our country.

Right now we are witnessing an outpouring of support from all communities, from all backgrounds, a collective movement working to end bigotry and hatred, to advance racial equality, fighting the scourge of racism that has held a grip on our country for far too long, and affirming, yes, that indeed Black lives matter.

We should all be inspired by the overwhelmingly peaceful demonstrations all across this country calling for justice, a freedom which is a cornerstone of our Nation.

To make real change, we must continue to work together.

Mr. Speaker, I urge every one of my colleagues to join me in supporting this important bill.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise to support H.R. 7120, the George Floyd Justice in Policing Act, which bans chokeholds, creates a national police misconduct registry, and makes it easier to prosecute police for their brutality, among many other much-needed provisions.

Mr. Speaker, I want to thank the Congressional Black Caucus and everybody who worked so hard to make sure that we have this moment.

The murder of George Floyd and the pleasure the murdering officer seemed to take in his power over a struggling Black man are nothing new.

My heart broke when I first saw the video footage of the murder, not just for George Floyd and his loved ones, but also because this brutality and all the police violence against Black men and women before it have been used for centuries to terrorize, subjugate, and silence the Black community.

I have been fighting against this since my first days as an activist and member of the California State Assembly, when I took on then-Los Angeles Police Chief Daryl Gates, who popularized the chokehold maneuver, which killed over a dozen Black men in Los Angeles between 1975 and 1982.

But now I would like to pay tribute to the brave men and women who for so many years have confronted bad cops, racist cops, brutal police chiefs, and the police protective leagues and unions who shield them from accountability. I want to pay tribute to Angela Davis, Elaine Brown, and the Black Panthers, who fought hard and sacrificed mightily fighting bad cops. And then there is Reverend Al Sharpton, who took up the fight against bad cops and assisted their families in getting legal representation when these issues were not popular.

Mr. Speaker, I want to thank Reverend Jackson, who worked with me to confront the racist L.A. Police Chief Daryl Gates. I want to thank Colin Kaepernick, who took the knee and challenged the killings and beatings of unarmed Blacks. And lastly, I want to thank Black Lives Matter: uncompromising, disruptive, energetic, and dedicated to undoing police killings and abuse.

Mr. Speaker, I want to challenge the mayors and members of city councils and county commissioners who control police budgets to get the courage to re-imagine what it means to serve and protect and undo the system of rogue cops that has gone on for far too long.

In closing, Mr. Speaker, I want to say to the protesters: I stand with you.

No justice, no peace.

Mr. JORDAN. Mr. Speaker, I yield the balance of my time to the gentleman from North Dakota (Mr. ARMSTRONG), and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I rise in support of the Justice in Policing Act and to applaud Congresswoman BASS and the Congressional Black Caucus, because Black lives matter.

All lives can't matter until Black lives matter.

I am grateful that my bill, which makes it a crime for law enforcement officers to engage in a sexual act with anyone in their custody or while exercising their authority, has been included in this bill.

Why is this important? Because sexual violence is the second-most frequently reported form of police misconduct after excessive force, yet in many States, officers can claim consent when accused of assaulting someone in their custody.

Yesterday I held a town hall with Dr. John Gates, who shared his experience as being a Black man in America, how a piece of his soul dies every time a Black man or woman dies at the hands of police, how he fears his deep love of America is unrequited.

Four hundred years ago, Black men and women were brought to these shores in shackles, deprived of their humanity.

Even at the beginning of our country, African Americans were only considered to be three-fifths of a person.

Where was our humanity then and where is it now?

Racism in America did not end with the abolition of slavery, America's original sin. It did not end with the passage of the Civil Rights Act of 1866 or 1871 or 1957 or 1964 or 1968 or even 1991. Some inevitably touted their pas-

sage as the final chapter in this long struggle to cure ourselves of the poison of racism.

Our history of pursuing civil rights in this Chamber is comprised of starts and stops, successes and failures.

Of course, passing this bill today will not end racism, but it will further the righteous cause of not just equality, but equity in this country.

Most Americans are not racists, but not enough of us are antiracist, and that is where we need to be.

Mr. ARMSTRONG. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. LOUDERMILK), my friend.

Mr. LOUDERMILK. Mr. Speaker, I thank my colleague for yielding me the time.

As I came here, I realized there is a lot happening in this country today I don't understand. I really don't understand.

I have a lot of friends back home. I have friends who are Black and White, Asian, Hispanic, every race, every nationality. I talk to them. They don't understand what is happening in this Nation today.

I try to put my finger on it, but I am kind of losing track of where we are going, and wherever it is we are going, why aren't we going there together?

□ 1645

Why do we keep dividing ourselves and using different issues to divide ourselves?

I mean, I don't understand why George Floyd died under the knee of a police officer. I really don't. I was horrified when I watched the video of him. Regardless of what his race is, that was horrific. I don't understand why that happened.

But I also don't understand why, in response to his seeming murder, it seemed appropriate to destroy the homes, the businesses, the livelihood of innocent people who had nothing to do with it in the same community. I don't understand that.

I don't understand why retired Police Chief David Dorn was gunned down to death as he was trying to protect one of these businesses, a business owned by someone who had nothing to do with any of this.

I don't understand why Shay Mikalonis, a Las Vegas police officer, was shot in the head while attempting to disperse a group of protesters.

I don't understand why Dave Patrick Underwood, a Federal Protective Service officer, was shot and killed while on duty amid protests in Oakland, California. I can't wrap my hands around that.

I don't understand why four St. Louis police officers were shot at a peaceful protest that turned violent—two shot in the leg, one shot in the foot, and the fourth shot in the arm.

I don't understand why, in New York City, a police officer was attacked and beaten by several men, while onlookers encouraged them to do that—a police

officer who had nothing to do with what happened to George Floyd or the young man in Brunswick, Georgia, or in Atlanta.

Mr. Speaker, there is something else I don't understand. I don't understand why, 3 years ago this month, I was on a baseball field when a man crazed by extreme political ideology walked on the baseball field and started shooting bullets at me and many of my colleagues. I don't understand why that happened.

There is something else I don't understand. As I was there in the line of fire, I don't understand why one of our Capitol Police officers, who didn't know anything about me—we weren't friends at the time—walked into the line of fire to draw fire away from me and one of my colleagues so we could, hopefully, get to his partner and Matt Mika, who had been wounded by the shooter.

The Bible tells us that there is no greater love than someone who would willingly lay down their life for someone else. When I see that officer walk out in the line of fire to protect me, who didn't know me—a Black man; I am a White man—I sometimes wonder: Why do they do that?

My dad served in the Army. He was on the D-day invasion. I often wonder why they would step off those boats for people that they don't know and walk into the line of fire. I mean, these are things that I really don't understand.

I also don't understand why we are not working together to improve law enforcement in this Nation. I don't know why the media and some here want to take the action of one or two or a few and apply it to law enforcement all across the board when I have seen what these law enforcement officers do. They put their lives on the line daily for us.

I don't know what the answer is, but I do know those who do. I called on the police chiefs in my district to get together, to talk about this, and we met yesterday.

There is some stuff that we all agree on that they agree on. There are plenty of things that they want to see happen. They all agree that we should hold officers more accountable. They also agree that we should have a database to track those officers who are bad officers so they know that they are hiring someone who has had problems in other States or in other jurisdictions. That is a problem for them.

This is because these police chiefs, they want good law enforcement. They are there to serve the communities. They are there to uphold law and order.

Something else I don't understand is, when we see what is going on, on TV, why some of these officers actually show up to work the next day. They go to try to protect the peaceful protesters, and they are attacked by the violent ones and, in some cases, get no support out of their leadership. I don't understand why they do that.

Our police chiefs said they need more training, that they need more funding. One of the problems when it comes to cutting the budgets of our police officers and our police departments and law enforcement, usually the first thing that goes is training. They agree they need more training.

We need more mental health support in this Nation. The police chiefs told me that I would be surprised—and I am going to go. I am going spend more time with them. I spend a lot of time with our law enforcement already, but I am going to go ride with them to experience some of this. I encourage all of my colleagues to do this.

They said they spend an unbelievable amount of time on the calls of mental health issues that they really can't do anything about because the person hasn't committed a crime. They may be on the verge of suicide, but they haven't committed a crime so they can't arrest them. They just have to stay there with them. Sometimes, they may get somebody to come out, or they may not. It puts them in a very difficult position. So, they are all about doing more, doing more with mental health issues.

There is a lot that we support. Now, I did hear it said earlier that this is not defunding the police. But let me tell you what 100 percent of the police chiefs in that meeting said to me: If you remove qualified immunity, you will be shutting down the police departments in America because they will not be able to retain their officers. That was 100 percent of the police chiefs, and they are police chiefs in all types of demographics. I have part of Atlanta. I go all the way up into the rural parts of Georgia.

But they 100 percent said, if you remove our qualified immunity, we will not keep police officers, and you will shut down law enforcement in this Nation as we know it.

There was one other thing that they were 100 percent behind: Senator TIM SCOTT's bill. Every one of them was 100 percent behind what was in that bill. Now, a lot of it they already do. They banned chokeholds. They are way ahead of a lot of different departments.

There are some things in this bill they agree with, but they are also 100 percent—100 percent—against this bill. One hundred percent of the police chiefs I met with in my district, which was virtually all but a couple of departments, were against this bill and the way it is written right now.

The one thing that they asked for me to portray is: Let's not paint all law enforcement with a broad brush. Those police officers who are risking their lives, those good ones, they feel like they are getting kicked in the rear end by the politicians, local and at the Federal level.

They want us to work together. They want to see us work together. If we are going to call for unity in this Nation, then we better start right here. Instead of trying to ramrod a political bill that

is not going to go anywhere, and we know it, we should be here working together to get something done.

That, Mr. Speaker, is what I don't understand right now, why we are not doing that.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

I am so sorry that my colleague on the other side of the aisle is so confused and has so much trouble understanding. Perhaps it might help if he studied more history, U.S. history, to understand that why that knee was on George Floyd's neck was because of racism in this country.

Perhaps my colleague on the other side of the aisle could go to Alabama to the Legacy Museum so that he could understand a little bit about U.S. history.

Perhaps my colleague on the other side of the aisle could go to the National Memorial for Lynching and learn a little bit about his State of Georgia, where many of the lynchings were carried out by law enforcement officers.

When he said that 100 percent of police chiefs were against this bill, it is just not true. I have met with police chiefs, and they support parts of the bill. The National Organization of Black Law Enforcement Officers support this bill. The Fraternal Order of Police are not completely opposed to this bill.

So, I would like to work with my colleague on the other side of the aisle to help him understand a little bit more of the history of the United States.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Speaker, I thank my colleague and chairwoman of the Congressional Black Caucus, who has led us in this fight here on this floor as we make a historic movement toward justice.

I am so upset that my colleague, my classmate, left before I could help him understand. I wanted to give him books that he could read. He could read "Blind Spot: Hidden Biases of Good People," "White Fragility: Why It's So Hard for White People to Talk About Racism," "The New Jim Crow."

And if he didn't want to read a book, he could look at a documentary. How about "13th?"

But if he doesn't want to do that, if he wants to support this bill, I will give him a good cop story about why to do it. I will ask my colleagues to support this, if not for George Floyd and the countless others killed at the hand of police, or for those of us Black Americans who live in fear of police brutality, I ask you to support it for a good cop.

I ask you to support it for my father, who called me up and told me this is a good bill; a cop who, for 30 years, was on the New York City police force and said the biggest threat to every good cop is a bad cop; who says that the biggest threat to every good cop is a bru-

tal police officer and that this present system will put down a good policeman trying to do the right thing, to speak up for what is right, and will surely keep down a good Black cop.

Or for my four sons who received the talk from that veteran police officer who warned what can happen to you on the street, in a squad car, or in the basement of a police precinct, where often the system is rigged so that good police can't always help you. Support it for those sons who, despite the best education and decorum, fear a siren or a police light, the police brutality that we all have.

As we advance this critical work, support this for all Americans. Speak the truth that Black lives matter.

Mr. ARMSTRONG. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I appreciate the remarks from the gentlewoman from the Virgin Islands.

My question that I have for this body as we sit here today is: Why aren't we amending the legislation? Why aren't we offering and allowing amendments in this great body, in the people's House? A general question.

When I go home, and I assume you all have the same thing, they say: What's wrong with Washington? Why don't you actually sit down around a table and try to solve problems?

I think this is one of the things that is most perplexing, and we see it in the Senate as well, the so-called greatest deliberative body. Yet, we saw what happened in the Senate, where there was an offer for 20 amendments, a manager's amendment from the gentleman from South Carolina, Senator SCOTT, and that offer was rejected.

Here, we are not even really having an opportunity to offer an amendment, have a serious debate. I don't question at all the motives that are behind my colleagues on the other side of the aisle, in terms of putting forward legislation to try to address a problem we all perceive as a problem we want to address.

I look at the bill that we have here; it is a Republican bill. There is a lot of overlap. There are some policies in it that are in agreement. I just don't understand why we can't start with some nucleus of a bill and offer 20 or 30 amendments, vote on the amendments as a deliberative body, the United States Congress, the people's House.

Why can't we just offer amendments and vote on them? Then, wherever the amendments take us, at the end of that, vote on a bill. That used to happen.

I was a staffer in the Senate, and we had 50 amendments on different bills. My staff today, they look at that as some sort of relic of history, as this thing that we used to do because we don't do it anymore. I literally don't understand it.

It is a question on both sides of the aisle, why we do not sit down and offer legislation and go through it. Start

with a nucleus and then amend it. We have things here we agree on.

On issues such as qualified immunity, issues such as no-knock warrants, issues that involve asset forfeiture, issues that go to the heart of liberty and the heart of the ability of an individual American not to be overwhelmed by law enforcement, there is agreement, but we would like to have conversations about those issues. There is.

My friend from Michigan, now an independent, offered legislation about qualified immunity. I don't agree with it.

□ 1700

I don't agree with a full abolition of qualified immunity. I don't. My grandfather is a chief of police. I know we have all got law enforcement in our communities, and we are worried about what that will do to our law enforcement.

We are seeing it right now. We have 104 shootings in Chicago. We had 14 killings. We had a 3-year-old boy shot on the street. We have teenagers getting killed, a 324 percent increase in New York shootings. We had a guy get shot in the back of his head while changing his tire in New York.

We have lawlessness occurring, and this body ought to address it. The Attorney General of the United States ought to address it. We ought to enforce the laws of the United States. We ought to have a debate here about that. We ought to have a debate here about ensuring or protecting the citizenry of the United States. It is our fundamental responsibility. It is our job.

That is our duty in the Constitution, to secure the blessings of liberty. Yet we are just going to sit here and take shots across the building with a Senate bill and a House bill with no resolution, and then we are going to fly home tomorrow.

In what universe does that make sense? In what universe is that the right thing to do? In what universe are the American people looking at the people's House and saying, "Job well done, you all, well done," when people are dying, literally, in the streets of our country right now of all races?

What were the races of the murders in Chicago this last weekend of 104? What was the race of the 3-year-old boy who was shot?

These are real issues. Why don't we just sit around the table and figure it out instead of litigating this in the press and taking shots across the Capitol dome?

Senator SCOTT is a good man offering a good bill, and the Speaker of the House says that we are trying to murder George Floyd again?

Come on. It is our job to secure the blessings of liberty. What I ask of this Chamber is that we sit down and figure out legislation to actually secure that and support our law enforcement.

Seventy-six million interactions of law enforcement with civilians: 99 per-

cent of those don't result in any kind of taking them in, and 98 percent of those don't result in any harm.

Mr. Speaker, let's go do our job. Let's look at the legislation. Let's work together and figure out how to actually do the job of securing the blessings of liberty.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), who is the majority leader.

Mr. HOYER. Mr. Speaker, we ought to come together, we ought to reason together, and we would get a better product in the legislative process. Sadly, our friends in the United States Senate don't always do that. Sadly, when my friend's party was in the leadership, it didn't always do that. And, yes, from time to time, we didn't do that.

This is an issue of critical, immediate concern, and there is a way to get to where the gentleman from Texas suggested: pass legislation in the Senate; pass legislation here; we will go to conference; and we will try to resolve our differences so we can pass a bill.

I have talked to the gentlewoman from California, the former speaker of the California Assembly, and she has told me that she doesn't want a message; she wants a law. And I am absolutely convinced that is true. She understands the legislative process very well. But in order to initiate that process, we need to pass a bill. Of course, unfortunately, we have some constraints here on amendments because of the coronavirus.

Having said that, I hope that we pass this bill, and I hope the Senate passes a bill. Now, unfortunately, they will have to come to agreement and get 60 votes. I say "unfortunately" because Mr. MCCONNELL is not prepared to get to 60 votes. We don't have to get to 60 votes. Here, the majority rules. The majority will rule today, and the majority sponsored this bill.

Mr. Speaker, on the rostrum in front of me there are inscribed five words: "union," "justice," "tolerance," "peace," and "liberty." It is our individual and collective responsibility as Members of this House, the people's House, to ensure that all of these virtues are upheld in the United States.

There is justifiable anger in this country because justice is not being upheld. That does not mean it has never been upheld, but it ought to be always upheld.

There is a deep frustration because some of those charged with enforcing our laws are doing so without tolerance and in a way that disregards the rights and welfare of victims without just cause. That does not damn all members of the police—in fact, not the majority—but it does damn actions that are inconsistent with justice, peace, tolerance, and liberty.

Many of our people will never see the full light of liberty because of the color of their skin. The result has been a broken union and a broken peace. That is

why this House must act. We must act to make it clear, beyond any doubt to every person in this country, that Black lives matter.

For far, far too long in America, Black lives did not matter. Too many people who lived in America were chattels. Their lives were counted in the dollars, by what that property was worth, not in their human value. For far, far too long, Mr. Speaker, that has been a reality and a legacy of slavery, segregation, and prejudice.

We must act to ensure that law enforcement in every jurisdiction understands that each human being is entitled to equal justice under the law and to life, liberty, and the pursuit of happiness.

We must act to ensure that no longer will we see horrific images and videos of unarmed Black men and women being killed by those who were sworn to uphold the law and keep the peace.

The bill we are voting on today is long overdue. I congratulate the Congressional Black Caucus, Ms. BASS, Senator HARRIS, and Senator BOOKER.

This bill will ban chokeholds like the kind that killed George Floyd last month, in whose memory this bill is named.

I knelt on the marble floor. My knee rejected that as something that it didn't want to do. It was not only painful, but it was a long time: 8 minutes and 46 seconds. That was not to restrain George Floyd. He was restrained.

It would also ban no-knock warrants of the kind that led to the murder of Breonna Taylor in her own home that was mistakenly broken into by the police, and it would condition Federal funding to State and local governments on their banning racial profiling and adopting best practices for police training as identified by the Obama administration's Task Force on 21st Century Policing.

Moreover, this bill would facilitate, under appropriate circumstances, the ability of victims to be compensated for their loss. A right without a remedy is no right at all.

I want to thank Chairwoman BASS and the Congressional Black Caucus for introducing this bill of which I am proud to be a sponsor, and I would like to thank, as well, Chairman NADLER and the Judiciary Committee for moving swiftly to mark up this legislation so we can have it on the floor today.

I said "swiftly." It has been centuries that the dark blot of slavery and the dehumanization of some of our fellow Americans has been a reality.

Senator MCCONNELL has already said that the Republican-led Senate will not even consider this bill. That is not surprising. There are 275 bills, all of which have Republican votes, sitting on Senator MCCONNELL's desk—or maybe wastebasket—so it is not surprising that he won't consider this bill either, any more than he considered Justice Garland by a President who had 11 months left on his term. We will see

what the people say in a few short months.

If we do not consider this bill, it will be an egregious mistake and a failure to honor one of the most sacred of our Nation's precepts: that we are all created equal and we should be judged not by the color of our skin—which happens too often, too frequently, and too regularly—not by the color of our skin, but by the content of our character and the caliber of our conduct.

By ignoring this bill, Senator McCONNELL is ignoring the cries for justice from Blacks, from Whites, and from Americans of all different colors and of all different religions, all who were distinguished by one facet or another, but they have in common that they are Americans governed by a Constitution and laws of our country. Senator McCONNELL will be ignoring the history and legacy of slavery and segregation that has led to these acts.

My colleague mentioned Montgomery, Alabama, and a number of the museums. Bryan Stevenson has a museum, and he says the first thing you do when you discriminate against people is you dehumanize them. It should not be a surprise, if we have, for centuries, dehumanized people of color that, from time to time and too often, they are not treated as human beings.

Mr. Speaker, I urge my colleagues on both sides of the aisle:

Vote for this bill.

Vote for this bill even if you don't think it is perfect.

Vote for this bill because you want to say that we want justice for every American.

Vote for this bill because you want to say that we want a remedy for wrongs.

Vote for this bill to restore justice.

Vote for this bill to protect liberty.

Vote for this bill to promote tolerance.

Vote for this bill to restore peace to the families of victims and entire communities that live in fear.

And vote for this bill to prove our Union is not only a union of States, but a nation of free people united in our common pursuit of justice and opportunity for all.

The people's House needs to do its job for all the people.

This is not an antipolice bill. It is a bill that cries out—whatever our discipline, including Members of Congress—that we act consistent with the law, consistent with the Constitution, and consistent with our moral values. We will not leave these words to only be inscribed in wood, but enshrined in our hearts and in our laws: union, justice, tolerance, peace, and liberty not for some, but for all.

These are neither Democratic principles nor Republican ones. These are American principles. These are, in many ways, unique principles honored by this country in its rhetoric. This bill is to honor those in its reality. That is why all who believe in these principles should vote for this bill.

Mr. ARMSTRONG. Mr. Speaker, with all due respect, when the Democratic

majority in the House won't accept any of the Republican amendments and the Democratic minority in the Senate won't accept any of the 20 amendments that Senator TIM SCOTT offered, I think it is a little disingenuous to say that Majority Leader McCONNELL is the problem towards bipartisanship here.

Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, I rise today in opposition to this bill because it would result in more crime and fewer people willing to serve in law enforcement.

This bill lowers the standard for mens rea and basically eliminates qualified immunity for law enforcement officers, so, in the course of doing their job, an officer could go to prison for unintentionally breaking the law.

Who wants to serve in a job where they are attacked, underpaid, overworked, and, under this bill, possibly charged as a criminal?

□ 1715

Without qualification, what happened to George Floyd was horrific, and those involved deserve the full punishment under the law. Mr. Floyd's death was a brutal and callous assault that has undermined the public trust of law enforcement officers that we depend on to keep our communities safe. Notwithstanding, we cannot undermine the entire law enforcement community because of it. Every group has bad actors. Congress is not without examples of such. But we can't continue to paint all law enforcement officers as villains.

Mr. Speaker, I am thankful for the brave men and women who keep our communities, families, and this very Capitol safe. They take an oath to run towards danger when everyone runs away. In fact, two officers, David Bailey and Crystal Griner did just that when they kept my colleagues and me from being killed on the baseball field 3 years ago. I am convinced that several of my colleagues and I would have been killed or grievously wounded, as was STEVE SCALISE, were it not for the courage and dedication to duty of Officers Bailey and Griner. They are heroes, and I stand with them, not with these lawless vandals who have occupied some of our cities, who are pressuring my colleagues across the aisle to, if not eliminate our police departments, make them ineffective.

Every day, somewhere in our Nation, police officers put their lives on the line and far too many of them lose their lives or suffer serious injuries as they faithfully and honorably do their jobs in service to their communities. I will not support any effort to make their jobs more dangerous while also leaving our communities vulnerable to the lawless acts and senseless violence that we are witnessing across our Nation today.

Mr. Speaker, in regard to the majority leader, Mr. HOYER, I appreciate the fact that he respectfully referenced

Senator TIM SCOTT's bill in the Senate. I wish that the Speaker of this House of Representatives, NANCY PELOSI, had made a similar respectful response to that bill, as I wish Senator DICK DURBIN had made a respectful response to that bill. The majority leader called on us to work with our colleagues across the aisle on this legislation. Had he been serious about that, there would have been a discussion before this bill ever came to the floor. But there wasn't one.

Mr. Speaker, as my colleague from North Dakota has pointed out, there will be no amendments from the Republicans that substantially improve this bill, except that there aren't any on the Senate side either. So it is disingenuous to say that the Republicans are not interested in pursuing justice through sensible law enforcement.

Mr. Speaker, I urge my colleagues to oppose this bill.

Ms. BASS. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentlewoman from California has 38 minutes remaining.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act.

Mr. Speaker, I am going to be frank. A bill like this should have been passed years ago. We know that chokeholds are dangerous, the same with no-knock warrants in nonviolent Federal cases. This legislation would have prevented George Floyd's death and the death of so many other Black and Brown people in America.

We should have acted when Laquan McDonald was killed in Chicago—you remember, "16 shots and a cover-up." Or Rekia Boyd in Chicago. Or we should have acted when Tamir Rice was killed for playing with a toy gun that anyone could buy at their local Dollar General. Yet, still today, after watching the life and oxygen drain from the face of George Floyd, my colleagues on the other side still defend the status quo. Some parts of this bill are not new, but we could never get them passed.

I was part of Speaker Ryan's task force on police accountability: 18 months of meeting with the public and nothing came of it. Well, not this time, because George Floyd deserves better. Sandra Bland deserves better. Breonna Taylor, Laquan McDonald, and Oscar Grant deserve justice. And this is from the niece of three cops, the cousin of one cop, the auntie of two cops, but also the mother of a Black son and a Black daughter.

Mr. Speaker, I just have to say one more thing. I get so sick of hearing Chicago being bantered about. I was here for 5 years and could not get one gun violence prevention bill passed or signed on to by my colleagues on the other side. It wasn't until the Democrats took over that we could at least

get background checks passed and the Charleston loophole. But, again, we can't get anything called in the Senate.

Mr. ARMSTRONG. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from North Dakota has 28 minutes remaining.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I was born in 1953. Brown v. Board of Education had not been decided. The Civil Rights Act was not yet law, and the Voting Rights Act was more than a decade away. African Americans could be denied sitting on a bus, a room at a hotel, entry into a school, solely because of the color of their skin.

For my three daughters, such a time is still somewhat unimaginable to them. They cannot fathom being refused entry into a restaurant or being legally barred from living in a neighborhood, because the laws on the books said it was the right thing to do. These are the realities of my generation, for I recall getting off a train and seeing "colored" and "white." But it is not the realities for my daughters.

But they do know about a world where Black men and women can be stopped by a police officer on the flimsiest of pretexts, and they understand the pain of seeing unarmed Black men and women shot, choked, and kneeled upon until they take their last breath.

I now also have a one-year-old granddaughter. She does not know about mass incarceration. She has not seen videos of Black men being murdered by those that are supposed to protect the law. I do hope she learns about these incidents, like the murder of George Floyd or Eric Garner or Sean Bell, but in the same way my daughter has learned about segregation: Through books and movies and history and classes. I hope she views our current failings as unimaginable problems from an era far passed.

And this Congress can make a difference. Let's not wait now. The camera of history is rolling, and it rolled bad on those in 1953. Let it not roll bad on us today.

Mr. Speaker, let us pass this act. This bill will not take us all the way to that destination, but it is a real step towards a just world. Let's pass this bill.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN of Michigan. Mr. Speaker, I rise in strong support of this profound legislation, the George Floyd Justice in Policing Act, a long overdue step towards ending the scourge of police brutality in America.

I am deliberate when I call this a step, however important. We have so much more to do to dismantle racist systems that have infected our country since before we were a country and, indeed, were part of our foundational documents.

Genocide of Native Americans. Slavery. Jim Crow. Mass incarceration. And many forms of racist injustice ongoing as I speak.

Mr. Speaker, this month I marched with 6,000 of my constituents in Macomb County crying out for major, structural change in what may have been the biggest antiracism rally that county has ever seen. If we pass this bill and pat ourselves on the back for having done something, we will have failed the people. Instead, let's pass this bill today and continue to work to end systemic racism tomorrow.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today because I have heard the cries and the screams from the street "Black lives matter."

Mr. Speaker, as a Black woman elected to Congress, I feel the generations of my people calling on our government time and time again for decades and decades to enact transformational legislation, to finally have a law on the books to stop police assaults on Black lives.

Sadly, as a country we can no longer use the excuse of being blind to racism. We can no longer use the excuse of being deaf to the cries of justice, for justice in this country, or the arrogance of White privilege. Our country, our people, the citizens of this country are calling on us to come together and to join America and vote for this bill, the George Floyd Justice in Policing Act now.

Mr. Speaker, in our country, we pledge one Nation under God, indivisible, with liberty and justice for all. It is time to act now.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from the great State of California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, the time for change is now.

Not next month.

Not after more studies.

Not after more deaths.

Now.

Our country demands it.

We, as a Congress, have listened. Today, we must act.

For George Floyd, Breonna Taylor, Eric Garner, and the countless others, we demand justice. We demand change.

In my very own district, just last week, a young Latino kid, 18 years old, Andres Guardado, was shot in the back by police. There were no body cameras.

Surveillance video gone. And Andres is gone, with six police bullets in his back.

The public should not need to call for a third-party investigation into these deaths. We should be able to trust the system.

More importantly, they should not need investigations because the killings must stop—today.

Mr. Speaker, we must pass the George Floyd Justice in Policing Act.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman for her tremendous leadership.

Mr. Speaker, this bill is an important start—not an end—of what must be done to stop racism in America. So much more must be accomplished by the local police departments across the country. This is more than a few bad apples. It is a virus that has too often infected the orchard. This is not a time for meaningless gestures or watered-down proposals, but for real, meaningful action.

Black lives matter because for so often and for so long they have been the subject of violence and prejudices as though they did not.

In Austin, Mike Ramos was fleeing. Javier Ambler couldn't breathe. Both were unarmed, unthreatening, and both are now dead. While technology has literally brought this violence into our homes, we also recognize how many incidences have never been reported.

Failure by some law enforcement personnel to protect Black citizens, threatens the very core of our democracy. What we do today is not only about protecting those victims, but it is also with respect and thanks to the many dedicated police officers who put their lives on the line daily for our security.

What we need is to reach across the divide, to have protesters educating police about their concerns, and officers listening and affirming that they want to be a part of the solution that we offer today.

□ 1730

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. Mr. Speaker, it is indisputable that George Floyd should be alive today. His killing was the result of police violence that too many Black Americans have experienced, many in my district.

Black lives matter.

I was honored to attend George Floyd's funeral and proud to support this historic bill in honor of his name.

Today I breathe—today we breathe—in honor of George Floyd. This bill will honor his life. And in the words of his

daughter: My daddy will change the world.

I ask all of my colleagues to help change the world by ending some of the most dangerous and egregious practices of law enforcement in our Nation. Beyond this bill, we must get to the root of structural racism that has plagued our country for centuries.

As I have called out in my resolution, H. Res. 990, racism is a national crisis. We must move toward a truth and reconciliation process.

Today, my colleagues, we go from agony to action. I support this bill, and I ask you to join me.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, I rise in support of this bill.

One month ago, George Floyd was murdered. As his 6-year-old astutely said in the days following, “Daddy changed the world.”

In this bill, there are several policies that have been highlighted in the Harlem Manifesto Against Police Brutality. The Harlem Manifesto advocates for a ban on chokeholds and the knee. It demilitarizes police and ends qualified immunity.

The Harlem Manifesto also includes a provision to ensure that police officers can be held accountable for excessive force. The standard should not be willful intent but reckless intent. We must pass this bill and eradicate the cultural violence in police departments across the country.

The best anticrime policies are anti-poverty policies. We must continue this fight. Black lives matter.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, for those who are not sure as to why we are here today, please allow me to explain it to you.

We are here today because Ahmaud Arbery’s murder was captured on video.

We are here today because Ms. Cooper was captured on video as she used incited language, the language of a Black man assaulting a White woman, to summon the police.

We are here today because all 8 minutes and 46 seconds of George Floyd’s demise were captured on video.

And the American people don’t like what they have seen. They don’t agree with what they see. They know that they have been lied to. They know that, if these things hadn’t been captured on video, we would not be here today.

Carlyle was right: “No lie can live forever.”

William Cullen Bryant was right: “Truth, crushed to earth, shall rise again.”

Dr. King was right: “The arc of the moral universe is long, but it bends towards justice.”

We are here today to bend the arc of the moral universe towards justice.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. MFUME), the newest member of the Congressional Black Caucus.

Mr. MFUME. Mr. Speaker, to my friends on the other side of the aisle, every now and then in our Nation’s history we find ourselves at a singular, searing, and seminal moment, a moment such as this.

And so, whether it was the great debates of the 1960s and the civil rights bill or the granting of women the right to vote 100 years ago or the debates of war and peace which predate all of us, this is our moment. And it is our moment to do the right thing on behalf of the faceless and nameless men and women who have lost their lives as a result of police violence.

So when future generations peer through the telescope of time and look back on us and this day, let them say of us that, when it came to addressing the issue of racist, ugly, violent, criminal actions by bad police officers, we did not waiver, that we did not flinch, that we did not shirk our responsibility to do the right thing. The right thing is passing the George Floyd Justice in Policing Act, and to do so on behalf of all those who are not here to pass it and to vote and to speak for themselves.

I strongly urge passage. This is the moment that we have to act in, and it will be a fleeting moment.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I rise today on the importance of the George Floyd Justice in Policing Act, and I am honored to stand with my colleagues here in Congress, and certainly with the Congressional Black Caucus, to combat the epidemic of racial injustice.

As we know, this bill creates unprecedented reforms, needed reforms. But the first step is to admit we have a problem, and apparently we haven’t done that as a Chamber in the whole.

This is not a standalone issue. It is one that continues today. It is about ending racial profiling, transforming the culture of policing. It is not us versus them. It is we, together.

My hometown of Camden, just 10 years ago, had the highest murder rate in North America, called the most dangerous town, but reinvented their police department—not alone, but together, changed their culture, now, working together, always reviewing what they are doing: How can we do this better? Sixty-three percent less murders, 73 percent drop in the crime rate.

It can be done, but we have to do it together.

The President and Senate Republicans, seriously short. They merely

are suggestions, an insult to us in this House.

I urge my colleagues to vote “yes.”

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Mr. Speaker, our country is in crisis. We are broken by generations of systemic racial injustice, and it is clear that only real change in action will allow us to begin putting the fragments back together.

Millions of Americans across the country and in my district are demanding accountability and reform to a structure that has allowed police brutality and injustice against people of color for far too long.

As we continue hearing new names of those who have lost their lives to this system, it is clear: Thoughts and prayers have never been enough, and they are not enough now.

We can no longer stand idly by, failing to act on behalf of our Black American communities in pain. The Justice in Policing Act will help bring about the long overdue changes that we need, to strengthen transparency and accountability in our law enforcement.

We need to ban unnecessary and excessive uses of force, including chokeholds, and we need to end the militarization of local police departments. That is why we must pass the Justice in Policing Act today and begin the first of many steps towards a more just system, ensuring that George Floyd, Breonna Taylor, and countless others are not forgotten.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio (Mr. JORDAN) will control the balance of the Republican time.

There was no objection.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Speaker, in nearly every city and town across this country, the American people are raising their collective voice for change. Our Nation is having a long overdue conversation about race and policing, and we are finally acknowledging Black lives matter.

But it takes more than words and hashtags. The American people want true reform. This bill takes tangible steps in that direction. It ends qualified immunity. The bill bans chokeholds. No-knock warrants will become a thing of the past.

We are all outraged by the deaths of George Floyd, Breonna Taylor, Rayshard Brooks, Eric Garner, and so many others. However, anger is not enough. The American people are demanding action.

This bill offers meaningful, transformative change, not lip service or half measures being floated by the President and Senate Republicans.

The time is now. History will judge us on how we respond to this moment. Vote “yes.”

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Justice in Policing Act establishes a bold, transformative vision of policing in America. Never again should the world be subjected to witnessing what we saw in the streets in Minneapolis, the slow murder of an individual by a uniformed police officer.

The world is witnessing the birth of a new movement in our country. This movement has now spread to many nations around the world, with thousands marching to register their horror and hearing the cry, "I can't breathe," people marching to demand not just change, but transformative change that ends police brutality, that ends racial profiling and ends the practice of denying Americans the ability to sue when they have been injured, that denies local jurisdictions the power to fire and prosecute offending officers.

Black communities have been, sadly, marching for over 100 years against police abuse and for the police to protect and serve our communities like they do elsewhere.

In the 1950s, news cameras exposed the brutal horror of legalized racism in the form of segregation. The news cameras of the 1950s exposed the brutal treatment of people who dared to challenge the system. News cameras exposed to the world that Black people did not have the same constitutional protections, that freedom of speech, that the right to assemble and protest were not rights extended to all African Americans.

Seventy years later, it is the cell phone camera that has exposed the continuation of violence directed at African Americans by the police and exposed the reality that the right of life, liberty, and the pursuit of happiness is not guaranteed to all African Americans at all times.

Now, the movement for police accountability has become a rainbow movement, reflecting the wonderful diversity of our Nation and world. The power of this movement will help move Congress to act, to pass legislation that not only holds police accountable and increases transparency, but assists police departments to change the culture.

Now, I know that change is hard, but I am certain that police officers, professionals who risk their lives every day, are deeply concerned about their profession and do not want to work in an environment that requires their silence when they know that a fellow officer is abusing the public.

I am certain police officers would like to be free to intervene and stop an officer from using deadly force when it is not necessary, and I am certain that police officers want to make sure that they are trained in the best practices in policing. A profession where you have the power to kill should be a profession that requires highly trained of-

ficers who are accountable to the public.

I am so proud to be here on this historic day, where, for the first time in I have no idea how many years, the House of Representatives will pass the George Floyd Justice in Policing Act.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Dakota (Mr. ARMSTRONG).

Mr. ARMSTRONG. Mr. Speaker, I sat through this through a committee hearing, a markup, a Rules Committee, and all day here today, and I have heard a lot about how now is the time for bold action and now is the time for transformational change. But what we don't spend nearly enough time talking about is whether what we are doing and what law we are passing is actually good policy, whether this policy will work in as diverse communities as we have from one end of this great Nation to another.

If there was ever a subject that requires nuanced and thoughtful deliberation, police reform is it. Unfortunately, we seem to be incapable of that in this town at this time.

That is unfortunate because the American people want reform, and that reform has to start with the basic recognition that 2 million out of 2.3 million people who are incarcerated in this country are incarcerated in State and local prisons and this inherently becomes a community action.

□ 1745

Law enforcement is mostly a local function. And when we are talking about reform, we must always recognize that these laws must work at 2:30 a.m. in dangerous, unpredictable, and often violent situations, whether that officer is patrolling downtown Washington, D.C., or he is on a rural North Dakota road where backup is measured in hours and not minutes.

We can move quickly and thoughtfully. We can work toward policies that hold bad officers and derelict departments accountable without making it harder for good cops to do their jobs. Part of how we do that is by recognizing some uncomfortable truths. I will be the first one to say that systemic racial disparities exist in our criminal justice system, not just in law enforcement, but throughout, whether it is in pretrial release programs, charging decisions that determine minimum mandatory sentences, facially neutral enhancements that have disparate impacts on minority communities.

But we also need to recognize the truth that, when we talk about these things, we have been talking about them for years and long before President Trump was elected. In fact, if your claim is historical and systemic racism, then it is sometimes hard to believe that all of these occurred as of January 3, 2017, when President Trump took office.

For all the good intentions, we have to recognize the fact that this bill is not just going to chase bad cops out of the business, but it is going to dissuade good people from continuing in law enforcement. And that is going to make our communities less safe.

This bill makes it easier to sue law enforcement. It makes it easier to prosecute cops, all cops, not just bad cops. It ensures that there is a public database of all complaints, whether they are completely frivolous or not.

It takes away their ability to use equipment, whether they need it or not. It takes away the ability for officers to use lifesaving tools, whether they need it or not.

Combined with what is going on, and a combination between peaceful protests and violent rioting, I have a friend and officers in Minneapolis just this week have responded to calls where they are being spit on and had bottles thrown at them where they are responding to murders.

To say that these types of policies and this type of rhetoric is not going to chase good people out of this profession is just not true.

Republicans in the Judiciary Committee did offer substantive and quality amendments. We offered amendments to require recordings of non-custodial interviews to enhance the use of body cameras by Federal officers. We offered what I consider is reasonable collective bargaining reform so that bad cops can actually get fired from their jobs. We exempted our Border Patrol from the ban on the purchase of surplus military equipment. We also even offered an amendment for a ban on no-knock warrants. We just asked to collect the data during the process while we were doing it.

So to say that everything we offered and what we tried to accomplish either here or on the other side was not relevant to the conversation just simply isn't true.

But there are things we agree on. We agree with body cameras for law enforcement. We agree that more transparency is the best thing.

Congresswoman BASS has talked a lot—and I think this is actually accurate—we wouldn't know a lot about these things without cell phone cameras and what has gone on. That is a reality that exists. But the other reality that exists is that we all are functioning in a digital society. Asking our Federal law enforcement to come into the 21st century along with us is not a terribly irrelevant nor unreasonable request.

We agree with making sure we have a way to track officers. We don't necessarily agree on the exact specifics, but there is a way to get there.

I think everyone agrees that more de-escalation training is incredibly important, and that doesn't matter if you are in a diverse community or not.

Everybody who has talked to law enforcement knows they deal with way too many mental health issues. We agree with those resources.

We all want to hold bad cops accountable and departments that have too many bad incidents accountable. Many of us on our side agree with qualified immunity reform. I tend to agree with my friend Congressman ROY when he said we want significant reform. I would also argue we need to replace it with something.

The problem with no-knock warrants isn't that they are there; it is that they are overused. The problem with military equipment isn't that it is utilized; it is that, in some departments, it is overused.

But if we continue to paint with a broad brush all of these things and have it affect every department, regardless of how urban or rural in nature, regardless if they have a history of abuse or none at all, then we run into the real risk of alienating the people who most closely and most want reform.

I will end on something that I think is fairly hopeful, and I do have hope because I think this is the most criminal justice reform in Congress we have ever seen. There are Members on both sides of the aisle who are serious about marijuana legislation. If you want to talk about a system in the criminal code that has a disparate racial impact, I am not sure you need to go a whole lot further than marijuana reform.

We have had people on both sides of the aisle who have done the juvenile justice act, the justice reinvestment act, trial penalties, clemency for unduly harsh prisons. We have a lot of places we can do that. I think it bears repeating, and I just truly, truly mean this. The FIRST STEP Act, which was passed by the last Congress that was bicameral, bipartisan, and advocated for by this President, is the single most important criminal justice reform that has probably ever come out of this Congress.

I don't say that from being a Republican politician. I say that from practicing Federal criminal defense under both the Bush administration and the Obama administration.

So in 3 years at the Federal level, we have gotten more done. But it is called the FIRST STEP Act for a reason, because there is a second step. I have had the opportunity through all the rhetoric and all the partisan fighting and everything, I have also gotten to meet great, thoughtful people on both sides of the aisle. And people on my side of the aisle who, as short a time ago as several years, didn't believe in some of these things believe in them now.

It is not just in the Federal Government. States all across the country, from Colorado to New Jersey to North Dakota to Texas, are doing criminal justice reform. They are doing it thoughtfully and moving it forward.

I find it unfortunate that we are going to be here and that we couldn't have this conversation. We are going to do what we do so well in this town: talk and talk and talk and then fail to have action on anything that has a realistic chance of becoming law.

I think, unfortunately, that is where this is going. But I do have hope because I know there are a lot of people on both sides of the aisle who truly want to work on this. You don't have to go very far; 350 Members of Congress on both sides of the aisle have already cosponsored bills related to criminal justice reform.

So, we will get this done, maybe not as soon as we could have, but I am hopeful we will rise to the moment.

Ms. BASS. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. JEFFRIES), the distinguished chair of the Democratic Caucus, and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman, the chair of the Congressional Black Caucus, for her tremendous leadership on the George Floyd Justice in Policing Act and in moving this important piece of legislation forward.

Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, for weeks, people across the country have been protesting in the streets, demanding justice for George Floyd, for Breonna Taylor, and for a countless number of people killed by police.

Sadly, incidents like these are something that our communities of color know too well. This moment—this moment—begs us to act, to be bold, to capture this opportunity for change.

I commit and I urge all of my colleagues to be allies in this fight and amplify our voices, recognizing that, once again, it is the women of color who will take the lead in ensuring justice for all. Vote "yes" on this bill.

Mr. JORDAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the minority whip.

Mr. SCALISE. Mr. Speaker, I thank my colleague and friend from Ohio for yielding and for his leadership on this issue.

I also want to thank my friend and colleague, the gentlewoman from California (Ms. BASS), for her work over the years on this issue as well.

Mr. Speaker, we stand at a moment in time that is so important in our country's history, a moment when we can actually come together to solve a problem that we have seen that has gone on for a long time, something that has come to light in different ways over years. But George Floyd's death, a death that never should have happened, really did awaken and create a moment in time when we can actually get something done on this issue.

I hope that we rise to this moment. I hope that we work together to address the problems that we have seen while making a careful and important distinction not to undermine the impor-

tant work that police officers do every day, risking their lives to keep us safe.

That is really the thing that we have to focus the most on because we know there are bad cops like there are bad people in any profession. But to paint everybody with the same brush is not only unfair, it actually does a disservice to the work that they do in every community on a daily basis that is unheralded.

What I would first say is that while the bill that is before us today is a bill that has some components that we support, but some components that we feel would create even more problems, there can be work done to come together. I know in committee there were many opportunities to bring that forward, to bring other amendments forward, and it is a shame that every single Republican amendment was shut down. Every single amendment was shut down in committee. Every single amendment that we brought forward was shut down on this House floor.

That is not going to solve this problem. I think we all know that. If we are here to make law, which I think a lot of us are, then it is going to mean both sides coming together to bring their best ideas forward to address the problem.

I was very disappointed yesterday to watch on the Senate floor our former House colleague and friend TIM SCOTT, who has worked on this for a long time, somebody who has actually been a victim of racial profiling himself who worked closely with a lot of people to bring a bill to the floor that had a lot of bipartisan support. Yes, maybe some people had differences with the bill, but instead of coming together and working through those differences, the Democrats in the Senate voted down the opportunity even to bring the bill on the floor.

The motion to proceed is the motion to start debate on the issue; they voted it down. How is that going to solve the problem if you don't even want to debate the problem? At least here on the House floor we are having a debate.

I wish we had an open amendment process where we could try to settle these differences here. That is not going to happen, unfortunately. But, I, as my colleague Mr. ARMSTRONG, don't give up hope, but we present the opportunity to solve this problem.

If you look at the bill, H.R. 7278, the JUSTICE Act, by my friend Mr. STAUBER, who served as a police officer for over 20 years, he saw the good and the bad in policing. He brings that unique perspective as somebody who wants to solve the problem.

He will tell you that the person who doesn't want a bad cop more than anybody is a good cop. You don't want to go on a call with a bad cop. You want to root them out, while not undermining the important work that law enforcement officers do every day.

Mr. Speaker, I have seen it firsthand. I would not be here today if it wasn't for the bravery and heroism of law enforcement. I have seen them risk their

lives for myself and for other people, maybe not knowing if they were going to make it home that night, and they do that every day.

If there is a bad cop, let's root them out. But we want to make sure we don't undermine the ability for the good cops that are all around our communities, keeping us safe every day. They have a right not only to keep us safe, but they have a right to make it back home to see their families at the end of that night, too.

Let's make sure, when we are striking that important balance, we don't forget about those two competing sides.

We can solve this problem. We need to work together to get this done. Hopefully, we will do that before this moment is lost.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. PETERS), my good friend and classmate.

Mr. PETERS. Mr. Speaker, I rise today in support of H.R. 7120, the George Floyd Justice in Policing Act.

Just to reflect on the comments from the gentleman, my colleague from Louisiana, we all believe that cops are good people who became—most cops are good people who became officers to serve their communities. The provisions in today's bill will help us support the good cops by rooting out the bad ones.

But, fundamentally, the culture of policing in this country must change. There is a tremendous amount of support nationally, and I believe in this body, for better training, transparency, and accountability. It is devastating that we are acting too late to save the lives of George Floyd and Breonna Taylor and Eric Garner and the many other victims who haven't even made headlines.

But there is hope that this bill can save lives and protect Black lives moving forward. We may not finish today, but this is an important start.

Mr. Speaker, I strongly urge my colleagues to support this legislation and vote "yes."

□ 1800

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the Republican leader and my good friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding. I thank the gentleman for his work and the work of his committee.

I thank Congresswoman KAREN BASS—I served with her in the State assembly—for the work as we go forward.

Today marks 1 month since George Floyd was tragically killed. As we all agree, Mr. Floyd, Pat Underwood, and countless others should be alive today.

Republicans have listened closely to calls for justice, and we have responded proactively. Leading our response has been Senator TIM SCOTT and Congressman PETE STAUBER.

We could not ask for a better pair to work on this important issue: a Black Senator who has personally experienced racial discrimination and a retired law enforcement officer, wounded on the job, for more than 23 years with the State of Minnesota, who now serves in the House.

Their thoughtful efforts have produced something that is too rare in this town: a bill that actually tries to solve a problem, not just score political points.

It is truly a bipartisan plan, with over 80 percent of the policies in the bill supported by Democrats. It builds on previous Republican-led civil rights efforts, such as in the majority when we did criminal justice reform, opportunity zones, and school choice. In fact, it could be on its way to becoming law today in a more sensible environment. It would pass on the merits with overwhelmingly bipartisan support.

But we don't live in sensible times. When I looked George Floyd's brother in the eye and told him that George will not have died in vain, I meant it.

To those on the other side of the aisle, I believe you meant it, too, but there are questions that arise:

Did you work in good faith across the aisle or did you choose to go it alone?

Did you choose to make a point rather than make a difference, all while putting politics before people and slandering Republicans in the process?

First, you dismissed the JUSTICE Act as ineffective before one single word was read. I never once said that the Democrat bill was a nonstarter, not once. I was asked at a press conference to name one thing that I oppose. I went back to the reporter and said, no, I will not, because this is a moment in time the country expects us to rise to the occasion. I am not going to point to something that I disagree with because I believe we can get to the point together.

I had hoped that on this floor we probably would be debating amendments. Not one single amendment was allowed. Not one single amendment was allowed.

I listened to the Democrats on the other side because they are in the position the Republicans are here in the minority. They were offered 20 amendments, but they felt they shouldn't go forward—not to vote on the bill, but not even to debate it. Would it be too much to offer the minority one vote to do a bill together?

Then you tried to diminish its author. One Senate Democrat who is White went so far as to say on the floor of the Senate that Senator SCOTT, a Black Republican, was taking the token approach.

I don't know if you have ever served with TIM, but there is no one who has higher character than the man I know.

I don't know what it is like to walk in other people's lives, but TIM is a good friend. He has told me the stories. TIM did not start working on this bill a month ago. He has been working on it his entire life, like others, as well.

TIM did not ask to do the bill on the Senate side with no input from the other side of the aisle. TIM offered amendments and others, but it can't even move the bill forward.

Now you are defaming its supporters saying, as Speaker PELOSI absurdly claims, that we are trying to get away with murder, the murder of George Floyd. She knows she should have apologized, but she doubled down on her remarks yesterday. That was a very sad state of affairs.

Think for one moment. The Speaker of the House is second in line to the President of the United States. That job is too big for words so small, especially in this moment and in this opportunity.

So much for meeting the moment and working together to solve a problem. We have reached a new low in this body, and it is not one that I want to be a part of.

Democrats in the Senate had the opportunity to add 20 amendments to address their concerns about the JUSTICE Act, but they chose to walk away. Meanwhile, Democrats in the House haven't given the Republicans the opportunity to offer a single amendment on the floor.

I have been in the position of being a majority leader. I understand you let a few make a decision, but I do not believe it is the will of the other side of the aisle to shut out voices on this side. I do not believe that you think you have all the answers or are afraid to even have a debate when you know this is an issue that all of America on the streets is rising up and wants to have a voice heard.

I don't understand why anybody is afraid to have amendments. We didn't stop participating even though we had been shut out. We have been to every hearing. We have been to every place. We want to make law. We don't want to make politics. I think our country deserves more.

Worse yet, Democrats are now trying to distract from the party's failures in governing major American cities. You are complicit in the chaos and its consequences.

While you stall serious reform, your allies in the leftwing mob are engaging in looting, destruction, and violence, attacking people, property, and public monuments to American heroes.

The latest incident, I guarantee you, will not be the last. It was in the city of Madison, Wisconsin, not a Republican stronghold, but a Democrat, for decades. There, local officials stood by as a mob tore down several statues that are publicly owned and entirely unoffensive.

The first statue they tore down was of Lady Forward, a symbol of progress in the women's suffrage movement. Next, they tore down a statue of Hans Christian Heg, an abolitionist who died fighting to end slavery during the Civil War.

But it wasn't just statues they attacked that night. The mob also assaulted a sitting State senator, a self-described supporter of the protestors.

This lawless and unjustified violence must be stopped. But their own Wisconsin Lieutenant Governor seemed too surprised by the attacks to do anything about them. Their fatal mistake is to assume that Democrats will be safe because, as the Lieutenant Governor said, they are on the “proper” side.

But here is the reality: Mobs don't care about your political affiliation. Mobs won't draw any lines because they can't draw any lines because they are mobs. They don't want peace, justice, or reform. They want destruction, upheaval, and, most of all, control over you, over others, and over our past, present, and future.

In this country, no one is above the law no matter how proper the coastal elites or mainstream media deem their cause. As elected officials, it is our responsibility to condemn these acts with passion, force, and moral clarity.

It doesn't just happen in Wisconsin. It happens in California. It happens in the Speaker's district.

Just a few short years ago, the Pope spoke from these Chambers. As he left, the leadership stopped at Saint Serra and prayed together. There was a statue in San Francisco that the mob tore down. I am not sure, but I have not seen any comments from the individual who represents that district.

In fact, their so-called solutions, such as dismantling and defunding police would only make the problem worse, especially for our vulnerable communities. By giving their leftwing allies a pass, the Democrats are giving the mob more power, more license, and more ambition. That is a recipe not for justice, but for more chaos.

Mr. Speaker, Abraham Lincoln knew riots, mob rule, and defunding the police present serious threats to the American way of life. As a young man, he warned that “lawlessness in spirit” quickly becomes “lawlessness in practice.” He knew, if it was proper and you ignored it, it would become a practice.

Today, we are witnessing the situation that Lincoln feared: a war on civil society that is quickly escalating. We must summon the courage to protect law-abiding citizens against lawlessness.

Our choice is clear: civil society or chaos. Those are our only options.

Republicans know which side we stand on. We will stand up, hold the line, and fight until the mob is stopped. Enough is enough.

Today, on this floor, 1 month ago, I thought we would show the country that we are worthy of the office they let us serve in. We may be of different parties. I am proud of mine. You see, I was not born into the Republican Party. I came from a party of Democrats.

In my office, I keep portraits. I keep a portrait of Abraham Lincoln, the first Republican President. I love what he stood for. I love what he stood against. Malice towards none.

I wonder what this Nation would be had he not been assassinated? Would we ever have had Jim Crow laws or the KKK? Would we even be standing here today? But I think George Floyd would be, and so would Pat Underwood.

In my office, in my chambers, I have Frederick Douglass as my newest portrait, a man born into slavery, worked his way out. Even though he had every reason to criticize this Nation, he loved it for its bruises, its sores, and all because he believed in a more perfect Union, adviser to a President and believing tomorrow would be better than today.

Inside my conference room, I keep a very big portrait of Washington crossing the Delaware. If the mob was allowed in, they would probably tear it down. You see, that portrait is painted not by an American, but by an immigrant who lived here because America is more than a country. America is an idea, an idea about liberty and freedom. And he thought if he painted this painting, he would inspire others to believe in the freedom that we stand for.

He gets it historically incorrect. He puts Washington in a rowboat with 13 people, but he only shows you 12 faces. You look at Washington. He is in his ceremonial uniform with his hand on his chest, bigger than life. You think that man had never lost a battle, but history told us he had not won one yet.

See, that was the night we surprised the Hessians with our first victory. But if you look at the portrait and see who is in it, you look at the second rower, it is a Black American. The one next to him is Scottish. You come down, and the woman in the very back is a Native American.

I do not know if they were in the boat that night, but to this young immigrant, that is who he believed, having lived in America, would be there.

To the back you see this man, a farmer, with his hand across his face. The hand of the 13th person nobody sees. You see, to this young artist, he said here we are not even a nation but an idea, an idea based upon that we are all equal.

Having never won a battle, we are willing to risk everything, where people would say on the holiest of nights, of Christmas: We will go to a challenge in a rough water and cross that we have never won before. Here is a hand. Would you get in and join us?

That is as true today as it was then. You see, in that portrait, they didn't say only one party to join; they wanted all. They didn't say one had all the ideas; they said we were collective. And they were willing to do things they hadn't done before. They knew they were not perfect, but they strived to become a more perfect Union.

I had hoped that that is what we would see today. Today, that will not be the answer, but that can also not be the end. I would hope both of us would rise up on both sides and ask us to go to conference.

Let's not miss this window of opportunity to show that we are worthy of

the cause we strive and the responsibility people give us. Let's not call each other names of murderers and others. Let's believe in the goodness of one another, and let's understand that we can solve this problem once and for all.

□ 1815

Mr. JEFFRIES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, despite the representation that was just made, Speaker PELOSI, as she always does, has risen to the occasion.

The question is, will you?

The Republican minority leader just said that we have put politics over people. That is insulting, because it is our children, our sons, our daughters, our brothers, our sisters, our fathers, our mothers, our husbands, our wives who are the ones who are being killed.

This is not about politics. We know that racism has been in the soil of America since 1619. We need transformational action.

The time to talk the talk is over. It is time to walk the walk. That is why we are moving forward with the George Floyd Justice in Policing Act.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Miss RICE), my good friend, a distinguished member of the New York delegation, a former Federal prosecutor, and a district attorney of one of the largest prosecutorial offices in the Nation.

Miss RICE of New York. Mr. Speaker, I rise today to offer my wholehearted support for the George Floyd Justice in Policing Act.

As my good friend, Mr. JEFFRIES, just said, I spent the first 20 years of my career as a prosecutor in the criminal justice system. I have seen where it works and, more often, I have seen where it doesn't work.

I can say without a doubt that police accountability is one of the areas that is fundamentally broken, but we need to do more than just hold individual officers responsible. We need to address the institutions that protect them and perpetuate systemic racism.

That is why I am proud to cosponsor this bill, which will make critical changes to this broken system, like reforming the qualified immunity standard, banning the use of chokeholds, creating a national police misconduct registry, and modifying the mens rea standard to hold officers accountable.

I will continue to work with my colleagues in the Congressional Black Caucus and continue to listen to local Black leaders and activists back in my district on Long Island as we continue to root out injustice and discrimination from our society.

Black lives matter, Mr. Speaker, and it is about time our laws and policies reflect that.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we just heard the Democratic Conference Chair say

Speaker PELOSI rose to the occasion. Calling Republican Senators murderers is rising to the occasion?

We have had all kinds of new definitions today.

First, we hear from the committee chair of the Judiciary Committee that antifa is imaginary, and now we heard from the Democratic Conference Chair that the Speaker rose to the occasion when she uses language like she did to describe Republican Senators.

And, oh, by the way, it wasn't just Republican Senators who voted for TIM SCOTT's bill. There were two Democrat Senators who voted for it, and an Independent. And somehow we get that language, the Speaker of the House—as the Republican leader said, the individual second in line to the President—rising to the occasion using language like that, preceded by the chairman of the Judiciary Committee, the committee focused on the rule of law, focused on the Constitution, saying an organization the President of the United States has called terrorists is imaginary? That is what we hear on the House floor?

I appreciate the Republican leader's remarks. I thought they were right on target.

Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), a distinguished gentleman, the chair of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from New York (Mr. JEFFRIES) for yielding me the time.

As someone who has been both a victim of police insensitivity and someone who has spent his entire life in an area known for police mistreating people, and somebody who represents the area where Emmett Till was killed and his accuser wore a badge, this notion that somehow law enforcement's activities just started is not true.

But, you know, you have to walk in my shoes and the shoes of the Congressional Black Caucus to know what we are talking about. I hope at some point we can get there.

I am a grandfather. The story my father told me about law enforcement, this day I am telling my grandson that same story 50 years later. Law enforcement hasn't changed.

So what we have to do is if we are committed to it, we have to support this bill.

The notion that the system is not broken? It is operating how it was designed, so we are going to have to fix it, and we fix it by supporting this bill.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, may I inquire how much time we have remaining.

The SPEAKER pro tempore. The gentleman from New York has 17 minutes remaining.

Mr. JEFFRIES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Mrs. BUSTOS), the distinguished chair of the DCCC, a classmate, and a great Member of Congress.

Mrs. BUSTOS. Mr. Speaker, I thank Chairman JEFFRIES for yielding me the time.

Mr. Speaker, I rise today as the wife of the sheriff of Rock Island County, Illinois. I also rise today in support of the Justice in Policing Act.

I have listened to so many people throughout the district that I serve who are hurting, so many stories of people who are in pain: a woman whose cousin died when the police used a neck restraint like the one that took George Floyd's life. That was in 2010, a decade ago. Her family has been fighting for justice ever since.

I recognize that I as a White woman cannot fully understand the pain that Black Americans feel, but I also know that if we are going to make real and lasting change to end systemic racism, I must care just as much and I must be just as motivated as those in the communities who are hurting most.

Today, I lift their voices. America will hear you.

For this family's decade-long quest for justice, we can, we will, and we must act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. MALINOWSKI), a great new member of the freshman class.

Mr. MALINOWSKI. Mr. Speaker, I will proudly vote for the George Floyd Justice in Policing Act because I believe that Black lives matter, because I believe that nobody in America should have to fear an encounter with police simply because of the color of their skin, and because I believe that what we need right now above all is trust, trust between law enforcement and the people, all the people they are sworn to protect.

Trust is not built by police who use force as a first resort, it is not built by police who look like they are the 82nd Airborne parachuting into a war zone, it is not built by hiding problems so abusive officers get assigned to train rookie cops or those fired for misconduct can get rehired somewhere else.

Trust is built from better training, transparency, and the accountability that every true public servant welcomes.

Now, this may not be a perfect bill, but it is surely the start of a process that will make us better. So, please, let's get this process started.

If we also want to fund the police, if we want to support the good cops who are out there, then please ask the Senate to support the HEROES Act alongside police reform, the whole point of which was to help our State and local governments keep our first responders on the job.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, the lynching of George Floyd shocked our Nation, not because he was the first Black man murdered by police, but because he is one of countless Black men unjustifiably murdered, and with video. It was indisputable.

After centuries of inequality, prejudice, and discrimination, the American people are crying out for justice.

Today, we are taking action.

The Justice in Policing Act curbs the excessive force and lack of transparency that has contributed to police brutality; chokeholds and no-knock warrants for drug cases would be banned; deadly force would be restricted, as would military equipment meant for battlefields, not American streets; and body cameras would be mandatory. Crucially, it also limits qualified immunity, which protects police from accountability.

But reform is not enough. We must also change the culture of policing, which this bill does through funding for States and communities to conduct badly needed de-escalation training.

George Floyd was not the first Black man killed by police, but with this legislation, he can hopefully be among the last.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Speaker, in my hometown of Kissimmee, Florida, I joined our local protest of the murder of George Floyd. We came together, members of the NAACP, Black Lives Matter, our Sheriff Russ Gibson, local police chiefs, and a multitude of my fellow Puerto Rican brothers and sisters. We decried hate, condemned police brutality, and stood unified for change.

I then led a conversation on justice and equality in America with Black civil rights leaders, law enforcement, and local officials from across central Florida. I listened intently, and their voices were clear: Black lives matter, and support the George Floyd Justice in Policing Act of 2020.

We see you; we hear you, and we will honor those we lost with action.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentlewoman from the Commonwealth of Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, I thank Chairman JEFFRIES for yielding.

Mr. Speaker, we have long encountered excuses as to why we can't tackle bias, discrimination, and racism in America, excuses that have prevented equality in healthcare, in the classroom, housing, in the workplace, and, yes, in the way police interact with communities they have sworn to protect.

That approach has led to a deadly reality where Black lives are equal on paper, but not in real life.

We know this because the data show it. The data show that Black Americans are more likely to die during a trip to the hospital and more likely to be killed, while unarmed, by the police.

We know this because George Floyd should be alive today; so should Breonna Taylor, Tamir Rice, Eric Garner, and so many others.

The Justice in Policing Act would have prevented their deaths, and it is long overdue. We owe it to them and to every Black American to make this bill law. Then we must get to work fixing the injustice that has persisted in our country for centuries so that we can create a more inclusive, truly equal, and just America for everyone to call home.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. CLARKE), my good friend.

□ 1830

Ms. CLARKE of New York. Mr. Speaker, I thank our conference chair.

Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act in honor of the lives I took an oath to serve as long as I draw breath.

Breonna Taylor, George Floyd, Dominique “Rem’mie” Fells, Sandra Bland, Saheed Vassell, Eric Garner, Sean Bell, Patrick Dorismond—how many more Black lives must be hashtagged before we deliver equal justice to all of our people?

I have heard my colleagues on the other side of the aisle make every excuse under the Sun for maintaining the status quo. Not today, my friends.

When Americans are dying at disproportionate rates across the country at the hands of law enforcement and have been doing so for generations, enough is enough, and Congress must act. This crucial legislation will make police accountable for their actions.

1976, Randolph Evans, 15 years old, unarmed Black boy, shot dead, Brooklyn, New York.

1978, Arthur Miller, choked to death, Brooklyn, New York—my first protest as a child. The only crime: Being Black.

Here we are 2020, Breonna Taylor, shot dead in her home; George Floyd, choked to death. Their only crime: Being Black.

So, my colleagues, as the only Black woman in the New York State congressional delegation, there are two things I know are true and will remain true whether we acknowledge or accept it: Black lives matter.

No justice, no peace. Today, I choose justice. I vote “yes.”

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentle-

woman from the great State of Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, our country continues to fail Black people.

Seven-year-old Aiyana Stanley-Jones, in my district, would have graduated from high school this year if she was not murdered by police when they raided her home, the wrong home.

Yes, who killed George Floyd should be the focus, but also what killed George Floyd. We are talking about centuries of dehumanizing Black folks in our country, and it must end now.

We cannot stop here. We are, again, failing our neighbors when it comes to public safety, education, poverty, structural racism, which is deadly, and it is up to us to tear it down.

It is not enough for us to just say Black lives matter. We, in this Chamber, have the power for real policy change and implementation that truly frees our Black neighbors.

Aiyana, George, Breonna, Malice Green, we failed you, but your murders may be the way not to continue the injustice that we see in our country, and we have to stop it now.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the great State of Colorado (Mr. CROW), an Army Ranger, a patriot, and a great Member of the United States House of Representatives.

Mr. CROW. Mr. Speaker, I rise today in honor of Elijah McClain, a young Black man from Aurora, Colorado, who died in police custody. He was 23 years old.

Before coming to the floor today, I asked Elijah’s mother what she wanted to tell the world about her son, and here are her words: “Elijah spread joy everywhere he went. He was a lover of all beings. He dedicated his energy to healing others through his work as a massage therapist and playing his violin at the animal shelter to keep them from being lonely. Elijah’s name will live on in the hearts of all who knew him.”

Colorado was blessed by Elijah’s legacy, and last week, we passed the most transformative police bill in the country.

Tonight, it is Congress’ turn to do the same. I urge my colleagues to join me and pass the George Floyd Justice in Policing Act. The time for talk in Congress is over. My vote tonight will be cast for Elijah McClain.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the great State of Texas (Mr. CASTRO), the chair of the Congressional Hispanic Caucus.

Mr. CASTRO of Texas. Mr. Speaker, for far too long, far too many people have lost their lives to police brutality.

And for far too long, the government has failed to protect the people. That changes today. This is a first, yet significant step to save lives, especially Black lives.

In my hometown of San Antonio, police violence has existed for generations. In just the last few years, Marquise Jones was killed by an off-duty officer during a routine fender-bender.

Antronie Scott was killed by an officer who thought a cell phone was a gun.

Charles Roundtree was killed by police. He was only 18 years old.

The Latino community has also suffered from police brutality. Andres Guardado and Carlos Lopez are the latest to be killed.

Forty years ago, in San Antonio, Hector Santoscoy was killed by a police officer who had also killed a Black man, Bobby Jo Phillips, in 1968.

The cases we see on video are only a fraction of the misconduct and abuse that occurs every day, leaving long-lasting physical, mental, and sociological damage. The good, lifesaving work of police is undercut by the blue code of secrecy, officers who refuse to tell on each other, police unions that never admit when they are wrong, and politicians who have been afraid to take on police unions.

This Congress must have the courage to act now and pass this legislation.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Illinois (Mr. KRISHNAMOORTHY).

Mr. KRISHNAMOORTHY. Mr. Speaker, I rise today in strong support of the George Floyd Justice in Policing Act.

In 2019, USA Today published the largest public database of disciplinary records for police officers. They found that fewer than 10 percent of officers in most police forces had been investigated. But of those who are investigated, most have 10 or more misconduct charges, and worse, some face more than 100 allegations. Almost all still have their badges today.

To address this issue, the George Floyd Justice in Policing Act includes a national registry to bring transparency to disciplinary decisions, to bring transparency to police misconduct, and to bring transparency to the high cost of irresponsible individuals to taxpayers.

The George Floyd Justice in Policing Act is about transparency and sunlight. We need that now more than ever.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, how much time do we have remaining on our side?

The SPEAKER pro tempore. The gentleman from New York has 7½ minutes remaining.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I am honored to stand for the George Floyd Justice in Policing Act, an important step for racial justice. I hope our approval will soften the hearts in the Senate because there is much to do.

I am honored to work with another champion for justice, Congresswoman BARBARA LEE, whose Marijuana Justice Act would be the next step, repealing Nixon's blatantly racist prohibition of marijuana with its selective enforcement against young Black men, which continues to ensnare tens of thousands of young Black men every month for something that Americans think should be legal.

Let's approve the MORE Act, already passed out of the Judiciary Committee, the next critical step in racial justice reform and protecting young Black men from oppression.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Maryland (Mr. MFUME), the former head of the NAACP as well as the Congressional Black Caucus.

Mr. MFUME. Mr. Speaker, I thank the distinguished gentleman from New York, the chair of our Caucus, for yielding.

I listened intently to the litany that the minority leader chose to deliver, and I watched and looked through a lens of history about his admonitions about our 16th President, Abraham Lincoln, and they were all well-stated.

I think the bottom line, though, is that, in any debate, there ought to be real context. So there are other things that Lincoln said that are relevant to this debate as well.

In 1848, in a speech delivered in Edwardsville, Illinois, he spoke these words to his countrymen. He said:

When you have succeeded in dehumanizing the Negro; when you have put him down and made it impossible for him to be but as the beasts of the field; when you have extinguished his soul in this world and placed him where the ray of hope is blown out as in the darkness of the damned, are you quite sure that the demon you have roused will not turn and rend you?

Lincoln went on to say:

Destroy the Negro's spirit and you have planted the seeds of despotism at your own doorstep.

He said:

Ignore the chains of bondage, and you prepare your own limbs to wear them.

Finally, he said:

Accustomed to trample on the rights and the freedoms of others, and you would have lost the creative genius of your own independence, and then become the fit subjects of the first cunning tyrant who rises among you.

So while I appreciate the minority leader's comments, I think it is impor-

tant that we have context in this debate. We have driven here and have been driven here by the actions of people all across this country who want justice, who want an end to police violence, who want an end to rogue cops and want to be able to live, work, and breathe in a society like anyone else.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I am prepared to close. I have no additional speakers. I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

It seems to me four principles should frame our work in putting together policies that help the country.

First and foremost, we need to recognize, as we all do, the tragedy that took place in Minneapolis. The taking of George Floyd's life was just that, a tragedy. It never should have happened. As I have said before, it is as wrong as wrong can be, and his family deserves justice, as do others.

The Republican leader mentioned Pat Underwood. His death was as wrong as wrong can be, and his family deserves justice as well.

Second, we should condemn violence and also the creation of any type of autonomous zone that is separate from our great country.

I said this earlier today. There is a big difference between peaceful protest and some of the things we have seen. Peaceful protest, that is First Amendment. We have all engaged in it. That is apple pie. That is America.

But peaceful protest is different than the rioting we have seen. Peaceful protest is different than the looting we have seen. Peaceful protest is different than the violence we have witnessed, the attacking of people, the taking of people's businesses and destroying them. Peaceful protest is different than CHAZ and CHOP and these autonomous zones that are forming.

Third, the vast majority—vast, vast majority—of police officers are good, good people doing great work, risking their lives every time they put the uniform on and serve their shift, do their duty.

They are the guys who protect us here on Capitol Hill. They are the folks who rushed into the Twin Towers on 9/11. They are the guys and gals back home, men and women back home, who protect our communities, and we should remember that.

Fourth, defunding the police is crazy, one of the most crazy ideas I have ever heard.

You have the mayor of New York, as I said earlier today, the mayor of New York is going to cut the police a billion dollars. You have the mayor of LA, our second largest city, going to cut the police \$150 million. You have a supermajority on the city council of Minneapolis that wants to abolish the police and so many other major cities where they are talking about the same thing.

This Congress started off with Democrats saying abolish ICE. Then it moved to, no, let's get rid of the whole Department of Homeland Security. Now, we have Democrats in big cities around our country saying defund the police, get rid of police departments. It makes no sense.

Those four principles seem to me should be common sense and should form the framework for us to work together and form policy. But unfortunately, the Democrats didn't want to work together. We saw it yesterday in the Senate. We saw it last week in the House, in the committee. We are seeing it today on the floor.

Twelve amendments offered last week, none accepted. No amendments allowed on the floor today. Yesterday, we weren't even allowed to debate it, couldn't even move to debate in the United States Senate.

But as I said, the only bipartisanship we have seen on this issue in the last several weeks on Capitol Hill was yesterday in the Senate when two Democrats and one Independent, tripartisanship, voted to move forward on Senator SCOTT's legislation.

So let's hope, on this issue, this important issue and others, that we can begin to work together for the good of the American people, for the good of this great country—I would say the greatest Nation ever, not perfect, greatest Nation ever though.

When you live in the greatest Nation ever, I think the people of this great country want us to work together to find the solutions that make sense, that make good common sense, and fit within those principles I talked about.

That is what I hoped we could do. Over the last few weeks, unfortunately, that is not the course the majority has taken.

I urge a "no" vote, and I yield back the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by thanking the chair of the Congressional Black Caucus and the prime sponsor of this legislation, KAREN BASS, for her extraordinary leadership on such a critical issue during such a critical moment in time.

I also want to thank the distinguished chair of the House Judiciary Committee, Congressman JERRY NADLER, for his tremendous leadership in ushering this bill through committee and to the floor of the House of Representatives.

□ 1845

I want to thank Speaker PELOSI and the entire House Democratic Caucus for rising to the occasion at this particular moment in time.

I want to thank my colleagues on the other side of the aisle for participating in the debate and sharing their ideas, though I will note that many of my Republican colleagues spent this debate talking about antifa, talking about the autonomous zone, and talking about abolishing the police, which appears

nowhere within the four corners of this legislation.

They know what this bill is really all about. It criminalizes the chokehold, because it is about George Floyd, who was strangled to death with a knee to his neck for 8 minutes and 46 seconds while handcuffed. It is about being handcuffed while Black, about George Floyd.

They know this bill, its really about Tamir Rice, a 12-year-old who was gunned down while playing in a Cleveland park. It is about Tamir Rice because the bill will establish a registry for brutal officers so that jurisdictions will have some visibility into whom they are hiring. The officer who murdered Tamir Rice, this 12-year-old boy, had been fired by a neighboring department for brutal behavior, and then he was hired by the Cleveland Police Department with tragic consequences because they had no visibility into his record. This bill is about Tamir Rice.

They know this bill is about Breonna Taylor, sleeping while Black, gunned down because of a no-knock warrant in a drug case that was falsely executed in Louisville. Now a husband has lost his wife. It is about Breonna Taylor. They know that.

This is about countless individuals in this great country of ours killed by police officers without justification.

Yes, we know that the majority of police officers—certainly the ones I interact with at home in Brooklyn—are hardworking individuals who are in the community to protect and serve. But there are violent officers, there are brutal officers, and there are abusive officers; and far too often they are not held accountable because of a toxic culture that exists and that cannot be denied—not month after month, not year after year, but decade after decade after decade.

We know the names. Many of those names were called today from the floor of the House of Representatives, but the names are too numerous to mention. That is why we are here, to do something transformative about it.

I am thankful for all of those peaceful protesters who have gone out all throughout the four corners of America, yes, led by young African-American women—I love that—and young African-American men, but joined by every other race, Black, White, Latino, Asian, Native American, multiracial, multigenerational, and multicultural, coming together and saying, “Enough.”

We need to deal with systemic racism in America, and we can start with the cancer of police brutality. That is what the George Floyd Justice in Policing bill is all about. It is not about antifa or some autonomous zone or defunding the police, which they know doesn't appear in this bill.

I don't want to question anybody's good faith, but let's have a real debate. You are entitled to your own opinion; you are not entitled to your own facts. Those words ring true to this very day

from the moment that President John Adams uttered them.

So I am thankful to the House Democratic Caucus for rising to the occasion. We collectively have said to the protesters of every race throughout America: We hear you, we see you, and we are you.

Many of you know that the death of George Floyd was not called to my attention by a fellow Member of Congress, by my chief of staff, or by my legislative director. It was called to my attention by my young son, who said: Dad, it has happened again. What are you going to do about it?

Those words, of course, ran through my heart. But I say to him, and I say to all of those other Black children throughout America: We are here today as House Democrats to do something about it.

Pass the George Floyd Justice in Policing Act.

Mr. Speaker, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act.

Americans have been protesting ever since the nation witnessed the murder of George Floyd at the hands of law enforcement last month. Today, the House of Representatives is taking action to address problems in our broken policing and criminal justice systems by passing The George Floyd Justice in Policing Act.

The bill has many important provisions—It bans chokeholds, ends no-knock warrants in drug cases and prohibits racial profiling.

It creates national standards for policing policies, such as training, body cameras and use of deadly force.

It provides for data collection.

It removes barriers that make it difficult to hold police officers accountable for misconduct.

Mr. Speaker, I urge my colleagues in the Senate to pass this bill as quickly as possible, and to begin the next step in the process: investing in our communities.

Mr. LEWIS. Mr. Speaker, I rise in strong support of H.R. 7120, the George Floyd Justice in Policing Act.

For far too long, equal justice and protection under the law have been deferred dreams for Black people and communities of color across our country. As we consider this bill, people throughout Metro Atlanta and throughout my home state of Georgia are gripped by pain and anguish over the deaths of Ahmaud Arbery, Rayshard Brooks, Breonna Taylor, George Floyd, Trayvon Martin, Sandra Bland, Philando Castile, Tamir Rice, Jordan Davis, who was the beloved son of our colleague Congresswoman LUCY MCBATH, and countless others. The pain in the depths of our souls is constant and all consuming. It is the seemingly endless nightmare from which we cannot awake.

Today, young people are taking up the mantle in a movement that I know all too well. All over the world, communities are once again joining the call for racial equity and equality. While their feet march towards justice, their pain, their frustration, and petitions cannot—must not—be ignored. The George Floyd Justice in Policing Act provides us with an oppor-

tunity to practice what we preach. While we use our speech to advance American ideals such as freedom, liberty, and justice for all, we must use our hands to implement these values. H.R. 7120 puts us on the right path.

Many may seek to mischaracterize this legislation. Some will ignore the opportunities that this bill presents to improve our communities. For example, I greatly appreciate that the authors included my proposal, the Law Enforcement Inclusion Act, which permits Federal grant funds to be used to recruit and train officers from the neighborhoods they are charged to protect and serve. H.R. 7120 also provides law enforcement with the help and training they need to address mental health, drug use, and other complex societal issues. These proposals are partial solutions to the historic disconnect and distrust between communities of color and law enforcement.

Others may argue that the bill does not go far enough. This legislation addresses one Federal part of a complicated puzzle of entrenched, systematic bias and inequality, and we cannot let the perfect be the enemy of the good. Going forward, we must demilitarize law enforcement and establish empathy in our justice system. Make no mistake—much more is needed from cities, counties, State, and Federal authorities in every corner of our country. Our work is cut out for us, and our mandate, from those whom we were elected to represent and serve, is clear.

Mr. Speaker, a democracy cannot thrive where power remains unchecked and justice is reserved for a select few. Ignoring these cries and failing to respond to this movement is simply not an option. For peace cannot exist where justice is not served. I urge each and everyone of our colleagues to support this legislation.

Mr. PAYNE. Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me as I rise to support the George Floyd Justice in Policing Act.

Police brutality in our communities of color has been a national pandemic for decades. My colleagues and I can recall quite easily an incident or incidents of police brutality that involve ourselves or our loved ones. We understand what it feels like to be afraid of the very men and women who are supposed to protect you. We understand that we are considered dangerous based on the color of our skin.

Unfortunately, my colleagues on the other side of the aisle don't seem to understand that. They have shown that our law enforcement officials, like our President, are above the law.

That's not right. I am proud to vote for a bill that will go a long way towards healing the rift between our law enforcement agencies and the minority neighborhoods they serve. It will end racial profiling in police conduct. It will ban the use of chokeholds, basically the 21st century's version of lynching. It will eliminate “no-knock” warrants in law enforcement, which means police officers must respect the rights of every homeowner and renter regardless of race. It will establish independent prosecutors in cases of excessive force. In addition, it will establish a national standard of conduct for police officers nationwide. This national standard will make it easier to train law enforcement officials across the country to support equal protections under the law for all American citizens.

People of all colors, cultures and creeds have taken to streets across the country to demand action in this cause. They want it established in federal law that black lives matter and the time of killing our men and women of color is over. As our citizens tear down the statutes of racists and bigots across the country, we need to follow suit and tear down the policies that allow racism to exist in our law enforcement.

Mr. Speaker, I know my fellow members of the U.S. House of Representatives agree that the George Floyd Justice in Policing Act deserves to be recognized at this time because it represents a milestone in the American commitment to justice and equality for every citizen. All lives will matter when Black lives matter.

Ms. JOHNSON of Texas. Mr. Speaker, the thousands of peaceful protests and demonstrations that took place in the streets across our country these past few weeks are a product of years of delay in action on the issue of police brutality. Today, we take a meaningful first step towards a solution by passing H.R. 7120, the George Floyd Justice in Policing Act of 2020, with my full support.

It is my hope that this moment in our history will be looked upon as a time when we as a nation came together, regardless of party or politics, in support of sweeping, transformative change—and I believe that this bill is the answer. Among its bold initiatives include banning chokeholds that took the life of George Floyd and no-knock warrants that resulted in the murder of Breonna Taylor; ending court-created doctrines of qualified immunity; and improving oversight regulations to hold law enforcement accountable for misconduct. The Justice in Policing Act is both a reflection upon and remedy for the structural and institutional bias against Black Americans in our society.

It has always been my belief that there must be a relationship between the police and the community they swear to protect—one built on mutual respect, trust, and communication. That is why I was proud to see provisions included in this bill that support community-based safety programs and establish public safety innovation grants for local commissions and task forces to reassess current approaches. Empowering our communities to reimagine public safety in an equitable and just manner is a crucial step to bring about change in the culture of law enforcement.

It is important to note that legislation alone cannot right the wrongs of the past, nor will it assure unconditionally the very liberties guaranteed within its text. Rather, it is in the hearts and minds of Americans in every community that real, purposeful change is initiated. To those who called my offices, wrote letters, or attended protests over the past weeks to demand that Congress take action, know that my vote today lends influence to your voices.

I'd like to thank Speaker PELOSI, Whip CLYBURN, and all Members of House Leadership, Senators CORY BOOKER and KAMALA HARRIS, as well as Chairs of the Congressional Black Caucus and the House Judiciary Committee Representatives BASS and NADLER for the timely and thorough manner in which this bill will be passed.

I strongly urge my colleagues to support H.R. 7120 and ask that the Senate begin debate without delay.

Ms. MOORE. Mr. Speaker, I rise today in support of H.R. 7120—George Floyd Justice

in Policing Act of 2020. This legislation has been a long time coming and for many it has arrive too little too late. Our nation is a work in progress, and we will continue to fight for equality under the law in every and all aspects. As we recently celebrate Juneteenth, I am reminded of what my ancestors have endured, and I know that they would be proud of the progress we are making today. I know I am.

This essential legislation has critical provision including supporting the need for more deescalation training for police officers, something that I have long fought for and which has proven time and time again to work. The bill will also block the transfer of weapons of war to police departments, end the no-knock warrants that led to the murder of Breonna Taylor, ban choke holds that killed Eric Garner and George Floyd, and finally end qualified immunity which has shielded police officers from receiving justice for killing or injuring members of the community.

As a member of the Congressional Black Caucus but more importantly as a black mother, grandmother, and now great grandmother, I am so proud to be an original sponsor of the legislation.

Our communities are demanding action, calling for strong and effective action that will help not only prevent future tragedies between police and the communities they patrol, but also help increase trust and build safer communities.

This is a commonsense bill that deserves bipartisan support. This is the first step to making our union more perfect and I urge all my colleagues to support it.

Mr. SMITH of New Jersey. Mr. Speaker, the JUSTICE Act is designed to ensure greater transparency and accountability in policing in order to build safer communities.

I cosponsored the JUSTICE Act because it is a serious, comprehensive and balanced reform initiative—an important step forward.

I am deeply grateful to Senator TIM SCOTT and Congressman PETE STAUBER for authoring this bicameral legislation.

The killing of George Floyd while in custody by a Minneapolis police officer demands justice and has resulted in a fresh and necessary look at crime and policing.

I watched the video of Derek Chauvin kneeling on the neck of Mr. Floyd who pleaded “I can’t breathe” with horror and disbelief. Chauvin not only betrayed his solemn duty to serve and protect but he betrayed, as well, police officers throughout the nation who serve with great honor and valor, and make enormous sacrifices to protect the innocent and enforce the law.

Today I—like many Americans—believe that nonviolent dialogue and persuasion are not only the best way, but it is the only way to achieve meaningful change.

Those who commit violent acts against police and others, as well as those who destroy property and steal, should be prosecuted to the greatest extent of the law.

The JUSTICE Act that we will vote on today includes new funding of \$225 million for improved police training—including best practices for violence deescalation and alternatives to the use of force—which will likely reduce injury or death to both police officers and criminal suspects. The training also includes the most effective approaches to suspects with mental health conditions and developmental disability including individuals with autism.

The JUSTICE Act also authorizes a \$500 million matching grant program to help police departments purchase body-worn cameras and receive the necessary training to ensure optimal use. It conditions eligibility for this funding on certain criteria, including usage at all times when an officer arrests or detains anyone.

The evidence for bodycam use is compelling. Studies have shown that the use of body-worn cameras can reduce complaints against officers by up to 90 percent and decrease officers’ use of force by 60 percent.

The JUSTICE ACT also provides \$500 million for duty-to-intervene training and directs the Attorney General in consultation with state and local governments, and organizations representing rank and file law enforcement officers to develop training curricula on the duty of a law enforcement officer to intervene when another officer engages in excessive use of force.

Had any one of the three officers on the scene in Minneapolis intervened when George Floyd pleaded that he couldn’t breathe, his life could have been saved.

Other reforms embedded in the legislation include maintaining and appropriately sharing disciplinary records for officer hiring, use of force reporting to the FBI, no-knock warrant reporting, incentivizing chokehold bans and increased penalties for false police reports.

The JUSTICE Act empowers the Community Oriented Policing Services (COPS) grant program to hire recruiters and enroll candidates in law enforcement academies to ensure racial and demographic representation similar to the communities served, and funds an education program for law enforcement on racism produced by the Smithsonian’s National Museum of African American History.

The bill makes lynching a federal crime.

The legislation also creates the Commission on the Social Status of Black Men and Boys which will study and issue a wide-ranging report on conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels and health issues and will make recommendations to address these issues.

That said, why not vote for the Democrat bill that is before the House today as well?

I have serious concerns that the language in H.R. 7120—the Democrat proposal—eviscerates qualified immunity in civil lawsuits for our women and men in law enforcement.

Let’s be clear, current policy provides no immunity whatsoever—nor should it ever—from criminal prosecution as in the case of the officer responsible for the death of George Floyd.

But qualified immunity—a judicially created legal doctrine—shields government officials, including law enforcement, from personal liability lawsuits so long as their actions do not violate “clearly established statutory or constitutional rights of which a reasonable person would have known.”

According to the Congressional Research Service, “The Supreme Court has observed that qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction and liability when they perform their duties reasonably.”

Section 102 of the Democrat bill ends qualified immunity and states in pertinent part that “It shall not be a defense or immunity in any action brought under this section against a local law enforcement officer . . .” even if “. . . the defendant was acting in good faith, or that the defendant believed, reasonably or otherwise, that his or her conduct was lawful at the time when the conduct was committed. . . .”

If Section 102 became law, it would likely result in a flood of legal actions—an engraved invitation to sue law enforcement officers.

Moreover, it will deter police from using force where the use of force is necessary to save life or protect property—diminishing the ability of police to provide public safety in dangerous situations.

Finally, a June 15 letter from the NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS—which represents one thousand professional police associations and units and 241,000 officers throughout the United States—wrote: “Our most significant concerns include amending Section 242 of Title 18 United States Code to lower the standard for mens rea (Title I Subtitle A, Section 101) and the practical elimination of qualified immunity for law enforcement officers (Section 102). Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just criminal acts. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. We believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.”

I include the entire letter in the Record:

NATIONAL ASSOCIATION OF
POLICE ORGANIZATIONS, INC.
Alexandria, VA, June 15, 2020.

Hon. JERROLD NADLER,
Chair, Committee on the Judiciary,
House of Representatives, Washington, DC.

Hon. JIM JORDAN,
Ranking Member, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER AND RANKING MEMBER JORDAN: I am writing to you today on behalf of the National Association of Police Organizations (NAPO), representing over 241,000 sworn law enforcement officers from across the country, to advise you of our opposition to the Justice in Policing Act, H.R. 7120, as currently written.

NAPO is a coalition of police unions and associations from across the nation, which was organized for the purpose of advancing the interests of America’s law enforcement officers through legislative advocacy, political action and education.

Unequivocally, what happened to George Floyd was egregious. There is no legal justification, self-defense justification, or moral justification for the actions of the officer. We, as rank-and-file officers, support improving policing practices. While we do have significant concerns with several provisions of the Justice in Policing Act, we believe there are areas that we can come together on to address the need for greater transparency, accountability, and training in law enforcement. However, until our concerns are addressed, we cannot support this legislation.

Our most significant concerns include amending Section 242 of Title 18 United States Code to lower the standard for mens rea (Title I Subtitle A, Section 101) and the practical elimination of qualified immunity

for law enforcement officers (Section 102). Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just criminal acts. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. We believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.

Another provision of serious concern is the change proposed to the current legal standard of “objective reasonableness” for the use of force outlined in the 1989 U.S. Supreme Court decision *Graham v. Connor* (Sec. 364). The Supreme Court has repeatedly said that the most important factor to consider in applying force is the threat faced by the officer or others at the scene. The use of force has to be reasonable given what the officer perceived to be the threat at the time, not with the 20/20 vision of hindsight. Law enforcement officers across the nation take an oath that they will run towards danger when everyone else is running away—and they do so to protect our families and communities. Subjectively changing the legal standard for holding officers accountable for their actions will have a chilling effect on the men and women in uniform. It undermines their ability to respond in an immediate and decisive manner, and thus creates a hesitation that would threaten the safety of our families, communities and officers.

No cop wants to work with a bad cop—it makes the job more dangerous and difficult. We support ensuring officers who have substantiated serious allegations of misconduct that have been officially and fairly adjudicated can no longer practice law enforcement, but we must ensure officers have due process before they are decertified. Unfortunately, one of the underlying assumptions of the Justice in Policing Act is that law enforcement officers should not get the right to due process, a right we give all citizens, a right all unions work to protect for their members in disciplinary actions.

We support creating national standards for training on de-escalation and communication techniques to help officers to stabilize situations and reduce the immediate threat so that more time, options, and resources can be used to resolve the situation without the use of force. Such training will go much further in achieving the goals of this legislation to reduce the use of lethal force than the lessening of legal protections for officers. We also believe that rank-and-file officers, as practitioners, or their representatives, must play a role in developing national training standards.

Training standards on the use of force and de-escalation would also reduce the use of “chokeholds” or carotid artery restraints, which are already banned by law enforcement agencies across the country as a means of less-than lethal force for their officers. However, “chokeholds” are a vital tool for officers to have when use of deadly force is justified. If the subject poses an immediate threat to the safety of the officer or others and a “chokehold” is the officer’s best or only option, it is vital that she is able to use it. We strongly recommend against criminalizing these maneuvers outright and we oppose making them a civil rights violation (Sec. 362(c)). We advise prohibiting “chokeholds” unless deadly force is authorized.

Data collection on the use of force is key to improving integrity and transparency in policing. It is important that the data collected on the use of force reflects the entirety of the situation: use of force by officers and use of force against officers, and not

just force using firearms. The Federal Bureau of Investigation began collecting such data in their Use of Force Database in 2019, which they established in collaboration with state and local law enforcement.

Data collection, training, and certification all cost a significant amount of money, yet the Justice in Policing Act does not provide additional funding to help states and localities comply with the many mandates of the bill. In fact, in order to ensure compliance, it penalizes states and law enforcement agencies by taking away all or part of the Byrne Justice Assistance Grant (Byrne JAG) and the Community Oriented Policing Services (COPS) Grant funding. The consequence of this on all sectors of the criminal justice system will be long lasting. At a time when it is well known that state and local governments are facing serious budget and revenue holes due to the coronavirus pandemic and officers are facing furloughs and layoffs, this legislation assumes that somehow governments will have the funding to comply with the requirements of the bill. To incentivize compliance with any police reform policies, funding must be provided, and it is imperative that all sides have had their voices heard. This is where the Justice in Policing Act falls the shortest.

I have highlighted a few of the areas where we have strong opposition and others where we agree on the intention and goal. There are additional areas of the Justice in Policing Act not covered in this letter with which we have concerns and those whose objectives we support. We urge you to consider our concerns and the perspective of the officers on the street and give us a seat at the table as this legislation moves forward. Until that consideration is granted, we oppose the Justice in Policing Act.

Thank you for your attention to our concerns and we hope to work collaboratively with you to improve policing practices in America. Please feel free to contact me if you would like to discuss our concerns further.

Sincerely,

WILLIAM J. JOHNSON, ESQ.,
Executive Director.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today in strong support of H.R. 7120, the George Floyd Justice in Policing Act.

I thank my colleague from Los Angeles, the Chairwoman of the Congressional Black Caucus, KAREN BASS, for her tireless work and leadership on this bill.

The murders of George Floyd and Breonna Taylor were a devastating tragedy. My heart breaks for their families and all the families who have lost loved ones as a result of abuse of power at the hands of law enforcement.

We expect members of law enforcement to protect us and help keep our communities safe. When we lose people like George and Breonna in senseless and bizarre acts of violence, that trust understandably disappears.

Rightfully horrified and angered against displays of police brutality, Americans across the country, of all racial and ethnic backgrounds, are marching in the streets to declare the fundamental truth that Black Lives Matter, and to demand justice for all the lives lost at the hands of police brutality.

The George Floyd Justice in Policing Act is a bold bill that will help address racial injustice and police brutality, head on, for all Americans.

Also important is that it will help rebuild the trust between the majority of good, decent law enforcement officers and the communities they have sworn to protect and to serve.

The George Floyd Justice in Policing Act will help to save lives.

It will ban chokeholds, like the one used to murder George Floyd as he cried out for his mother.

It bans no-knock warrants, like the one used by Louisville police officers which resulted in the shooting death of Breonna Taylor while she was sleeping in her home.

This bill will bring transparency to law enforcement practices by mandating the use of body cameras and holding officers who abuse their power accountable.

Furthermore, this bill ends qualified immunity, a legal protection that makes it nearly impossible for victims of police brutality to hold their abusers liable.

This bill also reduces the ability of corrupt police officers to work in new jurisdictions by creating a national database on police misconduct.

In response to the militarization of our police force, this bill will also stop the transfer of military weapons to law enforcement agencies in our communities. Weapons of war have no place on our streets.

And finally, H.R. 7120 closes the law enforcement consent loophole, making it a crime for law enforcement to engage in any sexual activity with individuals in their custody.

This bill is not the end-all solution. It will not end the root causes of systemic racism and police brutality. Nor will it address the systems of oppression that have affected communities of color for centuries.

Creating an equal, just, and inclusive America is critical work we all still have ahead of us.

The George Floyd Justice in Policing Act is a positive step in the right direction. And it is a firm declaration by Congress that Black lives matter.

I look forward to working with Representative BASS and my colleagues to continue to combat racial injustice throughout our nation.

I urge my colleagues to support this vital bill.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committee on the Judiciary, as an original cosponsor of the legislation, and the author of several of its key legislative provisions, I rise in strong and enthusiastic support of H.R. 7120, the George Floyd Justice in Policing Act of 2020, which marks a defining turning point in our country.

By the millions, Americans have taken to the streets in protest to affirm that no longer will the people of this country tolerate or acquiesce in horrible policing practices that include excessive and unnecessary uses of lethal force that has diminished community trust of policing practices across the country and has angered and terrified communities of color who are overwhelmingly and disproportionately its innocent victims.

Mr. Speaker, the horrifying killing of George Floyd on May 25, 2020 by a Minneapolis police officer shocked and awakened the moral consciousness of the nation.

Untold millions have seen the terrifying last 8:46 of life drained from a black man, George Floyd, taking his last breaths face down in the street with his neck under the knee of a police officer who, along with his three cohorts, was indifferent to his cries for help and pleas that he 'can't breathe.'

It direct response, for the past several weeks civil protests against police brutality have occurred nightly in cities large and small all across the nation.

These protests are a direct reaction to the horrific killing of George Floyd but are most motivated by a deep-seated anger and frustration to the separate and unequal justice African Americans receive at the hands of too many law enforcement officers.

The civil disobedience being witnessed nightly in the streets of America are also in memory of countless acts of the inequality and cruelty visited upon young African American men and women no longer with us in body but forever with us in memory.

Beloved souls like Breanna Taylor in Louisville, Kentucky; Stephan Clark in Sacramento, California; Eric Garner and Sean Bell in New York City; Sandra Bland in Waller County, Texas; Jordan Baker in Houston, Texas; 12-year old Tamir Rice in Cleveland; and Michael Brown in Ferguson, Missouri, also, Pamela Turner, Sandra Bland, and Danny Ray Thomas.

They remember as well the senseless killings of Ahmaud Arbery and Trayvon Martin by self-appointed vigilantes, Robbie Tolan, shot by police at his own home and he lived but was seriously injured.

And the continuing need for their activism is reflected in the most recent outrage, which began on June 12, 2020 and ended in the senseless slaughter of Rayshard Brooks, who was simply sleeping in his car at a local Wendy's restaurant, by a uniformed officer of the Atlanta Police Department.

Indeed, the history goes back much further, past Amidou Diallo in New York City, past the Central Park Five, past Emmitt Till, past the Racist abuse of law enforcement power during the struggle for civil rights and equal treatment.

Mr. Speaker, the times we are in demand that action be taken and that is precisely what my colleagues in the Congressional Black Caucus, on this committee, and Congressional Democrats did in introducing H.R. 7120, the George Floyd Justice in Policing Act of 2020.

And we are taking the next bold action today in voting to pass this legislation and send it to the Senate and on to the White House for presidential signature and enactment.

I support this bold legislation not just as a senior member of the House Judiciary Committee who also served on the House Working Group on Police Strategies, but also a mother of a young African American male who knows the anxiety that African American mothers feel until they can hug their sons and daughters who return home safely, and on behalf of all those relatives and friends who grieve over the loss a loved one whose life and future was wrongly and cruelly interrupted or ended by mistreatment at the hands of the police.

The George Floyd Justice in Policing Act of 2020 is designed to destroy the pillars of systemic racism in policing practices that has victimized communities of color, and especially African Americans for decades, is overdue, too long overdue.

This legislation puts the Congress of the United States, on record against racial profiling in policing and against the excessive, unjustified, and discriminatory use of lethal and force by law enforcement officers against persons of color.

The legislation means no longer will employment of practices that encourage systemic mistreatment of persons because of their race be ignored or tolerated.

With our vote today to pass the George Floyd Justice in Policing Act of 2020, the government of the United States is declaring firmly, forcefully, and unequivocally that Black Lives Matter.

It is true all lives matter, they always have.

But that Black lives matter too, and in so many other areas of civic life, this nation has not always lived up to its promise but that the promise is worthy of fulfilling.

Every African American parent, and every African American child, knows all too well 'The Talk' and the importance of abiding by the rules for surviving interactions with the police.

While many police officers take this responsibility seriously and strive to treat all persons equally and with respect, their efforts are too often undermined by some of their colleagues who abuse the enormous trust and confidence placed in them.

And systemically racist systems and practices left in place can corrupt even the most virtuous police officers.

So, the most important criminal justice reforms needed to improve the criminal justice system are those that will increase public confidence and build trust and mutual respect between law enforcement and the communities they swear an oath and are willing to risk their lives to protect and serve.

That is the overriding purpose and aim of the George Floyd Justice in Policing Act of 2020, which contains numerous provisions to weed out and eliminate systemic racism in police practices.

Specifically, this legislation holds police accountable in our courts by:

1. Amending the *mens rea* requirement in federal law (18 U.S.C. Section 242) to prosecute police misconduct from "willfulness" to a "recklessness" standard;

2. Reforming qualified immunity so that individuals are not barred from recovering damages when police violate their constitutional rights;

3. Incentivizing state attorneys general to conduct pattern and practice investigations and improving the use of pattern and practice investigations at the federal level by granting the Department of Justice Civil Rights Division subpoena power;

4. Incentivizing states to create independent investigative structures for police involved deaths; and

5. Creating best practices recommendations based on the Obama 21st Century Policing Task force.

I am particularly pleased that the George Floyd Justice in Policing Act includes the End Racial Profiling Now Act, which I introduced to ban the pernicious practice of racial profiling.

In addition, I am proud that this legislation includes as Title I, Subtitle B, the bipartisan and bicameral George Floyd Law Enforcement Trust and Integrity Act, which I introduced as H.R. 7100.

This legislation provides incentives for local police organizations to voluntarily adopt performance-based standards to ensure that incidents of deadly force or misconduct will be minimized through appropriate management and training protocols and properly investigated, should they occur.

The legislation directs the Department of Justice to work cooperatively with independent accreditation, law enforcement and community-based organizations to further develop and refine the accreditation standards and

grants conditional authority to the Department of Justice to make grants to law enforcement agencies for the purpose of obtaining accreditation from certified law enforcement accreditation organizations.

As I have stated many times, direct action is vitally important but to be effective it must be accompanied by political, legislative, and governmental action, which is necessary because the strength and foundation of democratic government rests upon the consent and confidence of the governed.

Effective enforcement of the law and administration of justice requires the confidence of the community that the law will be enforced impartially and that all persons are treated equally without regard to race or ethnicity or religion or national origin.

As the great jurist Judge Learned Hand said: "If we are to keep our democracy, there must be one commandment: thou shalt not ration justice."

Equal justice is the proud promise America makes to all persons; the George Floyd Justice in Policing Act will help make that promise a lived reality for African Americans, who have not ever known it to be true in the area of community-police relations.

And when Black Lives Matter, then and only then can it truthfully be said that all lives matter.

Finally, let me say a few words in memory of the man whose sacrifice of his inalienable right to life has galvanized the world and awakened the sleeping giant of moral decency.

Mr. Speaker, in Acts 2:23 of the Scriptures it is written that "This man was handed over to you by God's deliberate plan and foreknowledge; and you with the help of wicked men, put him to death by nailing him to the cross."

Duty calls us to improve the quality of policing in America.

We cannot agitate for change one day and then allow things to remain the same, to allow wicked men to keep committing this crime against humanity.

This behavior did not begin with George Floyd; there is a 400-years of history here, from slave patrols, to Jim Crow to Bull Connor to the modern day lynching of George Floyd by Minneapolis police officer Derek Chauvin.

But the good news is that right is on our side; God has stepped in.

In John 1:46 it is said, "can anything good come out of Nazareth?"

When he growing up I am sure there were people who saw George Floyd and asked can anything good come out of the Third Ward of Houston?

We now know the answer is clearly yes.

George Floyd was here in service to God's divine plan.

And as his daughter Gianna said, her Daddy changed the world.

Thank you, George Floyd for what you have done for us, for helping us find our voice and our resolve.

We will not let you down; we will finish the job.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1017, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. STAUBER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. STAUBER. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Stauber moves to recommit the bill, H.R. 7120, to the Committee on Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Strike section 2 and all that follows, and insert the following (and conform the table of contents accordingly):

TITLE I—LAW ENFORCEMENT REFORMS
SEC. 101. GEORGE FLOYD AND WALTER SCOTT NOTIFICATION ACT.

(a) **SHORT TITLE.**—This section may be cited as the "George Floyd and Walter Scott Notification Act".

(b) **NATIONAL USE-OF-FORCE DATA COLLECTION.**—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152) is amended by adding at the end the following:

"(h) **NATIONAL USE-OF-FORCE DATA COLLECTION.**—

"(1) **DEFINITIONS.**—In this section—

"(A) the term 'law enforcement officer'—

"(i) means any officer, agent, or employee of a State, unit of local government, or an Indian tribe authorized by law or by a government agency to engage in or supervise the prevention detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders; and

"(ii) includes an individual described in clause (i) who is employed or volunteers in a full-time, part-time, or auxiliary capacity;

"(B) the term 'National Use-of-Force Data Collection' means the National Use-of-Force Data Collection of the Federal Bureau of Investigation; and

"(C) the term 'serious bodily injury' means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

"(2) **REPORTING REQUIREMENT.**—For each fiscal year in which a State or unit of local government receives funds under subsection (a), the State or unit of local government shall report to the National Use-of-Force Data Collection on an annual basis and pursuant to guidelines established by the Federal Bureau of Investigation, information regarding—

"(A) a use-of-force event by a law enforcement officer in the State or unit of local government that involves—

"(i) the fatality of an individual that is connected to use of force by a law enforcement officer;

"(ii) the serious bodily injury of an individual that is connected to use of force by a law enforcement officer; and

"(iii) in the absence of either death or serious bodily injury, when a firearm is discharged by a law enforcement officer at or in the direction of an individual;

"(B) any event in which a firearm is discharged by a civilian at or in the direction of a law enforcement officer; and

"(C) the death or serious bodily injury of a law enforcement officer that results from any discharge of a firearm by a civilian, or any other means, including whether the law enforcement officer was killed or suffered se-

rious bodily injury as part of an ambush or calculated attack.

"(3) **INFORMATION REQUIRED.**—For each use-of-force event required to be reported under paragraph (2), the following information shall be provided, as required by the Federal Bureau of Investigation:

"(A) Incident information.

"(B) Subject information.

"(C) Officer information.

"(4) **COMPLIANCE.**—

"(A) **INELIGIBILITY FOR FUNDS.**—

"(i) **FIRST FISCAL YEAR.**—

"(I) **STATES.**—For the first fiscal year beginning after the date of enactment of the George Floyd and Walter Scott Notification Act in which a State fails to comply with paragraph (2) with respect to a State law enforcement agency, the State shall be subject to a 20-percent reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year, and if any unit of local government within the State fails to comply with paragraph (2), the State shall be subject to a reduction of the funds allocated for retention by the State under section 505(c) that is equal to the percentage of the population of the State represented by the unit of local government, not to exceed 20 percent.

"(II) **LOCAL GOVERNMENTS.**—For the first fiscal year beginning after the date of enactment of the George Floyd and Walter Scott Notification Act in which a unit of local government fails to comply with paragraph (2), the unit of local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the unit of local government for that fiscal year under this subpart.

"(ii) **SUBSEQUENT FISCAL YEARS.**—

"(I) **STATES.**—Beginning in the first fiscal year beginning after the first fiscal year described in clause (i)(I) in which a State fails to comply with paragraph (2) with respect to a State law enforcement agency, the percentage by which the funds described in clause (i)(I) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with paragraph (2), except that such reduction shall not exceed 25 percent in any fiscal year.

"(II) **LOCAL GOVERNMENTS.**—Beginning in the first fiscal year beginning after the first fiscal year described in clause (i)(II) in which a unit of local government fails to comply with paragraph (2), the percentage by which the funds described in clause (i)(II) are reduced shall be increased by 5 percent each fiscal year the unit of local government fails to comply with paragraph (2), except that such reduction shall not exceed 25 percent in any fiscal year.

"(B) **REALLOCATION.**—Amounts not allocated under a program referred to in subparagraph (A) to a State or unit of local government for failure to comply with paragraph (2) shall be reallocated under the program to States or units of local government that have complied with paragraph (2).

"(5) **PUBLIC AVAILABILITY OF DATA.**—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Director of the Federal Bureau of Investigation shall publish, and make available to the public, the National Use-of-Force Data Collection.

"(6) **FBI OUTREACH AND TECHNICAL ASSISTANCE.**—The Director of the Federal Bureau of Investigation shall provide to a State or unit of local government technical assistance and training for the collection and submission of data in accordance with this subsection."

SEC. 102. BREONNA TAYLOR NOTIFICATION ACT.

(a) **SHORT TITLE.**—This section may be cited as the "Breonna Taylor Notification Act of 2020".

(b) NO-KNOCK WARRANT REPORTS.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as amended by section 101 of this Act, is amended by adding at the end the following:

“(i) NO-KNOCK WARRANT REPORTS.—

“(1) DEFINITIONS.—In this subsection:

“(A) FEDERAL LAW ENFORCEMENT AGENCY.—The term ‘Federal law enforcement agency’ means any agency of the United States authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal criminal law.

“(B) NO-KNOCK WARRANT.—The term ‘no-knock warrant’ means a warrant that authorizes a law enforcement officer to enter a certain premises to execute a warrant without first knocking or otherwise announcing the presence of the law enforcement officer if a court of competent jurisdiction finds reasonable suspicion that knocking and announcing the presence of law enforcement would—

“(i) pose a danger to the officer, a suspect, or a third party on the premises;

“(ii) inhibit the investigation; or

“(iii) allow the destruction of evidence.

“(C) STATE LAW ENFORCEMENT AGENCY; LOCAL LAW ENFORCEMENT AGENCY.—The terms ‘State law enforcement agency’ and ‘local law enforcement agency’ mean an agency of a State or unit of local government, respectively, that is authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

“(2) REPORT TO ATTORNEY GENERAL.—

“(A) REQUIREMENT.—

“(i) IN GENERAL.—Subject to clause (iii), not later than January 31 of the first calendar year beginning after the date of enactment of the Breonna Taylor Notification Act of 2020, and annually thereafter—

“(I) a State that receives funds under subsection (a) shall submit to the Attorney General a report that includes, for each no-knock warrant carried out by a State law enforcement agency of the State during the preceding calendar year, the information described in subclauses (I) through (V) of paragraph (3)(A)(i); and

“(II) a unit of local government that receives funds under subsection (a) shall submit to the Attorney General a report that includes—

“(aa) for each no-knock warrant carried out by a local law enforcement agency of the unit of local government during the preceding calendar year, the information described in subclauses (I) through (V) of paragraph (3)(A)(i); and

“(bb) the crime rate data for the unit of local government for the preceding calendar year.

“(ii) STATE OVERSIGHT OF LOCAL GOVERNMENTS.—A State that receives funds under subsection (a) shall ensure that each unit of local government within the State submits to the Attorney General a report that includes, in accordance with clause (i)(II) of this subparagraph—

“(I) for each no-knock warrant carried out by a local law enforcement agency of the unit of local government during the preceding calendar year, the information described in subclauses (I) through (V) of paragraph (3)(A)(i); and

“(II) the crime rate data for the unit of local government for the preceding calendar year.

“(iii) OPEN INVESTIGATIONS.—A State or unit of local government—

“(I) may not submit the information described in subclauses (I) through (V) of paragraph (3)(A)(i) for a no-knock warrant relating to an investigation that has not been closed as of the date on which the applicable

report is due under clause (i) of this subparagraph; and

“(II) shall include any information withheld under subclause (I) in the earliest subsequent report submitted under clause (i) after the investigation has been closed.

“(B) PENALTY.—

“(i) IN GENERAL.—

“(I) FIRST FISCAL YEAR.—

“(aa) STATES.—

“(AA) FAILURE TO COMPLY BY STATE.—For the first fiscal year that follows a fiscal year in which a State failed to comply with subparagraph (A) with respect to a State law enforcement agency, the State shall be subject to a 20-percent reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year.

“(BB) FAILURE TO COMPLY BY LOCAL GOVERNMENT.—For the first fiscal year that follows a fiscal year in which a unit of local government within a State failed to comply with subparagraph (A), the State shall be subject to a reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year by a percentage that is equal to the percentage of the population of the State that lives in the unit of local government, which may not exceed 20 percent.

“(bb) UNITS OF LOCAL GOVERNMENT.—For the first fiscal year that follows a fiscal year in which a unit of local government failed to comply with subparagraph (A), the unit of local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the unit of local government under this subpart for that fiscal year.

“(II) SUBSEQUENT FISCAL YEARS.—

“(aa) STATES.—Beginning in the first fiscal year beginning after the first fiscal year described in subclause (I)(aa)(AA) in which a State fails to comply with subparagraph (A) with respect to a State law enforcement agency, the percentage by which the funds described in subclause (I)(aa)(AA) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with subparagraph (A) with respect to a State law enforcement agency, except that such reduction shall not exceed 25 percent in any fiscal year.

“(bb) LOCAL GOVERNMENTS.—Beginning in the first fiscal year beginning after the first fiscal year described in subclause (I)(bb) in which a unit of local government fails to comply with subparagraph (A), the percentage by which the funds described in subclause (I)(bb) are reduced shall be increased by 5 percent each fiscal year the unit of local government fails to comply with subparagraph (A), except that such reduction shall not exceed 25 percent in any fiscal year.

“(ii) REALLOCATION.—Amounts not allocated by reason of clause (i) to a State or unit of local government for failure to comply with subparagraph (A) shall be reallocated to States or units of local government, respectively, that have complied with subparagraph (A).

“(iii) EFFECTIVE DATE.—Clause (i) shall take effect with respect to the third annual report due under subparagraph (A) after the date of enactment of the Breonna Taylor Notification Act of 2020.

“(3) ATTORNEY GENERAL REPORT.—

“(A) IN GENERAL.—Subject to subparagraph (B), not later than March 31 of the first calendar year beginning after the date of enactment of the Breonna Taylor Notification Act of 2020, and annually thereafter, the Attorney General shall publish a report that includes—

“(i) for each no-knock warrant carried out by a Federal law enforcement agency, State law enforcement agency, or local law en-

forcement agency during the preceding calendar year—

“(I) the reason for which the warrant was issued, including each violation of law listed on the warrant;

“(II) whether, in the course of carrying out the warrant—

“(aa) force resulting in property damage, serious bodily injury, or death was used; or

“(bb) any law enforcement officer, suspect, or bystander was injured or killed;

“(III) the sex, race, ethnicity, and age of each person found at the location for which the no-knock warrant was issued;

“(IV) whether the location searched matched the location described in the warrant;

“(V) whether the warrant included the particularized information required under the Fourth Amendment to the Constitution of the United States, as interpreted by the Supreme Court of the United States, and any other applicable Federal, State, or local law related to the use of no-knock warrants; and

“(ii) for each local law enforcement agency for which information is submitted under clause (i) for a calendar year, the crime rate data for the applicable unit of local government for that calendar year.

“(B) OPEN INVESTIGATIONS.—The Attorney General—

“(i) may not publish any information described in subparagraph (A) for a no-knock warrant relating to an investigation that has not been closed as of the date on which the applicable report is due under that paragraph; and

“(ii) shall include any information withheld under clause (i) in the earliest subsequent report published under subparagraph (A) after the investigation has been closed.”.

SEC. 103. GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Director of the Federal Bureau of Investigation and State and local law enforcement agencies, shall issue guidance on best practices relating to establishing standard data collection systems that capture the information required to be reported under subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i) is consistent with data reported under the Death in Custody Reporting Act of 2013 (34 U.S.C. 60105 et seq.), section 20104(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12104(a)(2)), which shall include standard and consistent definitions for terms, including the term “use of force”.

(b) PRIVACY PROTECTIONS.—Nothing in section 101 or 102 shall be construed to supersede the requirements or limitations under section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”).

SEC. 104. COMPLIANCE ASSISTANCE GRANTS.

(a) IN GENERAL.—The Attorney General may award grants to States and units of local government to assist in the collection of the information required to be reported under subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively.

(b) APPLICATION.—A State or unit of local government seeking a grant under this section shall submit an application at such time, in such manner, and containing such information as the Attorney General may require.

(c) AMOUNT OF GRANT.—Each grant awarded under this section shall be not more than \$1,000,000.

(d) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section, there is authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending September 30, 2020, \$112,000,000, to remain available until expended.

SEC. 105. INCENTIVIZING BANNING OF CHOKEHOLDS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) chokeholds are extremely dangerous maneuvers that can easily result in serious bodily injury or death;

(2) George Floyd's death has become a flashpoint to compel the need to address the use of chokeholds by law enforcement officers across the United States;

(3) the National Consensus Policy on Use of Force, a collaborative effort among 11 of the most significant law enforcement leadership and labor organizations in the United States, concluded in a discussion paper on the use of force that chokeholds are extremely dangerous and recommended restricting their use, consistent with this section; and

(4) law enforcement agencies throughout the United States must create policies that guard against the use of this maneuver to help prevent the death of civilians whom they encounter, and engender more trust and faith among law enforcement officers and the communities they serve.

(b) INCENTIVIZING BANNING OF CHOKEHOLDS.—

(1) COPS GRANT PROGRAM ELIGIBILITY.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381), as amended by section 601 of this Act, is amended by adding at the end the following:

“(o) BANNING OF CHOKEHOLDS.—

“(1) CHOKEHOLD DEFINED.—In this subsection, the term ‘chokehold’ means a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

“(2) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year beginning after the date of enactment of the JUSTICE Act, a State or unit of local government may not receive funds under this section for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have an agency-wide policy in place for each law enforcement agency of the State or unit of local government that prohibits the use of chokeholds except when deadly force is authorized.”.

(2) BYRNE GRANT PROGRAM ELIGIBILITY.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as amended by section 102 of this Act, is amended by adding at the end the following:

“(j) BANNING OF CHOKEHOLDS.—

“(1) CHOKEHOLD DEFINED.—In this subsection, the term ‘chokehold’ means a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

“(2) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year beginning after the date of enactment of the JUSTICE Act, a State or unit of local government may not receive funds under this part for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have an agency-wide policy in place for each law enforcement agency of the State or unit of local government that prohibits the use of

chokeholds except when deadly force is authorized.”.

(c) FEDERAL LAW ENFORCEMENT AGENCIES.—

(1) DEFINITION.—In this subsection, the term ‘chokehold’ means a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

(2) FEDERAL POLICY.—The Attorney General shall develop a policy for Federal law enforcement agencies that bans the use of chokeholds except when deadly force is authorized.

(3) REQUIREMENT.—The head of each Federal law enforcement agency shall implement the policy developed under paragraph (2).

SEC. 106. FALSIFYING POLICE INCIDENT REPORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) when a law enforcement officer commits an offense that deprives a citizen of their rights, privileges, and immunities protected under the Constitution and laws of the United States, that behavior is penalized to punish those involved and to deter future conduct;

(2) where serious bodily injury or death results from the acts described in paragraph (1), punishment must be severe;

(3) a law enforcement officer who intentionally submits a false police report in connection with an act described in paragraph (1) should also be punished severely;

(4) false reporting described in paragraph (3) not only serves to conceal potential criminal conduct and obstruct the administration of justice, false reporting also undermines the trust and confidence that communities place in law enforcement agencies;

(5) obstruction of justice is intolerable in any form, particularly in the form described in this subsection;

(6) the deterioration of trust and confidence between law enforcement agencies and communities must be abated; and

(7) severe penalties must be imposed for individuals who create false police reports in connection with criminal civil rights violations resulting in serious bodily injury or death.

(b) OFFENSE.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

“SEC. 1041. FALSE REPORTING.

“(a) OFFENSE.—It shall be unlawful for any person to knowingly and willfully falsify a police report in a material way with the intent to falsify, conceal, or cover up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury (as defined in section 1365) occurs.

“(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 20 years, or both.”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1040 the following:

“1041. False reporting.”.

(d) SENTENCING ENHANCEMENT FOR FALSIFICATION OF POLICE REPORTS.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to ensure that the guidelines provide an additional penalty increase of not fewer than 4 offense levels if the defendant knowingly and willfully falsifies a report in a material way with the intent to falsify, conceal, or cover up a

material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

TITLE II—BODY-WORN CAMERAS

SEC. 201. BODY-WORN CAMERA PARTNERSHIP GRANT PROGRAM.

Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.) is amended by adding at the end the following:

“SEC. 509. BODY-WORN CAMERA PARTNERSHIP GRANT PROGRAM.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered government’ means a State, unit of local government, or Indian Tribe;

“(2) the term ‘Director’ means the Director of the Bureau of Justice Assistance; and

“(3) the term ‘unit of local government’, notwithstanding section 901, does not include an Indian Tribe.

“(b) AUTHORIZATION OF GRANTS.—The Director may make grants to eligible covered governments for use by the covered government for—

“(1) the purchase of body-worn cameras;

“(2) necessary initial supportive technological infrastructure for body-worn cameras for law enforcement officers in the jurisdiction of the grantee;

“(3) the development of policies and procedures relating to the use of body-worn cameras;

“(4) training on the use of body-worn cameras;

“(5) the storage, retention, viewing, auditing, and release of footage from body-worn cameras; and

“(6) personnel, including law enforcement, prosecution, and criminal defense personnel, to support the administration of the body-worn camera program of the covered government.

“(c) ELIGIBILITY.—

“(1) APPLICATION.—For a covered government to be eligible to receive a grant under this section, the chief executive officer of the covered government shall submit to the Director an application in such form and containing such information as the Director may require.

“(2) POLICIES AND PROCEDURES ASSURANCES.—The application under paragraph (1) shall, as required by the Director, provide assurances that the covered government will establish policies and procedures in accordance with subsection (d).

“(d) REQUIRED POLICIES AND PROCEDURES.—

“(1) IN GENERAL.—A covered government receiving a grant under this section shall develop policies and procedures related to the use of body-worn cameras that—

“(A) are developed with community input, including from prosecutors and organizations representing crime victims, in accordance with recognized best practices;

“(B) require that a body-worn camera be activated when a law enforcement officer arrests or detains any person in the course of the official duties of the officer, with consideration to sensitive cases;

“(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, functional, and properly secured at all times during which the camera is required to be worn;

“(D) require training for—

“(i) the proper use of body-worn cameras; and

“(ii) the handling and use of the obtained video and audio recordings;

“(E) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in

the case of an assault on a law enforcement officer; and

“(F) make footage available to the public in response to a valid request under an applicable freedom of information law if the footage can be made available—

“(i) without compromising an ongoing investigation or revealing the identity of third parties, including victims, informants, or witnesses; and

“(ii) with consideration given to the rights of victims and surviving family members.

“(2) PUBLICATION.—A covered government receiving a grant under this section shall make all policies and procedures regarding body-worn cameras available on a public website.

“(3) GUIDANCE.—The Director shall issue guidance to covered governments related to the requirements under paragraph (1).

“(e) GRANT AMOUNTS.—

“(1) MINIMUM AMOUNT.—

“(A) IN GENERAL.—Each fiscal year, unless the Director has awarded a fully funded grant for each eligible application submitted by a State and any units of local government within the State under this section for the fiscal year, the Director shall allocate to the State and units of local government within the State for grants under this section an aggregate amount that is not less than 0.5 percent of the total amount appropriated for the fiscal year for grants under this section.

“(B) CERTAIN TERRITORIES.—For purposes of the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, subparagraph (A) shall be applied by substituting ‘0.25 percent’ for ‘0.5 percent’.

“(2) MAXIMUM AMOUNT.—

“(A) AMOUNT PER COVERED GOVERNMENT.—A covered government may not receive a grant under this section for a fiscal year in an amount that is greater than 5 percent of the total amount appropriated for grants under this section for the fiscal year.

“(B) AGGREGATE AMOUNT PER STATE.—A State and each covered government within the State may not receive grants under this section for a fiscal year in an aggregate amount that is more than 20 percent of the total amount appropriated for grants under this section for the fiscal year.

“(f) MATCHING FUNDS.—The portion of the costs of a body-worn camera program provided by a grant under this section—

“(1) may not exceed 50 percent; and

“(2) subject to subsection (e)(2), shall equal 50 percent if the grant is to a unit of local government with fewer than 100,000 residents.

“(g) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall not be used to supplant covered government funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from covered government sources for the purposes of this section.

“(h) REPORTS TO THE DIRECTOR.—A covered government that receives a grant under this section shall submit to the Director, for each year in which funds from a grant received under this section are expended, a report at such time and in such manner as the Director may reasonably require, that contains—

“(1) a summary of the activities carried out under the grant and an assessment of whether the activities are meeting the needs identified in the grant application; and

“(2) such other information as the Director may require.

“(i) REPORTS TO CONGRESS.—Not later than 90 days after the end of a fiscal year for which grants are made under this section, the Director shall submit to Congress a report that includes—

“(1) the aggregate amount of grants made under this section to each covered government for the fiscal year;

“(2) a summary of the information provided by covered governments receiving grants under this section; and

“(3) a description of the priorities and plan for awarding grants among eligible covered governments, and how the plan will ensure the effective use of body-worn cameras to protect public safety.

“(j) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$500,000,000, to remain available until expended.”.

SEC. 202. PENALTIES FOR FAILURE TO USE BODY-WORN CAMERAS.

(a) DEFINITION.—In this section, the term “covered provision” means—

(1) section 509 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 201; and

(2) any other provision of law that makes funds available for the purchase of body-worn cameras.

(b) REQUIREMENT.—

(1) STATES.—A State that receives funds under a covered provision shall—

(A) have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn; and

(B) ensure that any entity to which the State awards a subgrant under the covered provision has a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

(2) OTHER ENTITIES.—An entity other than a State that receives funds under a covered provision shall have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

(c) COMPLIANCE.—

(1) INELIGIBILITY FOR FUNDS.—

(A) FIRST FISCAL YEAR.—

(i) STATES.—For the first fiscal year beginning after the date of enactment of this Act in which a State fails to comply with subsection (b)(1), the State shall be subject to a 20-percent reduction of the funds that would otherwise be provided to the State under the applicable covered provision for that fiscal year.

(ii) OTHER ENTITIES.—For the first fiscal year beginning after the date of enactment of this Act in which an entity other than a State fails to comply with subsection (b)(2), the entity shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the entity under the applicable covered provision for that fiscal year.

(B) SUBSEQUENT FISCAL YEARS.—

(i) STATES.—Beginning in the first fiscal year beginning after the first fiscal year described in subparagraph (A)(i) in which a State fails to comply with subsection (b), the percentage by which the funds described in subparagraph (A)(i) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

(ii) OTHER ENTITIES.—Beginning in the first fiscal year beginning after the first fiscal year described in subparagraph (A)(i) in which an entity other than a State fails to

comply with subsection (b), the percentage by which the funds described in subparagraph (A)(ii) are reduced shall be increased by 5 percent each fiscal year the entity fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

(2) REALLOCATION.—Amounts not allocated under covered provision to a State or other entity for failure to comply with subsection (b) shall be reallocated under the covered provision to States or other entities that have complied with subsection (b).

TITLE III—LAW ENFORCEMENT RECORDS RETENTION

SEC. 301. LAW ENFORCEMENT RECORDS RETENTION.

(a) IN GENERAL.—Part E of title I of the Omnibus Crime Control and Safe Streets Acts of 1968 (34 U.S.C. 10151 et seq.) is amended by adding at the end the following:

“Subpart 4—Law Enforcement Records Retention

“SEC. 531. LAW ENFORCEMENT RECORDS RETENTION.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘applicable covered system’, with respect to a law enforcement agency, means the covered system of the covered government of which the law enforcement agency is part;

“(2) the term ‘covered government’ means a State or unit of local government;

“(3) the term ‘covered system’ means a system maintained by a covered government under subsection (b); and

“(4) the term ‘disciplinary record’—

“(A) means any written document regarding an allegation of misconduct by a law enforcement officer that—

“(i) is substantiated and is adjudicated by a government agency or court; and

“(ii) results in—

“(I) adverse action by the employing law enforcement agency; or

“(II) criminal charges; and

“(B) does not include a written document regarding an allegation described in subparagraph (A) if the adjudication described in clause (i) of that subparagraph has been overturned on appeal.

“(b) RECORDS RETENTION REQUIREMENTS.—

“(1) RECORDS RETENTION SYSTEM.—A covered government that receives funds under this part shall maintain a system for sharing disciplinary records of law enforcement officers that meets the requirements under paragraph (2).

“(2) REQUIREMENTS.—In administering a covered system, a covered government shall—

“(A) retain each disciplinary record or internal investigation record regarding a law enforcement officer that is prepared by a law enforcement agency of the covered government;

“(B) retain a record of each award or commendation regarding a law enforcement officer that is prepared by a law enforcement agency of the covered government;

“(C) establish a policy that ensures that each record included in the covered system is retained and accessible for not less than 30 years;

“(D) allow a law enforcement officer, counsel for a law enforcement officer, or the representative organization of a law enforcement officer to—

“(i) submit information to the covered system relating to a disciplinary record or internal investigation record regarding the law enforcement officer that is retained under subparagraph (A); or

“(ii) obtain access to the covered system in order to review a disciplinary record or internal investigation record described in clause (i);

“(E) allow any Federal, State, or local law enforcement agency to access any record included in the covered system for the purpose of making a decision to hire a law enforcement officer;

“(F) require that, before hiring a law enforcement officer, a representative of a law enforcement agency of the covered government with hiring authority—

“(i) search the applicable covered system of each law enforcement agency that has employed the applicant as a law enforcement officer in order to determine whether the applicant has a disciplinary record, internal investigation record, or record of an award or commendation on file; and

“(ii) if a record described in clause (i) exists, review the record in full before hiring the law enforcement officer; and

“(G) prohibit access to the covered system by any individual other than an individual who is authorized to access the covered system for purposes of—

“(i) submitting records or other information to the covered system as described in subparagraphs (A), (B), and (D); or

“(ii) reviewing records or other information in the covered system as described in subparagraphs (E) and (F).

“(c) INELIGIBILITY FOR FUNDS.—

“(1) IN GENERAL.—A covered government may not receive funds under section 505, 506, 515, or 516 unless the covered government is in compliance with subsection (b) of this section.

“(2) REALLOCATION.—Amounts not allocated under a section referred to in paragraph (1) to a covered government for failure to comply with subsection (b) shall be reallocated under that section to covered governments that have complied with subsection (b).

“(d) ONE-TIME GRANT.—

“(1) IN GENERAL.—The Attorney General shall award a grant to each State, using an apportionment formula that reflects the differences between each State, to be used by the State and units of local government within the State to establish covered systems.

“(2) AMOUNT.—The amount of a grant awarded to a State under paragraph (1) shall be not less than \$1,000,000.

“(3) DIRECT APPROPRIATIONS.—For the purpose of making grants under this subsection, there is authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated, \$100,000,000, to remain available until expended.

“(e) INDEMNIFICATION.—

“(1) IN GENERAL.—The United States shall indemnify and hold harmless a covered government, and any law enforcement agency thereof, against any claim (including reasonable expenses of litigation or settlement) by any person or entity related to—

“(A) the retention of records in a covered system as required under subsection (b); or

“(B) the review of records included in a covered system as required under subsection (b).

“(2) LIMITATION.—Paragraph (1) shall not apply to the release of a record—

“(A) to a non-law enforcement entity or individual; or

“(B) for a purpose other than making a decision to hire a law enforcement officer.”.

(b) EFFECTIVE DATE.—Section 531(c) of title I of the Omnibus Crime Control and Safe Streets Acts of 1968, as added by subsection (a), shall take effect on October 1 of the first fiscal year beginning after the date of enactment of this Act.

TITLE IV—JUSTICE FOR VICTIMS OF LYNCHING

SEC. 401. SHORT TITLE.

This title may be cited as the “Justice for Victims of Lynching Act of 2020”.

SEC. 402. FINDINGS.

Congress finds the following:

(1) The crime of lynching succeeded slavery as the ultimate expression of racism in the United States following Reconstruction.

(2) Lynching was a widely acknowledged practice in the United States until the middle of the 20th century.

(3) Lynching was a crime that occurred throughout the United States, with documented incidents in all but 4 States.

(4) At least 4,742 people, predominantly African Americans, were reported lynched in the United States between 1882 and 1968.

(5) Ninety-nine percent of all perpetrators of lynching escaped from punishment by State or local officials.

(6) Lynching prompted African Americans to form the National Association for the Advancement of Colored People (referred to in this section as the “NAACP”) and prompted members of B’nai B’rith to found the Anti-Defamation League.

(7) Mr. Walter White, as a member of the NAACP and later as the executive secretary of the NAACP from 1931 to 1955, meticulously investigated lynchings in the United States and worked tirelessly to end segregation and racialized terror.

(8) Nearly 200 anti-lynching bills were introduced in Congress during the first half of the 20th century.

(9) Between 1890 and 1952, 7 Presidents petitioned Congress to end lynching.

(10) Between 1920 and 1940, the House of Representatives passed 3 strong anti-lynching measures.

(11) Protection against lynching was the minimum and most basic of Federal responsibilities, and the Senate considered but failed to enact anti-lynching legislation despite repeated requests by civil rights groups, Presidents, and the House of Representatives to do so.

(12) The publication of “Without Sanctuary: Lynching Photography in America” helped bring greater awareness and proper recognition of the victims of lynching.

(13) Only by coming to terms with history can the United States effectively champion human rights abroad.

(14) An apology offered in the spirit of true repentance moves the United States toward reconciliation and may become central to a new understanding, on which improved racial relations can be forged.

(15) Having concluded that a reckoning with our own history is the only way the country can effectively champion human rights abroad, 90 Members of the United States Senate agreed to Senate Resolution 39, 109th Congress, on June 13, 2005, to apologize to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

(16) The National Memorial for Peace and Justice, which opened to the public in Montgomery, Alabama, on April 26, 2018, is the Nation’s first memorial dedicated to the legacy of enslaved Black people, people terrorized by lynching, African Americans humiliated by racial segregation and Jim Crow, and people of color burdened with contemporary presumptions of guilt and police violence.

(17) Notwithstanding the Senate’s apology and the heightened awareness and education about the Nation’s legacy with lynching, it is wholly necessary and appropriate for the Congress to enact legislation, after 100 years of unsuccessful legislative efforts, finally to make lynching a Federal crime.

(18) Further, it is the sense of Congress that criminal action by a group increases the likelihood that the criminal object of that group will be successfully attained and decreases the probability that the individuals involved will depart from their path of criminality. Therefore, it is appropriate to specify criminal penalties for the crime of lynching, or any attempt or conspiracy to commit lynching.

(19) The United States Senate agreed to unanimously Senate Resolution 118, 115th Congress, on April 5, 2017, “[c]ondemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States” and taking notice specifically of Federal Bureau of Investigation statistics demonstrating that “among single-bias hate crime incidents in the United States, 59.2 percent of victims were targeted due to racial, ethnic, or ancestral bias, and among those victims, 52.2 percent were victims of crimes motivated by the offenders’ anti-Black or anti-African American bias”.

(20) On September 14, 2017, President Donald J. Trump signed into law Senate Joint Resolution 49 (Public Law 115-58; 131 Stat. 1149), wherein Congress “condemn[ed] the racist violence and domestic terrorist attack that took place between August 11 and August 12, 2017, in Charlottesville, Virginia” and “urg[ed] the President and his administration to speak out against hate groups that espouse racism, extremism, xenophobia, anti-Semitism, and White supremacy; and use all resources available to the President and the President’s Cabinet to address the growing prevalence of those hate groups in the United States”.

(21) Senate Joint Resolution 49 (Public Law 115-58; 131 Stat. 1149) specifically took notice of “hundreds of torch-bearing White nationalists, White supremacists, Klansmen, and neo-Nazis [who] chanted racist, anti-Semitic, and anti-immigrant slogans and violently engaged with counter-demonstrators on and around the grounds of the University of Virginia in Charlottesville” and that these groups “reportedly are organizing similar events in other cities in the United States and communities everywhere are concerned about the growing and open display of hate and violence being perpetrated by those groups”.

(22) Lynching was a pernicious and pervasive tool that was used to interfere with multiple aspects of life—including the exercise of Federally protected rights, as enumerated in section 245 of title 18, United States Code, housing rights, as enumerated in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631), and the free exercise of religion, as enumerated in section 247 of title 18, United States Code. Interference with these rights was often effectuated by multiple offenders and groups, rather than isolated individuals. Therefore, prohibiting conspiracies to violate each of these rights recognizes the history of lynching in the United States and serves to prohibit its use in the future.

SEC. 403. LYNCHING.

(a) OFFENSE.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Lynching

“Whoever conspires with another person to violate section 245, 247, or 249 of this title or section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631) shall be punished in the same manner as a completed violation of such section, except that if the maximum term of imprisonment for such completed violation is less than 10 years, the person may be imprisoned for not more than 10 years.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 13 of title 18,

United States Code, is amended by inserting after the item relating to section 249 the following:

“250. Lynching.”

TITLE V—COMMISSION ON THE SOCIAL STATUS OF BLACK MEN AND BOYS ACT
SEC. 501. SHORT TITLE.

This title may be cited as the “Commission on the Social Status of Black Men and Boys Act”.

SEC. 502. COMMISSION ESTABLISHMENT AND MEMBERSHIP.

(a) **ESTABLISHMENT.**—The Commission on the Social Status of Black Men and Boys (hereinafter in this title referred to as “the Commission”) is established within the United States Commission on Civil Rights Office of the Staff Director.

(b) **MEMBERSHIP.**—The Commission shall consist of 19 members appointed as follows:

(1) The Senate majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(2) The Senate minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(3) The House of Representatives majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(4) The House of Representatives minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(5) The Chair of the Congressional Black Caucus shall be a member of the Commission, as well as 5 additional Members of the Congressional Black Caucus who shall be individuals that either sit on the following committees of relevant jurisdiction or are experts on issues affecting Black men and boys in the United States, including—

- (A) education;
- (B) justice and Civil Rights;
- (C) healthcare;
- (D) labor and employment; and
- (E) housing.

(6) The Staff Director of the United States Commission on Civil Rights shall appoint one member from within the staff of the United States Commission on Civil Rights who is an expert in issues relating to Black men and boys.

(7) The Chair of the United States Equal Employment Opportunity Commission shall appoint one member from within the staff of the United States Equal Employment Opportunity Commission who is an expert in equal employment issues impacting Black men.

(8) The Secretary of Education shall appoint one member from within the Department of Education who is an expert in urban education.

(9) The Attorney General shall appoint one member from within the Department of Justice who is an expert in racial disparities within the criminal justice system.

(10) The Secretary of Health and Human Services shall appoint one member from within the Department of Health and Human Services who is an expert in health issues facing Black men.

(11) The Secretary of Housing and Urban Development shall appoint one member from within the Department of Housing and Urban Development who is an expert in housing and development in urban communities.

(12) The Secretary of Labor shall appoint one member from within the Department of Labor who is an expert in labor issues impacting Black men.

(13) The President of the United States shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

(c) **MEMBERSHIP BY POLITICAL PARTY.**—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

SEC. 503. OTHER MATTERS RELATING TO APPOINTMENT; REMOVAL.

(a) **TIMING OF INITIAL APPOINTMENTS.**—Each initial appointment to the Commission shall be made no later than 90 days after the Commission is established. If any appointing authorities fail to appoint a member to the Commission, their appointment shall be made by the Staff Director of the Commission on Civil Rights.

(b) **TERMS.**—Except as otherwise provided in this section, the term of a member of the Commission shall be 4 years. For the purpose of providing staggered terms, the first term of those members initially appointed under paragraphs (1) through (5) of section 502 shall be appointed to 2-year terms with all other terms lasting 4 years. Members are eligible for consecutive reappointment.

(c) **REMOVAL.**—A member of the Commission may be removed from the Commission at any time by the appointing authority should the member fail to meet Commission responsibilities. Once the seat becomes vacant, the appointing authority is responsible for filling the vacancy in the Commission before the next meeting.

(d) **VACANCIES.**—The appointing authority of a member of the Commission shall either reappoint that member at the end of that member’s term or appoint another person meeting the qualifications for that appointment. In the event of a vacancy arising during a term, the appointing authority shall, before the next meeting of the Commission, appoint a replacement to finish that term.

SEC. 504. LEADERSHIP ELECTION.

At the first meeting of the Commission each year, the members shall elect a Chair and a Secretary. A vacancy in the Chair or Secretary shall be filled by vote of the remaining members. The Chair and Secretary are eligible for consecutive reappointment.

SEC. 505. COMMISSION DUTIES AND POWERS.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Commission shall conduct a systematic study of the conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels including post-secondary education and college, and health issues.

(2) **TRENDS.**—The Commission shall document trends regarding the topics described in paragraph (1) and report on the community impacts of relevant government programs within the scope of such topics.

(b) **PROPOSAL OF MEASURES.**—The Commission shall propose measures to alleviate and remedy the underlying causes of the conditions described in subsection (a), which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.

(c) **SUGGESTIONS AND COMMENTS.**—The Commission shall accept suggestions or comments pertinent to the applicable issues from members of Congress, governmental agencies, public and private organizations, and private citizens.

(d) **STAFF AND ADMINISTRATIVE SUPPORT.**—The Office of the Staff Director of the United States Commission on Civil Rights shall provide staff and administrative support to the Commission. All entities of the United States Government shall provide information that is otherwise a public record at the request of the Commission.

SEC. 506. COMMISSION MEETING REQUIREMENTS.

(a) **FIRST MEETING.**—The first meeting of the Commission shall take place no later than 30 days after the initial members are all appointed. Meetings shall be focused on significant issues impacting Black men and boys, for the purpose of initiating research ideas and delegating research tasks to Commission members to initiate the first annual report described in section 507.

(b) **QUARTERLY MEETINGS.**—The Commission shall meet quarterly. In addition to all quarterly meetings, the Commission shall meet at other times at the call of the Chair or as determined by a majority of Commission members.

(c) **QUORUM; RULE FOR VOTING ON FINAL ACTIONS.**—A majority of the members of the Commission constitute a quorum, and an affirmative vote of a majority of the members present is required for final action.

(d) **EXPECTATIONS FOR ATTENDANCE BY MEMBERS.**—Members are expected to attend all Commission meetings. In the case of an absence, members are expected to report to the Chair prior to the meeting and allowance may be made for an absent member to participate remotely. Members will still be responsible for fulfilling prior commitments, regardless of attendance status. If a member is absent twice in a given year, he or she will be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

(e) **MINUTES.**—Minutes shall be taken at each meeting by the Secretary, or in that individual’s absence, the Chair shall select another Commission member to take minutes during that absence. The Commission shall make its minutes publicly available and accessible not later than one week after each meeting.

SEC. 507. ANNUAL REPORT GUIDELINES.

The Commission shall make an annual report, beginning the year of the first Commission meeting. The report shall address the current conditions affecting Black men and boys and make recommendations to address these issues. The report shall be submitted to the President, the Congress, members of the President’s Cabinet, and the chairs of the appropriate committees of jurisdiction. The Commission shall make the report publicly available online on a centralized Federal website.

SEC. 508. COMMISSION COMPENSATION.

Members of the Commission shall serve on the Commission without compensation.

TITLE VI—ALTERNATIVES TO THE USE OF FORCE, DE-ESCALATION, BEHAVIORAL HEALTH CRISES AND DUTY TO INTERVENE TRAINING

SEC. 601. TRAINING ON ALTERNATIVES TO USE OF FORCE, DE-ESCALATION, AND BEHAVIORAL HEALTH CRISES.

(a) **DEFINITIONS.**—Section 901(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251(a)) is amended—

(1) in paragraph (27), by striking “and” at the end;

(2) in paragraph (28), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(29) the term ‘de-escalation’ means taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and

reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary; and

“(30) the term ‘behavioral health crisis’ means a situation in which the behavior of a person puts the person at risk of hurting himself or herself or others or prevents the person from being able to care for himself or herself or function effectively in the community, including a situation in which a person is under the influence of a drug or alcohol, is suicidal, or experiences symptoms of a mental illness.”

(b) COPS PROGRAM.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended by adding at the end the following:

“(n) TRAINING IN ALTERNATIVES TO USE OF FORCE, DE-ESCALATION TECHNIQUES, AND BEHAVIORAL HEALTH CRISES.—

“(1) TRAINING CURRICULA.—The Attorney General, in consultation with relevant law enforcement agencies of States and units of local government, labor organizations, professional law enforcement organizations, and mental health organizations, shall develop training curricula in—

“(A) alternatives to use of force and de-escalation tactics; and

“(B) safely responding to a person experiencing a behavioral health crisis, including techniques and strategies that are designed to protect the safety of the person experiencing the behavioral health crisis, law enforcement officers, and the public.

“(2) CERTIFIED PROGRAMS.—The Attorney General shall establish a process to certify public and private entities that offer courses in alternatives to use of force, de-escalation tactics, and techniques and strategies for responding to a behavioral health crisis using the training curricula established under paragraph (1) or equivalents to the training curricula established under paragraph (1).

“(3) TRANSITIONAL REGIONAL TRAINING PROGRAMS FOR STATE AND LOCAL AGENCY PERSONNEL.—Until the end of fiscal year 2023, the Attorney General shall, and thereafter may, provide regional training to equip and certify personnel from law enforcement agencies of States and units of local government in a State to conduct training using the training curricula established under paragraph (1).

“(4) LIST.—The Attorney General shall publish a list of law enforcement agencies of States and units of local government that employ officers who have successfully completed a course described under paragraph (2) or (3), which shall include—

“(A) the total number of law enforcement officers employed by the agency;

“(B) the number of officers who have completed the course; and

“(C) whether personnel from the law enforcement agency are certified to conduct training.

“(5) DIRECT APPROPRIATIONS.—For the purpose of making grants under this subsection there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$100,000,000, to remain available until expended.”

(c) BYRNE JAG PROGRAM.—Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.) is amended—

(1) by redesignating section 508 as section 511; and

(2) by inserting after section 507 the following:

“SEC. 508. LAW ENFORCEMENT TRAINING PROGRAMS.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘approved course in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis’ means a course using the training curricula established under section 1701(n)(1) or equivalents to such training curricula—

“(A) provided by the Attorney General under section 1701(n)(3); or

“(B) provided by a certified entity; and

“(2) the term ‘certified entity’ means a public or private entity that has been certified by the Attorney General under section 1701(n)(2).

“(b) AUTHORITY.—The Attorney General shall, from amounts made available for this purpose under subsection (e), make grants to States for use by the State or a unit of government located in the State to—

“(1) pay for costs associated with conducting the training and for attendance by law enforcement personnel at an approved course in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis; and

“(2) procure training in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis from a certified entity.

“(c) ALLOCATION OF FUNDS.—

“(1) IN GENERAL.—Of the total amount appropriated to carry out this section for a fiscal year, the Attorney General shall allocate funds to each State in proportion to the total number of law enforcement officers in the State as compared to the total number of law enforcement officers in the United States.

“(2) TRAINING FOR STATE LAW ENFORCEMENT OFFICERS.—Each State may retain from the total amount of funds provided to the State for the purposes described in this section an amount that is not more than the amount that bears the same ratio to the total amount of funds as the ratio of—

“(A) the total number of law enforcement officers employed by the State; to

“(B) the total number of law enforcement officers employed by the State and units of local government within the State.

“(3) TRAINING FOR LOCAL LAW ENFORCEMENT OFFICERS.—A State shall make available to units of local government in the State for the purposes described in this section the amounts remaining after a State retains funds under paragraph (2). At the request of a unit of local government, the State may use an amount of the funds allocated to the unit of local government under this paragraph to facilitate training in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis to law enforcement officers employed by the unit of local government.

“(d) REPORTING.—

“(1) UNITS OF LOCAL GOVERNMENT.—Any unit of local government that receives funds from a State under subsection (c)(3) shall submit to the State a report indicating—

“(A) the number of law enforcement officers that have completed training described in this section;

“(B) the total number of law enforcement officers employed by the unit of local government; and

“(C) any barriers to providing the training.

“(2) STATES.—Any State that receives funds under subsection (c)(2) shall, after receiving the reports described in paragraph (1), submit to the Attorney General—

“(A) such reports; and

“(B) a report by the State indicating—

“(i) the number of law enforcement officers employed by the State that have completed training described in this section;

“(ii) the total number of law enforcement officers employed by the State; and

“(iii) any barriers to providing the training.

“(e) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$250,000,000, to remain available until expended.”

SEC. 602. TRAINING ON DUTY TO INTERVENE.

Subpart 1 of part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.), as amended by section 201, is amended by adding at the end the following:

“SEC. 510. TRAINING ON DUTY TO INTERVENE.

“(a) TRAINING PROGRAM.—

“(1) IN GENERAL.—The Attorney General, in consultation with relevant law enforcement agencies of States and units of local governments and organizations representing rank and file law enforcement officers, shall develop a training curriculum for law enforcement agencies and officers on the development, implementation, fulfillment, and enforcement of a duty of a law enforcement officer to intervene when another law enforcement officer is engaged in excessive use of force.

“(2) CERTIFIED PROGRAMS.—The Attorney General shall establish a process to certify public and private entities that offer courses on the duty to intervene that are equivalent to the training curriculum established under paragraph (1).

“(3) TRANSITIONAL REGIONAL TRAINING PROGRAMS.—Until the end of fiscal year 2023, the Attorney General shall provide regional training workshops for law enforcement officers of States and units of local government, using the training curriculum established under paragraph (1).

“(4) LIST.—The Attorney General shall publish a list of law enforcement agencies of States and units of local government that employ officers who have successfully completed a course described under paragraph (2) or (3), which shall include the total number of law enforcement officers employed by the agency and the number of officers who have completed the course.

“(b) GRANT PROGRAM.—

“(1) AUTHORIZATION.—The Attorney General may make grants to State and local law enforcement agencies to—

“(A) pay for costs associated with attendance by law enforcement personnel at a training course approved by the Attorney General under paragraph (2) or (3) of subsection (a); and

“(B) procure training in the duty to intervene from a public or private entity certified under subsection (a)(2).

“(2) APPLICATION.—Each State or local law enforcement agency seeking a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require.

“(c) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$500,000,000, to remain available until expended.”

TITLE VII—NATIONAL CRIMINAL JUSTICE COMMISSION ACT

SEC. 701. SHORT TITLE.

This title may be cited as the “National Criminal Justice Commission Act of 2020”.

SEC. 702. FINDINGS.

Congress finds that—

(1) it is in the interest of the United States to establish a commission to undertake a comprehensive review of the criminal justice system;

(2) there has not been a comprehensive study since the President's Commission on Law Enforcement and Administration of Justice was established in 1965;

(3) in a span of 18 months, the President's Commission on Law Enforcement and Administration of Justice produced a comprehensive report entitled "The Challenge of Crime in a Free Society", which contained 200 specific recommendations on all aspects of the criminal justice system involving—

(A) Federal, State, Tribal, and local governments;

(B) civic organizations;

(C) religious institutions;

(D) business groups; and

(E) individual citizens; and

(4) developments over the intervening 50 years require once again that Federal, State, Tribal, and local governments, law enforcement agencies, including rank and file officers, civil rights organizations, community-based organization leaders, civic organizations, religious institutions, business groups, and individual citizens come together to review evidence and consider how to improve the criminal justice system.

SEC. 703. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the "National Criminal Justice Commission" (referred to in this title as the "Commission").

SEC. 704. PURPOSE OF THE COMMISSION.

The Commission shall—

(1) undertake a comprehensive review of the criminal justice system;

(2) submit to the President and Congress recommendations for Federal criminal justice reform; and

(3) disseminate findings and supplemental guidance to the Federal Government, as well as to State, local, and Tribal governments.

SEC. 705. REVIEW, RECOMMENDATIONS, AND REPORT.

(a) GENERAL REVIEW.—The Commission shall undertake a comprehensive review of all areas of the criminal justice system, including the criminal justice costs, practices, and policies of the Federal, State, local, and Tribal governments.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress recommendations for changes in Federal oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system.

(2) UNANIMOUS CONSENT.—If a unanimous vote of the members of the Commission at a meeting where a quorum is present pursuant to section 706(d) approves a recommendation of the Commission, the Commission may adopt and submit the recommendation under paragraph (1).

(3) PUBLIC ACCESS.—The recommendations submitted under this subsection shall be made available to the public.

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall disseminate to the Federal Government, as well as to State, local, and Tribal governments, a report that details the findings and supplemental guidance of the Commission regarding the criminal justice system at all levels of government.

(2) MAJORITY VOTE.—If a majority vote of the members of the Commission approves a

finding or supplemental guidance at a meeting where a quorum is present pursuant to section 706(d), the finding or supplemental guidance may be adopted and included in the report required under paragraph (1).

(3) DISSENTS.—In the case of a member of the Commission who dissents from a finding or supplemental guidance approved by a majority vote under paragraph (2), the member may state the reason for the dissent in writing and the report described in paragraph (1) shall include the dissent.

(4) PUBLIC ACCESS.—The report submitted under this subsection shall be made available to the public.

(d) PRIOR COMMISSIONS.—The Commission shall take into consideration the work of prior relevant commissions in conducting the review of the Commission.

(e) STATE AND LOCAL GOVERNMENTS.—In issuing the recommendations and report of the Commission under this section, the Commission shall not infringe on the legitimate rights of the States to determine the criminal laws of the States or the enforcement of such laws.

(f) PUBLIC HEARINGS.—The Commission shall conduct public hearings in various locations around the United States.

(g) CONSULTATION WITH GOVERNMENT AND NONGOVERNMENT REPRESENTATIVES.—

(1) IN GENERAL.—The Commission shall—

(A) closely consult with Federal, State, local, and Tribal governments and nongovernment leaders, including—

(i) State, local, and Tribal law enforcement officials, including rank and file officers;

(ii) legislators;

(iii) public health officials;

(iv) judges;

(v) court administrators;

(vi) prosecutors;

(vii) defense counsel;

(viii) victims' rights organizations;

(ix) probation and parole officials;

(x) criminal justice planners;

(xi) criminologists;

(xii) civil rights and liberties organizations;

(xiii) community-based organization leaders;

(xiv) formerly incarcerated individuals;

(xv) professional organizations; and

(xvi) corrections officials; and

(B) include in the final report required under subsection (c) summaries of the input and recommendations of the leaders consulted under subparagraph (A).

(2) UNITED STATES SENTENCING COMMISSION.—To the extent the review and recommendations required by this section relate to sentencing policies and practices for the Federal criminal justice system, the Commission shall conduct the review in consultation with the United States Sentencing Commission.

(h) SENSE OF CONGRESS ON UNANIMITY.—It is the sense of Congress that, given the national importance of the matters before the Commission—

(1) the Commission should work toward developing findings and supplemental guidance that are unanimously supported by the members of the Commission; and

(2) a finding or supplemental guidance unanimously supported by the members of the Commission should take precedence over a finding or supplemental guidance that is not unanimously supported.

SEC. 706. MEMBERSHIP.

(a) IN GENERAL.—The Commission shall be composed of 14 members, as follows:

(1) The President shall appoint 1 member, who shall serve as a co-chairperson of the Commission.

(2) The co-chairperson described in paragraph (1) shall appoint 6 members in consultation with the leadership of—

(A) the Senate and House of Representatives of the same political party as the President;

(B) the Committee on the Judiciary of the House of Representatives of the same political party as the President; and

(C) the Committee on the Judiciary of the Senate of the same political party as the President.

(3) The leader of the Senate, in consultation with the leader of the House of Representatives who is a member of the opposite party of the President, shall appoint 1 member, who shall serve as a co-chairperson of the Commission.

(4) The co-chairperson described in paragraph (3) shall appoint 6 members in consultation with the leadership of—

(A) the Senate and House of Representatives of the opposite political party as the President;

(B) the Committee on the Judiciary of the House of Representatives of the opposite political party as the President; and

(C) the Committee on the Judiciary of the Senate of the opposite political party as the President.

(b) MEMBERSHIP.—

(1) IN GENERAL.—A member shall be appointed based upon knowledge or experience in a relevant area, including—

(A) law enforcement;

(B) criminal justice;

(C) national security;

(D) prison and jail administration;

(E) prisoner reentry;

(F) public health, including—

(i) physical and sexual victimization;

(ii) drug addiction; or

(iii) mental health;

(G) the rights of victims;

(H) civil rights;

(I) civil liberties;

(J) court administration;

(K) social services; or

(L) State, local, or Tribal government.

(2) LAW ENFORCEMENT REPRESENTATION.—

(A) MEMBERS APPOINTED BY THE CO-CHAIRPERSONS.—Of the 6 members appointed by the co-chairperson under subsection (a)(2)—

(i) not fewer than 2 shall be representatives from Federal, State, or local law enforcement agencies, including not less than 1 representative from a rank and file organization; and

(ii) not fewer than 1 shall be a representative from a Tribal law enforcement agency.

(B) OTHER MEMBERS.—Of the 6 members appointed under subsection (a)(4)—

(i) not fewer than 2 shall be representatives of Federal, State, or local law enforcement agencies, including not less than 1 representative from a rank and file organization; and

(ii) not fewer than 1 shall be a representative from a Tribal law enforcement agency.

(3) DISQUALIFICATION.—If an individual possesses a personal financial interest in the discharge of a duty of the Commission, the individual may not be appointed as a member of the Commission.

(4) TERMS.—A member shall be appointed for the duration of the Commission.

(c) APPOINTMENTS AND FIRST MEETING.—

(1) APPOINTMENTS.—Each member of the Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(2) FIRST MEETING.—The Commission shall hold the first meeting of the Commission on the date, whichever is later, that is not later than—

(A) 60 days after the date of enactment of this Act; or

(B) 30 days after the date on which funds are made available for the Commission.

(3) ETHICS.—At the first meeting of the Commission, the Commission shall—

(A) draft appropriate ethics guidelines for members and staff of the Commission, including guidelines relating to—

- (i) conflict of interest; and
- (ii) financial disclosure;

(B) consult with the Committees on the Judiciary of the Senate and the House of Representatives as a part of drafting the guidelines; and

(C) provide each Committee described in subparagraph (B) with a copy of the guidelines completed under subparagraph (A).

(d) MEETINGS, QUORUM, AND VACANCIES.—

(1) MEETINGS.—The Commission shall meet at the call of—

(A) the co-chairpersons; or

(B) a majority of the members of the Commission.

(2) QUORUM.—Except as provided in paragraph (3)(B), a majority of the members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(3) VACANCIES.—

(A) IN GENERAL.—A vacancy in the Commission shall not affect a power of the Commission, and the vacancy shall be filled in the same manner in which the original appointment was made.

(B) QUORUM.—In the case of a vacancy occurring after the date that is 45 days after the date of enactment of this Act, until the date on which the vacancy is filled, a majority of the members of the Commission shall constitute a quorum if—

(i) not fewer than 1 member of the Commission appointed under paragraph (1) or (2) of subsection (a) is present; and

(ii) not fewer than 1 member of the Commission appointed under paragraph (3) or (4) of subsection (a) is present.

(e) ACTIONS OF THE COMMISSION.—

(1) IN GENERAL.—The Commission—

(A) shall, subject to section 705, act by a resolution agreed to by a majority of the members of the Commission voting and present; and

(B) may establish a panel composed of less than the full membership of the Commission for purposes of carrying out a duty of the Commission under this title, which—

(i) shall be subject to the review and control of the Commission; and

(ii) may make a finding or determination that may be considered a finding or determination of the Commission if the finding or determination is approved by the Commission.

(2) DELEGATION.—If authorized by the co-chairpersons of the Commission, a member, agent, or staff member of the Commission may take an action that the Commission may take under this title.

SEC. 707. ADMINISTRATION.

(a) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Commission shall have a staff headed by an Executive Director, who shall be paid at a rate established for the Certified Plan pay level for the Senior Executive Service under section 5382 of title 5, United States Code.

(2) APPOINTMENTS AND COMPENSATION.—The co-chairpersons of the Commission shall designate and fix the compensation of the Executive Director and, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates,

except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The Executive Director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of such title 5.

(B) MEMBERS OF THE COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(4) THE COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board.

(B) FEDERAL EMPLOYEES.—A member of the commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(5) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular places of business of the member in the performance of services for the Commission.

(b) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Commission, a Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) OTHER RESOURCES.—

(1) IN GENERAL.—The Commission shall have reasonable access to materials, resources, statistical data, and other information such Commission determines to be necessary to carry out its duties from—

(A) the Library of Congress;

(B) the Department of Justice;

(C) the Office of National Drug Control Policy;

(D) the Department of State; and

(E) other agencies of the executive or legislative branch of the Federal Government.

(2) REQUESTS FOR RESOURCES.—The co-chairpersons of the Commission shall make requests for the access described in paragraph (1) in writing when necessary.

(e) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission—

(1) may—

(A) accept and use the services of an individual volunteering to serve without compensation; and

(B) reimburse the individual described in subparagraph (A) for local travel, office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code; and

(2) shall consider the individual described in paragraph (1) an employee of the Federal Government in performance of those services for the purposes of—

(A) chapter 81 of title 5, United States Code, relating to compensation for work-related injuries;

(B) chapter 171 of title 28, United States Code, relating to tort claims; and

(C) chapter 11 of title 18, United States Code, relating to conflicts of interest.

(f) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Commission may directly secure from an agency of the United States information necessary to enable the Commission to carry out this title.

(2) PROCEDURES.—Upon the request of the co-chairpersons of the Commission, the head of the agency shall furnish any information requested under paragraph (1) to the Commission.

(3) SENSITIVE INFORMATION.—The Commission may not have access to sensitive information regarding ongoing investigations.

(g) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(h) BIENNIAL REPORTS.—The Commission shall submit biennial status reports to Congress regarding—

(1) the use of resources;

(2) salaries; and

(3) all expenditures of appropriated funds.

(i) CONTRACTS.—

(1) IN GENERAL.—The Commission may enter into a contract with a Federal or State agency, a private firm, an institution, or an individual for the conduct of an activity necessary to the discharge of a duty or responsibility of the Commission.

(2) TIMING.—A contract, lease, or other legal agreement the Commission enters into may not extend beyond the date of the termination of the Commission.

(j) GIFTS.—The Commission may accept, use, or dispose of a gift or donation of a service or property.

(k) ADMINISTRATIVE ASSISTANCE.—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out the responsibilities of the Commission under this title, which may include—

(1) human resource management;

(2) budget;

(3) leasing;

(4) accounting; or

(5) payroll services.

(l) NON-APPLICABILITY OF FACA AND PUBLIC ACCESS TO MEETINGS AND MINUTES.—

(1) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(2) MEETINGS AND MINUTES.—

(A) MEETINGS.—

(i) ADMINISTRATION.—Each meeting of the Commission shall be open to the public, except that a meeting or any portion of it may be closed to the public if it concerns matters or information described in section 552b(c) of title 5, United States Code.

(ii) INTERESTED INDIVIDUALS.—An interested individual may—

(I) appear at an open meeting;

(II) present an oral or written statement on the subject matter of the meeting; and

(III) be administered an oath or affirmation.

(iii) NOTICE.—Each open meeting of the Commission shall be preceded by timely public notice in the Federal Register of the time, place, and subject of the meeting.

(B) MINUTES AND PUBLIC ACCESS.—

(i) MINUTES.—Minutes of each open meeting shall be kept and shall contain a record of—

(I) the people present;

(II) a description of the discussion that occurred; and

(III) a copy of each statement filed.

(ii) **PUBLIC ACCESS.**—The minutes and records of each open meeting and other documents that were made available to or prepared for the Commission shall be available for public inspection and copying at a single location in the offices of the Commission.

(m) **ARCHIVING.**—Not later than the date described in section 709, all records and papers of the Commission shall be delivered to the Archivist of the United States for deposit in the National Archives.

SEC. 708. DIRECT APPROPRIATIONS.

(a) **IN GENERAL.**—For the purpose of carrying out this title, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$14,000,000, to remain available until expended.

(b) **LIMITATION.**—None of the funds provided by this section may be used for international travel.

SEC. 709. SUNSET.

The Commission shall terminate 60 days after the date on which the Commission submits the report required under section 705(c) to Congress.

TITLE VIII—LAW ENFORCEMENT AGENCY HIRING AND EDUCATION

Subtitle A—Hiring

SEC. 801. LAW ENFORCEMENT AGENCY HIRING.

Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)) is amended—

(1) by redesignating paragraphs (22) and (23) as paragraphs (23) and (24), respectively; (2) in paragraph (23), as so redesignated, by striking “(21)” and inserting “(22)”; and

(3) by inserting after paragraph (21) the following:

“(22) for a law enforcement agency that has a substantially different racial and ethnic demographic make-up than the community served by the agency, to hire recruiters and enroll law enforcement officer candidates in law enforcement academies to become career law enforcement officers who have racial and ethnic demographic characteristics similar to the community;”.

SEC. 802. REAUTHORIZATION OF LAW ENFORCEMENT GRANT PROGRAMS.

(a) **EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.**—Section 511 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351; 82 Stat. 197), as so redesignated by this Act, is amended by striking “this subpart \$1,095,000,000 for each of the fiscal years 2006 through 2012” and inserting “this subpart, including sections 508, 509, and 510, \$800,000,000 for each of fiscal years 2021 through 2025”.

(b) **REAUTHORIZATION OF COPS ON THE BEAT GRANT PROGRAM.**—Section 1001(a)(11)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)(11)(A)) is amended by striking “part Q, to remain available until expended \$1,047,119,000 for each of fiscal years 2006 through 2009” and inserting “part Q, including section 1701(n), to remain available until expended \$400,000,000 for each of fiscal years 2021 through 2025”.

Subtitle B—Training

SEC. 811. DEFINITIONS.

In this subtitle:

(1) **DIRECTOR.**—The term “Director” means the Director of the National Museum of African American History and Culture.

(2) **ELIGIBLE PROGRAM PARTICIPANT.**—The term “eligible program participant” means a Federal, State, or local law enforcement officer or recruiter, or a candidate in a law enforcement academy.

SEC. 812. PROGRAM AUTHORIZED.

(a) **DIRECT APPROPRIATIONS.**—For the purpose of carrying out this subtitle, there is

authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$10,000,000, to remain available until expended.

(b) **DONATIONS, GIFTS, BEQUESTS, AND DEVICES OF PROPERTY.**—In accordance with chapter 23 of title 36, United States Code, and in furtherance of the purposes of this subtitle, the Director is authorized to solicit, accept, hold, administer, invest, and use donated funds and gifts, bequests, and devices of property, both real and personal.

(c) **USE OF FUNDS.**—The Director, using funds appropriated under subsection (a) and resources received under subsection (b), including through the engagement of eligible program participants as appropriate and in consultation with the National Law Enforcement Museum—

(1) shall develop and nationally disseminate a curriculum to educate eligible program participants on the history of racism in the United States; and

(2) shall carry out education program training for eligible program participants that focuses on—

(A) racial reconciliation with the goal of understanding the history of racism in America;

(B) improving relationships between law enforcement and the communities they serve; and

(C) training eligible program participants who can effectively train their law enforcement peers in their State and communities.

(d) **APPLICATIONS.**—The Director may seek the engagement of an eligible program participant under subsection (c) by requiring submission of an application to the Director at such time, in such manner, and based on such competitive criteria as the Director may require.

SEC. 813. ONLINE EDUCATION RESOURCES.

(a) **WEBSITE.**—The Director shall maintain on the website of the National Museum of African American History and Culture a special section designated for education resources to improve awareness and understanding of the history of racism in the United States and to promote racial reconciliation through best practices to improve relations between law enforcement and the communities they serve. The website and resources shall be made publicly available.

(b) **INFORMATION DISTRIBUTION.**—The Director shall distribute information about the activities funded under this subtitle through the website of the National Museum of African American History and Culture, and shall respond to inquiries for supplementary information concerning such activities.

(c) **BEST PRACTICES.**—The information distributed by the Director shall include best practices for educators.

SEC. 814. NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE COUNCIL.

The National Museum of African American History and Culture Council established under section 5 of the National Museum of African American History and Culture Act (20 U.S.C. 80r-3), shall have governance responsibility for the programs and activities carried out under this subtitle in accordance with the National Museum of African American History and Culture Act (20 U.S.C. 80r).

SEC. 815. ENGAGEMENT OF ELIGIBLE PROGRAM PARTICIPANTS.

(a) **IN GENERAL.**—An eligible program participant shall be engaged at the discretion of the Director to participate in education program activities authorized under this subtitle and approved by the Director pursuant to an application described in section 812(d).

(b) **ENGAGEMENT PERIOD.**—Engagement of eligible program participants under this sub-

title shall be for a period determined by the Director.

(c) **PRIORITY.**—In engaging eligible program participants under section 812, the Director shall give priority to applications from such participants who work for a Federal, State, or local law enforcement agency that does not, at the time application is made, offer any education programming on the history of racism or best practices to improve race relations between law enforcement and the communities they serve.

SEC. 816. ANNUAL REPORT.

Not later than February 1 of each year, the Director shall submit to the Congress a report describing the activities carried out under this subtitle.

TITLE IX—BEST PRACTICES AND STUDIES

SEC. 901. BEST PRACTICES.

(a) **IN GENERAL.**—The National Criminal Justice Commission established under title VIII (referred to in this title as the “Commission”) shall—

(1) develop recommended best practices guidelines to ensure fair and effective policing tactics and procedures that encourage equitable justice, community trust, and law enforcement officer safety;

(2) include the recommended best practices described in paragraph (1) in the recommendations of the Commission required under section 705; and

(3) best practices for developing standards for law enforcement officer due process.

(b) **REQUIREMENTS.**—The best practices required to be developed under subsection (a) shall include—

(1) best practices for the hiring, firing, suspension, and discipline of law enforcement officers; and

(2) best practices for community transparency and optimal administration of a law enforcement agency.

SEC. 902. STUDY.

(a) **IN GENERAL.**—The Commission shall conduct a study on the establishment and operation of use of force review boards by States and units of local government, wherein citizens can assist law enforcement agencies in reviewing use of force incidents.

(b) **INCLUSION IN COMMISSION RECOMMENDATIONS.**—The Commission shall include a report on the study conducted under subsection (a), which shall include recommendations, if any, for best practices for State and local use of force review boards, as well as best practices for developing standards for law enforcement officer due process, in the recommendations of the Commission required under section 705.

SEC. 903. MENTAL HEALTH STUDY.

(a) **IN GENERAL.**—The Commission shall conduct a study on law enforcement officer training, crisis intervention teams, co-responder programs, personnel requirements, Federal resources, and pilot programs needed to improve nationwide law enforcement officer engagement on issues related to mental health, homelessness, and addiction.

(b) **INCLUSION IN COMMISSION RECOMMENDATIONS.**—The Commission shall include a report on the study conducted under subsection (a), which shall include recommendations, if any, in the recommendations of the Commission required under section 705.

SEC. 904. STUDY AND PROPOSAL ON IMPROVING ACCOUNTABILITY FOR DOJ GRANTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “covered grant” means a grant awarded under a covered grant program; and

(2) the term “covered grant program” means—

(A) the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.);

(B) the “Cops on the Beat” program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.); and

(C) any other grant program administered by the Attorney General that provides funds to law enforcement agencies.

(b) STUDY AND PROPOSAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall study, and submit to Congress a proposal regarding, the possible implementation of a method to improve accountability for law enforcement agencies that receive funds from covered grant programs.

(c) CONTENTS.—In carrying out subsection (b), the Attorney General shall develop discrete performance metrics for law enforcement agencies that apply for and receive funds from covered grant programs, the parameters of which shall—

(1) establish benchmarks of progress, measured on a semiannual or annual basis, as appropriate;

(2) require annual accounting by a recipient of a covered grant of the progress made toward each benchmark described in paragraph (1); and

(3) provide that—

(A) the failure to achieve a benchmark described in paragraph (1) shall constitute a violation of the grant agreement;

(B) if a recipient does not cure a violation by achieving the applicable benchmark not later than 90 days after the date of the violation, the recipient shall return the amounts of the covered grant to the Attorney General; and

(C) a law enforcement agency that violates a grant agreement may not apply for a covered grant for a period of 1 year.

TITLE X—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE ACT
SEC. 1001. PROHIBITION ON ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) IN GENERAL.—Section 2243 of title 18, United States Code, is amended—

(1) in the section heading, by adding at the end the following: “**or by any person acting under color of law**”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

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

“(c) OF AN INDIVIDUAL BY ANY PERSON ACTING UNDER COLOR OF LAW.—

“(1) IN GENERAL.—Whoever, acting under color of law, knowingly engages in a sexual act with an individual who has been arrested by, is detained by, or is in custody of any Federal law enforcement officer, shall be fined under this title, imprisoned not more than 15 years, or both.

“(2) DEFINITION.—In this subsection, the term ‘sexual act’ has the meaning given the term in section 2246.”; and

(4) in subsection (d), as so redesignated, by adding at the end the following:

“(3) In a prosecution under subsection (c), it is not a defense that the other individual consented to the sexual act.”.

(b) ABUSIVE SEXUAL CONTACT.—Section 2244(a) of title 18, United States Code, is amended by—

(1) in paragraph (4), by striking “or” at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

“(5) subsection (c) of section 2243 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than 15 years, or both; or”.

(c) DEFINITION.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (6) the following:

“(7) the term ‘Federal law enforcement officer’ has the meaning given the term in section 115.”.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 109A of title 18, United States Code, is amended by amending the item related to section 2243 to read as follows:

“2243. Sexual abuse of a minor or ward or by any person acting under color of law.”.

SEC. 1002. INCENTIVE FOR STATES.

(a) AUTHORITY TO MAKE GRANTS.—The Attorney General is authorized to make grants to States that have in effect a law that—

(1) makes it a criminal offense for any person acting under color of law of the State to engage in a sexual act (as defined in section 2246 of title 18, United States Code) with an individual who has been arrested by, is detained by, or is in custody of any law enforcement officer; and

(2) prohibits a person charged with an offense described in paragraph (1) from asserting the consent of the other individual as a defense.

(b) REPORTING REQUIREMENT.—A State that receives a grant under this section shall submit to the Attorney General, on an annual basis, information on—

(1) the number of reports made to law enforcement agencies in that State regarding persons engaging in a sexual act (as defined in section 2246 of title 18, United States Code) while acting under color of law during the previous year; and

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year.

(c) APPLICATION.—A State seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in subsection (a).

(d) GRANT AMOUNT.—The amount of a grant to a State under this section shall be in an amount that is not greater than 10 percent of the average of the total amount of funding of the 3 most recent awards that the State received under the following grant programs:

(1) Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10411 et seq.) (commonly referred to as the “STOP Violence Against Women Formula Grant Program”);

(2) Section 41601 of the Violence Against Women Act of 1994 (34 U.S.C. 12511) (commonly referred to as the “Sexual Assault Services Program”);

(e) GRANT TERM.—

(1) IN GENERAL.—The Attorney General shall provide an increase in the amount provided to a State under the grant programs described in subsection (d) for a 2-year period.

(2) RENEWAL.—A State that receives a grant under this section may submit an application for a renewal of such grant at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(3) LIMIT.—A State may not receive a grant under this section for more than 4 years.

(f) USES OF FUNDS.—A State that receives a grant under this section shall use—

(1) 25 percent of such funds for any of the permissible uses of funds under the grant program described in paragraph (1) of subsection (d); and

(2) 75 percent of such funds for any of the permissible uses of funds under the grant program described in paragraph (2) of subsection (d).

(g) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, \$25,000,000, to remain available until expended.

(h) DEFINITION.—For purposes of this section, the term “State” means each of the several States and the District of Columbia, Indian Tribes, and the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

SEC. 1003. REPORTS TO CONGRESS.

(a) REPORT BY ATTORNEY GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report containing—

(1) the information required to be reported to the Attorney General under section 1002(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act (as defined in section 2246 of title 18, United States Code) while acting under color of law; and

(B) the disposition of each case in which sexual misconduct by a person acting under color of law was reported.

(b) REPORT BY GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243(c) of title 18, United States Code, as amended by section 1001, committed during the 1-year period covered by the report.

TITLE XI—EMERGENCY FUNDING

SEC. 1101. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The amounts provided under this Act, or an amendment made by this Act, are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act, and the amendments made by this Act, is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

Mr. STAUBER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota is recognized for 5 minutes in support of his motion.

Mr. STAUBER. Mr. Speaker, I rise today to talk about two stories, two parallel stories that are not conflicting but coexist in our world today.

The first story is that of a police officer in Anytown, USA, the police officer who swore a solemn oath to serve and protect her community and who every day proudly puts on the badge, gets in her car, and goes to her job knowing full well that she may not come home. She has a family and kids whom she wants to see graduate. She still puts on

the badge every day because she cares deeply about making her community a better and safer place.

I know this story well from my 23 years as a law enforcement officer. It is a narrative of pride that needs to be known and heard. It is a narrative that deserves admiration and respect.

The second story is of a Black teenager also in Anytown, USA, who watched Walter Scott get shot in the back in South Carolina, who saw Ahmaud Arbery go out for a jog and not come back, and who saw George Floyd murdered at the hands of police and who is genuinely afraid and uncertain that, if he leaves his home and goes out to the store for his mother, he may not come back.

These communities feel abandoned, they feel left behind by their government, and by sitting in this Chamber today and bringing up a bill that is so partisan that it will go nowhere after its consideration here, the majority is proving them right. The majority is telling that Black teenager and that officer that their concerns can wait until after election day.

Mr. Speaker, my motion to recommit asks that we consider both stories, both perspectives. My motion to recommit, which is the JUSTICE Act, was the product of Senator TIM SCOTT's and my sharing two different stories and finding solutions that inspire real change. The JUSTICE Act makes the necessary reforms that should have been made a long time ago.

I know, when it comes to hiring an officer, there is no room for mistakes. This JUSTICE Act improves access to prior disciplinary records, ensuring that officers who continuously act outside of their policies, procedures, and training can never move from department to department.

It emphasizes community-reflective recruitment, ensuring the makeup of police departments more closely resemble the communities that they serve.

It restores investment in community policing. This is a philosophy that you don't police your community; you police with your community.

It invests in improved police training, with a focus on de-escalation techniques and the duty to intervene. It increases funding for body camera usage, which helps identify bad officers and exonerate the good ones.

Mr. Speaker, I ask that you vote for this motion to recommit. I ask that you vote for real change, for reforming our law enforcement, for implementing community policing best practices, for more body cameras, for de-escalation training, for duty to intervene, and for mental health training.

I ask that you vote for that officer who wants to come home to her kids and for that Black teenager who, today, feels left behind.

At a time when so many feel divided and our Nation needs healing, let us be the shining city upon the hill. Let us stand together as one Congress and as

leaders of this Nation and advance real and much-needed police reform.

Mr. Speaker, vote "yes" on this motion to recommit.

I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I rise today in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Ms. BASS. Mr. Speaker, there is nothing new under the Sun. The Black people have battled police brutality since policing began in this Nation. But times have changed; our country has changed.

A few years ago, we had to explain that racism still exists despite the election of Barack Obama, twice. Now, 76 percent of Americans consider racism and discrimination a big problem. That is progress.

A few years ago, we had to explain why we say Black lives matter. Now, 67 percent of Americans support the Black Lives Matter movement.

Just a few weeks ago, we had to explain the anger and frustration we saw unfolding in the streets. But, again, 67 percent of registered voters supported the peaceful protest in response to George Floyd's death.

This is a powerful moment for our Nation, and there is a powerful movement in our Nation, a rainbow movement reflecting the wonderful diversity of the whole world. Protests have taken place in over 60 countries and on every continent. Thousands are marching in the streets screaming, "I can't breathe." They are screaming for change, transformative change, change that finally ends police brutality.

The movement is calling us to act. What is your answer?

I will vote for passage of the George Floyd Justice in Policing Act. And today my vote will be dedicated to the parents of Tamir Rice, because today is his 18th birthday.

Mr. Speaker, I ask my colleagues on both sides of the aisle to oppose this motion to recommit and pass the underlying bill.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), who is my esteemed colleague and friend and the most senior CBC member on the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from California for yielding.

Mr. Speaker, I rise today to ask the question: Where is the party of Lincoln?

Where is the moment of courage when the slaves were freed in that moment in 1863?

This Senate bill, the MTR, does not rise to the occasion of those who are in the streets. It fails the moment. It does not require anything. It does not ban, require, or create.

The Senate bill is threadbare and lacking in substance. It does not even provide a proper baseline for negotiation. It does not contain any mecha-

nism to hold law enforcement officers accountable in court for their misconduct.

It does not address mens rea, a standard that should be the basis of due process. For too long, it has allowed law enforcement officers to evade criminal liability for excessive force.

It is absolutely imperative that any meaningful policing reform contain accountability. It fails the moment.

□ 1900

TIM SCOTT introduced the Walter Scott bill many years ago. It has yet to see the light of day in the United States Senate.

Where is the party of Lincoln?

The JUSTICE Act has little to do with the urgent need, the cry of our people, or those gathering around me in Cuney Homes who came to me, friends of George Floyd, who knew Big Floyd, and said, "What does this bill do? Will it do anything?"

And as I told them about the bill, unlike this George Floyd Act, which re-purposes existing grant moneys, I let them know that this bill will give money to community groups, not give bunches of dollars to those who will continue the same patterns.

For too long, the disciplinary and misconduct records of officers who pose a knowing threat to public safety have been shielded from the public in a manner that has resulted in great harm to the communities they are entrusted to. Our bill shines the light.

The Senate bill and the motion to recommit does nothing but closes the door and says nothing about Black Lives Matter. In fact, it is a system that encourages the collection of records. We can give him credit for working in a hostile Chamber, but members of the CBC have prioritized and made sure that the issues of today are important.

Let me be very clear. There are some notable distinctions between the two proposals.

The House Justice and Policing Act vastly deals with a more systemic approach to accountability by developing national policing standards and requiring police departments to gain accreditation. It is a friend of police. It gives and deals with professionalizations. It has a national registry. It is not private. It is public. It is systemic racism, and so we must be transparent.

This fails the moment. The Justice and Policing Act takes a multiprong approach to eliminating the use of chokeholds. In this bill, George Floyd would not have lived. In the Justice and Policing Act, we could have saved his life and Eric Garner's.

How does the House bill ban no-knock warrants? We do it.

And the Senate bill, all it does is study. We have no time for studying. It must be accountable time now. Now is the time.

Can you believe that the JUSTICE bill, Senator SCOTT's bill, this bill does not have anything in it about use of

force? Nothing about banning or racial profiling, nothing to fix the Federal criminal prosecution standards, nothing to roll back unqualified immunity, and nothing on limitations of military hardware and disbursements.

Mr. Speaker, I ask my brothers and sisters: Where is the party of Lincoln?

Where is the party of the Constitution that says we create a more perfect union to create justice?

Mr. Speaker, this bill here is the cry of those who have never been heard. It gives us a pathway for success. I am glad to stand with the Congressional Black Caucus and the Justice Department to say that this bill has to pass, the Justice and Policing Act named after George Floyd.

Ms. BASS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. STAUBER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

PATENTS FOR HUMANITY PROGRAM IMPROVEMENT ACT

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7259) to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7259

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patents for Humanity Program Improvement Act”.

SEC. 2. TRANSFERABILITY OF ACCELERATION CERTIFICATES.

(a) IN GENERAL.—A holder of an acceleration certificate issued pursuant to the Patents for Humanity Program (established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012)), or any successor thereto, of the United States Patent and Trademark Office, may transfer (including

by sale) the entitlement to such acceleration certificate to another person.

(b) REQUIREMENT.—An acceleration certificate transferred under subsection (a) shall be subject to any other applicable limitations under the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012), or any successor thereto.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 7259, which strengthens the U.S. Patent and Trademark Offices’ Patents for Humanity Awards competition by allowing the competition’s prize to be transferable to third parties, introduced by my colleague, LUCY MCBATH, the Representative from the great State of Georgia.

Mr. Speaker, H.R. 7259 has bipartisan support. As chairman of the Committee on the Judiciary’s Intellectual Property Subcommittee, I am proud to co-sponsor this legislation alongside Representative MARTHA ROBY, ranking member of the subcommittee, and our subcommittee colleague, Representative BEN CLINE.

Intellectual property and innovation are what help our country flourish. In Congress, we have been committed to ensuring that the intellectual property system incentivizes innovation to the greatest extent possible.

Through its support for the USPTO’s Patents For Humanity Program, this bill accomplishes that goal. And I want to read a little bit from the USPTO.gov website about the Patents for Humanity Program.

How do patents help improve lives globally through inspired innovators making a difference? And I will quote here: “Patents for Humanity is the USPTO’s awards program for those using game-changing technology to address global challenges. It provides business incentives for patent holders who find ways to reach underserved communities. These success stories can help others learn how to harness innovation for human progress. All patent holders can participate,” it says.

Since 2012, the program has given 21 awards, not just to big companies, but also small and medium-sized enterprises, startups, universities, and non-profits. Together, their work has improved millions of lives around the

globe. In addition to receiving public recognition of their work, winners will be issued certificates entitling them to expedite select proceedings at the USPTO.

Mr. Speaker, I believe we have a list of some of those winners thus far, and I would love to read those names into the RECORD.

The Patents for Humanity Program highlights the ways that innovation and intellectual property can help solve global humanitarian challenges. Past award recipients have created low-cost phototherapy devices to treat infants with jaundice and distributed chemical packets that removed contaminants from drinking water, to name just a few. Winners receive a certificate that allows them, as I said, to accelerate certain patent matters at the USPTO.

Mr. Speaker, I would read into the RECORD the names of some award winners to you:

In 2018, Russell Crawford won the award for creating tools for low-cost drilling of water wells to reach deep aquifers free from soil contaminants.

The organization, Brooklyn Bridge to Cambodia, Incorporated, won in 2018 for creating an affordable rice planting device that helps Cambodian farmers improve their crop yields and which minimizes the number of farmers—mostly women—who have to work in the most exhausting and unhealthy conditions.

Also, the firm, Solight Design, won the award in 2018 for designing a portable solar light that has been distributed to over 200,000 people worldwide, including many in refugee camps.

Also, the firm, Sanivation, LLC, for designing a waste processing plant that transforms human waste into sanitary briquettes that replace wood and charcoal for heating and cooking, with four plants serving 10,000 people in Kenya by the end of the year.

And also, in 2018, Because International won the award for distributing 180,000 pairs of resizable shoes in over 95 countries, with local manufacturing taking place in Ethiopia, and plans for Haiti and Kenya.

And there are a number of others that have won this prestigious Patents for Humanity Award. All the way back to 2013, American Standard, SunPower Corporation, Nutriset, Golden Rice, GRIT: Global Research Innovation and Technology. And also, Nokero, DuPont Pioneer. And last but not least, Intermark Partners Strategic Management, LLP.

Mr. Speaker, all should be commended for winning this prestigious award and contributing to the betterment of humanity.

Mr. Speaker, under H.R. 7259, award winners will be able to transfer this acceleration certificate to third parties. This will strengthen participation in the Patents for Humanity Program and further encourage the use of innovation and the intellectual property for critical humanitarian purposes.