

118TH CONGRESS
1ST SESSION

H. R. 1365

To provide that Federal funds may not be made available to lawless jurisdictions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2023

Mr. ROSENDALE (for himself, Mr. BISHOP of North Carolina, and Mr. ROY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that Federal funds may not be made available to lawless jurisdictions, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lawless Cities Ac-
5 countability Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) It is the policy and purpose of the United
2 States Government to protect the lives and property
3 of all people in the United States from unlawful acts
4 of violence and destruction. Without law and order,
5 democracy cannot function, Americans cannot exer-
6 cise their rights to peaceful expression, assembly,
7 and protest, property is destroyed, and innocent citi-
8 zens are injured or killed.

9 (2) Unfortunately, lawlessness has beset some
10 of our States and cities. Over the past few years,
11 several State and local governments have contributed
12 to the violence and destruction in their jurisdictions
13 by failing to enforce the law, disempowering and sig-
14 nificantly defunding their police departments, and
15 refusing to accept offers of Federal law enforcement
16 assistance amidst widespread, sustained violence. As
17 a result of these State and local government policies,
18 acts of violence and destruction have skyrocketed
19 and continue unabated in many of America's cities.

20 (3) By shirking their responsibility to carry out
21 law and order, lawless jurisdictions enabled violent
22 protestors and rioters to inflict well over \$1 billion
23 in property damage across the United States. Fed-
24 eral and State buildings, businesses, and infrastruc-
25 ture were indiscriminately destroyed by arsonists,

1 vandals, and looters—harming their owners and tax-
2 payers—who ultimately bear the costs of unchecked
3 anarchy in American cities.

4 (4) The failure of cities to enforce the rule of
5 law has severe consequences and costs lives. In
6 2020, homicides in major American cities sky-
7 rocketed by 33 percent, a trend that continued into
8 the first quarter of 2021. In certain cities such as
9 Portland and Minneapolis, the surge in death and
10 destruction is even starker, with homicides increas-
11 ing by 733 percent in Portland and 82 percent in
12 Minneapolis. The Federal Government cannot sit
13 idly by as property is damaged and citizens are mur-
14 dered in lawless jurisdictions.

15 (5) After being continually demeaned by radical
16 activists and politicians, having police funding
17 slashed, being disempowered from enforcing the rule
18 of law, and witnessing their cities deteriorate into
19 lawless zones, our dedicated law enforcement per-
20 sonnel are demoralized and leaving the force in
21 record numbers. In 2020, the New York Police De-
22 partment saw 5,300 personnel leave the department,
23 a 75 percent increase from the previous year. The
24 Minneapolis Police Department saw 105 officers
25 leave the department in 2020, more than double

1 their average yearly attrition rate. Compounding the
2 challenge of mass retirements and an inordinate
3 number of law enforcement personnel on leaves of
4 absence, police departments are facing unprece-
5 dented recruitment challenges, leaving departments
6 ill-equipped to handle the dramatic rise in violent
7 crime.

8 (6) The Federal Government provides States
9 and localities with hundreds of billions of dollars
10 every year, which fund a wide array of programs,
11 such as housing, public transportation, job training,
12 and social services. These funds have been collected
13 from American taxpayers who entrusted their money
14 to the Federal Government to serve our communities
15 and our citizens.

16 (7) The Federal Government should not allow
17 taxpayer dollars to fund jurisdictions that fail to en-
18 force the rule of law and protect their residents. To
19 ensure that Federal funds are neither unduly wasted
20 nor spent in a manner that directly violates our Gov-
21 ernment's promise to protect life, liberty, and prop-
22 erty, it is imperative that the Federal Government
23 ensure Federal funds and grants do not go to juris-
24 dictions that permit anarchy, violence, and destruc-
25 tion in America's cities. This is critical to ensure

1 that Federal funds are used effectively, and to safe-
2 guard taxpayer dollars entrusted to the Federal Gov-
3 ernment for the benefit of the American people.

4 **SEC. 3. NO FEDERAL FUNDS FOR LAWLESS JURISDICTIONS.**

5 (a) IN GENERAL.—No Federal funds may be made
6 available to a jurisdiction that the Attorney General deter-
7 mines is a lawless jurisdiction.

8 (b) ATTORNEY GENERAL DETERMINATIONS.—Not
9 later than 30 days after the date of enactment of this Act,
10 and not less than quarterly thereafter, the Attorney Gen-
11 eral shall make determinations on which jurisdictions are
12 lawless jurisdictions, and shall make such determinations,
13 and an explanation of each determination, publicly avail-
14 able.

15 (c) REINSTATEMENT OF FEDERAL FUNDS.—A juris-
16 diction that the Attorney General determines is a lawless
17 jurisdiction may begin receiving Federal funds on the later
18 of—

19 (1) 180 days after the date on which the Attor-
20 ney General first determines that the jurisdiction is
21 lawless; or

22 (2) the date on which the Attorney General de-
23 termines that the jurisdiction is no longer a lawless
24 jurisdiction.

1 **SEC. 4. DEFINITION.**

2 In this Act, the term “lawless jurisdiction” means a
3 State or political subdivision of a State that—

4 (1) forbids a law enforcement agency from in-
5 tervening to restore order amid widespread or sus-
6 tained violence or destruction;

7 (2) has withdrawn law enforcement protection
8 from a geographical area or structure that law en-
9 forcement officers are lawfully entitled to access, but
10 have been officially prevented from accessing or per-
11 mitted to access only in exceptional circumstances,
12 except when law enforcement officers are briefly
13 withheld as a tactical decision intended to resolve
14 safely and expeditiously a specific and ongoing un-
15 lawful incident posing an imminent threat to the
16 safety of individuals or law enforcement officers;

17 (3) disempowers or defunds law enforcement
18 agencies; or

19 (4) refuses to accept an offer of law enforce-
20 ment assistance from the Federal Government amid
21 widespread or sustained violence or destruction in
22 the jurisdiction, during which the jurisdiction has
23 been unable to restore order.

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