

Union Calendar No. 38

118TH CONGRESS
1ST SESSION

H. R. 2494

[Report No. 118-55]

To make the assault of a law enforcement officer a deportable offense,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2023

Mr. GARBARINO (for himself, Ms. MALLIOTAKIS, Mr. BISHOP of North Carolina, Mr. SMITH of New Jersey, Mrs. MILLER-MEEKS, Mr. MEUSER, and Mrs. CAMMACK) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 15, 2023

Additional sponsors: Ms. STEFANIK, Mr. NORMAN, Ms. TENNEY, Mr. RESCHENTHALER, Mr. D'ESPOSITO, Mrs. LESKO, Ms. GREENE of Georgia, Ms. VAN DUYNE, Mr. LALOTA, and Mr. EDWARDS

MAY 15, 2023

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 6, 2023]

A BILL

To make the assault of a law enforcement officer a
deportable offense, 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 “Protect Our Law en-*
5 *forcement with Immigration Control and Enforcement Act*
6 *of 2023” or the “POLICE Act of 2023”.*

7 **SEC. 2. ASSAULT OF LAW ENFORCEMENT OFFICER.**

8 *Section 237(a)(2) of the Immigration and Nationality*
9 *Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end*
10 *the following:*

11 *“(G) ASSAULT OF LAW ENFORCEMENT OFFI-*
12 *CER.—*

13 *“(i) IN GENERAL.—Any alien who has*
14 *been convicted of, who admits having com-*
15 *mitted, or who admits committing acts*
16 *which constitute the essential elements of,*
17 *any offense involving assault of a law en-*
18 *forcement officer is deportable.*

19 *“(ii) CIRCUMSTANCES.—The cir-*
20 *cumstances referred to in clause (i) are that*
21 *the law enforcement officer was assaulted—*

22 *“(I) while he or she was engaged*
23 *in the performance of his or her official*
24 *duties;*

1 “(II) because of the performance
2 of his or her official duties; or

3 “(III) because of his or her status
4 as a law enforcement officer.

5 “(iii) DEFINITIONS.—In this subpara-
6 graph—

7 “(I) the term ‘assault’ has the
8 meaning given that term in the juris-
9 diction where the act occurred; and

10 “(II) the term ‘law enforcement
11 officer’ is a person authorized by
12 law—

13 “(aa) to apprehend, arrest,
14 or prosecute an individual for
15 any criminal violation of law; or

16 “(bb) to be a firefighter or
17 other first responder.”.

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