

and honor the fallen officers across this Nation who have given their lives to protect our families and communities across this great Nation.

Some of you, last year, experienced this bravery and courage firsthand. All of us were affected by the friends who were present when they were in danger and our Capitol Police came to their rescue.

As some of you know, I had a 33-year law enforcement career before coming to Congress. I lost two of my best friends. One was shot and one was stabbed.

These are brave, courageous people, but they are not only that. They have been blessed with the heart of a servant. They have been blessed with that gift to put other's lives before theirs, and that is what you saw last year, those of you on the baseball field. There was no hesitation. They were there for you, as were my friends for the citizens that lived in their patrol district.

Mr. Speaker, I have embraced the families, the friends, the partners, the children, and the spouses, and there are no words in that moment when the world is spinning out of control. There are no words when the world comes crashing down. There are no words. There is only silence and tears.

Mr. Speaker, this is my last year in Congress. This is my last time that I will ask you all to join with me in a moment of silence and tears with the families who have lost their loved ones in the line of duty.

The SPEAKER pro tempore. Will Members and all visitors in the gallery please stand and join us for a moment of silence.

BLACK HILLS NATIONAL CEMETERY BOUNDARY EXPANSION ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 35) to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 20, as follows:

[Roll No. 187]

YEAS—407

| | | |
|----------|-----------|------------|
| Abraham | Allen | Babin |
| Adams | Amash | Bacon |
| Aderholt | Amodei | Banks (IN) |
| Aguilar | Arrington | Barletta |

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|-----------------|-----------------|----------------|
| Barr | Dunn | Lamborn |
| Barragán | Ellison | Lance |
| Barton | Emmer | Langevin |
| Bass | Engel | Larsen (WA) |
| Beatty | Eshoo | Larson (CT) |
| Bera | Españillat | Latta |
| Bergman | Estes (KS) | Lawrence |
| Biggs | Esty (CT) | Lawson (FL) |
| Bilirakis | Evans | Lee |
| Bishop (GA) | Ferguson | Lesko |
| Bishop (MI) | Fitzpatrick | Levin |
| Bishop (UT) | Fleischmann | Lewis (GA) |
| Black | Flores | Lewis (MN) |
| Blackburn | Fortenberry | Lieu, Ted |
| Blum | Foster | Lipinski |
| Blumenauer | Fox | LoBiondo |
| Blunt Rochester | Frankel (FL) | Loeb |
| Bonamici | Frelinghuysen | Lofgren |
| Bost | Fudge | Long |
| Boyle, Brendan | Gaetz | Loudermilk |
| F. | Gallagher | Love |
| Brady (PA) | Galligo | Lowenthal |
| Brady (TX) | Garamendi | Lowey |
| Brat | Garrett | Lucas |
| Brooks (AL) | Gianforte | Luetkemeyer |
| Brownley (CA) | Gibbs | Lujan Grisham, |
| Buchanan | Gohmert | M. |
| Buck | Gomez | Luján, Ben Ray |
| Bucshon | Gonzalez (TX) | Lynch |
| Budd | Goodlatte | MacArthur |
| Burgess | Gosar | Maloney, |
| Bustos | Gottheimer | Carolyn B. |
| Byrne | Gowdy | Maloney, Sean |
| Calvert | Granger | Marchant |
| Capuano | Graves (GA) | Marino |
| Carbajal | Graves (LA) | Marshall |
| Cárdenas | Graves (MO) | Massie |
| Carson (IN) | Green, Al | Mast |
| Carter (GA) | Green, Gene | Matsui |
| Carter (TX) | Griffith | McCaul |
| Cartwright | Grijalva | McClintock |
| Castor (FL) | Grothman | McCollum |
| Castro (TX) | Guthrie | McEachin |
| Chabot | Gutiérrez | McGovern |
| Cheney | Hanabusa | McHenry |
| Chu, Judy | Handel | McKinley |
| Cicilline | Harper | McMorris |
| Clark (MA) | Harris | Rodgers |
| Clarke (NY) | Hartzler | McSally |
| Clay | Hastings | Meadows |
| Cleaver | Heck | Meeks |
| Clyburn | Hensarling | Meng |
| Coffman | Herrera Beutler | Messer |
| Cohen | Hice, Jody B. | Mitchell |
| Cole | Higgins (LA) | Moolenaar |
| Collins (GA) | Higgins (NY) | Mooney (WV) |
| Collins (NY) | Hill | Moore |
| Comer | Holding | Moulton |
| Comstock | Hollingsworth | Mullin |
| Conaway | Hoyer | Murphy (FL) |
| Connolly | Hudson | Nadler |
| Cook | Huizenga | Napolitano |
| Cooper | Hultgren | Neal |
| Correa | Hunter | Newhouse |
| Costa | Hurd | Noem |
| Costello (PA) | Jackson Lee | Nolan |
| Courtney | Jayapal | Norcross |
| Cramer | Jeffries | Norman |
| Crawford | Jenkins (KS) | Nunes |
| Crist | Jenkins (WV) | O'Halleran |
| Crowley | Johnson (GA) | O'Rourke |
| Cuellar | Johnson (LA) | Olson |
| Culberson | Johnson, E. B. | Palazzo |
| Cummings | Johnson, Sam | Pallone |
| Curbelo (FL) | Jones | Palmer |
| Curtis | Jordan | Panetta |
| Davidson | Joyce (OH) | Pascrell |
| Davis (CA) | Kaptur | Paulsen |
| Davis, Danny | Katko | Payne |
| Davis, Rodney | Keating | Pearce |
| DeFazio | Kelly (IL) | Pelosi |
| Delaney | Kelly (MS) | Perlmutter |
| DeLauro | Kelly (PA) | Peters |
| DelBene | Kennedy | Peterson |
| Demings | Khanna | Pingree |
| Denham | Kihuen | Pittenger |
| DeSantis | Kildee | Pocan |
| DeSaulnier | Kilmer | Poliquin |
| DesJarlais | Kind | Polis |
| Deutch | King (IA) | Posey |
| Diaz-Balart | King (NY) | Price (NC) |
| Dingell | Kinzinger | Quigley |
| Doggett | Knight | Raskin |
| Donovan | Krishnamoorthi | Reed |
| Doyle, Michael | Kuster (NH) | Reichert |
| F. | Kustoff (TN) | Renacci |
| Duffy | LaHood | Rice (NY) |
| Duncan (SC) | LaMalfa | Rice (SC) |
| Duncan (TN) | Lamb | Roby |

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| Roe (TN) | Sessions | Turner |
| Rogers (AL) | Sewell (AL) | Upton |
| Rohrabacher | Shea-Porter | Valadao |
| Rokita | Sherman | Vargas |
| Rooney, Francis | Shimkus | Veasey |
| Rooney, Thomas | Shuster | Vela |
| J. | Simpson | Velázquez |
| Ros-Lehtinen | Sinema | Visclosky |
| Rosen | Sires | Wagner |
| Roskam | Smith (MO) | Walberg |
| Ross | Smith (NE) | Walden |
| Rothfus | Smith (NJ) | Walker |
| Rouzer | Smith (TX) | Walorski |
| Roybal-Allard | Smith (WA) | Walters, Mimi |
| Royce (CA) | Smucker | Walz |
| Ruiz | Soto | Wasserman |
| Ruppersberger | Speier | Schultz |
| Rush | Stefanik | Waters, Maxine |
| Russell | Stewart | Watson Coleman |
| Rutherford | Stivers | Weber (TX) |
| Ryan (OH) | Suozzi | Welch |
| Sánchez | Swalwell (CA) | Wenstrup |
| Sanford | Takano | Westerman |
| Sarbanes | Taylor | Williams |
| Scalise | Tenney | Wilson (FL) |
| Schakowsky | Thompson (CA) | Wilson (SC) |
| Schiff | Thompson (MS) | Wittman |
| Schneider | Thompson (PA) | Womack |
| Schrader | Thornberry | Woodall |
| Schweikert | Tipton | Yarmuth |
| Scott (VA) | Titus | Roder |
| Scott, Austin | Tonko | Yoho |
| Scott, David | Torres | Young (AK) |
| Sensenbrenner | Trott | Young (IA) |
| Serrano | Tsongas | Zeldin |

NOT VOTING—20

| | | |
|-------------|--------------|--------------|
| Beyer | Himes | Perry |
| Brooks (IN) | Huffman | Poe (TX) |
| Brown (MD) | Issa | Ratcliffe |
| Butterfield | Johnson (OH) | Richmond |
| DeGette | Labrador | Rogers (KY) |
| Faso | McCarthy | Webster (FL) |
| Gabbard | McNerney | |

□ 1509

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WEBSTER of Florida. Mr. Speaker, I was unable to travel back to Washington due to illness.

Had I been present, I would have voted "yea" on rollcall No. 184, "yea" on rollcall No. 185, "yea" on rollcall No. 186, and "yea" on rollcall No. 187.

REQUESTING THE SENATE TO RETURN TO THE HOUSE OF REPRESENTATIVES THE BILL H.R. 4743

Mr. CHABOT. Mr. Speaker, I send to the desk a privileged resolution, and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 899

Resolved, That the Clerk of the House of Representatives request the Senate to return to the House the bill (H.R. 4743) entitled "To amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes."

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROTECT AND SERVE ACT OF 2018

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 891, I call up the bill (H.R. 5698) to amend title 18, United States Code, to punish criminal offenses targeting law enforcement officers, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Pursuant to House Resolution 891, the bill is considered read.

The text of the bill is as follows:

H.R. 5698

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 “Protect and Serve Act of 2018”.

SEC. 2. CRIMES TARGETING LAW ENFORCEMENT OFFICERS.

(a) IN GENERAL.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

“§ 120. Crimes targeting law enforcement officers

“(a) IN GENERAL.—Whoever, in any circumstance described in subsection (b), knowingly causes serious bodily injury to a law enforcement officer, or attempts to do so—

“(1) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

“(2) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(A) death results from the offense; or

“(B) the offense includes kidnapping or an attempt to kidnap, or an attempt to kill.

“(b) CIRCUMSTANCES DESCRIBED.—For purposes of subsection (a), the circumstances described in this subparagraph are that—

“(1) the conduct described in subsection (a) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(A) across a State line or national border; or

“(B) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(2) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subsection (a);

“(3) in connection with the conduct described in subsection (a), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce;

“(4) the conduct described in subsection (a)—

“(A) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(B) otherwise affects interstate or foreign commerce; or

“(5) the victim is a Federal law enforcement officer.

“(c) CERTIFICATION REQUIREMENT.—

“(1) IN GENERAL.—No prosecution of any offense described in this section may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

“(A) the State does not have jurisdiction;

“(B) the State has requested that the Federal Government assume jurisdiction;

“(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in protecting the public safety; or

“(D) a prosecution by the United States is in the public interest and necessary to secure substantial justice.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

“(d) DEFINITIONS.—In this section:

“(1) LAW ENFORCEMENT OFFICER.—The term ‘law enforcement officer’ means an employee of a governmental or public agency who is authorized by law—

“(A) to engage in or supervise the prevention, detention, investigation, or the incarceration of any person for any criminal violation of law; and

“(B) to apprehend or arrest a person for any criminal violation of law.

“(2) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“120. Crimes targeting law enforcement officers.”.

The SPEAKER pro tempore. After 1 hour debate on the bill, it shall be in order to consider the further amendment printed in part A of House Report 115-677, if offered by the gentleman from Virginia (Mr. GOODLATTE) or his designee, which shall be considered read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

PERMISSION TO POSTPONE PROCEEDINGS ON ADOPTING AMENDMENT TO H.R. 5698

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the question of adopting the amendment to H.R. 5698 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material to H.R. 5698.

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

There was no objection.

□ 1515

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

On October 15, 1991, the National Law Enforcement Officers Memorial was dedicated to honor Federal, State, and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our Nation and its people.

The memorial features two curving, 304-foot-long, blue-gray marble walls.

Carved on these walls are the names of more than 21,000 officers who have been killed in the line of duty throughout U.S. history, dating back to the first known death in 1791.

Each spring, law enforcement officers from around the country gather in Washington, D.C., for Peace Officers Memorial Day. For a week, these men and women attend events to celebrate and honor those law enforcement officers who have made the ultimate sacrifice. Each year, there is a memorial service in which the names of fallen officers are added to the long, curving marble walls of the memorial. Unfortunately, the list of names keeps growing and shows no signs of slowing down.

That is why today I am pleased we are considering the Protect and Serve Act. This bill is designed to ensure those who seek to harm police officers face swift and certain justice.

In recent years, the brave and dedicated men and women in blue who serve our communities are facing increased levels of hostility and violence. The increasing levels of hostility towards the law enforcement community have given rise to an increase in ambush-style attacks on police officers.

In 2016 alone, 64 police officers were shot and killed in the line of duty, 21 of whom were killed in ambush-style attacks. According to CNN, in the first 17 weeks of this year, 21 law enforcement officers across the U.S. have been shot and killed in the line of duty. That averages out to more than one death every week.

Only a few weeks ago, on April 19, 2018, two sheriff's deputies were gunned down and killed in a suspected ambush while they were eating at a restaurant in Gainesville, Florida.

To address this threat to the brave police, who put their lives on the line each day across our country, the Protect and Serve Act allows for Federal prosecution of criminals who knowingly assault law enforcement officers and cause serious bodily harm or attempt to do so. This bill applies to both Federal law enforcement officers and State and local officers where there is a nexus to interstate commerce.

Importantly, Mr. Speaker, this legislation recognizes that most often these crimes are wholly within the jurisdiction of a State to prosecute. Therefore, in addition to other requirements in the bill to ensure a Federal connection, H.R. 5698 states specifically that prosecution under this new statute may only be pursued if the Attorney General certifies that, one, the State does not have jurisdiction; two, the State has requested that the Federal Government assume jurisdiction; three, the verdict or sentence obtained pursuant to State charges left demonstrably unvindicated the Federal interest in protecting the public safety; or, four, a prosecution by the United States is in the public interest and necessary to secure substantial justice.

This is a critical part of the bill. It will ensure that the Federal power is