

So I agree with the prior speaker. We don't want people getting out of jail for any reason, whether it is bail or parole or a pardon from the President, without due consideration of what the effects are going to be on the community.

Mr. Speaker, in closing, I would say I want to thank the gentleman for his bill. I am going to vote for his bill. More information always better. I have got no problem with that.

The only thing I reject is the insinuation that the States that do it differently from the Federal system are somehow better than the States that do it in accord with the Federal system. We have had cashless bail at the Federal level for many decades, and our system zeros in on the critical criteria of whether or not this criminally charged suspect poses a flight risk or a danger to the community.

I hope that we can continue the conversation about what we can really do to advance and enhance community safety.

Mr. Speaker, I yield back the balance of my time.

Mr. HARRIS of North Carolina. Mr. Speaker, I yield myself the balance of my time.

I do thank the gentleman from Maryland (Mr. RASKIN) for his support of this bill and for his statements and I do hope that we will be able to continue conversations.

I would say in closing, Mr. Speaker, how many more victims must there be before we act? Cashless bail policies have proven to be a disaster. Soft-on-crime jurisdictions have released criminals on mere promises to reappear in court without adequately considering the flight or safety risk they pose to those around them.

□ 1250

I believe the American people believe enough is enough. The American people deserve to live in safety. The American people deserve safe public transportation. The American people should not have to live with the consequences of reckless bail policies, and it should not take brutal murders for these reforms to happen.

We must stop prioritizing ideology over safety. We must stop playing politics with bail policy. We must fight for a safer America, regardless of State or locality.

Mr. Speaker, I urge all Members to stand for public safety and to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1275, 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.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RASKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### KEEPING VIOLENT OFFENDERS OFF OUR STREETS ACT OF 2025

Mr. FITZGERALD. Mr. Speaker, pursuant to House Resolution 1275, I call up the bill (H.R. 6260) to amend title 18, United States Code, to prohibit fraud in connection with posting bail, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1275, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, is adopted and the bill, as amended, is considered read.

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

H.R. 6260

*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 "Keeping Violent Offenders Off Our Streets Act of 2025".*

#### SEC. 2. FRAUD IN CONNECTION WITH POSTING BAIL.

*Section 1033(f)(1)(A) of title 18, United States Code, is amended by inserting before the comma the following: "(including the posting of monetary bail, criminal bail bonds, and Federal immigration bail bonds)".*

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Wisconsin (Mr. FITZGERALD) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. FITZGERALD).

#### GENERAL LEAVE

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 6260.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 6260, the Keeping Violent Offenders Off Our Streets Act of 2025.

The bill defines the posting of cash bail by a corporate, nonprofit, or for-profit entity as engaged in the business of insurance, subjecting them to Fed-

eral insurance laws and our criminal fraud statutes.

The use of crowdsourcing for posting bail has long been scrutinized by the courts, now as a way to disguise the true source of the funds. That is because if there is little or no relationship between the defendant and those supplying the money, the bail money provides no incentive to prevent the defendant from simply fleeing the jurisdiction. This is especially true if the money does not have to be paid back.

While crowdsourcing funds is generally illegal, the use of charitable bail funds remains legal in most States. Charitable bail funds generally flew under the radar until 2020, when the George Floyd riots caused revenues to balloon, thanks to solicitations from celebrities and some politicians.

What used to be a small, community-based organization that helped post bail for nonviolent misdemeanors has grown into a multimillion-dollar industry.

For example, the Minnesota Freedom Fund saw revenues increase by 18,000 percent between 2019 and 2020. In a similar situation, The Bail Project saw its contributions triple in 2020 to nearly \$42 million.

Perhaps more alarming, what was intended to help bail out low-level, non-violent protesters has instead been used to release violent felony offenders back into the streets with little or no oversight.

In 2021, for example, the Minnesota Freedom Fund released a domestic abuser back onto the street. Two weeks later, the man, George Howard, was charged with second-degree murder for a road rage incident.

Michael Dewitt of Louisville, Kentucky, was bailed out by The Bail Project in February 2021 after being arrested on multiple charges. Two months later, he was arrested for murder.

Shawn Michael Tillman, 3 weeks after having bail paid by the Minnesota Freedom Fund, murdered a man at a light rail station in Saint Paul and is now serving a life sentence for that crime.

Mr. Speaker, the list continues to go on and on. According to an investigation conducted by CNN, in Hennepin County, Minnesota, the Minnesota Freedom Fund has bailed out at least 65 defendants who were awaiting trial on felony charges involving violence, physical threats, or sex crimes.

Similarly, in Indiana, of the roughly 1,000 defendants released on bail supplied by The Bail Project between 2019 and 2021, 24 percent had previously been charged with a crime of violence, and 35 percent were accused of felony charges and had a previous charge of at least one crime of violence.

Because these funds are crowdsourced, there is no incentive for the defendants to show up for their court date. Guess what. Many of them don't.

Again according to the network CNN, nearly 42 percent of roughly 500 defendants bailed out by the Minnesota Freedom Fund later failed to appear at one or more court hearings between 2021 and 2022.

Commercial bail companies, by comparison, had a failure to appear rate of only 22 percent, so it is working in the private sector. During that same period, there are new numbers that demonstrate that this trend will continue. This is why many States have begun regulating the use of charitable bail funds.

Georgia, for example, limits the amount of cash bonds a charitable bail fund can pay in a given year. Indiana prohibits the use of charitable bail funds for posting bail for violent felony offenders. Unfortunately, a State-by-State patchwork is now developing, and that will obviously not solve this problem.

That is why we introduced the Keeping Violent Offenders Off Our Streets Act of 2025. This bill makes a very small but important change to our criminal code to define bail bonds as an insurance product—that is it—thereby subjecting it to the same Federal background check and regulatory requirements as those of for-profit bail agencies under the Federal Comprehensive Crime Control Act of 1994.

This change would also bring charitable bail funds under State insurance regulation, giving States the ability to better scrutinize the use of these funds.

Mr. Speaker, let me be clear. This bill does not outlaw the use of charitable bail funds, nor does it regulate the posting of cash bail by family and friends of the accused. This bill merely says that if you are operating as a not-for-profit with the purpose of posting cash bail, you should be subjected to the same regulation and oversight requirements as those operating as a for-profit entity.

□ 1300

This will bring needed oversight to organizations that for years have gone unregulated while ensuring accountability of these funds by subjecting them to Federal insurance fraud statutes if they misappropriate funds or misrepresent the use of these funds in any financial reports.

Mr. Speaker, I urge all Members to vote “yes” on the bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in strong opposition to the Keeping Violent Offenders Off Our Streets Act, which is a truly strange bill. The bill, first of all, refers to violent offenders, but it is unclear exactly why. It applies to all offenders. In any event, it would redefine the business of insurance to include the posting of monetary bail, criminal bail bonds, and Federal immigration bail bonds.

It would accomplish this dramatic reclassification for the purposes of pros-

ecuting and punishing community bail funds as a form of criminal insurance fraud. Only in surreal MAGA Washington would someone think to change the definition of insurance fraud to include the posting of bail and bail bonds. I can't even begin to reconstruct the giant mental leaps that must have been used to get to this fallacy.

This week is National Police Week, and as we do every year, we recognize and honor the men and women who put their lives on the line for us to protect our communities. Our colleagues have vaguely and inscrutably billed this legislation as pro-police, although they have yet to show how it would support the police or address the articulated needs of police officers anywhere in the country.

The true aim of H.R. 6260, apparently, is to discourage and destroy not-for-profit bail funds that raise money for people who cannot afford to pay bail for themselves. These groups try to address the basic injustice that results when wealthy people can walk free while poor people are held in jail pending trial for no reason other than their inability to pay, which is why the Federal system, as I was arguing in our last bill, eliminates money from the equation entirely and says that the only question is whether a person presents a flight risk or danger to the community.

Now, my distinguished colleague, the author of the legislation, ties the beginning of these bail funds I think he said to 2020 with the killing of George Floyd.

Actually, the history of these funds goes back a lot further than that. It really begins during the period of abolitionism in the Civil War when various people were being jailed for either assisting enslaved people in the Underground Railroad or being arrested for their attempts to interfere with the fugitive slave law.

In any event, money was raised to get people out of jail for those purposes. That lasted through the Civil War, and it went into the Reconstruction period as well, because we know that the criminal justice system in the South was turned into an instrument of incarceration and domination and reimposing discipline on the freed slave population. That is what they were using the criminal justice system for, and so people throughout the country were raising money to try to get people out of jail to repurchase their hard-won freedom.

However, this process of communities raising money to pay bail has persisted all the way through the 20th century and into the 21st century. The ACLU did it. They created a bail fund for people swept up in the Palmer Raids, the Red Scare, and the obscenity prosecutions for people who couldn't afford to get themselves out of jail. It was critical to Reverend Martin Luther King and the SCLC, and John Lewis and the Student Nonviolent Coordinating Committee. Bail was raised. Bail money

was raised to get people out of jail for often pretextual and fraudulent arrests and incarceration throughout the South.

It has continued to be used since then. It was being used during the anti-Vietnam war movement when bail money was raised to get people out of jail, again, in mass, dragnet arrests without regard to what people themselves had done.

It is being used today in the LGBTQ community. It has been used, as the gentleman references, in Minneapolis where we saw exactly what ICE was doing when they shot dead in broad daylight at pointblank range U.S. citizens Renee Good and Alex Pretti. If they are willing to kill people, then they are certainly willing to rough them up, beat them up, and arrest them falsely.

Yes, the people of Minneapolis, to their great credit, came together to create funds to bail people out of jail when they were mistreated by the police.

Should we twist the law of insurance fraud into unrecognizable knots in order to deter and destroy bail funds and to threaten people with felony convictions like people who go out and sell fraudulent insurance policies?

It is hard to see why we should do that.

By the way, it is not just those we would put on the liberal or progressive side of civil movements in American history because the exact same thing happens with anti-abortion protesters with the pro-life movement.

Mr. Speaker, you had better check with the pro-life movement before you vote for this legislation because they could get swept up with it too. They have raised a lot of money for people who are willing to put themselves in the way of a woman's reproductive clinic, a health clinic. They consider those killing places. Obviously, we have a profound disagreement about that. We believe that people have a constitutional right to their own healthcare.

In any event, set that aside. These people are sincerely motivated in what they are doing, and, yes, they have raised money to bail people out of jail when they get arrested for blockading abortion clinics.

Now, should we describe that as a form of insurance fraud so it can be regulated, and then if somebody misstates something on a form or on a bail statement and they don't properly record it or whatever, then suddenly the whole Orwellian dragnet of the Federal Government can come down on them?

By the way, what is the Federal interest in this anyway?

That is very hard to see. The original law creating a Federal crime around interstate insurance fraud was all based on the idea that the insurance has an interstate nexus because it is being sold across State lines, but the vast majority of protests take place in one town, in one city.

Where is the interstate nexus that would even give us jurisdiction to adopt this dramatic expansion of the law governing insurance fraud?

I would love the distinguished gentleman from Wisconsin to illuminate where is the interstate nexus or character that justifies this dramatic enlargement of law governing insurance fraud in the United States.

I understand that, for some reason inscrutable to me, they want to target basically the Federal system of bail during Police Week. I don't see what the connection is, but, in any event, this is a step way too far. I was willing to go with the Attorney General report out of deference to my friends.

We will support the Attorney General report so we can get a clearer picture of what is going on, but to change insurance fraud law and policy in America to target, when you think about it, a really noble and honorable practice used by both people on the left, people on the right, and people in between, to support those who either deliberately engage in civil disobedience or are falsely targeted by the police, strikes me as a very bizarre thing to do and a strange way to honor Law Enforcement Week.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I will just say that a number of the issues that were raised by the ranking member are issues that I thought we addressed in the committee. We talked to a number of Members and some district attorneys, certainly prosecutors and public defenders. Again, this is a situation where these sites are created, donations pour in nationwide to fund some of these, not only the crowdsourced funds but also additional dollars that, quite honestly, are very difficult to track.

We thought this would be a simple solution to it. I think there is enough support for it.

Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

□ 1310

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

Mr. Speaker, another gigantic, logical leap in this legislation just occurred to me, which is that the Republicans are blaming the bail funds for this or that person getting out of jail. They have skipped over a major step, which is the judges who are the ones who are actually deciding whether or not someone poses a flight risk or a danger to the community.

If there is a judge who is not doing their job, they shouldn't be on the court. They just shouldn't be there.

As we have seen in the Federal system, the vast majority, if not all, of the judges can act and behave responsibly with respect to the essential criteria for deciding on bail, which we know.

Really, what they are saying is: We like a for-profit system that benefits the bail bondsmen all over America. They make 10 percent—it might be 15 percent now, I am not sure—on all the bail posted. If you are a criminal defendant, and you have shown you are not a flight risk or a danger to the community, you are not done yet. In those cash jurisdictions, they want \$10,000 from you.

If you don't have \$10,000, you get it from a bail bondsman, but you owe the bail bondsman \$1,000. The bail bondsman essentially takes out \$11,000 in the loan and gives you \$10,000. You give it to the State, and they pocket \$1,000. This is extremely lucrative. There are a lot of very wealthy bail bondsmen and -women out there.

That means that it is the court that is responsible. It is not the people who raise the money. Now, they want to say: Well, it is only the rich people who should be able to make bail in the cash jurisdictions.

If you are arrested, if you are a pro-life protester and you do civil disobedience at an abortion clinic—that is your decision to make. I am not going to say it is your First Amendment right. It is not exactly a right, although you have been written into the FACE Act for these purposes. You decide to do it. You are willing to pay the consequences. If you don't have the money, it means your political supporters can't raise money for you.

If you are participating in a peace protest or a civil rights protest, but happen not to be rich enough to pay the bill yourself, they are trying to impede your ability to get money from other people by threatening these bail funds—which are a venerable part of American society—with insurance fraud charges. That is amazing.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SIMON), my friend.

Ms. SIMON. Mr. Speaker, the ranking member is right. This is a very strange bill. It is absolutely right that it is judges who make the determination whether bail should be recorded in the record. It is the judge.

I want to make sure that we are really clear what is in the language of the bill. This bill directly targets faith institutions and nonprofit organizations that step in every single day to support families navigating a deeply unequal justice system across the country. A wide network of faith leaders every Sunday pass a hat to ensure that there is deep and formal due process for individuals facing prosecution. Under this legislation, those churches, those individuals, would be subject to enforcement.

This bill changes how we think about the justice system in this country. It allows for people to return to their children, keep their jobs, and prepare for their next day in court. That is what the bail process should be about.

While I don't have much time left, if you would allow me, my mentor, Dr.

Clarence Jones, the speechwriter for Dr. Martin Luther King, told me—

The SPEAKER pro tempore (Mr. CRAWFORD). The time of the gentlewoman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

Ms. SIMON. Dr. Clarence Jones, the speechwriter for Dr. Martin Luther King, told me a story that, during the civil rights protests in the mid-1960s, hundreds of Black, White, and Jewish young people sat at lunch counters throughout the South, understanding and knowing what they were up against, while the Klan burned cigarettes on their backs, spit in their faces, pushed them from behind, and knocked them down. They were led outside to hoses and dogs.

Harry Belafonte and Dr. Clarence Jones, on a push from Dr. Martin Luther King, drove up to New York City and sat with donors and folks on the right side of justice to get bail to bail out those hundreds of children. Would we rather they sit in jails in the Deep South and be beaten and killed?

Mr. Speaker, think about what we are asking today: for churches and charities to stop their mission to ensure that people in this country have the life, liberty, and due process that they so deserve.

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

Mr. Speaker, I have no idea what the gentlewoman is speaking about. This would have no effect on any of the charitable situations that she just described.

As for judges, I think if my colleagues wanted to debate jurisdictions, prosecutors, and judges setting weak bail policies, we can certainly have that discussion. I think that is a separate discussion from what would be appropriate for the bill before us.

Just this morning, the Judiciary Committee held a hearing on a Fairfax County Commonwealth's attorney who seems to care far less about what crime a defendant may have committed than whether they are in the country illegally. The prosecutors apparently have a history of offering these sweetheart deals, which we are all very aware of.

You can go across the country—New York, California, Illinois, Maryland, it doesn't matter. All these policies that restrict judges and prosecutors from imposing constraints on criminals are what we should be talking about.

This all came about and I got involved in it because of what happened in my own State and in my own district when a judge released a known violent offender, and the individual proceeded to drive through the Waukesha Christmas Parade and killed six innocent bystanders.

The best thing we can do is try to check the system to make sure that it is working properly, and that is what this bill aims to do.

I find it hard to believe that people donate to these funds knowing that

funds will go specifically to bail out somebody who is a violent criminal. Quite honestly, that is another issue, I believe, that people oftentimes are misled or don't even know what they are donating to actually fund at this point.

I would hope that this would be given a little bit further consideration on its face, rather than trying to judge it based on many different situations that, quite honestly, I don't believe exist. They are the same types of red herrings that we have been hearing since the day that we introduced the bill.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, it occurred to me to go back to check Jeffrey Epstein and Ghislaine Maxwell, what happened in their cases. In a cash bail system in Florida, Jeffrey Epstein was freed and allowed to go operate his dubious affairs before he was convicted. In the Federal system, there was no bail. He was denied bail because he was clearly a flight risk and a danger to the community.

The same thing with Ghislaine Maxwell, she offered to put up \$30 million to get out of jail, and the Federal system said: We don't do that. We don't release people based on money. You are a flight risk, and you are a threat to the community.

That is the only thing that should count. It shouldn't be like an auction that you go to and whoever can put up the most money gets out of jail free, and then the poor people don't.

Now, they want to go beyond that to say poor people can't even pool their resources and get support from people in the community or other parts of the country because that could constitute insurance fraud. That strikes me as ridiculous.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. MENEFE).

Mr. MENEFE. Mr. Speaker, I want to be very clear about what this bill is. This is part of a greater effort to ensure that we have cash bail systems throughout this country, which would keep rich people on the streets, even if they are violent criminals, and would have poor people locked behind bars because they don't have the money.

Picture two people accused of the same low-level, nonviolent misdemeanor and who come from the same background. A judge looks at both of them and says neither is a flight risk and neither is a threat of harm to the community. The bail is set at \$1,500. Because one person can pay the \$1,500, they are back on the street. The other person is in jail for 6 months, maybe a year. They lose their apartment. They lose their job. They may even lose custody of their child. That is not justice. That is a tax on people who don't have spare cash.

I know this because we experienced this in Harris County. My home coun-

ty, Harris County, asked the right question and found the answer. Judges started releasing people accused of nonviolent misdemeanors before trial. Do you know what happened to crime? Absolutely nothing.

□ 1320

Pretrial release went up 30 points, from 50 percent in 2015 to over 80 percent today. Repeat offending did not go up, not even a little.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Texas.

Mr. MENEFE. Mr. Speaker, I was proud to defend that consent decree. Let's be clear about what this is. If somebody is a threat to the community, they should be in jail, regardless of whether they have a billion dollars or a thousand dollars. If they are not a threat to the community, they should not be left to languish in jail, potentially lose their livelihood, their family, all so we can make cash bail companies more rich. We should be about protecting the community, not protecting industry.

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

Mr. Speaker, again, I think the gentleman from Texas' comments are not specifically directed at this legislation. There is a larger frustration maybe with the bail bond industry, but certainly that is not something that we need to be concerned with here.

The criticism about bail funds and how low-income individuals and individuals of color are handled, the bill in no way prohibits the use of charitable bail organizations or limits their use. The bill merely subjects them to the same level of scrutiny we apply to for-profit bail companies.

Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Mr. Speaker, I rise today in opposition to H.R. 6260, the Keeping Violent Offenders Off Our Streets Act, which is, I think, just another example again of unnecessary Federal meddling into policies that should be left to the States. There again, we keep talking about States' rights, but we keep putting forth legislation that meddles in those States' rights.

This bill actually weaponizes the Federal Government against bail funds and strengthens the for-profit bail bond industry.

It has the potential to destroy bail funds, including any organization that posts monetary bail, criminal bonds, or Federal immigration bail bonds, which would be subject to the Federal insurance fraud statute. That means churches, faith groups, nonprofits, and other community organizations that pool their financial resources—we just

heard an example of that—to protect people from a system that punishes poverty and destabilizes families and oftentimes coerces guilty pleas that are subject to criminal liability.

Proponents of this bill have previously claimed that bail funds operate in the shadows and that their donations come with little to no scrutiny, and that is simply not the truth.

For example, The Bail Project, a 501(c)(3) organization, is subject to regular monitoring and oversight by the IRS. Adding nonsensical layers of bureaucracy is most likely going to make more communities unsafe, but it will also make it harder for organizations to help those people in need. We just heard examples of organizations that are doing really good work to help people get out because they don't have money for their bonds.

There are nearly half-a-million people across the country in pretrial detention, meaning they are sitting in jail right now, and they have not been convicted of a crime. They are simply there because they can't afford to pay for their freedom. We should all think that is pretty tragic.

Without the help of organizations willing to provide free bail assistance, people that can't afford bail could just continue to languish in jail for years while they are waiting for their trials.

I have talked to constituents in my own district that are doing that very thing. While they sit in jail, they are actually losing their jobs. They lose their homes, their medical coverage, or even custody of their children.

I want to be perfectly clear too. I want to make sure that we keep violent offenders off the street. Yes, my own situation, having lost my son, the violent offender who murdered my son, he is in jail. He is in prison. He is off the street. I want that for every violent offender. I believe that everyone in this Chamber also wants all of our violent offenders off the street.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Georgia.

Mrs. MCBATH. But this bill doesn't do it.

I need to reiterate that a charge is not a conviction, and H.R. 6260 will keep charged Americans jobless. It is going to keep them homeless, and it is going to keep them in poverty. It has the potential to leave the children of charged, not convicted, Americans parentless.

I urge my colleagues to vigorously oppose this legislation.

Mr. FITZGERALD. Mr. Speaker, I have no further speakers at this time, and I reserve the balance of my time.

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

Mr. Speaker, let me address a few points that are still lingering out there. As I listened to the distinguished ranking member on the Subcommittee on Crime and Federal Government Surveillance, and Mr.

MENEFFEE, a couple other points occurred to me.

One is that our same colleagues who want to crack down on the ability of people to associate and raise money for the purposes of providing bail for people who can't afford it are also the ones who basically want to blow the doors off the hinges when it comes to campaign finance. They believe in an absolute deregulation of money going into the political system. Yet, when it comes to community groups, neighbors, and people across the country in sympathy or solidarity with people who may be caught up in the criminal justice system, through no fault of their own or through civil disobedience—you could say peace protestors, environmental protestors, pro-life protestors—they want to cut down on that form of association and that form of freedom of speech and assembly, which is protected by the First Amendment to the Constitution.

Moreover, we don't even know what Federal power is being purported to cover this exercise of Federal jurisdiction. They are pasting this onto the law against interstate insurance fraud, which is a categorical extension of Federal power when people engage in interstate insurance maneuvers and are defrauding somebody out of their money.

But now they want to apply that to money that is raised locally for purposes, like in Minneapolis, of defending people who are arrested in an anti-ICE protest, for example. Where is the Federal interest? Is it the Commerce Clause? It is certainly not the First Amendment because it cuts directly against the First Amendment. I don't think it is section 5 of the 14th Amendment.

What is the asserted basis of our constitutional authority to criminalize as insurance fraud people raising money locally to support local protestors? I just don't get that.

Mr. Speaker, I reserve the balance of my time.

Mr. FITZGERALD. Mr. Speaker, I am prepared to close and reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I oppose H.R. 6260 for the aforementioned reasons, but also because the bill does nothing to actually support law enforcement officers on Law Enforcement Week.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to the Committee on the Judiciary.

If the Republican House rules permitted, I would have offered the motion with a very significant amendment to the bill.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD immediately prior to the motion to recommit.

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

There was no objection.

Mr. RASKIN. My amendment would bring not just rhetorical support, but real support to police officers, specifically, the police officers who defended this Chamber, this Capitol, this Congress, all the Members of Congress, the Vice President, and our democracy during the January 6th attack by creating the January 6th Law Enforcement Heroes Compensation Fund, to provide compensation for any injuries inflicted on our officers that day, as well as any corresponding economic losses.

These are people who serve with us every day. You see them every day, and you may know some of them. More than 140 of them from the Capitol Police, from the Metropolitan Police Department, and several other regional police departments, including the Montgomery County Police Department in Maryland were wounded, injured, and hospitalized as a result of the mob attack on our country, where our officers fought valiantly for hours against atrocious violence that one of the officers likened to medieval battle.

Many officers were forced out of policing by the injuries inflicted on that day. Many suffered grievous physical and emotional injuries, including posttraumatic stress, for which they are still being treated and for which they may never fully recover.

One of them I know, Sergeant Gonell, suffered a crushed right foot and a destroyed rotator cuff. Because he could barely lift his arm and he could barely walk, he was forced out of his dream job of being a Capitol Police officer.

□ 1330

He became a Capitol officer because his high school class from Long Island, New York, came and visited the Capitol, and he saw what the officers were doing. He said: One day I am going to do what those officers do, and I am going to protect the Congress of the United States.

In the middle of his career, he was so disabled by the attack that he had to leave it, despite wanting to stay, but he simply could no longer live up to the physical expectations of the job. Now, his family is living on a fraction of the salary that he had before.

We could tell you lots of stories like this. Some of the officers, like Officer Brian Sicknick, who died on January 7, gave the ultimate sacrifice, the last full measure of devotion to this body.

Several took their own lives after this brutal and nightmarish convulsion, an attack incited by the President of the United States as determined by the House of Representatives.

Some of these people are disfigured and disabled for life, but all of them—and their politics are irrelevant. Some of them are Republicans. Some are Independents. Some are Democrats. All of the officers responded on January 6 like heroes, and they deserve our eternal thanks. They deserve more than that. They deserve the actual commitment of this body to help them.

The Trump administration wrote a check for nearly \$5 million to the family of Ashli Babbitt, even though two separate investigations determined that our police officers acted responsibly, lawfully, and reasonably to defend this Chamber and the people who worked in it on that day, yet they gave them nearly \$5 million.

Do you know what they have given to the families of the police officers injured and wounded, whose lives were irrevocably changed on that day? Zero. Nothing.

It is time for us to pass this legislation and show that our commitment is real to the police officers who work with us right here every day. That is what we need to be doing, and I urge everybody to support the January 6th Law Enforcement Heroes Compensation Fund.

Mr. Speaker, I ask unanimous consent to include in the RECORD the text of this amendment immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, I hope my colleagues will join me in voting for the motion to recommit so we can move forward with this absolutely essential legislation, and I yield back the balance of my time.

Mr. FITZGERALD. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill before us will ensure accountability for charitable bail funds that break the law. It is that simple. We are not trying to eliminate any crowdsourcing. We are just trying to make sure that there is some monitoring going on here. We know these funds have bailed out violent felony offenders in the past and we have a responsibility, or these organizations that claim a tax-exempt status, to ensure funds are being spent appropriately.

H.R. 6260 will allow States to enact licensing requirements for entities that post bail on behalf of defendants which will bring needed scrutiny.

Mr. Speaker, I thank Chairman JORDAN for his leadership on this issue and again urge passage of H.R. 6260.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1275, 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. RASKIN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RASKIN of Maryland moves to recommit the bill H.R. 6260 to the Committee on the Judiciary.

The material previously referred to by Mr. RASKIN is as follows:

Mr. Raskin moves to recommit the bill H.R. 6260 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendments:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “January 6th Law Enforcement Heroes Compensation Fund Act”.

#### SEC. 2. DEFINITIONS.

In this Act, the following definitions apply: (1) CLAIMANT.—The term “claimant” means an individual filing a claim for compensation under section 5(a)(1).

(2) COLLATERAL SOURCE.—The term “collateral source” means all collateral sources, including life insurance, pension funds, death benefit programs, and payments by Federal, State, or local governments related to the events that occurred at or near the United States Capitol on January 6, 2021.

(3) ECONOMIC LOSS.—The term “economic loss” means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, including suicide or any other death that is reasonably attributable to the claimant’s service on January 6, 2021, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

(4) ELIGIBLE INDIVIDUAL.—The term “eligible individual” means an individual determined to be eligible for compensation under section 5(c).

(5) NONECONOMIC LOSSES.—The term “noneconomic losses” means losses for physical, emotional, and psychological pain, suffering, physical impairment, mental anguish, post traumatic stress disorder, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other non-pecuniary losses of any kind or nature.

(6) SPECIAL MASTER.—The term “Special Master” means the Special Master appointed under section 4(a).

#### SEC. 3. PURPOSE.

It is the purpose of this Act to provide compensation to law enforcement officers who defended the United States Capitol during the events that occurred at or near the United States Capitol on January 6, 2021, and to compensate those officers who were injured, including mental or emotional injury, or who lost their lives as a result of such attack.

#### SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Attorney General, acting through a Special Master appointed by the Attorney General, shall—

(1) administer the compensation program established under this Act;

(2) promulgate all procedural and substantive rules for the administration of this Act; and

(3) employ and supervise hearing officers and other administrative personnel to perform the duties of the Special Master under this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to pay the administrative and support costs for the Special Master in carrying out this Act.

#### SEC. 5. DETERMINATION OF ELIGIBILITY FOR COMPENSATION.

(a) FILING OF CLAIM.—

(1) IN GENERAL.—A claimant may file a claim for compensation under this Act with

the Special Master. The claim shall be on the form developed under paragraph (2) and shall state the factual basis for eligibility for compensation and the amount of compensation sought.

(2) CLAIM FORM.—

(A) IN GENERAL.—The Special Master shall develop a claim form that claimants shall use when submitting claims under paragraph (1). The Special Master shall ensure that such form can be filed electronically, if determined to be practicable.

(B) CONTENTS.—The form developed under subparagraph (A) shall request—

(i) information from the claimant concerning their service as an active duty law enforcement officer in defense of the United States Capitol on January 6, 2021;

(ii) information from the claimant concerning the physical, emotional, and psychological harm that the claimant suffered, or in the case of a claim filed on behalf of a decedent, information confirming the decedent’s death, as a result of the events that occurred at or near the United States Capitol on January 6, 2021, including suicide or any other death that is reasonably attributable to the claimant’s service on January 6, 2021;

(iii) information from the claimant concerning any possible economic and noneconomic losses that the claimant suffered as a result of such events; and

(iv) information regarding collateral sources of compensation the claimant has received or is entitled to receive as a result of such events.

(3) LIMITATION.—No claim may be filed under paragraph (1) after the date that is 3 years after the date on which regulations are promulgated under section 7.

(b) REVIEW AND DETERMINATION.—

(1) REVIEW.—The Special Master shall review a claim submitted under subsection (a) and determine—

(A) whether the claimant is an eligible individual under subsection (c);

(B) with respect to a claimant determined to be an eligible individual—

(i) the extent of the harm to the claimant, including any economic and noneconomic losses; and

(ii) the amount of compensation to which the claimant is entitled based on the harm to the claimant, the facts of the claim, and the individual circumstances of the claimant.

(2) NEGLIGENCE.—With respect to a claimant, the Special Master shall not consider negligence or any other theory of liability.

(3) DETERMINATION.—Not later than 120 days after that date on which a claim is filed under subsection (a), the Special Master shall complete a review, make a determination, and provide written notice to the claimant, with respect to the matters that were the subject of the claim under review. Such a determination shall be final and not subject to judicial review.

(4) RIGHTS OF CLAIMANT.—A claimant in a review under paragraph (1) shall have—

(A) the right to be represented by an attorney;

(B) the right to present evidence, including the presentation of witnesses and documents; and

(C) any other due process rights determined appropriate by the Special Master.

(5) NO PUNITIVE DAMAGES.—The Special Master may not include amounts for punitive damages in any compensation paid under a claim under this Act.

(6) COLLATERAL COMPENSATION.—The Special Master shall reduce the amount of compensation determined under paragraph (1)(B)(ii) by the amount of the collateral source compensation the claimant has received or is entitled to receive as a result of

the events that occurred at or near the United States Capitol on January 6, 2021.

(c) ELIGIBILITY.—

(1) IN GENERAL.—A claimant shall be determined to be an eligible individual for purposes of this subsection if the Special Master determines that such claimant—

(A) is an individual described in paragraph (2); and

(B) meets the requirements of paragraph (3).

(2) INDIVIDUALS.—A claimant is an individual described in this paragraph if the claimant is—

(A) an individual who—

(i) served as an active duty law enforcement officer in defense of the United States Capitol on January 6, 2021; and

(ii) suffered economic loss, noneconomic loss, or death as a result of the attack on the United States Capitol, including suicide or other death that is reasonably attributable to the claimant’s service on January 6, 2021; or

(B) in the case of a decedent who is an individual described in subparagraph (A), the personal representative of the decedent who files a claim on behalf of the decedent.

(3) REQUIREMENTS.—Not more than one claim may be submitted under this Act by an individual or on behalf of a deceased individual.

#### SEC. 6. PAYMENTS TO ELIGIBLE INDIVIDUALS FOR DEATH OR INJURY.

(a) IN GENERAL.—Not later than 180 days after the date on which a determination is made by the Special Master regarding the amount of compensation due a claimant under this Act under section 5(b), the Special Master shall authorize payment to such claimant of the amount determined with respect to the claimant.

(b) MINIMUM PAYMENT AMOUNTS FOR DEATH.—In the case of any claim payable under this Act for death, including suicide or any other death that is reasonably attributable to the claimant’s service on January 6, 2021, such payment shall be not less than \$4,975,000.

#### SEC. 7. ADDITIONAL PAYMENTS TO CLAIMANTS.

(a) IN GENERAL.—Not later than 180 days after the expiration of the claim period under section 5(a)(3), the Special Master shall make a payment, in addition to any payment under section 6, to each claimant who served as an active duty law enforcement officer in defense of the United States Capitol on January 6, 2021, whether or not such claimant suffered any economic or noneconomic loss as a result of such service, in an amount that is equal to—

(1)(A) \$4,975,000, plus

(B) the amount calculated under subsection (b), divided by

(2) the total number of such claimants.

(b) CALCULATION OF PAYMENTS MADE BY UNITED STATES.—Not later than 90 days after the expiration of the claim period under section 5(a)(3), the Attorney General shall calculate the sum of each payment in resolution of a civil action or administrative claim paid by the United States pursuant to a settlement agreement during the period beginning January 20, 2025 and ending on the date of the expiration of the claim period under section 5(a)(3), if that civil action or administrative claim is brought by a person who was convicted of an offense related to events that occurred at or near the United States Capitol on January 6, 2021, and arose from such an offense (including any action or claim related to the investigation, prosecution, or conviction for such an offense).

#### SEC. 8. PAYMENT AUTHORITY.

This Act constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment of amounts for compensation under this Act.

**SEC. 9. REGULATIONS.**

Not later than 90 days after the date of enactment of this Act, the Attorney General, in consultation with the Special Master, shall promulgate regulations to carry out this Act, including regulations with respect to—

- (1) forms to be used in submitting claims under this Act;
- (2) the information to be included in such forms;
- (3) procedures for hearing and the presentation of evidence;
- (4) procedures to assist an individual in filing and pursuing claims under this Act; and
- (5) other matters determined appropriate by the Attorney General.

**SEC. 10. RIGHT OF SUBROGATION.**

The United States shall have the right of subrogation with respect to any claim paid by the United States under this Act.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. RASKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

**MONITOR ACCOUNTABILITY ACT**

Mr. BIGGS of Arizona. Mr. Speaker, pursuant to House Resolution 1275, I call up the bill (H.R. 8365) to provide for conditions on the appointment of monitors by courts, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1275, 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 A of House Report 119-648, is adopted and the bill, as amended, is considered read.

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

H.R. 8365

*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 "Monitor Accountability Act".*

**SEC. 2. CONDITIONS ON THE APPOINTMENT OF MONITORS BY COURTS.**

(a) *IN GENERAL.*—Not later than 180 days after the effective date of this section, the Judicial Conference of the United States shall by rule establish conditions on the appointment by a district court of the United States of any person charged, pursuant to a court order, with monitoring the conduct of a State or unit of local government. Such conditions shall include the following:

- (1) *FEES.*—Such person—
  - (A) may not assess a fee in excess of such maximum rates as the Judicial Conference of the United States may establish; and

(B) shall be authorized to employ the use of pro bono time or reduced rates.

(2) *EXCLUSIVITY AND TERM.*—Such person may not be—

(A) appointed to more than one such monitorship at a time;

(B) appointed for a term greater than 5 years; or

(C) reappointed after the expiration of such term pursuant to the same court order.

(3) *SUBSEQUENT MONITORS.*—A monitor who is appointed to a monitorship after the expiration of the term of a monitor who served pursuant to the same court order may not be employed by the same employer as the previous monitor.

(4) *PUBLIC COMMENT.*—Prior to the appointment of a monitor, the court shall provide notice of the person to be appointed and afford the public an opportunity for comment thereon.

(5) *TERMINATION.*—

(A) *REVISION.*—In the case that a court, a party, or a monitor seeks to revise a monitorship imposed by a court order, the court shall conduct a hearing.

(B) *SCOPE OF MONITORSHIP.*—The court may only revise a requirement of a monitorship with respect to which the subject of the monitorship has not attained substantial and sustained compliance.

(b) *TRANSFER.*—On the date that is 6 years after the court order imposing a monitorship, if such monitorship is in effect on such date, the case shall be transferred to another judge in the district in which the case is pending.

(c) *ACCOUNTING.*—

(1) *IN GENERAL.*—On an annual basis, a monitor shall submit to the court imposing the monitorship an accounting, which shall include—

(A) information on the services provided and the fee charged for such services; and

(B) whether any such services were provided pro bono or at a reduced rate.

(2) *PUBLICATION.*—The court shall make available to the public any accounting submitted to the court under paragraph (1).

(d) *RETROACTIVITY.*—In the case of a monitorship that is in effect on the date of enactment of this Act and has been in effect for 6 years—

(1) a new monitor shall be appointed not later than 180 days after such date of enactment in accordance with the limitations under this section; and

(2) the case shall be transferred not later than 1 year after such date of enactment in accordance with this section.

(e) *SENSE OF CONGRESS.*—It is the sense of Congress that monitoring is a public service and monitorships should be structured to encourage the use of pro bono time or reduced rates.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Arizona (Mr. BIGGS) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

**GENERAL LEAVE**

Mr. BIGGS of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 8365.

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

There was no objection.

Mr. BIGGS of Arizona. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 8365 is the result of a field hearing that the Subcommittee on Crime and Federal Government Surveillance held in February in Phoenix, Arizona.

While that hearing focused on the special monitor in Maricopa County, it has implications for residents across the Nation who also find their law enforcement agencies held hostage by a special monitor or consent decree.

Since December 2013, the Maricopa County Sheriff's Office, MCSO, has been under a Federal judicial oversight following a DOJ intervention into the 2008 case of Ortega Melendres v. Arpaio.

In 2007, Latino motorists and passengers, aided by the ACLU, filed a lawsuit against then-Maricopa County Sheriff Joe Arpaio. The lawsuit alleged that MCSO violated the Fourth and 14th Amendments by engaging in a systematic practice of unconstitutional racial profiling, including stopping, detaining, and arresting Latino individuals during traffic stops and patrol operations based on race or perceived immigration status.

Following a bench trial in December 2011, U.S. District Judge Murray Snow ruled in 2013 that MCSO had violated constitutional protections and imposed permanent injunctions that required MCSO to implement sweeping reforms to policies, training, operations, and internal investigations.

Unlike a consent decree, which is a negotiated settlement agreed to by the parties, the court imposed these injunctions after findings of liability.

DOJ consent decrees are typically entered into voluntarily by State or local governments to resolve a civil rights investigation without a trial, even though they can result in similarly extensive Federal oversight and court-appointed monitoring.

In January 2014, Judge Snow appointed Federal court monitor Robert Warshaw to oversee MCSO's compliance with the court's permanent injunctions, including reforms intended to address racial discrimination during traffic stops and deficiencies in policy development and oversight.

Following that, in July 2015, the court mandated additional remedial measures, including further policy revisions to further strengthen oversight mechanisms.

The Federal court monitoring was intended to last only until MCSO achieved full and effective compliance with the court's injunctions, yet oversight has continued for more than a decade without a fixed end date.

This extended judicial supervision has placed significant financial burdens on Maricopa County taxpayers, with costs reportedly reaching nearly \$350 million.

□ 1340

Most of these expenses include the administrative efforts needed to demonstrate compliance with court orders.