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 noes 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.

For example, despite remote work and meetings in 2021, the county was responsible for funding a 3,200-square-foot office suite for the monitor, which cost taxpayers $97,000 for a year.

This persistent Federal judicial intervention has created operational challenges for MCSO, including difficulties in recruiting and retaining qualified deputies. All of these things, by the way, are consistent with monitoring that is going on in most of the country.

The increased administrative workload and ongoing scrutiny have led to a decline in staff retention and discouraged potential recruits from pursuing careers within the department, which is ultimately impacting the office's ability to serve and protect the community, one of the largest counties in the country, with over 5½ million people.

The Federal court monitor typically issues quarterly reports tracking MCSO's compliance with the court-ordered reforms and provides the court with independent assessments of policy implementation. Over the course of more than 40 reports, MCSO's compliance rate increased from below 30 percent in 2014 to over 94 percent by 2025, which meets the standard that requires the agency to demonstrate adherence in more than 94 percent of instances under review.

According to Warshaw, the MCSO's compliance framework has become self-sustaining and institutionalized. Warshaw also labeled the MCSO's compliance with policies, training, and supervisory review as solid, noting that the compliance measures were fully built into the agency's daily work, showing full, independent accountability.

Earlier this year, the Department of Justice, which originally intervened in this case in 2011, filed a brief supporting Maricopa County's request to end Federal oversight, noting that the litigation has been successful in reforming the agency.

By the way, we are on the fourth elected sheriff since this original complaint was filed.

The Department argued that the extensive reforms imposed through the court-appointed monitoring regime have been successful in correcting the unconstitutional practices identified in the original case, which you will recall was the racial profiling of Latino motorists.

DOJ cited multiple recent monitor reports, which document consistently high compliance rates, institutionalized policy adherence, effective training programs, and durable accountability mechanisms. The Department indicated that continued Federal supervision is no longer necessary to ensure constitutional policing, supporting termination of the court-appointed monitoring regime.

Maricopa County is not the only jurisdiction monitored by Robert Warshaw and his associates. Warshaw has been accused of taking exorbitant payments without producing results in monitoring law enforcement agencies in New York, California, Michigan, and Louisiana.

For example, Warshaw faced criticism for the duration, high cost, and evolving compliance benchmarks. In other words, he was moving the goalpost of Federal oversight in Oakland, California. Despite reportedly spending little time in Oakland, Warshaw is currently paid more than $1 million annually by the city, a structure that incentivizes prolonging the monitorship, just like we see in Maricopa County.

Compared to monitors who operate under narrowly defined mandates and fixed timelines, Warshaw's role continuously blurs the line between oversight and management. Questions about judgment incentives also follow Warshaw from Niagara Falls, New York, for example.

Together, episodes in New York and various jurisdictions that have had Warshaw, the critics have cited this systemic pattern in which Warshaw's work unfolds with limited transparency. In fact, when he bills Maricopa County, he won't tell them what he did, and the court won't make him. There were minimal cost controls and little external checks on the expansion or duration of his authority.

While I agreed with very little that former AG Merrick Garland did while in office, he actually had pretty good ideas on how to deal with these issues involving monitors.

In April 2021, he asked then-Associate Attorney General Vanita Gupta to conduct a 4-month review of how the Justice Department appoints and oversees Federal monitors in settlement agreements and consent decrees. In August 2021, Associate AG Gupta responded with 19 recommendations stemming from five core principles. The principles included minimizing costs and conflicts of interest, ensuring monitors' accountability, compliance assessment, community engagement, and efficient reform.

A notable reform included in the memorandum was imposing term limits for Federal monitors. The significance of these recommendations sets clear expectations for time-limited oversight, ensuring that Federal monitorships are not indefinite.

Mr. Speaker, I want everyone to realize that this applies to monitorships not just in Maricopa County; not just in Niagara Falls, New York; not just in Oakland, California; or in Baltimore, Maryland, where Warshaw was a monitor, or anyplace involving Warshaw. It was so spread out, and the concern was so great, that former Attorney General Merrick Garland asked for the study because even he understood that the monitorships had been abused.

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

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

Mr. Speaker, Federal monitorships are a critical tool for Federal courts and Federal judges. Monitors ensure compliance with court orders, settlement agreements, and consent decrees, all to remedy entrenched, systemic violations of Federal law in matters of school desegregation, prison conditions, civil rights, policing, detention, disability rights in education, the environment, and antitrust law.

This bill appears to have been written as part of an attempt to undermine Federal monitorships, but, indeed, focused on one very special monitorship in particular.

The bill targets the ongoing Federal monitorship of the Maricopa County Sheriff's Office in Arizona, which, as the gentleman just discussed, was put in place after a Federal judge determined that the office, under the notorious tenure of Sheriff Joe Arpaio, had displayed a pattern and practice of using race and ethnicity, rather than objective evidence of criminality, to target people for criminal investigation and detention and for a profusion of illegal stops, seizures, and frisks, in violation of fundamental rights protected by the U.S. Constitution. One expert called it the worst pattern of racial profiling by a law enforcement agency in the history of the United States.

Following this ruling, the Federal district judge placed the Maricopa County Sheriff's Office under supervision by a court-appointed monitor to ensure that it would take the steps necessary to correct its structural violations of the law and violations of the rights of the people.

For years after the initial court order, Sheriff Arpaio proudly and gleefully violated a succession of court orders, refusing to end his office's practice of rampant, unlawful racial and ethnic profiling, which eventually led Federal judges to find him in civil contempt, in criminal contempt, and then, finally, in need of a Presidential pardon, which, of course, he got from the king of pardons when he took the White House.

As a result of all of this defiance and contempt, the court had to issue subsequent orders each time to more specifically articulate and delineate the steps that the sheriff's office needed to take to come into compliance with the law.

Recently, our colleagues held a field hearing in Phoenix, the gentleman's hometown, where they took issue with the fact that the sheriff's office is still under a Federal monitorship more than 10 years later in his home State. They did not take issue with the fact that the office has gone for more than 10 years without fully and meaningfully complying with the court order.

The monitor is in place only because the sheriff's office has failed to remedy its egregious and systemic violations of the law, despite multiple court orders directing them to do so. More than a decade later, and even under a new

sheriff, data reveal that racial disparities in the sheriff's office's arrest rates persist to this day.

Mr. Speaker, Democrats are open to having a serious, nationwide policy discussion about ways to strengthen and improve the Federal monitorship process. Democrats are always up for that, but the bill before us today is focused on one case, one monitor, and, therefore, ignores the entire dynamics of monitorship nationwide. They haven't even pretended to claim that whatever is taking place in that district that they don't like is reflective of what is going on in the rest of the country.

I heard the gentleman say that this is some kind of codification of recommendations made by Attorney General Merrick Garland and Associate Attorney General Vanita Gupta in a 2021 DOJ memo on monitors, which they like, but that is not the full story.

The bill, as opposed to the memo, scoops up the points that they like within the memo, like a kid scooping up Easter eggs in the backyard, but then discards the rest. The bill includes some of the recommendations, changes others, and simply excludes others.

□ 1350

Critically, Attorney General Garland said that at the end of a 5-year period there should be an analysis of how well the monitorship is going, should it be terminated, or should it be continued based on the facts.

Well, the gentleman's bill takes that 5-year number but says we are just going to cut it off after 5 years. We are not going to do an analysis of it. We are not going to assess the situation. We are not going to see whether the monitor is needed to go forward. We are just going to take the 5-year number and say it is over. So that person is gone, and if you need a new one, bring somebody else in. All of that institutional knowledge, everything they understand, is out the window.

Now, I understand that would accomplish the gentleman's objective, which is they want to terminate the monitor out in Maricopa County. They don't like that monitor. That is not really how we should be legislating Department of Justice policy for the entire country. Far from making this a more efficient process, the various requirements put in would delay, prolong, and confuse as a new monitor and a new judge would have to attempt to get up to speed on the complicated history of the case and the progress completed by the party prior to this new abrupt appointment.

They would have to review years' worth of briefs, orders, reports, motions, replies, pleadings, and so on. Together, these provisions could incentivize a reluctant party to simply run out the clock until a more indulgent monitor and judge are appointed to the case.

The retroactive application of the bill is, of course, curious. The Garland memo warned against retroactivity, noting that because existing consent decrees and monitorships are the product of extensive negotiations with approval by the Federal court, the specific recommendations should apply only to consent decrees and monitorships used in future cases.

But the whole trick here is to make this apply retroactively to get at the guy that Republicans don't like, and of course, that is not up to us. Congress doesn't go out and decide specific cases. If Republicans have got a problem with what the monitor is doing, bring it to the judge in that case, but don't change Federal law and make a Federal case out of it.

Look, if the majority is serious about improving the appointment and use of Federal monitors, and I am sure they are, then I urge them to work with us to do a nationwide study. Let's craft a bill fully reflecting the recommendations of the Attorney General. Let's invite Attorney General Garland to come in and testify about it. He is a constituent of mine. I am happy to write him and have him come in and testify about what should be done, rather than rushing through this last-minute, case-specific, makeshift legislation.

I urge all my colleagues to oppose this bill, and I reserve the balance of my time.

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

I appreciate the gentleman's willingness to work with us. That is why we had a field hearing. That is why Democrats were extended the invitation to come; give us the name of someone you want to testify.

Do you know how many people across the aisle came to that hearing? Zero, zip, nada came. Democrats didn't come. They were uninterested. They didn't want to hear from Merrick Garland. They didn't want to come.

So the Democrats said, oh, well, okay, we are not going to do that. And then they are going to stand up and say some rather wild things about that this only applies to Maricopa County and that the monitorship ends at the end of 5 years. That is not true. That is not what this bill does.

The bill says the monitor, the current monitor, is done after 5 years. And why is that? It is because regardless, not just this monitor but how about the monitor that has been in Oakland, California, for 20-some-odd years or other monitors around the country? What happens is, as Merrick Garland said, and as Associate Attorney General Gupta said, they build up incentives. All of a sudden, they had incentives because it is a monetary incentive, and they need to avoid the conflict of interest.

That was the first principle—that was within the first principle that Merrick Garland put together, avoid the conflict of interest.

Guess what. If the Court were to say we are going to continue the monitorship, you get a new monitor. And, quite frankly, the AG also said these things should be simple. These things should be simple. They should be focused. I don't think that someone who is capable of becoming a court monitor is not going to be able to get up to speed pretty doggone quickly. That is the argument that they are making over there.

Let's see who supports this: The National Association of Police, Arizona Sheriffs' Association, Major County Sheriffs of America, Phoenix Law Enforcement Association, and also the California police associations. They all support this because all their departments have been taken over.

How about this one? I think this is a kick in the pants. They basically roll the monitor. This is the fourth sheriff. The DOJ has said they are in substantial compliance, and guess what, this monitor has taken to micromanaging even the uniforms, the stripes for officers. Oh, no, you can't put them up here. You want them down on the front part of the sleeve. That is what the Maricopa County monitor has done.

That is not unique to Maricopa County. The monitors get in, and they micromanage even the most absurd things that have nothing to do with the issue that brought this forward, which was this: the racial profiling in traffic stops. The monitor himself has said in his reports they are in substantial compliance. There is no statistical significance in any difference between any racial demographic in Arizona.

The monitorship has a monetary incentive, and that is what you are seeing. That is why you see these monitorships run amuck around the country.

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

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

The gentleman asks why Members of the minority didn't come to his hearing in Arizona, and because he asked, I am afraid I am going to have to tell you the truth. We don't think it was a serious hearing. It was about one monitor in one case to target one guy in the context of the gentleman's exciting campaign for Governor of Arizona. I understand the gentleman prefers to be in Arizona. Well, we prefer to be in our districts, too. I will happily leave my district for a serious substantive hearing, but I am not going to be part of a witch hunt or attack against one particular monitor.

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

Mrs. MCBATH. Mr. Speaker, I do rise today in opposition to H.R. 8365, the Monitor Accountability Act.

This bill addresses the work of Federal monitors who are appointed by a court to oversee the progress a State or a unit of local government is making after violating Federal law.

Often monitors are put in place after there is a finding of serious misconduct, including violations of constitutional rights or actions that jeopardize people's public health, safety, and well-being.

For example, last January, the Department of Justice and Fulton County, Georgia, which I represent, they entered into an agreement that included the appointment of a monitor to oversee changes to address what we have found to be very dangerous, unhealthy, and unconstitutional conditions at our Fulton County jail.

So this bill proposes restrictions on monitors which ultimately could result in consequences that really actually don't serve the public interest. By requiring unnecessary turnover of both the Federal monitors and the judges overseeing these cases, this bill would waste our time and hard-earned taxpayer dollars instead of actually focusing monitors and the local officials to actually kind of come together and truly work to solve the problem and find some solutions.

The stakes are incredibly high in these kinds of cases. A delay could leave more people incarcerated in unconstitutionally dangerous conditions. A delay could also force employees like the prison guards to continue to work in very, very dangerous conditions that make it impossible for them to actually do their jobs effectively and safely.

□ 1400

I have had the chance to work with the newly appointed director of the Board of Prisons hearing about what is happening all over the Nation, and so I, too, am very concerned about making sure that our employees are working in safer environments within these institutions.

Ultimately, this legislation could result in more waste and more time and more delays while worsening the public services that are meant to be improved under the watchful eye of our Federal monitors.

I stand to say that as the ranking member of the Subcommittee on Crime and Federal Government Surveillance, I oppose H.R. 8365, and I will be urging all my colleagues on the Judiciary Committee to do the same.

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

Merrick Garland's memo says this: ''Principle: Monitorships should be designed to minimize the cost to jurisdictions''—the one in Maricopa County is $350 million; the one in Oakland is who knows how many millions of dollars—''and to avoid any appearance of a conflict of interest.''

It goes on to be a little bit more specific: ''Monitorships must nonetheless be designed and administered with awareness that every dollar spent on a monitorship is a dollar that cannot be spent on other policy priorities.''

In other words, don't divert the taxpayers' money so they can't fulfill all of their responsibilities.

Here is another quote: ''Monitorships should be designed to avoid even the appearance that a monitor is primarily motivated by profit.''

We have a monitor in Maricopa County, for instance, who gets $3 million a year on average over the term of his monitorship and who seems to be moving the goalposts, just like he did in Oakland. These seem to be saying: Hey, maybe he does have a profit motivation.

Specifically, this is what they recommend: Cap the monitor fees, an annual cap on monitor fees; encourage use of pro bono time, reduced rates, and nonprofits; explore alternative fee arrangements; and restrict lead monitor participation in multiple monitorships.

We have tried to get at all those things in the current bill.

They go on to say this: ''Future consent decrees should limit the ability of the individual who serves as the lead monitor to serve on more than one monitoring team at a time. . . . But the person serving as the lead monitor should be solely committed to the jurisdiction they are serving and should not be simultaneously supporting multiple monitorships at the same time.''

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

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

Just to restate for everybody where we are. The monitor serves at the discretion and the pleasure of the judge. If the judge thinks the monitor is doing a bad job or feathering his nest or taking money, the judge would get rid of the monitor immediately. That is up to the judge.

If you have got a problem with a particular monitor, bring a motion before the judge to change the situation. Instead, the gentleman wants to make a Federal law out of it. I appreciate it is his last few months in Congress, and he wants to try to accomplish something in that particular case, but it really doesn't relate to the rest of the country.

There has been no study done of monitorships generally, except for what Attorney General Garland did, and his bill departs radically from what Attorney General Garland was talking about.

Just take, for example, this 5-year idea. The idea is, look, the judge can review the monitor at any point in the course of the monitorship. But there should be, Attorney General Garland said, a 5-year review where they look and see how it is going and is the jurisdiction complying or not.

If they are not complying, as is taking place in Maricopa County, why not? What needs to be done? Is the monitor actually showing up at work and being a zealous individual about it or not? That can happen right now.

But in any event, Attorney General Garland says, have a 5-year review. Their bill says terminate the monitor, regardless of whether or not that person is doing a good job, after 5 years. They could be doing the best job in the world, but no, they want to start all over again and take all of the time and energy required in getting somebody else up to date on the case.

It is just not serious legislation, which is perhaps why there is not a counterpart over on the Senate side; there is no companion.

So good luck to the gentleman about actually getting this done before the election in November. Perhaps people will be impressed by catalyzing all of this attention to one case, but it tells us nothing about what is happening in the rest of the country.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. LANDSMAN).

Mr. LANDSMAN. Mr. Speaker, I thank Mr. RASKIN for yielding.

This morning, in our newspaper in Cincinnati, there was a story about how we are spending $25 million on police overtime because we don't have enough cops. Our community, like communities across the country, is struggling to hire police officers. I don't understand why we are messing with monitors or one monitor. All of these issues that communities across the country are facing with public safety, crime, gun violence—cities, towns, counties, they all have this one thing in common: What they need is more cops.

In the middle of Police Week, we have got four bills, including this one. As Mr. RASKIN said, I don't think any of them are going to become law. They don't have a companion bill in the Senate. I don't know what we are doing during Police Week except we are not funding cops.

In fact, since the Republicans took the majority, the cop funding has gone down. Byrne has gone down. The COPS grant funding has gone down. I have tried to get my bill on the floor, which would just allow folks who have the COPS grant to use that money to retain and recruit police officers, just the flexibility, but I can't get a hearing and can't get a vote.

The SPEAKER pro tempore (Mr. FINE). The time of the gentleman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 1 minute to the gentleman from Ohio.

Mr. LANDSMAN. Mr. Speaker, if y'all want to help police officers and communities, especially during Police Week, hire more cops, help communities pay for police officers.

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

The gentleman was just arguing essentially for monitors, which continues to hamstring police agencies around the country. I guess he wasn't here when I started reading off how agencies around the country support this bill because they are impacted negatively by rogue monitors.

I will just go back to my colleague saying, hey, we didn't—nobody came.

Nobody went to Phoenix because we thought this was an unserious endeavor.

They could have come. They could have tried to make it serious by bringing their witness, the witness he said he would like to have come in now. He could have brought that witness in then. He chose not to.

I think maybe the unseriousness is on your side not taking this issue serious because it does impact the entire country.

We know it does. Because why? Because former Attorney General Merrick Garland said: Hey, I am so concerned about it, I am going to commission somebody to spend several months to research this and give us some recommendations.

My bill is attempting to implement those recommendations, and I encourage their support of it.

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

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

The gentleman says that if we had come, it would have been serious. I applaud the implicit concession it wasn't serious. But in any event, it would not have been relevant because studying what goes on in one office is not relevant.

Now, if you want to take the Attorney General's handiwork and turn it into law, we could do it, but that is not what the gentleman is proposing to do. He has changed it and contorted it in a lot of different ways in order to fit his particular case.

In any event, I don't think we should rely exclusively on the executive branch. I think we should have our own serious hearings with the whole committee. Only two Republicans joined that trip to Phoenix, Arizona, although there was another Republican Member who I think was a key witness there. I think Mrs. Lesko testified before the committee, increasing the sense of the closed circle that they have there.

In any event, why don't we look at this as a serious national problem? In any event, of the top 25 things Americans are thinking about, I can guarantee you that is not one of them. One of them, though, is the billion dollars that the administration is asking for, for the big, wretched ballroom that they want to build over at the White House since they bulldozed the East Wing of the White House.

Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. BOYLE), the ranking member on the Budget Committee.

Mr. BOYLE of Pennsylvania. Mr. Speaker, right now, costs are going through the roof thanks to President Trump's tariff taxes and his reckless war in Iran.

Families are paying more for gas, paying more for groceries, paying more for housing, and paying more for healthcare. The list goes on and on.

Fifteen million Americans are about to lose their healthcare coverage because of that so-called Big Beautiful Bill Act that Republicans passed and the President signed into law last summer, which just happens to be one of the most unpopular pieces of legislation in modern legislative history.

□ 1410

Millions are losing food assistance because of that disastrous law. Working families are stretching every dollar every day.

While all of this is happening, Mr. Speaker, what is your President focused on? A ballroom.

Mr. Speaker, this tells you everything you need to know about this President's priorities. The American people are asking for lower costs. Donald Trump is asking for a taxpayer-funded vanity project at the White House. Maybe we should start calling Republican reconciliation 2.0 what it really is: the billion dollar ballroom act. That is because this Republican agenda can somehow find money for Donald Trump's ballroom and his billionaire donors, but it can never seem to find a dime to lower costs for the American people.

There is not enough money to protect healthcare, not enough money to protect food assistance, not enough money to lower the cost of gas, groceries, housing, or healthcare, but, somehow, there is more money for Donald Trump's big, beautiful ballroom.

That is the problem with this entire agenda. It asks working families to pay more and get less, all while Donald Trump gets exactly what he wants. They can find money for tax breaks for billionaires. They can find money for giveaways to the well-connected, and they can find money for Donald Trump's ballroom. However, when it comes to helping families afford a gallon of gas, a bag of groceries, a doctor's visit, or a safe place to live, suddenly Republicans say: We have no money.

Americans have been loud and clear. They want costs to go down, and they want it now. They do not want their taxpayer dollars spent on a ballroom so this President can host lavish events with his billionaire friends. If the President cared as much as about lowering costs for the American people as he does his precious ballroom, maybe 1 pound of beef would not cost more than 1 hour of work at the Federal minimum wage.

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

If House rules permitted, I would have offered the motion with an important amendment to this bill. My amendment would simply prohibit taxpayer funding for Donald Trump's White House ballroom. It is simple. Not one taxpayer dollar, not one dime, should be spent on a vanity ballroom while Americans are losing healthcare, losing food assistance, and struggling to make ends meet.

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

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

There was no objection.

Mr. BOYLE of Pennsylvania. Mr. Speaker, I hope and, indeed, urge my colleagues to join me in voting for this simple motion to recommit.

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

Mr. Speaker, the President has repeatedly claimed that the ballroom would actually be entirely funded by private sources. Leaving aside the legality of that proposition, now they are asking the American taxpayers for $1 billion for the ballroom when the cost of it would have been zero had he not gone ahead and bulldozed the White House without the permission or consent of Congress which has control over all Federal buildings and property.

It is up to us, not the President, and yet he thinks that the White House is like a personal vacation home. He bulldozed it, and now they are asking us for $1 billion.

Mr. Speaker, I thank the distinguished ranking member of the Budget Committee for coming here to talk about this very serious issue. I am very glad he is moving to recommit so we can have some serious legislative investigation into that outrageous proposal. I want to link it to the bill from the gentleman from Arizona. That is because if you think about it, Mr. Speaker, neither of the agendas being proposed have anything to do with the national common good. The ballroom, the gilded ballroom for Donald Trump and his family and friends, has nothing to do with what is going to advance the well-being of the American people.

Similarly, this bill is all about picking a fight with or retaliating against one monitor they are upset with about one case. They might be right or they might be wrong. It sounds to me like they are wrong, but, in any event, those merits have nothing to do with the rest of the country and what the rest of us are dealing with.

However, on the Republican side of the aisle, now it is all about I want my thing; I want to get my thing before the whole ship goes down.

We know Donald Trump's numbers are sinking like a stone across the country making him the most unpopular President in American history, so everybody wants to get a little piece of the action for whatever they can. No one is thinking about the public interest.

Who is thinking about getting healthcare to all the American people?

Who is thinking about lowering the cost of groceries for the American people?

Who is thinking about getting housing to the American people so young people can afford a place to go live?

None of it. The President said he was going to lower inflation on day one. Inflation is soaring. Now the cost of gasoline is up $1.50 across the country because of his illegal, unconstitutional war he has waged against us.

They want us to be spending our time talking about one Federal monitor under the supervision of one Federal judge in Maricopa County, Arizona.

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

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

Mr. Speaker, this bill actually would help save money by holding monitors responsible, making sure that they are responsible. That is important.

When they start talking about $1 billion, remember that just compliance costs and the cost of this particular monitor that they are very focused on has cost the taxpayers there over $350 million, over one-third of a billion dollars.

The monitor in Baltimore right now submitted their bill recently for $1.5 million. That is just a fee, mind you, Mr. Speaker, of the monitor, $1.5 million. That doesn't include whatever compliance costs there may be.

The second principle that came out of Attorney General Merrick Garland's position was this: When consent decrees involve State and local entities, monitors hold the position of public trust, not only as agents of the court, but as drivers of significant change of public institutions that are central to the communities that they serve, and, thus, they must be structured to ensure that monitors are accountable—are accountable—for their work.

That is what my bill does. It creates accountability because there is no accountability there.

If it was all resting in the judge, Merrick Garland could have just said: We will just leave it up to the judge, because that is what the Democrats want.

However, they say you must have an opportunity for public input.

This is interesting: Consent decrees should include term limits for monitors that could be renewed, but they should have term limits.

Those term limits need to be reviewed after 2 to 3 years to determine whether they are performing properly, are cost-effective, and are providing technical assistance. That is what the memo said, and we are trying to get that codified.

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

Mr. RASKIN. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from Maryland has 8 minutes remaining.

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

Mr. Speaker, if the gentleman really wants to save the taxpayers money, then why not encourage the Maricopa County Sheriff's Department actually to implement the reforms that have been required by the court for more than one decade and finally redeem itself from the shameful legacy of entrenched racial and ethnic discrimination conducted by Sheriff Joe Arpaio.

I have not heard one word in utterance of criticism of Sheriff Arpaio by the distinguished gentleman from Arizona.

Is he here to say that Sheriff Arpaio did nothing wrong and that all of those court judgments are wrong and the court orders are wrong, that there never should have been a monitor in the first place?

Or is he saying: Oh, well, yes, he made some egregious systemic structural errors, but actually the process was completed and everything is fine now, but the monitor doesn't see it and the court doesn't see it.

In any event, why are we litigating this case from Phoenix, Arizona?

That just makes no sense. Congress is not allowed to adjudicate cases. We govern the interests of the whole country.

The gentleman keeps going back to the Attorney General's statement. This is the first time I ever heard him refer in any kind of positive way to Attorney General Merrick Garland. Great. Terrific.

Does Attorney General Garland support this legislation?

He hasn't mentioned it to me. I haven't heard anything from him about it.

Did the Deputy Attorney General who worked on their report endorse this legislation?

I haven't heard anything about it. Ms. Gupta didn't get in touch with me.

Did they go and testify out in Arizona?

Or did they just want to use that as a fig leaf for this effort to go and get this monitor that they don't like?

Mr. Speaker, that is not serious legislative policy.

□ 1420

That is kind of like a drive-by hit on Congress on your way out, like: Oh, I am going to go after this one guy. We can't govern on that basis.

How come there is no U.S. Senator who is introducing this legislation targeted at Maricopa County?

If it is all about that one case, why don't we tell the people we know there—and I don't know anybody there—but why don't we tell the people we know there to comply with the law?

I think that the average is around 5 years for a court monitor. Some of them have gone 15 or 20 when you have a real case of obstructionism, defiance, and intransigence. This one has gone on for more than a decade, which doesn't speak well for what is happening in that office.

In any event, most of the monitors are gone within several years because compliance is accomplished. The gentleman doesn't seem to recognize that the whole purpose of having a monitor is to see that the government will comply with the Constitution, the Bill of Rights, and the rights of the people. That is what is at stake here.

Are we going to just stampede in there and squash one monitor at the behest of one Congressman and one hearing taking place in one city without any serious legislative analysis of what is going on? I doubt very seriously the House of Representatives will do that. I know the Senate will not do that.

This seems to me to be a completely hopeless exercise in vain and a complete distraction from the real issues of the country, like the illegal, unconstitutional war Donald Trump has unleashed in the world, costing us more than a billion dollars a day; like the billion dollars they want from us now for the gilded ballroom of his dreams and visions; like the ruinous effects of their illegal, unconstitutional tariffs on American businesses, small businesses, and consumers across the country; and their continuing coverup of the Epstein files and their refusal to deal seriously with that situation.

They want us to talk about Maricopa County. No, thanks, Mr. Speaker. No, I am not interested in that. I don't think there is going to be anybody voting for this silly legislation.

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

Mr. BIGGS of Arizona. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 13¼ minutes remaining.

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

Mr. Speaker, the gentleman thinks this is a silly effort, and he doesn't know if Merrick Garland or Associate Attorney General Gupta supports it. Did he care enough to call them? Did he ask? One wonders. He is saying, oh, they didn't call me. That is what he said, that they didn't call him.

Here is the deal. In the pleadings in the case, the record shows that MCSO has implemented the key reforms required by the court orders, including policies, training, supervision, data collection analysis, and accountability systems related to bias-free policing and traffic enforcement. That is in the pleadings in the court.

In that context, MCSO has achieved substantial compliance with the court's orders, which, by the way, is what Associate Attorney General Gupta said is the measure for ending a monitorship, substantial compliance.

Let's talk about the bill. The reality is, this is not just for Maricopa County. There are monitors throughout this country. Let's just go through the bill a little bit. They didn't want to do that because they want to talk about all kinds of things tangential to this, because when you read the bill, you realize it is not about Maricopa County. It is about monitors. It is about monitors and making sure that they have guideposts and guidelines.

Fees: They ''may not assess a fee in excess of such maximum rates as the administrator may establish.'' There is nothing about Maricopa County there. That is the director of the Administrative Office of the United States Courts. They ''shall be authorized to employ the use of pro bono time or reduced rates.''

''Such person may not be appointed to more than one such monitorship at a time,'' consistent with what was in the Garland memo, or ''appointed for a term greater than 5 years.'' They can't be. They also can't be ''reappointed after the expiration of such term pursuant to the same court order,'' if it is the same court order.

A subsequent 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.'' Why? Because Merrick Garland said you can't have a conflict of interest. You also cannot basically have someone without a term limit because that puts somebody there with a financial incentive to keep the monitorship going, regardless of compliance.

Termination: ''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.''

''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.'' I just read to you that they have. The monitor found that in Arizona. This applies nationwide.

''On the date that is 6 years after the court order,'' the case gets transferred from one judge to another.

Accounting: ''On an annual basis, a monitor shall submit to the Court imposing the monitorship an accounting,'' including ''information on the services provided.'' Why don't they want that? I wonder why they don't want that amongst all the monitors around the country? Why don't you want them to provide an accounting?

Right now, we have places in this country where the monitor just simply gives a bill to the county and says: For services rendered, $200,000 this month. It does become retroactive.

''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.''

That is the simplicity of this bill. It gets at the heart of the nub of the Garland memo. This doesn't focus on one monitor. It doesn't focus on one location. It says every monitorship will be subject to this.

It doesn't say monitorships are bad or unconstitutional. It says they have to be performing without conflict of interest and without incentives to make sure that they keep going because they want compliance. We need them to ensure compliance, not to make sure that they are lining their own pockets, that it doesn't become a grift, that you don't get $30 million over 10 years coming in as your fee when you are also monitoring multiple jurisdictions. That is what is at the heart of the Gupta memo, and that is what is at the heart of this bill.

Contrary to what one of my colleagues says, that it is not unusual not to have a bill with a Senator sponsor, not every bill has a Senator sponsor. It is not required.

Mr. Speaker, I would suggest to you that this bill gets to the very heart of making sure that a monitorship does not become abusive, overbearing, and negate what they are supposed to be doing, which is to make sure that there is compliance with a court order, to make sure we have a constitutional performance.

That is what is said in Maricopa County, but it applies nationwide. Nothing in the bill limits this to one county. It applies nationwide.

Mr. Speaker, I encourage everyone to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ALFORD). 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. BOYLE of Pennsylvania. 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. Boyle of Pennsylvania moves to recommit the bill H.R. 8365 to the Committee on the Judiciary.

The material previously referred to by Mr. BOYLE of Pennsylvania is as follows:

Mr. Boyle of Pennsylvania moves to recommit the bill H.R. 8365 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Taxpayer Funds for a Billionaire Ballroom Bailout Act''.

SEC. 2. NO FEDERAL FUNDS FOR THE WHITE HOUSE BALLROOM.

No Federal funds may be used for planning the construction of, or constructing, the White House Ballroom.

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 noes appeared to have it.

Mr. BOYLE of Pennsylvania. 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.

□ 1430

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2027

GENERAL LEAVE

Mr. CARTER of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 8469 and that it may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 1275 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 8469).

The Chair appoints the gentleman from Florida (Mr. FINE) to preside over the Committee of the Whole.

□ 1432

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 8469) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2027, and for other purposes, with Mr. FINE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees.

The gentleman from Texas (Mr. CARTER) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, I am honored to present the fiscal year 2027 Military Construction, Veterans Affairs, and Related Agencies bill to the House today. This bill supports our troops, their families, and our Nation's veterans.

I thank the Committee on Appropriations chairman (Mr. COLE) for his leadership in advancing this bill through the committee, and I recognize and