

Reschenthaler
Rodgers (WA)
Rogers (AL)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)

NAYS—210

Adams
Aguilar
Allred
Amo
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Davis (NC)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espallat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Gallego
Garamendi
Garcia (IL)
Garcia (TX)

NOT VOTING—6

Nehls
Norcross

Pascrell
Phillips

Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

Omar
Pallone
Panetta
Pappas
Payne
Pelosi
Peltola
Perez
Peters
Pettersen
Pingree
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman
Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

□ 1403

Ms. CRAIG and Mr. LANDSMAN changed their vote from “yea” to “nay.”

Mr. POCAN changed his vote from “present” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 210, not voting 6, as follows:

[Roll No. 23]

AYES—216

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carmy
Hunt
Carl
Carter (GA)
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Crenshaw
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Elizey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Foxy
Franklin, Scott
Fry
Fulcher
Gaetz
Gallagher
Garbarino
Garcia, Mike
Gimenez
Gonzales, Tony
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Roy
Johnson (LA)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Mace
Malliotakis
Maloy
Mann
Massie
Mast
McCauley
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Murphy
Newhouse
Norman
Nunn (IA)
Oberholte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rose
Rosendale
Rouzer
Rutherford
Salazar
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)

Williams (TX)
Wilson (SC)

Wittman
Womack

NOES—210

Adams
Aguilar
Allred
Amo
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Davis (NC)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espallat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Gallego
Garamendi
Garcia (IL)
Garcia (TX)

NOT VOTING—6

Nehls
Norcross

Pascrell
Phillips

Rogers (KY)
Scalise

□ 1442

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AGENT RAUL GONZALEZ OFFICER SAFETY ACT

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks and insert extraneous material on H.R. 5585.

The SPEAKER pro tempore (Mr. MOORE of Utah). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 980 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. 5585.

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

□ 1449

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. 5585) to impose criminal and immigration penalties for intentionally fleeing a pursuing Federal officer while operating a motor vehicle, with Mr. FLOOD 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 amendments shall not exceed 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 California (Mr. MCCLINTOCK), and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, on December 7 of 2022, Border Patrol Officer Raul Gonzalez got up, he got dressed, kissed his family good-bye, and left for work.

His family would never see him again. He was killed later that day in Mission, Texas, doing his job trying to protect our country. A group of illegal aliens and their smuggler led him on a high-speed chase that ended in a fatal wreck that took his life.

Now, this is becoming an increasingly common story along our southern border in the age of Biden's open-border policies. The number of high-speed chases by Border Patrol or local law enforcement has exploded along with the illegal human trafficking and smuggling that they are trying to stop.

The Biden administration's lax enforcement of our immigration laws has incentivized this, creating the conditions that create these deadly high-speed chases, and the problem has now reached critical levels.

One lifelong Arizona resident reflected on the dangers of Highway 90 in Cochise County, now a major smuggling route. She said, It is scary to the point you don't want to drive the highway, but to get to work you have to. I am actually scared about going out

into the public sometimes, because what if there is a high-speed chase and something goes sideways, they get into a car accident, hop the curb and hit anybody?

In Tombstone, Arizona, U.S. Marshal Jim Adams spoke of the high-speed chases racing through his town. He said, This is a weekly occurrence, sometimes daily, sometimes several times a day.

Americans near the border should not be living in terror for themselves or their loved ones being killed by high-speed chases caused by cartel smugglers. Yet, in many communities, they do now.

Human smuggling is an incredibly lucrative business. According to Border Patrol estimates in the Del Rio sector alone, cartels profit \$32 million a week for a staggering total of \$1.6 billion per year just in that one sector. The cartels expertly control their side of the border. Nobody gets through without paying them.

Yet, while the cartels are making billions controlling their side of the border, Joe Biden is spending billions of dollars while abandoning control of our side of the border.

This bill is very simple. It makes it a Federal crime to evade the Border Patrol or local law enforcement that is assisting the Border Patrol within 100 miles of the international border. If you are a foreign national, it makes the conviction or admission of such a crime grounds for inadmissibility and removability. If you hurt somebody, we will put you in prison for 5 years. If you kill somebody, we will put you in prison for 10 years. If you are a foreign national, we will send you packing when you get out.

That is what the Democrats in this House will oppose today, and that should be a wake-up call for every American.

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

Mr. NADLER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Washington (Ms. JAYAPAL), the ranking Democrat on the Subcommittee on Immigration Integrity, Security, and Enforcement.

Ms. JAYAPAL. Mr. Chairman, I rise in strong opposition to H.R. 5585.

Once again, the majority is moving a bill that is a solution in search of a problem. H.R. 5585 adds duplicative and unnecessary immigration consequences. It amends the Immigration and Nationality Act to create a new ground of deportability and inadmissibility for any noncitizen who admits fleeing from Border Patrol while operating a motor vehicle.

Sound interesting?

Well, however, right now, being convicted of fleeing Border Patrol or any law enforcement already makes a person deportable and inadmissible. The key word here, though, is "convicted."

Most existing law requires a conviction before a person can be deported for a wide variety of crimes. By not requir-

ing a conviction, this bill makes it easier to deport someone for fleeing Border Patrol than for more serious crimes, like murder.

Let's remember that when we talk about deportation, we are also talking about people who are here lawfully. Many of them are green card holders, and they have lived in the United States for decades. If we are going to deport them, we need to require a conviction and provide for basic due process and a day in court.

Further, the new criminal penalties in this bill are largely already covered in another statute, which makes it a crime for individuals to flee or evade a Border Patrol checkpoint. We don't need another criminal statute with another mandatory minimum sentence on top of current law.

Instead, what has long been needed is policy reforms. After an increase in fatalities of those being pursued during high-speed chases in 2021, CBP undertook a review of its vehicle pursuit policy. In 2023, after this detailed review, CBP overhauled the vehicle pursuit policy, adopting an "objective reasonableness" standard that is consistent with most law enforcement agencies across the United States. That was an important reform, and one that I am hopeful will better protect the safety of agents and the public.

What we should be doing in this body is pursuing and strengthening commonsense solutions like this. We don't need to waste time passing a bill that makes someone deportable for fleeing law enforcement, that is already a deportable offense. We certainly don't need a bill that would make someone deportable without even having a conviction.

This legislation is not needed. It is overly punitive. We have already wasted a lot of time on this floor because the other side couldn't get their act together to get the votes to pass the rule through. Let's just be clear. This is another waste of time, and it is deeply detrimental. It burdens border communities that are already often fearful of Border Patrol and the impact that it has on their daily lives.

I urge my colleagues to oppose this unnecessary, unneeded, and harmful legislation.

Mr. MCCLINTOCK. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. CISCOMANI), the author of this bill.

Mr. CISCOMANI. Mr. Chairman, I thank Mr. MCCLINTOCK for yielding me the time. I am excited to see the House take up my bill, H.R. 5585, the Agent Raul Gonzalez Officer Safety Act.

This bill is simple. It makes evading law enforcement within 100 miles of the border a Federal crime. Mr. Chairman, how anybody can be against this commonsense legislation is beyond me. Calling it unnecessary is something that maybe those that are opposing this should address with the families of those that have perished due to incidents and these tragedies that we see

on the border and in my district on a weekly basis.

To me it is simple. It is common sense that this should be a Federal crime. Far too many lives have been jeopardized and tragically even taken at the hands of bad actors who engage in high-speed pursuits.

If you evade CBP or local law enforcement, you are clearly not a good actor. Unfortunately, the current law does not make this a crime in and of itself, and it leaves the burden of prosecuting these individuals to our local communities—as if they haven't already paid the price of this administration's failures on this issue.

Not only is this bill common sense, it is crucial, and in some cases, even lifesaving. To quote one of my constituents, At least once a week there is a high-speed chase through my town that includes a 15-mile-an-hour school zone. Do residents need to die to get the attention needed to correct this border problem?

I consistently hear about the detrimental impacts that high-speed chases have in southern Arizona—southeastern Arizona, to be more specific—and in Cochise County, which is in my district.

This criminal activity is not just reserved to drug cartels and smugglers themselves. Cartels now recruit Americans to drive down to the border and transport migrants north. We must change the calculus for those who endanger all of us when failing to yield to law enforcement. For far too long, the administration has allowed cartels to profit off the border crisis while facing almost no consequences.

Another constituent has said, We have multiple high-speed vehicle pursuits each week. The lack of Federal resources to deal with those has led the county sheriff to be the de facto law enforcement agency to interdict the human smugglers.

□ 1500

This bill is about supporting our local border communities who deal with the crisis daily and to stop the smuggling and trafficking. In calendar years 2022 and 2023, Cochise County reports booking 2,884 individuals for border-related crimes, costing over \$9.4 million. This is in one county, in one State. I have seen the toll it takes firsthand in our communities. By letting this happen, this administration has absolutely failed Americans.

Our local law enforcement should not be taking on this burden. These migrants are evading detection, and the smugglers themselves are evading detection, or more likely, the cartels are telling them to do so. Yet again, our communities are being forced to do the job of the Federal Government.

At a time when it is arguably the easiest to cross our southern border and be granted entry by this administration, freely almost, we should be asking ourselves why these people are fleeing law enforcement. The answer is

these are the really bad actors who the cartels want to evade arrest.

Finally, I want to highlight the hero this bill is named after, Agent Raul Gonzalez, who was killed in 2022 while pursuing illegal immigrants in Texas. His death underscored the tragic truth that our CBP officers risk their lives every day to protect our country. By passing this legislation, we are showing them that we have their backs. That is why this bill is supported by law enforcement groups like the National Border Patrol Council and seven law enforcement groups in Arizona alone.

Mr. Chair, I urge my colleagues to support my much-needed legislation. Let's send a message to our border communities and the authorities that we will always have their backs, and let's send a stronger message to the bad actors that we will pursue any actions that threaten American lives to the fullest extent of the law.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 5585, the Agent Raul Gonzalez Officer Safety Act, would establish harsh criminal and immigration penalties for flight, while operating a motor vehicle, from a pursuing U.S. Border Patrol agent or other law enforcement officer assisting in the pursuit.

Let me make clear: The death of Agent Gonzalez in the performance of his duties is a tragedy, and our hearts go out to his family and friends. However, H.R. 5585 is not the best or even a viable answer to the perceived problem this bill claims to solve.

High-speed vehicle pursuits can be incredibly dangerous, often ending in horrific accidents with serious injuries or even the deaths of individuals being chased by law enforcement, as well as innocent bystanders and law enforcement personnel.

According to a report by the ACLU of Texas, Border Patrol-involved vehicle pursuits resulted in 107 deaths, not including law enforcement officers, between January of 2010 and November of 2023.

Following public outcry as the number of deaths continued to rise, CBP conducted a review of its vehicle pursuit policy. The review resulted in a newly revised directive published in January of last year, just 1 month after Agent Gonzalez was killed. The net effect of the new policy is to discourage the number of high-speed pursuits.

When weighing the potential risk to the safety of the public and law enforcement officers, many jurisdictions have determined that the risks are far too great to justify a vehicle pursuit. I hope CBP agents will be encouraged to adhere to the agency's updated policy.

I have many concerns with the criminal aspects of this legislation, but most troubling is its inclusion of mandatory minimum sentences. For more than a decade, mandatory minimums have been widely condemned for many reasons, including their disproportionate application of cases involving people of

color and the resulting mass incarceration and overpolicing of marginalized communities. We must continue to resist every urge to add to the list of Federal criminal offenses subject to mandatory minimum penalties, because they have served to perpetuate injustice and inequity within our criminal justice system.

Turning to the immigration provisions of this bill, the justification for such harsh penalties is similarly lacking. People who are convicted of fleeing law enforcement are already deportable and inadmissible.

One of the many ways someone can become inadmissible and deportable is if they are convicted of a crime involving moral turpitude, commonly called a CIMT. Courts have previously determined that knowingly fleeing or eluding law enforcement is a CIMT.

However, this bill makes a significant change by not requiring that an individual actually be convicted of the crime to render them deportable. Under current law, to be deportable for a CIMT, there must be a conviction, but this bill would erase that conviction requirement, allowing someone to be rendered deportable even if they have never been convicted of a crime.

Deportability is not about undocumented immigrants, who are already removable. This is about people who are here legally, who in many cases have put down roots, have American citizen spouses and family and children.

By and large, we are talking about lawful permanent residents, people who have put down roots in our communities, as I said, many of whom have U.S. citizen spouses and children who have truly established themselves here in the United States.

If they are convicted of evading or fleeing law enforcement, they are generally already removable. Rendering such a person deportable without requiring a conviction raises serious due process concerns.

While the inclusion of mandatory minimum sentences is enough reason to vote no on H.R. 5585, the unjustifiably harsh immigration provisions render the bill a complete nonstarter.

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

Mr. MCCLINTOCK. Mr. Chair, I yield 5 minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Mr. Chair, I rise today in strong support of H.R. 5585, the Agent Raul Gonzalez Officer Safety Act. This bill is named in honor of a heroic Border Patrol agent who was tragically killed in the line of duty last year while pursuing illegal migrants as they attempted to evade capture in my home State of Texas.

The crisis at our southern border threatens our community safety and our national security. Far too often, we see smugglers and illegal immigrants, desperate to evade detection

and prosecution, who are willing to endanger themselves and innocent bystanders by taking brave law enforcement officers like Agent Gonzalez on high-speed chases.

Tragically, this administration deliberately opened our borders to weaken national security, and their policies continue to encourage smugglers and cartels, who stand to make a profit by moving illegal immigrants and drugs into our country. Our Border Patrol agents want nothing more than to secure the border and apprehend those illegal migrants, but this administration won't let them do their jobs.

As we have seen, cartel members, smugglers, and human traffickers have no qualms about surpassing speeds of 100 miles per hour, or greater, even in residential areas. Our law enforcement officers have to make a difficult decision in those cases about whether or not to pursue the vehicle. This pursuit could make a difference in a child's life who is in the grips of a human trafficker or could also prevent thousands of doses of deadly fentanyl from reaching our communities and murdering our children.

H.R. 5585 will help protect our brave law enforcement officers by criminalizing the act of fleeing from Border Patrol agents and local law enforcement officers. By passing this bill, we will give our law enforcement officers the tools they need to prosecute and punish criminals who engage in these dangerous high-speed chases. We will ensure that any illegal alien who evades Border Patrol agents can be deported and not allowed to return to our country.

Mr. Chair, we have a solemn duty to do everything in our power to protect those who protect us. I am grateful to my friend, the gentleman from Arizona (Mr. CISCOMANI), for offering this important piece of legislation and to Senator CRUZ for offering a similar measure in the U.S. Senate.

Mr. NADLER. Mr. Chair, I would remind the gentlewoman and others that people who engage in high-speed chases with the Border Patrol are already deportable. The question on this bill is not whether they should be deported. The question is whether they should be convicted of the crime of engaging in a high-speed chase before being deported or whether we throw due process out the window.

Mr. Chair, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chair, I rise in opposition to H.R. 5585 because it is redundant, it is pointless, and it does nothing to move us in the direction to deal with the real issues and the real needs that we have on the U.S.-Mexico border.

To me, it is purely a hollow, shrill political campaign tactic to satisfy Trump and to move fear, division, and the underpinnings of race, if not directly, then covertly, as the central tactic of the House Republicans, and

Republicans in general, in the 2024 election. That cynicism is what prevents us from doing anything legitimately in a bipartisan way that is a lasting solution to the issue of the border and the issue of immigration.

I believe that if we are going to talk about a humane solution, a secure solution, and a bipartisan solution, then everyone needs to be involved. We don't need more of the same.

Right now, we are not going to see any action in this House by the Republican majority on the issue of real immigration reform. What we are going to see from them is to continue to feed the fear and the anger as a campaign tactic. To them, the more chaos, the less of a solution, the less of a humane and secure response to the issue at the border, the better for them. They believe it enhances their election chances in 2024.

I think the American people are smarter than that, and the compassion and the dignity of the American people is strong. We will see through this ruse. If you want to deal with immigration, if you want to begin to solve this crisis in this country, then you have to do it as a country and not as a limited, ideological position on the part of one person running for President, Mr. Trump.

Mr. MCCLINTOCK. Mr. Chair, I yield 5 minutes to the gentlewoman from Texas (Ms. DE LA CRUZ).

Ms. DE LA CRUZ. Mr. Chair, today, I have the honor to stand before this distinguished body to highlight the urgency and importance of the Agent Raul Gonzalez Officer Safety Act. In the face of one of the most severe border crises in our history, it is imperative that we unite to support this crucial legislation.

This bill, which I proudly co-led with Congressman CISCOMANI, is a commitment to our national security and public safety. It is also an acknowledgment of the perilous risks that our brave Border Patrol officers face daily. Agent Raul Gonzalez, a hero and a cherished member of our community, tragically lost his life in a high-speed chase involving illegal immigrants. This heart-wrenching incident is a reminder of the dangers at our border.

This law proposes that any illegal immigrant who fails to yield to Border Patrol agents could be charged with a felony. Moreover, if their actions result in the tragic loss of an officer's life, they could face life sentences. This isn't about right versus left. It is about right versus wrong and protecting those who protect us.

I invite my colleagues from both sides of the aisle to join us. This is a time for unity, not division. Supporting this lifesaving legislation means standing up for the rule of law and sending a clear message: Evading American law enforcement is a serious offense, and if it results in the death of an officer, the consequences will be severe.

Our Nation is stronger when we work together and prioritize common sense

over division. The Agent Raul Gonzalez Officer Safety Act is a pivotal step in ensuring our borders are not only safe but respected. Let's honor the memory of this brave man and the countless others who put their lives on the line every single day. Let this bill's passage be a testament to our shared resolve to safeguard our Nation and uphold its laws.

Mr. Chair, I thank my colleagues for their support. Let's stand united for public safety, our Border Patrol agents, and for a stronger, more secure America.

□ 1515

Mr. NADLER. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, the gentlewoman from, I think, Texas a moment ago said that this bill was necessary for the safety of our people. The truth is the safety of our people is already provided for by the current law, which makes engaging in a high-speed chase with Border Patrol agents a deportable offense already.

What this bill does is to remove due process protections; due process protections that we recognize as very important throughout our law. The truth of the matter is this is a diversion.

Everybody on that side of the aisle knows this bill is going nowhere in the Senate. This bill is not intended to go anywhere in the Senate. Everyone knows that a serious and very harsh overall immigration bill is being negotiated in the Senate, by Democratic Senators and by very conservative Republican Senators; a bill that is much more conservative than I would like to see, which I may not vote for, but which will probably get 75 or 80 votes in the Senate and could be signed by the President, establishing a very harsh regime that the other side of the aisle would probably like, that Senator LANKFORD likes, that Senator TILLIS likes, not notable liberal Members.

We have a former President who has said—and I appreciate his honesty—he doesn't want a solution to the problem. He doesn't want our border problem fixed until he is the President again because he wants the issue.

What we are really dealing with is should we enact legislation that may solve the border problem, or should we keep it as an issue so that Donald Trump can campaign on it, and we can all debate that issue during the campaign but take no action? That is what we are really debating.

This bill and the three bills that will come this week are diversions. They are minor bills. They don't really do anything to keep our safety.

As I said, for instance, on this one, engaging in a high-speed chase with the CBP is already a deportable offense. All they want to do in this bill is remove some due process provisions for our longtime residents.

However, this is pitiful, and it is minor-league stuff compared to major legislation that will actually solve our

border problem, and that legislation is pending in the Senate. The Senate will probably pass it next week.

Moreover, we are told that it won't even be allowed to come to a vote in the House. Why? Because MARJORIE TAYLOR GREENE has said that if the Speaker brings any immigration bill that the Senate passes to the floor, she will move to vacate the chair. Why? Because our former President wants a campaign issue.

Senator TILLIS has said this is shameful. Senator ROMNEY has said this is more than shameful. Yet, that is what we are hearing. That is what we are seeing from our friends on the Republican side of the aisle—a total disinterest in the public interest, a total disinterest in the public safety, a total interest only in rhetoric and campaign material. They have said it by their own admission.

So let's not waste our time with this bill, which is irrelevant. It is not a good bill either because it dispenses with due process, but it is irrelevant because it is not going anywhere in the Senate; neither are the other three bills that were reported out of the Judiciary Committee that are also going nowhere in the Senate that we will waste our time on in the next few days.

Why waste our time? Why not deal with something real? Why not deal, if not with immigration, at least on something else real?

This Congress, with the exception of continuing resolutions and the debt ceiling crisis, has passed not one single bill into law—not one. And even the continuing resolution to prevent the government from shutting down, half on March 1 and half on March 8, passed with 107 Republicans voting yes, 106 Republicans voting no, and the Democrats all voting yes. We pulled the fat out of the fire.

So let's not waste our time with this. Let's not waste our time with this unnecessary legislation. Let's do something serious about immigration. Let's do something serious about anything.

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

Mr. MCCLINTOCK. Mr. Chair, I yield myself the balance of my time to close.

Mr. Chair, setting aside my good friend's weird obsession with Donald Trump, I hope Americans will take note of what has been said in this debate.

The Democrats made the point, well, why chase them and endanger themselves and the public? Why not just let them go?

Well, the answer should be obvious. Under the Democrats' open-borders policy, all that you have to do is flag down a Border Patrol officer and make a phony asylum claim. Under their policies, you will be immediately released into our country. You will get a plane or bus ticket anywhere you want to go. You will get free meals, free snacks, free clothes, free phones. You immediately qualify for free medical care, free housing, free education for

your children. Within 6 months, you will be given a work authorization to undercut working American families. You will be assured that your phony claim won't be heard for many years into the future, if you show up at all.

Also, when you are finally ordered deported, as is the case with the overwhelming majority of these claims, that court order will simply be ignored by our own government. There are already currently 1.3 million such deportation orders that the administration already simply ignores.

With all of these benefits waiting for you simply by flagging down a Border Patrol officer, why in the world would you want to evade capture by endangering your own lives? Well, the only reason I can think of is that you are either hiding a criminal record, or you are committing a crime.

I remind the gentleman that is why the Border Patrol chases evaders. They have caught hundreds of known terrorists and countless pounds of fentanyl and other deadly drugs by doing so.

FBI Director Chris Wray warned the Judiciary Committee that this constitutes a massive security threat—his words—a massive security threat. Let that sink in. And then consider the barbaric terrorist attack 103 days ago in Israel.

I believe it is just a matter of time before we see a coordinated terrorist attack in our own country from elements that have entered as a direct result of Biden's policies. We have already seen lone wolf attacks in Belgium, France, Germany, Denmark because of their lax border policies. I am afraid this is only the tip of this iceberg.

I, again, remind the gentleman that is why we chase evaders, and those evaders need to be held accountable to the law and punished, and, if they are foreigners, they need to be removed from our country. Yet, the Democrats object to this.

Now, the Democrats have argued that the bill should not include a mandatory minimum sentence. Well, let's go over specifically what they object to. If you cause a high-speed chase that injures somebody, you are going to serve a minimum of 5 years under this bill. If you kill somebody, it is a minimum of 10 years.

Does any reasonable person believe these mandatory minimums are unreasonable? Ask the American who has been paralyzed in such a crash if it is unreasonable. Ask the family of the mother who has been killed in such a crash if that is unreasonable. The only people who seem to think that this is unreasonable are the Democrats in this House, and voters might want to do something about that.

The Democrats argue that the bill is unnecessary because aliens who are convicted of fleeing an immigration checkpoint are already removable. You heard that argument several times. Well, that is true, but it only applies to those who are fleeing a checkpoint. It

doesn't make the alien inadmissible to come back into our country, either.

This bill applies to all smugglers causing dangerous crashes or chases within 100 miles of the border, and it creates serious penalties for those who injure or kill officers or bystanders during these pursuits.

Now, the Democrats have also claimed that this measure would destroy due process by deporting an alien who hasn't actually been convicted of a crime.

Well, actually, this bill requires either a conviction of a crime, or an admission of committing that crime. That is the same standard we apply to aliens guilty of overstaying a visa, violating nonimmigrant status or condition of entry, smuggling aliens, committing marriage fraud, being a drug user or a drug addict, falsely claiming United States citizenship, or engaging in espionage. This bill simply adds evasion of the Border Patrol to this existing list.

By the way, a confession is not an idle matter. Under 80 years of precedent, the alien's confession has to be explicit, unequivocal, and unqualified. The Department of Homeland Security then has the burden of proof to show that the statement meets the requirement for removal purposes, and an immigration judge must then find that the admission is based on reasonable, substantial, and probative evidence.

This is hardly a casual confession, but it does save years and years of court proceedings and appeals.

Mr. Chair, we have heard directly from the officers and citizens of our border communities of the dangers that they now face day after day as cartel smugglers drive at high speeds through their towns to evade the Border Patrol or the police.

This bill says, if you clearly admit to this crime or you are convicted of it and you are a foreign national, we will not only deport you, but it will be grounds for forbidding you from returning, which is not part of the current law.

The bill says to legal and illegal residents alike, if you hurt somebody while causing this reckless hazard, we will throw you in jail for 5 years; if you kill somebody, it is 10.

The Democrats are opposed to these reforms. We should tell people everything they need to know about the obstacles that we are facing to securing our border and returning our border communities to peace and safety.

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

Ms. JACKSON LEE. Mr. Chair, H.R. 5585, the "Agent Raul Gonzalez Officer Safety Act" would establish criminal and immigration penalties for flight in a motor vehicle from a pursuing U.S. Border Patrol agent or any federal, state, or local law enforcement assisting in such pursuit.

We grieve the loss of Agent Gonzalez and honor his service and dedication to the safety and security of our country. We owe a great debt to Agent Gonzalez for his sacrifice and offer our deepest condolences to his family.

I am deeply concerned about the safety of those law enforcement officers working to secure our borders, particularly with regard to the dangers presented by vehicular pursuits. We must be certain that we are creating a framework that will truly ensure their safety. In doing so, we not only honor Agent Gonzalez but we make certain that we have no further loss of life in this way.

It goes without saying that I cannot support this bill if the mandatory minimum penalties remain, especially since they would be triggered without a finding of intent to kill or inflict serious bodily injury.

And still there are larger issues lurking in the definition of the offense—namely, the elements that must be proven to establish a violation.

As the bill is currently written, it fails to require conduct that would indicate some knowledge of wrongdoing, such as the refusal to obey a verbal or audible signal by law enforcement to stop operation of the vehicle.

But even if we forgive the vague definition of the offense, prosecutors would be required to prove not that the Border Patrol agent was acting within their duties as an employee but that the agent had the legal authority to engage in a pursuit—which is a considerably more involved question of law.

This language would make it difficult for prosecutors to pursue cases involving flight and pursuits. We should work together to ensure the language of this bill gives prosecutors the authority to truly protect our officers at the border and keep them safe.

To address several faults in this bill, I offered an amendment that would have eliminated the mandatory minimum penalties; required that the government prove that the Border Patrol agent in question acted within their official duties; and added an additional data point to the annual report to determine whether high speed chases near the border are commonly committed by citizens of the United States or non-citizens.

However, my amendment was not ruled in order, allowing these problematic features to remain.

Vehicle pursuits have long plagued law enforcement agencies in every corner of the United States, particularly in determining the appropriate response to suspects that fail to stop or take flight from a lawful stop. And while law enforcement agencies across the country have increasingly restricted when vehicle pursuits can be undertaken, high speed chases along the border have continued to rise.

While U.S. Customs and Border Protection (CBP) was slow to revise its own pursuit policy, the agency issued the newly revised CBP Emergency Driving and Vehicular Pursuits Directive in January of last year. The updated directive acknowledges the risks associated with vehicular pursuits—and shifts the agency's overall approach to a risk-based model when pursuits occur.

The agency moved from a rather vague policy to a standard that seeks to minimize the impact on citizens and innocent bystanders, while maintaining the ability to pursue those individuals that present a danger to public safety.

We must be certain that we do not undermine the work that CBP has done to move away from a policy that resulted in a record number of deaths of migrants and innocent bystanders.

While I want to believe that this legislation is a legitimate effort by my Republican colleagues to protect not only law enforcement officers at the border but the safety of migrants and citizens, the true nature of this bill is revealed in the immigration provisions that would levy consequences as severe as inadmissibility and deportability without requiring a conviction.

I am certainly willing to work with my colleagues to make this bill a useful tool for prosecutors. In its current form, this is a flawed, unworkable bill for more than a few reasons. That is why I must oppose H.R. 5585, and I encourage my colleagues to do the same.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-21, shall be considered as adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 5585

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 "Agent Raul Gonzalez Officer Safety Act".

SEC. 2. CRIMINAL PENALTIES FOR EVADING ARREST OR DETENTION.

(a) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

"§40B. Evading arrest or detention while operating a motor vehicle

“(a) OFFENSE.—A person commits an offense under this section by operating a motor vehicle within 100 miles of the United States border while intentionally fleeing from—

“(1) a pursuing U.S. Border Patrol agent acting pursuant to lawful authority; or

“(2) any pursuing Federal, State, or local law enforcement officer who is actively assisting, or under the command of, U.S. Border Patrol.

“(b) PENALTIES.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), any person who commits an offense described in subsection (a) shall be—

“(A) imprisoned for a term of not more than 2 years;

“(B) fined under this title; or

“(C) subject to the penalties described in subparagraphs (A) and (B).

“(2) SERIOUS BODILY INJURY.—If serious bodily injury results from the commission of an offense described in subsection (a), the person committing such offense shall be—

“(A) imprisoned for a term of not less than 5 years and not more than 20 years;

“(B) fined under this title; or

“(C) subject to the penalties described in subparagraphs (A) and (B).

“(3) DEATH.—If the death of any person results from the commission of an offense described in subsection (a), the person committing such offense shall be—

“(A) imprisoned for a term of not less than 10 years and up to life;

“(B) fined under this title; or

“(C) subject to the penalties described in subparagraphs (A) and (B).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 2 of title 18, United States Code, is amended by adding at the end the following:

“40B. Evading arrest or detention while operating a motor vehicle.”.

SEC. 3. INADMISSIBILITY, DEPORTABILITY, AND INELIGIBILITY RELATED TO EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.

(a) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

“(J) EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.—Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 40B(a) of title 18, United States Code, is inadmissible.”.

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

“(G) EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.—Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 40B(a) of title 18, United States Code, is deportable.”.

(c) INELIGIBILITY FOR RELIEF.—Chapter 2 of title II of the Immigration and Nationality Act is amended by inserting after section 208 the following:

“SEC. 208A. INELIGIBILITY FOR RELIEF RELATED TO EVADING ARREST OR DETENTION WHILE OPERATING A MOTOR VEHICLE.

“Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 40B(a) of title 18, United States Code, shall be ineligible for relief under the immigration laws, including asylum under section 208.”.

SEC. 4. ANNUAL REPORT.

The Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that—

(1) identifies the number of people who were charged, during the reporting period, with a violation of section 40B(a) of title 18, United States Code, as added by section 2(a); and

(2) summarizes—

(A) the penalties sought in the charging documents pertaining to the violations referred to in paragraph (1); and

(B) the penalties imposed for such violations.

The ACTING CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 118-362. Each such further amendment may be offered only in the order printed in the report, by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. CROCKETT

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 118-362.

Ms. CROCKETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 2, strike “actively assisting, or”.

The Acting CHAIR. Pursuant to House Resolution 980, the gentlewoman from Texas (Ms. CROCKETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. CROCKETT. Mr. Chair, as legislators, it is our job to make sure we are not moving forward with drafting legislation that is, on its face, flawed. If we want to legislate and address immigration, let's mean what we say and do so in an effective manner.

□ 1530

This bill does not live up to that standard. The inclusion of the term “actively assisting” is ripe for judicial scrutiny and will, undoubtedly, result in court challenges wasting taxpayer dollars and government resources.

Nonetheless, fiscal issues caused by poor legislative drafting are the least of my concerns with this bill. This language is so deeply concerning because we already have been witnessing how aggressive policing tactics and unconstitutional racial profiling directed by rogue Governors like Governor Greg Abbott have led to severe harm to—and has undermined—our legal system all in the name of actively assisting the U.S. Border Patrol.

Take, for instance, this last Christmas where U.S. citizens—a husband, wife, their 13-year-old daughter, and their grandmother—living in El Paso were wrongfully targeted by Texas officers in unmarked vehicles after they were coming back from visiting relatives just across the border in Mexico. The officers ran the family off the road, and at least four Texas Department of Public Safety officers wearing street clothes and tactical vests quickly surrounded their car and began pointing semiautomatic rifles at them.

Because of the accident, the grandmother had to receive x-rays and still has lingering back pain. The daughter was likely traumatized from having weapons of war pointed at her and her family.

No one, including me, doubts more must be done to address the problems we are seeing at the border, but this type of unlawful harassment of citizens is not it.

To be clear, my amendment in no way prevents Federal, State, or local officers from working with Border Patrol agents, nor does it say that Federal, State, and local officers do not have a role to play here. In fact, several border counties, including counties in Texas, already have U.S. Customs and Border Protection memoranda of understanding with State and local officials to work with immigration enforcement.

Nothing in my amendment would prevent these written agreements that lay out clear chains of command and clear codes of conduct.

What my amendment does do is prevent State and local law enforcement from acting lawlessly at the misguided direction of a Governor who refuses to work with men and women of the United States Border Patrol because he thinks he is above the law.

If my Republican colleagues reject this amendment and keep the current language, then they are supporting actions that have historically lacked due diligence to prevent harm and encourage lawlessness that leads to more dangerous instances like the one that occurred at Christmas.

If the House rejects this amendment, then it will give Governor Abbott a tool to carry out his unconstitutional border policies without Federal oversight and coordination.

Mr. Chair, I urge my colleagues to vote in favor of this amendment, and I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. FULCHER). The gentleman from California is recognized for 5 minutes.

Mr. McCLINTOCK. Mr. Chairman, this amendment requires a new fact to be proven at trial that the pursuing law enforcement officer was “under the command” of the U.S. Border Patrol in each and every case.

I can imagine many circumstances where local law enforcement is alerted to a Border Patrol chase that is going through their jurisdiction and then act immediately to assist them without necessarily being directly under their command.

The issue is not who is pursuing smugglers but rather the circumstances of the pursuit; namely, this person is evading the Border Patrol. It is unlikely that during each and every pursuit in progress the Border Patrol is going to have time to deputize local law enforcement and place them under their command.

This is a ridiculous expectation, so ridiculous as to raise the suspicion that it is intended solely to render the bill unworkable and meaningless.

These high-speed chases occur far too often in our border communities, and State and local law enforcement are often first responders in protecting these communities along with the Border Patrol.

This amendment would serve only to challenge law enforcement, who are properly doing their job, to stop smugglers and illegal aliens from terrorizing their communities.

Mr. Chair, I, therefore, oppose this amendment, and I reserve the balance of my time.

Ms. CROCKETT. Mr. Chairman, if the gentleman has opposition and has an offer to define “actively assisting,” then that would be great. However, the reality is that what is going to happen is what we have seen happen in the State of Texas where we have a Governor who has murders on his hands, as far as I am concerned, because we have

had active deaths at the hands of mis-handling this.

If this is going to be a Federal issue, then the Federal Government needs to be the one that is absolutely going to be over Federal law. So they can have memorandums of understanding. If that means that every single county at the border needs to go ahead and enter into a memorandum of understanding, then they need to.

Nonetheless, this is a Federal issue, it is not a State issue, and this protects federalism and makes sure that it will be under the hands of the Federal Government with this Federal law instead of State Government.

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

Mr. McCLINTOCK. Mr. Chair, I am prepared to close if the gentlewoman is finished.

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

Ms. CROCKETT. Mr. Chair, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chair, I was just shocked to hear the gentlewoman accuse the Governor of Texas of murder. This is an example of the kind of extremism that we see on the left in this House today.

Now, the fact is the Border Patrol agents are strained to the breaking point by this administration's open-border policies, and they often rely on local law enforcement having their backs.

If the gentlewoman doesn't know what active assistance is, it is a high-speed chase that is going through their community and they are there in a position to back up the Border Patrol. Mr. Chair, you can't negotiate that. You cannot be deputized. That is part and parcel of law enforcement. You have to spring into action.

When overt local police are providing this assistance, they should have the protection that this bill provides. It also puts every smuggler on notice that if they are trafficking human beings or drugs across the border and they are pursued, then they darn well better pull over.

Apparently, this is just too much for the Democrats to bear. I am not sure whether we should laugh this amendment off the floor or merely defeat it. In either event, it is a foolish idea.

Mr. Chair, it deserves a “no” vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. CROCKETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CROCKETT. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. MOLINARO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 118-362.

Mr. MOLINARO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, insert after "Attorney General" the following: "in conjunction with the Secretary of Homeland Security."

Page 5, line 1, strike "were" and all that follows through "with" on line 2, and insert "committed".

Page 5, strike lines 6 through 10, and insert the following:

(A) the number of individuals who were charged with the violation referred to in paragraph (1);

(B) the number of individuals who were apprehended but not charged with such violation;

(C) the number of individuals who committed such violation but were not apprehended;

(D) the penalties sought in the charging documents pertaining to such violation; and

(E) the penalties imposed for such violation.

The Acting CHAIR. Pursuant to House Resolution 980, the gentleman from New York (Mr. MOLINARO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MOLINARO. Mr. Chairman, the Agent Raul Gonzalez Officer Safety Act is an important measure meant to impose criminal penalties and deportation against those who flee the U.S. Border Patrol officers in a vehicle.

The bill also seeks to ensure that individuals who do so are not able to apply for legal immigration status going forward.

My amendment ensures Congress and the public are fully aware, extending greater transparency, of the extent of these crimes that are being committed.

Specifically, my amendment requires a report to Congress from the Attorney General and Secretary of Homeland Security on the number of individuals who are charged with fleeing Border Patrol, those caught but not charged, and those who have committed the crime but are not caught.

Now, of course, none of this and this amendment would be necessary at all were the President to take appropriate action to secure our border. Nonetheless, his failure to do so has led us to the necessity to continue to impose new restrictions to ensure that our border is secure.

The public deserves to know the true extent of how open our borders are. Any time an individual starts to flee from law enforcement in a vehicle, they not only put the lives of other Americans at risk but they risk the lives of law enforcement and even their own lives.

So, Mr. Chair, I urge my colleagues to adopt this measure, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I rise in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I won't oppose the amendment, but I do want to make two points.

First, the data collected under this amendment is unlikely to be of much value without any understanding of the circumstances surrounding the charging decisions. Although I will not oppose it, I am concerned that without additional information, such a report could draw misleading or false conclusions.

Second, and more important, this amendment does absolutely nothing to improve the underlying bill. Therefore, whether or not this amendment passes, I still urge strong opposition to the bill, and I reserve the balance of my time.

Mr. MOLINARO. Mr. Chairman, I welcome my colleagues' support of the amendment. I also would just reinforce that greater transparency is always appropriate and necessary. I, of course, again reiterate that should the President take appropriate action which exists under the current law, we could, in fact, avoid these kinds of crimes from being committed.

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

Mr. NADLER. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MOLINARO).

The amendment was agreed to.

Mr. McCLINTOCK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MOLINARO) having assumed the chair, Mr. FULCHER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5585) to impose criminal and immigration penalties for intentionally fleeing a pursuing Federal officer while operating a motor vehicle, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DAVIDSON) at 4 p.m.

AGENT RAUL GONZALEZ OFFICER SAFETY ACT

The SPEAKER pro tempore. Pursuant to House Resolution 980 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5585.

Will the gentleman from Idaho (Mr. FULCHER) kindly resume the chair.

□ 1600

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 further consideration of the bill (H.R. 5585) to impose criminal and immigration penalties for intentionally fleeing a pursuing Federal officer while operating a motor vehicle, with Mr. FULCHER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 2, printed in part A of House Report 118-362, offered by the gentleman from New York (Mr. MOLINARO), had been disposed of.

AMENDMENT NO. 1 OFFERED BY MS. CROCKETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1, printed in part A of House Report 118-362, offered by the gentlewoman from Texas (Ms. CROCKETT), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 224, not voting 12, as follows:

[Roll No. 24]

AYES—201

| | | |
|-----------------|----------------|-----------------|
| Adams | Connolly | Himes |
| Aguilar | Correa | Horsford |
| Allred | Courtney | Houlihan |
| Amo | Crockett | Hoyer |
| Auchincloss | Davidson (KS) | Hoyle (OR) |
| Balint | Davis (IL) | Huffman |
| Barragan | Davis (NC) | Ivey |
| Beatty | Dean (PA) | Jackson (IL) |
| Bera | DeGette | Jackson (NC) |
| Bishop (GA) | DeLauro | Jackson Lee |
| Blumenauer | DeBene | Jacobs |
| Blunt Rochester | Deluzio | Jayapal |
| Bonamici | DeSaulnier | Jeffries |
| Bowman | Dingell | Johnson (GA) |
| Boyle (PA) | Doggett | Kamlager-Dove |
| Brown | Escobar | Kaptur |
| Brownley | Eshoo | Keating |
| Budzinski | Espallat | Kelly (IL) |
| Bush | Evans | Khanna |
| Caraveo | Fletcher | Kildee |
| Carbajal | Foster | Kilmer |
| Cárdenas | Foushee | Kim (NJ) |
| Carson | Frankel, Lois | Krishnamoorthi |
| Carter (LA) | Frost | Kuster |
| Cartwright | Gallego | Landsman |
| Casas | Garcia (IL) | Larsen (WA) |
| Case | Garcia (TX) | Larson (CT) |
| Casten | Garcia, Robert | Lee (CA) |
| Castor (FL) | Goldman (NY) | Lee (NV) |
| Castro (TX) | Gomez | Lee (PA) |
| Cherfilus- | Gonzalez, | Leger Fernandez |
| McCormick | Vicente | Levin |
| Chu | Gottheimer | Lieu |
| Clark (MA) | Green, Al (TX) | Lofgren |
| Clarke (NY) | Grijalva | Lynch |
| Cleaver | Harder (CA) | Magaziner |
| Clyburn | Hayes | Manning |
| Cohen | Higgins (NY) | Matsui |