

118TH CONGRESS
1ST SESSION

H. R. 5240

To limit the extent to which certain Federal law enforcement agencies may be permitted to conduct law enforcement functions in a jurisdiction without the approval of such jurisdiction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 18, 2023

Mr. LIEU (for himself, Mr. BLUMENAUER, Mr. RASKIN, and Mrs. HAYES) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To limit the extent to which certain Federal law enforcement agencies may be permitted to conduct law enforcement functions in a jurisdiction without the approval of such jurisdiction, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Peaceful Pro-
5 tests Act”.

1 **SEC. 2. LAW ENFORCEMENT AUTHORITY.**

2 (a) **POWERS OF ENFORCEMENT PERSONNEL.**—Sec-
3 tion 508(a)(5) of the Controlled Substances Act is amend-
4 ed to read as follows:

5 “(5) perform such law enforcement duties as
6 the Attorney General may designate as necessary to
7 enforce the controlled substances laws of the United
8 States, which shall not include any law enforcement
9 duty that does not relate to, arise from, or supple-
10 ment investigations of matters concerning drugs.”.

11 (b) **U.S. MARSHALS SERVICE POWERS AND DU-**
12 **TIES.**—Section 566(c) of title 28, United States Code, is
13 amended by inserting after the period at the end the fol-
14 lowing: “The United States Marshals Service may not dep-
15 utize a law enforcement officer of a State (or any unit
16 of local government within a State), Indian tribe, territory,
17 or the District of Columbia, unless pursuant to a request
18 by the chief executive of the appropriate State, Indian
19 tribe, territory, or the District of Columbia. The United
20 States Marshals Service may not deputize any other law
21 enforcement officer of the Federal Government, unless
22 pursuant to a request by the chief executive of the appro-
23 priate State, Indian tribe, territory, or the District of Co-
24 lumbia.”.

1 (c) LAW ENFORCEMENT AUTHORITY OF SECRETARY
2 OF HOMELAND SECURITY.—Section 1315(b) of title 40,
3 United States Code, is amended—

4 (1) in paragraph (1), by striking “The Sec-
5 retary” and inserting “Subject to paragraph (3), the
6 Secretary”; and

7 (2) by adding at the end the following:

8 “(3) PROTESTS.—The Secretary may not des-
9 ignate additional employees of the Department of
10 Homeland Security as officers and agents for duty
11 in connection with the protection of property owned
12 or occupied by the Federal Government, or persons
13 on the property, in any area in which protest activity
14 is occurring, unless pursuant to a request by the
15 chief executive of the appropriate State, Indian
16 tribe, territory, or the District of Columbia. This
17 paragraph shall not apply to the designation of em-
18 ployees transferred to the Department of Homeland
19 Security from the Office of the Federal Protective
20 Service of the General Services Administration pur-
21 suant to the Homeland Security Act of 2002.”.

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