

AMENDMENT TO H.R. 7147
OFFERED BY MS. DEXTER OF OREGON

At the end of the bill (before the short title), insert
the following:

1 SEC. _____. (a) Notwithstanding any other provi-
2 sion of law, and except as provided in subsection (b), no
3 Federal funds made available to the Department of Home-
4 land Security may be used to conduct a civil immigration
5 enforcement action under the immigration laws (as such
6 term is defined in section 101 of the Immigration and Na-
7 tionality Act (8 U.S.C. 1101)) unless each covered immi-
8 gration officer conducting such an action—

9 (1) is not wearing a mask or facial covering
10 that hides the identity of the officer;

11 (2) if using a vehicle, the vehicle clearly identi-
12 fies the name of the agency involved in the action;
13 and

14 (3) clearly identifies themselves verbally and
15 visibly by showing identification of the agency that
16 the covered immigration officer represents or is con-
17 ducting official business on behalf of, including visi-
18 bly presenting a badge and wearing a uniform that

1 represents the agency involved in the enforcement
2 action.

3 (b) Subsection (a) shall not apply if a mask or facial
4 covering is medically necessary or is required to preserve
5 the integrity of an ongoing undercover operation that has
6 been approved in accordance with the criteria described
7 in subsection (c).

8 (c) The criteria described in this subsection for the
9 approval of an undercover operation shall consider the fol-
10 lowing:

11 (1) The risk of personal injury to individuals,
12 property damage, financial loss to persons or busi-
13 nesses, damage to reputation, and other harm.

14 (2) The risk of civil liability or other loss to the
15 Government.

16 (3) The risk of invasion of privacy or inter-
17 ference with privileged or confidential relationships.

18 (4) The risk that individuals engaged in the un-
19 dercover operation may become involved conduct
20 that is unlawful under Federal law.

21 (5) The suitability of Government participation
22 in the type of activity that is expected to occur dur-
23 ing the operation.

24 (d) In this section, the term “covered immigration of-
25 ficer” means—

1 (1) personnel of U.S. Customs and Border Pro-
2 tection;

3 (2) personnel of U.S. Immigration and Customs
4 Enforcement; and

5 (3) personnel of any other Federal, State, or
6 local agency authorized by the Secretary of Home-
7 land Security to conduct civil immigration enforce-
8 ment actions under the immigration laws (as such
9 term is defined in section 101 of the Immigration
10 and Nationality Act (8 U.S.C. 1101)).

