

**AMENDMENT TO DEPARTMENT OF HOMELAND
SECURITY APPROPRIATIONS ACT, 2026
OFFERED BY MR. QUIGLEY OF ILLINOIS**

At the end of the bill before the short title, insert
the following new section:

1 SEC. _____. (a) Subsection (a) of section 287 of the
2 Immigration and Nationality Act (8 U.S.C. 1357) is
3 amended by striking paragraph (2).

4 (b) In carrying out an enforcement function of a law
5 enforcement officer or agent of U.S. Customs and Border
6 Protection or U.S. Immigration and Customs Enforce-
7 ment, such officer or agent, as the case may be, shall uti-
8 lize a body-wearing camera unless such function relates
9 to any of the following:

10 (1) A surveillance or undercover operation or
11 assignment.

12 (2) An event in which a confidential informant
13 is present.

14 (3) Being onboard a commercial flight or in a
15 port of entry.

16 (4) Participating in any of the following:

17 (A) A controlled delivery.

1 (B) A custodial interview inside a jail, pris-
2 on, detention center, or facility of the Depart-
3 ment of Homeland Security.

4 (c) In carrying out an enforcement function of a law
5 enforcement officer or agent of U.S. Customs and Border
6 Protection or U.S. Immigration and Customs Enforce-
7 ment, such officer or agent, as the case may be, may not
8 wear a facial covering unless such covering is necessary
9 for occupational health and safety or a reasonable accom-
10 modation for such officer or agent, as the case may be,
11 or any of the following circumstances apply:

12 (1) Such function relates to a surveillance or
13 undercover operation or assignment.

14 (2) Such function relates to a tactical operation
15 and such covering is necessary for the physical safe-
16 ty of such officer or agent, as the case may be.

17 (d) None of the funds appropriated or otherwise
18 made available pursuant to this Act shall be obligated or
19 expended for a law enforcement officer or agent of U.S.
20 Customs and Border Protection or U.S. Immigration and
21 Customs Enforcement to utilize CS or CN gas, OC spray,
22 or another chemical irritant on an individual unless such
23 utilization is necessary to stop an immediate threat of
24 physical harm by such individual to another individual.

1 (e) None of the funds appropriated or otherwise made
2 available pursuant to this Act shall be obligated or ex-
3 pended for a law enforcement officer or agent of U.S. Cus-
4 toms and Border Protection or U.S. Immigration and
5 Customs Enforcement to carry out an enforcement func-
6 tion in or near any of the following:

7 (1) A courthouse.

8 (2) A day care center.

9 (3) An elementary school (as such term is de-
10 fined in section 8101 of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C. 7801)),
12 secondary school (as such term is defined in such
13 section), or institution of higher education (as such
14 term is defined in section 101 of the Higher Edu-
15 cation Act of 1965 (20 U.S.C. 1001)).

16 (4) A hospital.

17 (5) A house of worship.

18 (f) In this section, the term “facial covering”—

19 (1) means an opaque mask, garment, helmet,
20 headgear, or other item that conceals or obscures
21 the facial identity of an individual;

22 (2) includes—

23 (A) a balaclava;

24 (B) a tactical mask;

25 (C) a gator; and

1 (D) a ski mask; and

2 (3) does not include—

3 (A) an N95 mask or other medical mask
4 to protect against transmission of disease or in-
5 fection;

6 (B) an item necessary to protect against
7 exposure to any toxin, gas, smoke, inclement
8 weather, or any other hazardous or harmful en-
9 vironmental condition, including an air-puri-
10 fying respirator or self-contained breathing ap-
11 paratus;

12 (C) an item necessary for underwater use,
13 including a self-contained breathing apparatus;

14 (D) a helmet worn while utilizing a motor-
15 cycle or other vehicle that requires such helmet
16 for safe operation; or

17 (E) eyewear necessary to protect from the
18 utilization of a retinal weapon, such as a laser.

