

## **AMENDMENT TO THE SENATE AMENDMENT TO H.R. 1**

### **OFFERED BY MR. ESPAILLAT**

At the end of title IX, add the following new section:

#### **SEC. 90104. LIMITATION ON AVAILABILITY OF FUNDS.**

- 1) None of the funds made available by this Section may be used to conduct immigration enforcement actions in places of worship by –
  - (a) Officers or agents of the Department of Homeland Security, including officers and agents of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection; and
  - (b) any individual designated to perform immigration enforcement functions pursuant to this subsection
- 2) (A) An enforcement action may not take place at, be focused on, or occur within, 1,000 feet of a place of worship  
(B) If an immigration enforcement action is taking place under exigent circumstances, and the exigent circumstances permitting the enforcement action cease, the enforcement action shall be discontinued until such exigent circumstances reemerge
- 3) The term ‘exigent circumstances’ means a situation involving any of the following:
  - “(a) The imminent risk of death, violence, or physical harm to any person, including a situation implicating terrorism or the national security of the United States in some other manner.
  - “(b) The immediate arrest or hot pursuit of an individual presenting an imminent danger to public safety, including the imminent risk of death, violence, or physical harm to a person.
  - “(c) A rare, premeditated arrest operation undertaken with the prior written approval of an appropriate authorizing official, involving the targeted arrest of a terrorist suspect, an individual who poses a clear threat to national security, or an individual who poses an extraordinary danger to public safety.

“(d) A direct threat to national security.

“(e) The imminent risk of destruction of evidence that is material to an ongoing criminal case.