

AMENDMENT

OFFERED BY MR. THANEDAR OF MICHIGAN

Insert, at the appropriate place, the following:

1 **SEC. ____ . ENDING QUALIFIED IMMUNITY FOR ICE AGENTS**

2 .

3 Section 1979 of the Revised Statutes of the United
4 States (42 U.S.C. 1983) is amended by adding at the end
5 the following: “It shall not be a defense or immunity in
6 any action brought under this section or any other Federal
7 law against a U.S. Immigration and Customs Enforce-
8 ment agent that—”

9 “(1) the defendant was acting in good faith, or
10 that the defendant believed, reasonably or otherwise,
11 that his or her conduct was lawful at the time when
12 the conduct was committed; or

13 “(2) the rights, privileges, or immunities se-
14 cured by the Constitution and laws were not clearly
15 established at the time of their deprivation by the
16 defendant, or that at such time, the state of the law
17 was otherwise such that the defendant could not rea-
18 sonably have been expected to know whether his or
19 her conduct was lawful.”.

