

AMENDMENT TO RULES COMM. PRINT 116-27
OFFERED BY MR. THOMPSON OF MISSISSIPPI

Page 19, line 7, strike “In” and insert the following:
“The existence of a complaint, including the identity of any Department employee implicated in a complaint, shall be kept confidential by the Ombudsman and, in”.

Page 23, line 6, insert after the period the following:
“The maximum number of members of the Advisory Committee who may be members of the same political party shall be a number equal to the least number of members which constitutes a majority of the full membership of the Advisory Committee.”.

Page 25, beginning line 12, strike “and who have not” and all that follows through “immigration enforcement actions”.

Page 31, line 22, insert the following:

1 (c) CONSULTATION.—In developing the plan, the Sec-
2 retary of Homeland Security shall consult with labor orga-
3 nizations representing affected employees and State and
4 local law enforcement agencies that have implemented
5 body-worn camera policies.

Page 31, beginning line 23, strike “Notwithstanding any other provision of law, a” and insert “A”.

Page 33, line 6, strike “section” and insert “subsection”.

Page 43, line 12, strike “pregnant woman” and insert “a woman who is pregnant or in post-delivery recuperation”.

Page 43, line 22, strike “pregnant”.

Page 43, line 25, strike “pregnant woman” and insert “a woman who is pregnant or in post-delivery recuperation”.

Page 44, line 4, strike “preg-”.

Page 44, line 5, strike “nant”.

Page 44, beginning line 7, strike “pregnant woman” and insert “woman who is pregnant or in post-delivery recuperation”.

Page 44, line 10, insert the following:

- 1 (d) REQUIRED ACTION.—If a doctor, nurse, or other
- 2 health professional treating a restrained woman who is
- 3 pregnant or in post-delivery recuperation requests that a
- 4 restraint not be used, the officer or agent shall imme-
- 5 diately remove such restraint.

Page 44, line 10, strike “pregnant woman” and insert “woman who is pregnant or in post-delivery recuperation”.

Page 44, line 12, strike “shall docu-” and all that follows through the period on line 15 and insert the following: “shall—”

1 (1) document the basis for an individualized de-
2 termination that restraints should be used in the
3 Departmental records maintained on that woman;
4 and

5 (2) keep the documentation on file at the appli-
6 cable detention facility for not less than five years
7 after the date on which the restraint was used for
8 review and inspection.

Page 44, line 16, insert the following:

9 **SEC. 212. PROHIBITION ON PRESENCE OF OFFICERS OR**
10 **AGENTS.**

11 (a) IN GENERAL.—Except as provided in subsection
12 (b), no agent or officer of U.S. Customs and Border Pro-
13 tection or U.S. Immigration and Customs Enforcement
14 may be present in the room during a pelvic exam, labor,
15 delivery, or treatment of any other symptom relating to
16 a pregnancy of a woman, unless specifically requested by
17 medical personnel.

1 (b) EXCEPTION.—If the presence of an agent or offi-
2 cer of U.S. Customs and Border Protection or U.S. Immi-
3 gration and Customs Enforcement is requested by medical
4 personnel, the agent or officer shall—

5 (1) be female, if possible; and

6 (2) remain at a reasonable distance from the
7 woman and toward her head to protect her privacy.

Page 50, strike line 16 through page 54, line 19,
and insert the following:

8 (b) AUDITS OF LAW ENFORCEMENT ACTIVITIES
9 WITHIN THE BORDER ZONE.—

10 (1) IN GENERAL.—The Inspector General of
11 the Department of Homeland Security shall conduct
12 unannounced audits on an ongoing basis of law en-
13 forcement activities, such as primary and secondary
14 inspections at checkpoints and patrol stops, within
15 the border zone. Each such audit shall be submitted
16 to the Committees on Homeland Security and Judi-
17 ciary of the House of Representatives and the Com-
18 mittees on Homeland Security and Governmental
19 Affairs and Judiciary of the Senate and shall exam-
20 ine information on such activities, including the fol-
21 lowing:

22 (A) The basis or circumstances for such
23 activities.

1 (B) The results of such activities, including
2 arrests, citations, searches of property, and any
3 related seizures.

4 (C) The immigration status of the individ-
5 uals subject to such activities.

6 (D) The location of such activities, includ-
7 ing proximity to places of worship or religious
8 ceremonies, schools, courthouses or other public
9 buildings, hospitals or other medical facilities,
10 demonstrations, and legal assistance offices.

11 (E) Supervisory approval sought to carry
12 out such activities at or near locations described
13 in paragraph (4).

14 (F) Any related complaints submitted to
15 the Department of Homeland Security's Office
16 of the Inspector General, Office of the Ombuds-
17 man, the Office of Civil Rights and Civil Lib-
18 erties, U.S. Customs and Border Protection, or
19 U.S. Immigration and Customs Enforcement,
20 including the outcome of such complaints.

21 (2) PRIVACY.—No audit under this subsection
22 may include unique personal identifying information
23 of persons stopped, searched, or subjected to a prop-
24 erty seizure.

1 (3) PUBLICATION.—Each audit under this sub-
2 section shall be made available to the public.

