

AMENDMENT NO. 3

Calendar No. _____

Purpose: To prohibit the arrest or detention of aliens based solely on lawful activities protected by the First Amendment.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 558

To provide for the consideration of a definition of anti-semitism set forth by the International Holocaust Remembrance Alliance for the enforcement of Federal anti-discrimination laws concerning education programs or activities, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SANDERS

Viz:

1 At the end of the bill, add the following:

2 **SEC. 7. PROHIBITING THE ARREST OR DETENTION OF**
3 **ALIENS BASED SOLELY ON PROTECTED**
4 **FIRST AMENDMENT ACTIVITIES.**

5 Section 236 of the Immigration and Nationality Act
6 (8 U.S.C. 1226) is amended—

7 (1) in subsection (a), in the matter preceding
8 paragraph (1), by inserting “An alien shall be given
9 written notice of the initiation of removal pro-
10 ceedings pursuant to section 239 before he or she is

1 detained pursuant to this section.” after “United
2 States.”; and

3 (2) in subsection (c), by adding at the end the
4 following:

5 “(5) LIMITATION.—No official of the Depart-
6 ment of Justice or the Department of Homeland Se-
7 curity may arrest or detain an alien pursuant to this
8 section if a basis for such arrest or detention is the
9 alien’s past, current, or expected beliefs held in the
10 United States, statements made in the United
11 States, or associations in the United States that are
12 lawful within the United States.”.