

AMENDMENT NO. 4 Calendar No. _____

Purpose: To allow for judicial review of a revocation of a visa if a ground for such revocation was the alien's lawful beliefs, statements, or associations, To allow for judicial review of actions or decisions regarding the arrest and detention of an alien if a ground for such decision was the alien's lawful beliefs, statements, or associations, and to ensure that aliens are not deported for engaging in lawful activities protected by the First Amendment to the Constitution of the United States.

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. PROTECTING FREE SPEECH.**
- 3 (a) **FIRST AMENDMENT PROTECTION AGAINST VISA**
- 4 **REVOCATION.**—Section 221(i) of the Immigration and
- 5 Nationality Act (8 U.S.C. 1221(i)) is amended by insert-
- 6 ing before the period at the end the following: “or if the

1 alien establishes that a ground for the revocation was the
2 alien's past, current, or expected beliefs held in the United
3 States, statements made in the United States, or associa-
4 tions in the United States, if such beliefs, statements, or
5 associations would be lawful within the United States".

6 (b) JUDICIAL REVIEW OF ALIEN ARRESTS AND DE-
7 TENSIONS.—Section 236(e) of the Immigration and Na-
8 tionality Act (8 U.S.C. 1226(e)) is amended by inserting
9 before the period at the end the following: "unless the
10 alien establishes that a reason for such action or decision
11 was the alien's past, current, or expected beliefs held in
12 the United States, statements made in the United States,
13 or associations in the United States, if such beliefs, state-
14 ments, or associations would be lawful within the United
15 States".

16 (c) CONSTITUTIONALLY PROTECTED ACTIVITIES.—
17 Section 237 of the Immigration and Nationality Act (8
18 U.S.C. 1227) is amended—

19 (1) in subsection (a)(4)(C)(ii), by striking "The
20 exceptions" and inserting "Except as provided in
21 subsection (e), the exceptions"; and

22 (2) by adding at the end the following:

23 "(e) CONSTITUTIONALLY PROTECTED ACTIVITIES.—
24 Notwithstanding any other provision in this section, an
25 alien's past, current, or expected beliefs held in the United

1 States, statements made in the United States, or associa-
2 tions in the United States that are protected by the First
3 Amendment to the Constitution of the United States may
4 not be considered a ground for deportability under this
5 section.”.