

Amendment to the Chairman's Mark

Offered by Representative Peters

Guardrails for ICE and CBP

1. Add at the end the following:

“TITLE V--POLICY STATEMENTS IN THE HOUSE OF REPRESENTATIVES

**SEC. 501. POLICY STATEMENT ON RESTRICTING FUNDING FOR
IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) AND CUSTOMS
AND BORDER PROTECTION (CBP)**

- (a) FINDINGS. — The House finds the following:

- (1) The United States has a responsibility to ensure that immigration enforcement is conducted in a manner that upholds the Constitution, protects civil rights, and maintains public trust.
- (2) ICE and CBP enforcement actions have raised serious concerns regarding excessive use of force, lack of transparency, and insufficient accountability.
- (3) Reports of ICE and CBP actions conducted without visible identification, including agents wearing masks or failing to identify themselves, have undermined public confidence and made it more difficult to ensure accountability.
- (4) There have been incidents in which individuals, including United States citizens, have been harmed or killed during or following encounters with immigration enforcement, raising valid concerns about training, use of force standards, and oversight.
- (5) Enforcement activities conducted near sensitive locations such as schools, hospitals, and places of worship have disrupted communities and created fear among families, including children.
- (6) Policies involving family separation and aggressive detention policies have caused lasting harm to children and families and should not be repeated.
- (7) Immigration enforcement must not be conducted in a manner that results in racial profiling or discrimination based on race, ethnicity, language, or occupation.

- (8) The recent partial government shutdown of the Department of Homeland Security was driven by Republican demands to expand ICE and CBP enforcement without common sense guardrails, rather than working toward balanced and bipartisan solutions.
- (9) Congress has a duty to ensure that any funding for immigration enforcement is accompanied by clear standards that protect civil liberties, prevent abuse, and promote accountability.
- (10) Republicans have used the reconciliation process to provide \$140 billion in P.L. 119-21 for ICE and CBP and an additional \$70 billion in P.L. 119-98 for ICE, CBP and the Department of Homeland Security on a party-line vote. Those amounts, which were intended to provide funding for ICE and CBO for the duration of the second Trump administration, were exempt from bipartisan guardrails that would normally be included in the annual appropriations process.

(b) POLICY ON RESTRICTING FUNDING FOR IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) AND CUSTOMS AND BORDER PROTECTION (CBP).— It is the policy of this resolution that Congress should:

- (1) Prohibit the use of funds for immigration enforcement actions conducted without a judicial warrant when entering private property, and require improved warrant procedures and verification standards to ensure that United States citizens are not wrongfully detained.
- (2) Prohibit the use of funds for enforcement activities conducted by officers wearing face masks or otherwise concealing their identities.
- (3) Prohibit the use of funds for enforcement actions at or near sensitive locations, including schools, medical facilities, childcare centers, places of worship, and courthouses.
- (4) Prohibit the use of funds for enforcement practices that rely on racial profiling, including targeting individuals based on race, ethnicity, language, occupation, or location.
- (5) Establish and enforce clear use of force standards, require enhanced training and certification for officers, and mandate that officers involved in use of force incidents be removed from duty pending investigation.
- (6) Ensure that state and local governments retain the ability to investigate and prosecute misconduct and require evidence preservation and sharing.

- (7) Require that all detention facilities meet basic standards, including immediate access to legal counsel, and prohibit practices that result in the wrongful detention of United States citizens.
- (8) Require the use of body-worn cameras during interactions with the public, establish standards for storage and access to footage, and prohibit the use of such technology to track individuals engaged in First Amendment protected activities.
- (9) Prohibit the use of funds for paramilitary style police tactics, equipment, or uniforms in civil immigration enforcement operations.
- (10) Ensure that Members of Congress have full and unimpeded access to immigration detention facilities.
- (11) Apply these requirements to all funding for immigration enforcement activities, including funds provided through appropriations, reconciliation, or any other Act.”.

2. Amend the committee report to reflect the following policy assumptions:

The resolution affirms that immigration enforcement must be carried out in a manner that protects Constitutional rights, promotes transparency, and ensures accountability to the public.

The resolution rejects efforts to fund ICE and CBP without corresponding safeguards and emphasizes that Federal resources should not be used to support practices that erode trust, harm communities, or lack appropriate oversight.

The resolution further supports the establishment of clear, enforceable standards, governing immigration enforcement activities, including requirements related to identification, use of force, protection of sensitive locations, prohibition of discriminatory practices, and access to legal counsel.