

AMENDMENT NO. _____ Calendar No. _____

Purpose: To authorize the attorney general of a State, or other appropriate State officer, to seek injunctive relief against the Secretary of Homeland Security to protect the individuals in that State from violations of constitutionally protected rights.

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

S. 5

To require the Secretary of Homeland Security to take into custody aliens who have been charged in the United States with theft, 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. HICKENLOOPER

Viz:

1 In section 3, add at the end the following:

2 (g) PROTECTION OF CONSTITUTIONAL RIGHTS.—

3 The attorney general of a State, or other authorized State

4 officer, alleging a violation of one or more constitutionally

5 protected rights, including due process rights, of any indi-

6 vidual in such State by the Department of Homeland Se-

7 curity or any agency within the Department of Homeland

8 Security, shall have standing to bring an action against

9 the Secretary of Homeland Security on behalf of such

10 State or the residents of such State in an appropriate dis-

1 triet court of the United States to obtain appropriate in-
2 junctive relief. The court shall advance on the docket and
3 expedite the disposition of a civil action filed under this
4 subsection to the greatest extent possible.