My name is Andrew Linden, and I am a third-year law student at the University of Oregon School of Law. I am committed to protecting the rights of individuals. The rights of Oregon citizens are being violated by federal officials - namely, ICE and CBP officers - and they are left without meaningful recourse. Currently, there are no effective avenues for bringing a lawsuit against an individual federal official. The United States Supreme Court has killed Biven's actions, and the Federal Tort Claims Act only allows for suits against the federal government, not individuals, after jumping through administrative hurdles. Simply, we are left powerless.

When avenues for federal accountability diminish, the states can and must correct course. This is why many states have either enacted or proposed legislation often referred to as "converse-1983 statutes." The "inventor" of this type of statute was Akhil Amar, a prominent lawyer and professor at Yale Law School who is one of the most-cited legal scholars of all time. These statutes largely mirror the language of 42 U.S.C. 1983, typically referred to as Section 1983. This federal statute reads as followed:

   "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any   citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be   liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission   taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this   section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."

Section 1983 allows individuals to bring a cause of action against state officials who violate their rights. A converse-1983 statute is quite similar, but it contains two distinct differences. First, converse-1983 statutes are state statutes. The state is able to craft them as they see fit, making them even more protective of individual rights than Section 1983 (e.g. no qualified immunity). Second, converse-1983 statutes do not have the "under color of state law" language. Rather than limiting causes of actions to actions against state officials, converse-1983 statutes permit actions against anyone who violates another person's rights. These statutes often have language such as, "whether or not acting under the color of law," or "under the color of law"

without specifying state law. The result of this change in language is a cause of actions for individuals to bring suit against federal officials, acting in an individual capacity, for violating their constitutional rights.

Oregon must pass converse-1983 legislation. Federal officials from ICE, CBP, and other agencies are violating Oregonians rights. Peaceful protestors are being arrested, tear-gassed, beaten up, and worse at the hands of federal officials. United States citizens are being illegally detained and arrested. Masked thugs, reminiscent of the Gestapo, are wreaking havoc throughout our state, and the people they harm - your constituents - are left without any recourse. If we truly value the rights of Oregonians, it is our duty to push for legislation that protects those rights. The Proposed Amendment to SB 1563 WILL protect the rights of Oregonians and hold the federal regime accountable. It gives power and a voice to Oregonians. It provides for recourse of wrongs. And it does all this while being legally sound and supported by vast research from some of the best legal minds in the Nation. This Bill must pass.

Thank you.