

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To provide a civil remedy for any individual whose rights have been violated by a Federal law enforcement officer carrying out an immigration-related enforcement action.

---

IN THE SENATE OF THE UNITED STATES

---

Mr. LUJÁN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

**A BILL**

To provide a civil remedy for any individual whose rights have been violated by a Federal law enforcement officer carrying out an immigration-related enforcement action.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Victims of Immigration  
5 Conduct Enforcement Act” or the “VOICE Act”.

6 **SEC. 2. CIVIL REMEDY FOR VICTIMS OF UNLAWFUL IMMI-**  
7 **GRATION-RELATED ENFORCEMENT ACTIONS.**

8 Section 2674 of title 28, United States Code, is  
9 amended—

1           (1) by inserting “(a)” before “The United  
2 States shall be liable, respecting”;

3           (2) by inserting “(b)” before “If, however,”;

4           (3) by inserting “(c)” before “With respect to  
5 any claim under this chapter,”;

6           (4) by inserting “(d)” before “With respect to  
7 any claim to which this section applies,”; and

8           (5) by adding at the end the following:

9           “(e)(1) In this subsection, the term ‘Federal law en-  
10 forcement officer’ has the meaning given the term ‘law en-  
11 forcement officer’ in section 1515 of title 18.

12           “(2) If, while acting under color of law to carry out  
13 an immigration-related enforcement action, a Federal law  
14 enforcement officer, or any other person acting under the  
15 direction of a Federal law enforcement officer, subjects,  
16 or causes to be subjected, any individual within the juris-  
17 diction of the United States to the deprivation of any  
18 rights, privileges, or immunities secured by the Constitu-  
19 tion or laws of the United States, the United States shall  
20 be liable to the aggrieved party in an action at law, a suit  
21 in equity, or any other proper proceeding for redress, re-  
22 gardless of whether the officer or other person was acting  
23 consistent with an official policy, practice, or custom.

24           “(3) Monetary damages awarded in a case authorized  
25 under paragraph (2) shall be paid by the Federal agency

1 that employed the Federal law enforcement officer who  
2 subjected or caused to be subjected, or under whose direc-  
3 tion another person subjected or caused to be subjected,  
4 an individual to the deprivation of rights, privileges, or  
5 immunities secured by the Constitution or laws of the  
6 United States.

7 “(4) Section 2675(a) shall not apply to a civil action  
8 authorized under paragraph (2) of this subsection.

9 “(5) Notwithstanding subsection (a) or any other  
10 provision of law, if the United States is found liable in  
11 a case authorized under paragraph (2) of this subsection,  
12 the claimant shall be awarded \$2,000,000 in punitive  
13 damages.

14 “(6) Nothing in this subsection may be construed to  
15 limit or preclude any legal, equitable, or other remedy that  
16 is otherwise available against an individual Federal law  
17 enforcement officer or other person.”.