

AMENDMENT NO._____

Calendar No._____

Purpose: To provide for a private cause of action for citizens wrongfully arrested or detained during Operation Midway Blitz, Operation Metro Surge, or similar operations.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

H. R. 7148

Making further consolidated appropriations for the fiscal year ending September 30, 2026, 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 Ms. DUCKWORTH

Viz:

1 At the appropriate place, insert the following:

2 SEC. _____. **CITIZENS ARE AS IMPORTANT AS SEN-
3 ATORS.**

4 (a) SHORT TITLE.—This section may be cited as the
5 “Citizens Are as Important as Senators Act”.

6 (b) PRIVATE CAUSE OF ACTION.—

7 (1) DEFINITION.—In this subsection:

8 (A) COVERED INDIVIDUAL.—The term
9 “covered individual” means—

10 (i) a citizen or national of the United
11 States who was—

1 (I) arrested or detained in the
2 course of a Federal law enforcement
3 operation—

4 (aa) in Illinois under Oper-
5 ation Midway Blitz;

6 (bb) in Minnesota under Op-
7 eration Metro Surge; or

(cc) in connection with any

17 (II) later released without
18 charges and never formally accused of
19 wrongdoing; or

20 (ii) a family member of a national of
21 the United States killed in an operation
22 described in clause (i)(J).

23 (B) NATIONAL OF THE UNITED STATES.—

24 The term “national of the United States” has
25 the meaning given the term in section 101(a) of

1 the Immigration and Nationality Act (8 U.S.C.
2 1101(a)).

3 (2) PRIVATE CAUSE OF ACTION.—

9 (B) RELIEF.—

10 (i) IN GENERAL.—If a covered indi-
11 vidual prevails on a claim under this sec-
12 tion, the court shall award—

13 (I) except as provided in clause
14 (ii), the greater of—

15 (aa) statutory damages of
16 \$500,000; or

17 (bb) the amount of actual
18 damages:

19 (II) reasonable attorney's fees
20 and costs of litigation; and

(III) such injunctive or declaratory relief as may be appropriate.

23 (ii) FAMILY MEMBERS.—In the case
24 of a covered individual described in para-

1 graph (1)(A)(ii), the court shall award the
2 greater of—

3 (I) statutory damages of not less
4 than \$500,000; or

5 (II) the amount of actual dam-
6 ages.

7 (iii) PRELIMINARY RELIEF.—Upon
8 motion by a covered individual, a court
9 may award such preliminary injunctive re-
10 lief as the court determines appropriate
11 with respect to a claim under this section.

12 (C) LIMITATIONS AND IMMUNITY.—

13 (i) PERIOD OF LIMITATIONS.—A civil
14 action under this section may not be com-
15 menced later than 5 years after the cov-
16 ered individual first obtains actual notice
17 of the violation of this section.

18 (ii) NO IMMUNITY DEFENSE.—No of-
19 ficer, employee, or agent of the United
20 States or of any Federal department or
21 agency shall be entitled to assert any form
22 of absolute or qualified immunity as a de-
23 fense to liability under this section.

24 (D) WAIVER OF SOVEREIGN IMMUNITY.—

25 The United States expressly waives sovereign

3 (E) AFFIRMATIVE DEFENSE FOR TARGET
4 INVESTIGATIONS.—It shall be an affirmative
5 defense to an action under this section if the
6 United States establishes that—

7 (i) the individual had an outstanding
8 Federal warrant for their arrest; or

13 (3) LIMITED RETROACTIVE APPLICABILITY.—
14 This section shall apply to any arrest or detention
15 described in paragraph (1)(A)(i)(I)—

16 (A) in the case of Operation Midway Blitz,
17 occurring on or after September 8, 2025;

18 (B) in the case of Operation Metro Surge,
19 occurring on or after December 1, 2025; and

(C) in the case of an investigation described in item (cc) of that paragraph, occurring on or after January 20, 2025.