

119TH CONGRESS
1ST SESSION

S. _____

To amend section 287 of the Immigration and Nationality Act to require all immigration enforcement officers to display visible identification during public-facing immigration enforcement actions and to promote transparency and accountability.

IN THE SENATE OF THE UNITED STATES

Mr. PADILLA (for himself, Mr. BOOKER, Mr. SCHIFF, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mrs. MURRAY, Ms. HIRONO, Mr. WELCH, Mr. WYDEN, Ms. SMITH, Ms. SLOTKIN, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend section 287 of the Immigration and Nationality Act to require all immigration enforcement officers to display visible identification during public-facing immigration enforcement actions and to promote transparency and accountability.

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 TITLES.**

4 This Act may be cited as the “Visible Identification
5 Standards for Immigration-Based Law Enforcement Act
6 of 2025” or the “VISIBLE Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) transparency and accountability in public
4 immigration enforcement are essential to maintain-
5 ing public trust and upholding constitutional govern-
6 ance; and

7 (2) immigration enforcement officers should be
8 visibly identifiable during any civil immigration en-
9 forcement activity at which members of the public
10 may be directly engaged or present, including ac-
11 tions involving civil and criminal authority, unless
12 the activity is truly covert and not observable by the
13 public.

14 **SEC. 3. REQUIREMENT FOR VISIBLE IDENTIFICATION DUR-**
15 **ING IMMIGRATION ENFORCEMENT.**

16 Section 287 of the Immigration and Nationality Act
17 (8 U.S.C. 1357) is amended by adding at the end the fol-
18 lowing:

19 “(i)(1) In this subsection:

20 “(A) The term ‘covered immigration officer’
21 means any individual who is—

22 “(i) authorized to perform immigration en-
23 forcement functions; and

24 “(ii)(I) an officer or employee of U.S. Cus-
25 toms and Border Protection;

1 “(II) an officer or employee of U.S. Immi-
2 gration and Customs Enforcement; or

3 “(III) an individual authorized, deputized,
4 or designated under Federal law, regulation, or
5 agreement to perform immigration enforcement
6 functions, including pursuant to section 287(g)
7 or any other delegation or agreement with the
8 Department of Homeland Security.

9 “(B) The term ‘public immigration enforcement
10 function’—

11 “(i) means any activity that involves the
12 direct exercise of Federal immigration authority
13 through public-facing actions, including a pa-
14 trol, a stop, an arrest, a search, an interview to
15 determine immigration status, a raid, a check-
16 point inspection, or the service of a judicial or
17 administrative warrant; and

18 “(ii) does not include covert, non-public op-
19 erations or non-enforcement activities.

20 “(C) The term ‘visible identification’ means a
21 display of an immigration officer’s agency and name
22 or badge number in a size and format that complies
23 with the requirements under paragraph (3).

24 “(2) Each covered immigration officer who directly
25 engages in a public immigration enforcement function

1 within the United States shall, at all times during such
2 engagement, wear visible identification, which shall in-
3 clude—

4 “(A) the full name or widely recognized initials
5 of the officer’s employing agency; and

6 “(B)(i) the officer’s last name; or

7 “(ii) the officer’s unique badge or identification
8 number.

9 “(3) The identifying information described in this
10 paragraph shall be—

11 “(A) for the immigration officer’s agency, dis-
12 played in a size and format that is clearly legible
13 from a distance of not less than 25 feet, using mate-
14 rials or markings suitable for visibility in both day-
15 light and low-light conditions, under normal oper-
16 ation conditions;

17 “(B) for the officer’s name or badge number,
18 displayed in a manner that is clearly visible and
19 readable during direct engagement with the public;
20 and

21 “(C) displayed on the outermost garment or
22 gear and not obscured by tactical equipment, body
23 armor, or accessories.

24 “(4) Covered immigration officers may not wear non-
25 medical face coverings, including masks or balaclavas, that

1 impair the visibility of the identifying information required
2 under this subsection or obscure the officer's face unless
3 such face coverings are operationally necessary—

4 “(A) to protect the integrity of a covert, non-
5 public operation; or

6 “(B) to guard against hazardous environmental
7 conditions.”.

8 **SEC. 4. COMPLIANCE AND REPORTING.**

9 (a) INTERNAL ACCOUNTABILITY.—The Secretary of
10 Homeland Security shall ensure that any covered immi-
11 gration officer who fails to comply with the requirements
12 under section 287(i) of the Immigration and Nationality
13 Act, as added by section 3, receive appropriate administra-
14 tive discipline, including written reprimand, suspension, or
15 other personnel actions, consistent with agency policy and
16 any applicable collective bargaining agreement.

17 (b) ANNUAL REPORT TO CONGRESS.—Not later than
18 one year after the date of the enactment of this Act, and
19 annually thereafter, the Secretary of Homeland Security
20 shall submit a report to the Office for Civil Rights and
21 Civil Liberties of the Department of Homeland Security,
22 the Committee on the Judiciary of the Senate, the Com-
23 mittee on Homeland Security and Governmental Affairs
24 of the Senate, the Committee on the Judiciary of the
25 House of Representatives, and the Committee on Home-

1 land Security of the House of Representatives that in-
2 cludes—

3 (1) the total number of public immigration en-
4 forcement functions conducted during the reporting
5 period;

6 (2) the number of documented instances of non-
7 compliance with section 287(i) of the Immigration
8 and Nationality Act, as added by section 3; and

9 (3) a summary of disciplinary or remedial ac-
10 tions taken against those responsible for such in-
11 stances of noncompliance.

12 **SEC. 5. ROLE OF THE OFFICE FOR CIVIL RIGHTS AND CIVIL**
13 **LIBERTIES.**

14 The Office for Civil Rights and Civil Liberties of the
15 Department of Homeland Security shall—

16 (1) receive and investigate complaints from the
17 public concerning violations of section 287(i) of the
18 Immigration and Nationality Act, as added by sec-
19 tion 3;

20 (2) issue recommendations to relevant Depart-
21 ment of Homeland Security components concerning
22 compliance and corrective actions that should be
23 taken;

24 (3) include findings and actions taken pursuant
25 to this Act, including information contained in the

1 report received pursuant to section 4(b), in its an-
2 nual public report submitted pursuant to section
3 705(b) of the Homeland Security Act of 2002 (6
4 U.S.C. 345(b)); and

5 (4) carry out the responsibilities under this sec-
6 tion in accordance with its statutory authorities,
7 which may include coordination with the Office of
8 Inspector General of the Department, as appro-
9 priate.