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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit troops at the polls, and for other purposes

IN THE HOUSE OF REPRESENTATIVES

Mrs. McCLAIN DELANEY introduced the following bill; which was referred to
the Committee on _____

A BILL

To prohibit troops at the polls, and for other purposes

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 “Democracy Without
5 Intimidation Act”.

6 **SEC. 2. PROHIBITING TROOPS AT POLLS.**

7 (a) REMOVAL OF EXCEPTION.—Section 592 of title
8 18, United States Code, is amended by striking “, unless
9 such force be necessary to repel armed enemies of the
10 United States,”.

1 (b) PROSECUTION.—Section 1982 of the Revised
2 Statutes (42 U.S.C. 1987) is amended to read as follows:

3 **“SEC. 1982. PROSECUTION OF VIOLATION OF CERTAIN**
4 **LAWS.**

5 “The United States attorneys, marshals, and deputy
6 marshals, the United States magistrate judges appointed
7 by the district and territorial courts, with power to arrest,
8 imprison, or bail offenders, and every other officer who
9 is especially empowered by the President, are authorized
10 and required, at the expense of the United States, to insti-
11 tute prosecutions against all persons violating any of the
12 provisions of section 1990 of this title, and sections 241,
13 242, 372, 592, 593, 752, 1071, 1581, 1583 and 1588 of
14 title 18, United States Code, and to cause such persons
15 to be arrested, and imprisoned or bailed, for trial before
16 the court of the United States or the territorial court hav-
17 ing cognizance of the offense.”.

18 (c) INCREASING NUMBER OF MAGISTRATES.—Sec-
19 tion 1983 of the Revised Statutes (42 U.S.C. 1989) is
20 amended to read as follows:

21 **“SEC. 1983. UNITED STATES MAGISTRATE JUDGES; AP-**
22 **POINTMENT OF PERSONS TO EXECUTE WAR-**
23 **RANTS.**

24 “The district courts of the United States and the dis-
25 trict courts of the Territories, from time to time, shall in-

1 crease the number of United States magistrate judges, so
2 as to afford a speedy and convenient means for the arrest
3 and examination of persons charged with the crimes re-
4 ferred to in section 1987 of this title, and such magistrate
5 judges are authorized and required to exercise all the pow-
6 ers and duties conferred on them herein with regard to
7 such offenses in like manner as they are authorized by
8 law to exercise with regard to other offenses against the
9 laws of the United States. Said magistrate judges are em-
10 powered, within their respective counties, to appoint, in
11 writing, under their hands, one or more suitable persons,
12 from time to time, who shall execute all such warrants
13 or other process as the magistrate judges may issue in
14 the lawful performance of their duties, and the persons
15 so appointed shall have authority to summon and call to
16 their aid the bystanders or posse comitatus of the proper
17 county, or such portion of the land or naval forces of the
18 United States, or of the militia, as may be necessary to
19 the performance of the duty with which they are charged;
20 and such warrants shall run and be executed anywhere
21 in the State or Territory within which they are issued.”.

22 (d) PRIVATE RIGHT OF ACTION.—

23 (1) IN GENERAL.—Any individual aggrieved by
24 a violation of section 592 of title 18, United States
25 Code, may bring a civil action against a covered per-

1 son in an appropriate district court of the United
2 States for injunctive relief.

3 (2) APPEAL.—Any final order of a district
4 court of the United States issued pursuant to an ac-
5 tion brought under this subsection shall be review-
6 able by appeal directly to the Supreme Court of the
7 United States. Any such appeal shall be taken by a
8 notice of appeal filed within 10 days after such order
9 is entered.

10 (3) EXPEDITED CONSIDERATION.—It shall be
11 the duty of the district court of the United States
12 and the Supreme Court of the United States to ad-
13 vance on the docket and to expedite to the greatest
14 possible extent the disposition of any action brought
15 under subsection.

16 (4) COVERED PERSON DEFINED.—In this sub-
17 section, the term “covered person” means any per-
18 son in the Senior Executive Service of a Federal law
19 enforcement agency or a political appointee of a
20 Federal law enforcement agency.