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Accountability for Federal Law Enforcement Act

When federal law enforcement officers violate constitutional rights, victims often have no way to seek justice. Unlike state and local officers who are covered by an express statutory cause of action under 42 U.S.C. § 1983, Congress has never enacted a similar statute for federal officers. The only available remedy, a judicially created cause of action under *Bivens v. Six Unknown Named Agents* (1971), has been sharply limited by the U.S. Supreme Court. As a result, individuals harmed by excessive force or other constitutional violations by federal officers are often left without recourse.

Recent incidents—from violent ICE and CBP raids to abuses by federal task forces—have underscored this gap in accountability. These events have eroded public trust and shown how federal officers can act with impunity even when their conduct clearly violates constitutional protections. The absence of meaningful remedies undermines both the rule of law and the public’s confidence that constitutional rights can be enforced against those who wield federal authority.

What the bill would do:

The *Accountability for Federal Law Enforcement Act* would close this loophole by amending 42 U.S.C. § 1983 to include federal law enforcement agencies as “public employers.” Specifically, the bill would:

- Create a statutory right of action allowing individuals—citizens and non-citizens alike—to seek damages for constitutional or civil rights violations committed by federal law enforcement officers.
- Allow suits against federal agencies when their employees violate constitutional rights, regardless of whether an agency policy caused the harm, and waive sovereign immunity for these claims to ensure victims have access to redress in federal court.
- Preserve existing defenses for individual officers, leaving the qualified immunity doctrine unchanged.

By establishing clear accountability for federal law enforcement, this bill would strengthen the legitimacy of federal institutions and promote public trust. It affirms that government power must be exercised responsibly and within constitutional limits to preserve the rule of law.