IN THE SENATE OF THE UNITED STATES

introduced the following bill; which was read twice
and referred to the Committee on ________

A BILL

To amend the Revised Statutes of the United States to hold certain public employers liable in civil actions for deprivation of rights, 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,
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SEC. 1. SHORT TITLE.

This Act may be cited as the “Accountability for Federal Law Enforcement Act”.

SEC. 2. CIVIL ACTION FOR DEPRIVATION OF RIGHTS.

Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended—
(1) by striking “Every” and inserting the fol-
lowing:

“(a) In this section, the term ‘public employer’ means
a Federal law enforcement agency that, at the time of a
deprivation of any rights, privileges, or immunities de-
scribed in section (b), employs, or contracts with an indi-
vidual to perform the duties of, a Federal law enforcement
officer or any other officer empowered by law to execute
searches, to seize evidence, or to make arrests.

“(b) Every”;

(2) in subsection (b), as so designated, by in-
serting “the United States or” before “any State”;

and

(3) by adding at the end the following:

“(c) If, while acting under color of law, any officer
who is empowered by law to execute searches, to seize evi-
dence, or to make arrests subjects or causes to be sub-
jected any citizen of the United States or other person
within the jurisdiction thereof to the deprivation of any
rights, privileges, or immunities secured by the Constitu-
tion and laws, the public employer of that officer shall be
liable to the party injured for the conduct of the officer
in an action at law, suit in equity, or other proper pro-
ceeding for redress, regardless of whether a policy or cus-
tom of the public employer caused the violation, and re-
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gardless of whether the officer has any defense or immunity from suit or liability. This paragraph shall constitute a waiver of sovereign immunity with respect to Federal law enforcement agencies for any claim brought under this section. Nothing in this paragraph shall be construed to limit or preclude any legal, equitable, or other remedy that is available, under this section or under any other source of law, against an individual officer.”.