

AMENDMENT

OFFERED BY M __. _____

Insert, at the appropriate place, the following:

1 **TITLE** _____ **—CONSTITUTIONAL**
2 **RIGHTS DEFENSE**

3 **SEC. ___ 1. SHORT TITLE.**

4 This title may be cited as the “Constitutional Rights
5 Defense Act of 2026”.

6 **SEC. ___ 2. CAUSE OF ACTION.**

7 (a) **IN GENERAL.**—Chapter 171 of title 28, United
8 States Code, is amended by inserting after section 2674
9 the following:

10 **“§ 2674A. Liability of United States for deprivation of**
11 **rights**

12 “A person injured by an employee of the Government
13 who, acting within the scope of his office or employment,
14 subjects such person, or causes such person to be sub-
15 jected, to the deprivation of any right under the Constitu-
16 tion, may bring a claim against the United States in a
17 court of competent jurisdiction for compensatory damages.
18 The liability of the United States shall be determined in
19 accordance with applicable Federal law.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 171 of title 28, United States Code, is amend-
3 ed by inserting after the item relating to section 2674 the
4 following:

“2674A. Liability of United States for deprivation of rights.”

5 (c) CONFORMING AMENDMENTS.—Chapter 171 of
6 title 28, United States Code, is amended—

7 (1) in section 2675(a), by inserting “or for dep-
8 rivation of rights under section 2674A” after “his
9 office or employment”;

10 (2) in section 2676, by inserting “or section
11 2674A” after “section 1346(b)”;

12 (3) in section 2677, by inserting “or section
13 2674A” after “section 1346(b)”; and

14 (4) in section 2679—

15 (A) in subsection (a), by inserting “or sec-
16 tion 2674A” after “section 1346(b)”; and

17 (B) in subsection (b)—

18 (i) in paragraph (1), by inserting “, or
19 by section 2674A for deprivation of
20 rights,” after “his office or employment”;
21 and

22 (ii) in paragraph (2), by striking “em-
23 ployee of the Government” and all that fol-
24 lows through “for a violation of a statute
25 of the United States” and inserting “em-

1 ployee of the Government for a violation of
2 a statute of the United States”.

