

119TH CONGRESS
1ST SESSION

H. R. 5973

To establish certain limitations on Federal immigration enforcement personnel.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2025

Mr. PETERS (for himself, Mr. GOLDMAN of New York, Mr. KRISHNAMOORTHY, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mr. KHANNA, Mr. CISNEROS, Ms. CHU, Mr. SCHNEIDER, Mr. VARGAS, Ms. RANDALL, Ms. GARCIA of Texas, Mr. QUIGLEY, Ms. KELLY of Illinois, Ms. ESCOBAR, Mr. PANETTA, Mr. MOULTON, Ms. SÁNCHEZ, Ms. MATSUI, Mr. THOMPSON of California, Mr. NADLER, Ms. RIVAS, Mr. THANEDAR, and Ms. BROWNLEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish certain limitations on Federal immigration enforcement personnel.

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 “Stop Excessive Force
5 in Immigration Act of 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The authority to use force is a serious re-
2 sponsibility that shall be exercised judiciously and
3 with respect for human rights and dignity and for
4 the sanctity of every human life. Every person has
5 a right to be free from excessive use of force by law
6 enforcement acting under color of law.

7 (2) It is the responsibility of all law enforce-
8 ment, Federal, State, and local, to promote and fur-
9 ther public safety.

10 (3) Federal immigration enforcement personnel
11 should conduct interior enforcement operations with
12 the intention of creating minimal community disrup-
13 tion and furthering public safety.

14 (4) The use of force manual of the Department
15 of Justice states that reducing the need for force al-
16 lows officers to secure their own safety, as well as
17 the safety of the public.

18 (5) Section 287.8 of title 8, Code of Federal
19 Regulations, requires that designated immigration
20 personnel shall at the time of the arrest identify
21 themselves as an immigration officer and provide the
22 reason for a person's arrest as soon as it is practical
23 and safe to do so.

24 (6) The First Amendment prevents Federal im-
25 migration enforcement personnel from using force

1 against, or to impede the work of journalists who
2 are properly identified and acting lawfully.

3 (7) The First Amendment protects freedom of
4 speech and prevents Federal immigration enforce-
5 ment personnel from using force against protesters
6 or bystanders acting lawfully.

7 (8) Federal immigration enforcement personnel
8 are to refuse orders they believe to be blatantly ille-
9 gal or create an unnecessary risk to public safety.

10 (9) Congress condemns violence and threats di-
11 rected against law enforcement personnel.

12 **SEC. 3. ENFORCEMENT LIMITS.**

13 The Immigration and Nationality Act is amended by
14 inserting after section 287 the following:

15 **“SEC. 287A. FEDERAL IMMIGRATION ENFORCEMENT.**

16 **“(a) USE OF FORCE.—**

17 **“(1) REQUIREMENTS.—**All Federal immigration
18 enforcement personnel shall be subject to the fol-
19 lowing requirements:

20 **“(A) USE OF FORCE STANDARD.—**Federal
21 immigration enforcement personnel may use
22 non-deadly force as follows:

23 **“(i)** No reasonably effective, safe, and
24 feasible alternative appears to exist to
25 bring an unlawful situation safely and ef-

1 fectively under control, and the level of
2 force used is proportional to the serious-
3 ness of the actual or threatened resistance.

4 “(ii) Agents shall account for factors
5 such as age, injury, disability, and size of
6 the subject when assessing reasonableness.

7 “(iii) The ‘reasonableness’ of a par-
8 ticular use of force must be judged from
9 the perspective of a reasonable officer on
10 the scene, and its calculus must account
11 for the fact that law enforcement personnel
12 are often forced to make split-second deci-
13 sions, in circumstances that are tense, un-
14 certain, and rapidly evolving, about the
15 amount of force necessary in a particular
16 situation.

17 “(iv) Federal immigration enforce-
18 ment personnel who make or attempt to
19 make an arrest need not retreat or desist
20 from their efforts by reason of the resist-
21 ance or threatened resistance of the person
22 being arrested. Federal immigration en-
23 forcement personnel shall not be deemed
24 an aggressor or lose the right to self-de-
25 fense by the use of force when no reason-

ably effective, safe, and feasible alternative appears to exist, in compliance with clause (i), to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this section, ‘retreat’ does not mean tactical repositioning or other de-escalation tactics.

“(B) MINIMIZATION OF RISK.—Federal immigration enforcement personnel shall minimize the risk of injury to a third person when using non-deadly force.

“(C) DEESCALATION.—Federal immigration enforcement personnel shall make all reasonable efforts to de-escalate tensions prior to using force.

“(D) AFFIRMATIVE DUTY.—Federal immigration enforcement personnel shall have an affirmative duty to intervene to prevent or stop, as appropriate, any other Federal immigration enforcement personnel from engaging in excessive force or any other use of force that violates the Constitution, other Federal laws, or policies on the reasonable use of force. Such personnel who witness excessive use of force shall also have a duty to report it to their chain of com-

1 mand or the Department of Homeland Secu-
2 rity's Office of the Inspector General. Such per-
3 sonnel shall recognize and act upon the affirma-
4 tive duty to request and, as appropriate, render
5 medical aid, if needed.

6 “(E) MASKS.—Federal immigration en-
7 forcement personnel shall limit the use of
8 masks or face coverings, except in the case that
9 a supervisory officer provides written approval
10 for such use in one of the following instances:

11 “(i) The target poses a national secu-
12 rity threat.

13 “(ii) There is a high likelihood that
14 the personnel needs to maintain anonymity
15 for future covert operations.

16 “(iii) Masks are necessary to protect
17 personnel's health from environmental haz-
18 ards.

19 “(F) IDENTIFICATION.—

20 “(i) IN GENERAL.—Federal immigra-
21 tion enforcement personnel shall wear a
22 uniform or identification clearly displaying
23 their agency or that they are Federal im-
24 migration enforcement personnel, unless—

1 “(I) the target poses a public
2 safety or national security threat;

3 “(II) not wearing identification is
4 necessary to safely carry out the oper-
5 ation; and

6 “(III) the personnel receives
7 prior written approval from a super-
8 visory officer.

9 “(ii) RESTRICTION.—No uniform of
10 Federal immigration enforcement per-
11 sonnel may use the title ‘Police’ or any
12 other identifier that may result in them
13 being misidentified as local police officers.

14 “(2) RESTRICTED EQUIPMENT.—Federal immi-
15 gration enforcement personnel are prohibited from
16 being equipped with or using noise flash diversionary
17 devices (also known as flash bangs), rubber bullets,
18 pepper balls, and tear gas, except for the following
19 immigration enforcement operations purposes:

20 “(A) An immigration enforcement oper-
21 ation involving the arrest of a person in the
22 presence or view of Federal immigration en-
23 forcement personnel who is entering or attempt-
24 ing to enter the United States in violation of
25 any law.

1 “(B) An immigration enforcement oper-
2 ation with respect to an enforcement target pre-
3 sented a public safety or national security
4 threat. To qualify for this exception, personnel
5 are required to complete a tactical action plan,
6 to be approved by their supervisor, outlining the
7 equipment they plan to use in the operation and
8 provide justification for the need for this equip-
9 ment. Personnel may also complete a tactical
10 action plan, to be approved by their supervisor,
11 to provide them with the contingent authority
12 to appropriately use restricted equipment in
13 specified operations targeting national security
14 or public safety threats in the event personnel
15 unexpectedly encounter their target and do not
16 have time to seek additional approval without
17 jeopardizing apprehension of the target.

18 “(C) The exceptions under this paragraph
19 shall only apply in the case of Federal immigra-
20 tion enforcement personnel who are trained and
21 certified for the use of the specified equipment.

22 “(3) BACKUP TEAM.—

23 “(A) IN GENERAL.—For any operation not
24 qualifying for an exception under paragraph
25 (2), such operation may maintain a trained and

1 certified backup team equipped with restricted
2 nondeadly equipment that can be deployed
3 when the safety of the primary Federal immi-
4 gration enforcement personnel, or others, is at
5 risk.

6 “(B) FIRST AMENDMENT ACTIVITIES.—

7 The safety of Federal immigration enforcement
8 personnel shall not be determined to be at risk
9 solely due to lawful protest or other protected
10 First Amendment activities.

11 “(4) DISCIPLINE.—The Office for Civil Rights
12 and Civil Liberties of the Department of Homeland
13 Security and the Office of the Inspector General of
14 the Department of Justice shall be required to inves-
15 tigate and, if necessary, discipline any Federal immi-
16 gration enforcement personnel, within their primary
17 jurisdiction, who violates this subsection.

18 “(b) BODY AND VEHICLE CAMERA REQUIRE-
19 MENTS.—

20 “(1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this section, the
22 Secretary of Homeland Security shall develop and
23 disseminate a Department-wide directive requiring
24 the use of—

1 “(A) body-worn cameras by all Federal im-
2 migration enforcement personnel; and

3 “(B) dashboard cameras for all vehicles
4 being used in Federal immigration enforcement
5 operations and associated recording protocols.

6 “(2) PRINCIPLES.—In preparing the directive
7 required under paragraph (1), the Secretary of
8 Homeland Security shall include the following:

9 “(A) Benchmarks for implementation of
10 the use of body-worn cameras by Federal immi-
11 gration enforcement personnel and dashboard
12 cameras for vehicles being used for Federal im-
13 migration enforcement to conform with a stand-
14 ard that cameras are on by default and may
15 only be turned off in certain circumstances.

16 “(B) Training requirements, procedures,
17 and best practices for the use of body-worn
18 cameras and dashboard cameras.

19 “(C) Plans to publicize the directive and
20 the requirements set forth in this section to en-
21 sure Federal immigration enforcement per-
22 sonnel and other impacted individuals are noti-
23 fied of new policies.

24 “(3) EXCEPTION.—The directive required under
25 paragraph (1) shall not apply to any personnel who

1 operate in a location where the Secretary carries out
2 redundant video-monitoring or video-surveillance
3 that is maintained in good working order and that
4 provides video footage of a quality that is the same
5 or better than that which would be captured by a
6 body-worn camera or dashboard camera.

7 “(4) RETENTION OF FOOTAGE.—

8 “(A) IN GENERAL.—Body camera and
9 dashboard camera video footage shall be re-
10 tained by the Department of Homeland Secu-
11 rity for 1 year after the date on which it was
12 recorded, after which time such footage shall be
13 permanently deleted.

14 “(B) ADDITIONAL RETENTION REQUIRE-
15 MENTS.—Notwithstanding the retention and de-
16 letion requirements in subparagraph (A)—

17 “(i) such video footage shall be auto-
18 matically retained for not less than three
19 years if the video footage captures an
20 interaction or event involving—

21 “(I) any use of force; or

22 “(II) an encounter involving a
23 registered complaint by a subject of
24 the video footage;

1 “(ii) such video footage shall be re-
2 tained for not less than three years if a
3 longer retention period is voluntarily re-
4 quested by—

5 “(I) the Federal immigration en-
6 forcement personnel whose body cam-
7 era recorded the video footage, if that
8 personnel reasonably asserts the video
9 footage has evidentiary or exculpatory
10 value in an ongoing investigation or is
11 a subject of the video footage, if the
12 personnel reasonably asserts the video
13 footage has evidentiary or exculpatory
14 value;

15 “(II) any superior officer of the
16 personnel whose body camera re-
17 corded the video footage or who is a
18 subject of the video footage, if that
19 superior officer reasonably asserts the
20 video footage has evidentiary or excul-
21 patory value;

22 “(III) any uniformed law enforce-
23 ment officer, if the video footage is
24 being retained solely and exclusively
25 for enforcement training purposes;

1 “(IV) any member of the public
2 who is a subject of the video footage;

3 “(V) any parent or legal guard-
4 ian of a minor who is a subject of the
5 video footage; or

6 “(VI) a spouse of a deceased sub-
7 ject, next of kin, or legally authorized
8 designee; or

9 “(iii) footage may not be discarded
10 until the conclusion of any investigation or
11 lawsuit to which the footage is relevant.

12 “(5) RIGHT TO INSPECT.—During the retention
13 periods described in paragraph (4), the following in-
14 dividuals shall have the right to inspect, but not re-
15 tain or in any matter alter, the body camera footage:

16 “(A) Any individual who is a subject of
17 body camera video footage, and their designated
18 legal counsel.

19 “(B) A parent of a minor subject of body
20 camera video footage, and their designated legal
21 counsel.

22 “(C) The spouse, next of kin, or legally au-
23 thorized designee of a deceased subject of body
24 camera video footage, and their designated legal
25 counsel.

1 “(D) Federal immigration enforcement
2 personnel whose body camera recorded the
3 video footage, and their designated legal coun-
4 sel, subject to the limitations and restrictions in
5 this part.

6 “(E) The superior officer of the personnel
7 whose body camera recorded the video footage,
8 subject to the limitations and restrictions in
9 this part.

10 “(F) Any defense counsel who claims, pur-
11 suant to a written affidavit, to have a reason-
12 able basis for believing a video may contain evi-
13 dence that exculpates a client.

14 “(G) Any Member of Congress rep-
15 resenting the district in which the operation in
16 the video took place.

17 “(H) Any Member of Congress who sits on
18 a relevant Committee of jurisdiction.

19 “(c) TRAINING.—Federal immigration enforcement
20 personnel shall receive training, at least annually—

21 “(1) on use of force policy and related legal up-
22 dates; and

23 “(2) to—

1 “(A) reinforce the appropriate exercise of
2 discretion and judgment in using non-deadly
3 and deadly force;

4 “(B) provide techniques for the use of and
5 reinforce the importance of de-escalation;

6 “(C) comply with the First Amendment’s
7 protections for journalists, protesters, and those
8 who assemble;

9 “(D) comply with the Fourth Amend-
10 ment’s protections against unreasonable
11 searches and seizures;

12 “(E) reinforce the illegality of determining
13 immigration enforcement targets primarily
14 based on race;

15 “(F) reinforce the affirmative duty to in-
16 tervene to prevent or stop, as appropriate, any
17 officer from engaging in excessive force or any
18 other use of force that violates the Constitution,
19 other Federal laws, or policies on the reasonable
20 use of force;

21 “(G) reinforce the affirmative duty to re-
22 quest and/or render medical aid, as appropriate,
23 where needed; and

24 “(H) document and keep records of prac-
25 tice for immigration enforcement operations.

1 “(d) REQUIRING NOTIFICATION FOR LOCAL LAW
2 ENFORCEMENT.—Federal immigration enforcement shall
3 notify local law enforcement of impending operations in
4 their jurisdiction.

5 “(e) DHS REPORTING REQUIREMENTS.—Beginning
6 not later than 3 months after the date of enactment of
7 this subsection, the Secretary of Homeland Security shall
8 submit to Congress the following reports on the criteria
9 Federal immigration enforcement personnel use to deter-
10 mine whether an immigrant poses a public safety or na-
11 tional security threat:

12 “(1) The Secretary of Homeland Security shall
13 submit to Congress a report every 6 months detail-
14 ing instances where non-deadly force was used, the
15 level of public safety or national security threat the
16 target posed, for what reason non-deadly force was
17 administered, specific instances where non-deadly
18 force was improperly administered, and the meas-
19 ures the Department took to ensure accountability
20 for improper use of force.

21 “(2) The Secretary of Homeland Security shall
22 submit to Congress a report every 6 months detail-
23 ing instances of assaults against Federal immigra-
24 tion enforcement personnel. The report shall include
25 the total number of personnel involved in immigra-

1 tion enforcement operations, the number of assaults
2 against Federal immigration enforcement personnel,
3 and details on the severity of those instances.

4 “(3) The Secretary of Homeland Security shall
5 send a classified report to Congress every 6 months
6 detailing instances in which Federal immigration en-
7 forcement personnel operated without identification.

8 “(4) The Secretary of Homeland Security shall
9 submit a report to Congress every 6 months on the
10 frequency of Federal immigration enforcement per-
11 sonnel using facial coverings.

12 “(f) DOJ REPORTING REQUIREMENT.—The Attor-
13 ney General shall submit a report to Congress every 6
14 months on the number and circumstances of incidents of
15 individuals falsely impersonating a Federal immigration
16 enforcement personnel, the public safety impact of individ-
17 uals posing as immigration enforcement, and how the De-
18 partment of Justice is combating impersonations.

19 “(g) DATABASE.—

20 “(1) IN GENERAL.—The Secretary of Homeland
21 Security shall maintain a database accessible to su-
22 pervisors of Federal immigration enforcement per-
23 sonnel with proof of certification and training for all
24 Federal immigration enforcement personnel who will
25 use equipment restricted under this subsection.

1 “(2) ENFORCEMENT.—

2 “(A) SUPERVISOR RESPONSIBILITY.—Each
3 supervisor shall be responsible and held ac-
4 countable if Federal immigration enforcement
5 personnel without proper training and certifi-
6 cation use restricted equipment under sub-
7 section (a)(2).

8 “(B) IMPROPER APPROVALS.—Each super-
9 visor shall also be responsible and held account-
10 able for clearly improper approval of the au-
11 thority under paragraph (1).

12 “(3) IN GENERAL.—The Secretary of Homeland
13 Security shall create a searchable and organizable
14 database, including all reports from Federal immi-
15 gration enforcement personnel, for the following sys-
16 tems:

17 “(A) Use of Force Incident Reporting Sys-
18 tem, which is mandatory for all deployments of
19 force.

20 “(B) Significant Incident Reports, which is
21 mandatory for all operational anomalies or es-
22 calations.

23 “(C) Civil Rights and Civil Liberties re-
24 porting, which is mandatory for all allegations
25 of abuse or misconduct.

1 “(4) AVAILABILITY.—

2 “(A) UNREDACTED AVAILABILITY.—En-
3 tries from the database described in paragraph
4 (3) shall be accessible to—

5 “(i) each Member of Congress rep-
6 resenting the district in which the area of
7 operation is located; or

8 “(ii) a Member of Congress who sits
9 on a relevant committee of jurisdiction.

10 “(B) REDACTED AVAILABILITY.—The Sec-
11 retary of Homeland Security shall make avail-
12 able to the public a version of the database that
13 redacts any sensitive, personal information.

14 “(h) DEFINITIONS.—In this section:

15 “(1) FEDERAL IMMIGRATION ENFORCEMENT
16 PERSONNEL.—The term ‘Federal immigration en-
17 forcement personnel’ includes any immigration agent
18 or officer who is using the authority to conduct ar-
19 rests or enforcement actions under sections 236 and
20 287 or provides support to personnel conducting an
21 enforcement action.

22 “(2) NATIONAL SECURITY THREAT.—The term
23 ‘national security threat’ means any threat, as deter-
24 mined by the Secretary of Homeland Security, posed
25 by transnational criminal organizations, cartels,

1 human trafficking organizations, foreign terrorist or-
2 ganizations, and gangs with a demonstrated inter-
3 national reach.

4 “(3) PUBLIC SAFETY THREAT.—The term ‘pub-
5 lic safety threat’ means an imminent and substantial
6 threat, as determined by the Secretary of Homeland
7 Security, to the safety of others posed by an indi-
8 vidual.”.

9 **SEC. 4. RULE OF CONSTRUCTION.**

10 Nothing in this Act, or the amendments made by this
11 Act, shall be construed to—

12 (1) provide Federal immigration enforcement
13 personnel additional authority to exercise deadly
14 force;

15 (2) prevent Federal immigration enforcement
16 personnel from taking action necessary to ensure the
17 safety of themselves, other personnel, or bystanders;
18 or

19 (3) require State and local law enforcement to
20 assist or be involved in Federal immigration enforce-
21 ment activities.

○