

A BILL

To abolish the Federal Bureau of Investigation, repeal section 531 of title 28, United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Bureau of Investigation Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) The Federal Bureau of Investigation (FBI), a component of the Department of Justice, investigates violations of federal criminal law, conducts counterintelligence and counterterrorism operations, and maintains national criminal records and biometric databases.

(2) By conducting domestic investigations, surveillance, and intelligence operations reaching local crime and the lawful activities of Americans, the FBI regulates activities that are local and intrastate in character, exceeding the power granted in Article I, Section 8, Clause 3 “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes,” a power that, as understood at ratification, reaches trade and exchange across State lines and not production, local activity, or the internal affairs of the States.

(3) The functions of the FBI are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(4) By investigating and monitoring Americans on the basis of their speech, religious practice, associations, and reporting, the FBI infringes the freedom of speech, the right of the people peaceably to assemble, the free exercise of religion, and the freedom of the press, secured by the First Amendment, which provides that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

(5) By operating background-check systems that condition the exercise of the right to keep and bear arms on federal approval, the FBI infringes the Second Amendment, which declares that “the right of the people to keep and bear Arms, shall not be infringed.”

(6) By conducting searches, surveillance, and queries of communications databases involving Americans without warrants issued upon probable cause, the FBI infringes the Fourth Amendment's protection of "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," and its requirement that no warrants shall issue "but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

(7) By pursuing investigative tactics and forfeitures that deprive persons of liberty and property without due process of law, the FBI violates the Due Process Clause, Self-Incrimination Clause, and Takings Clause of the Fifth Amendment, which provide that no person shall "be deprived of life, liberty, or property, without due process of law", no person "shall be compelled in any criminal case to be a witness against himself", and that private property shall not "be taken for public use, without just compensation".

(8) By pursuing forfeitures that punish property owners without the protections of a criminal trial, the FBI imposes deprivations that operate as punishment without affording the protections the Sixth Amendment guarantees "In all criminal prosecutions," including the right to a trial "by an impartial jury."

(9) By seeking forfeitures disproportionate to any offense, the FBI subjects Americans to penalties and forfeitures that may be grossly disproportionate to any offense, contrary to the Eighth Amendment's command that excessive fines shall not be "imposed."

(10) In carrying out its functions, the FBI disregards the Ninth Amendment, which provides that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(11) The Constitution delegates to the United States no power over general police powers and local crime. By conducting domestic investigations, surveillance, and intelligence operations reaching local crime and the lawful activities of Americans, the FBI exercises powers that the Tenth Amendment reserves "to the States respectively, or to the people," contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as "few and defined" and those remaining in the States as "numerous and indefinite."

(12) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive "their just powers from the consent of the governed," and it charged the Crown with having "erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance." The FBI perpetuates the centralized administration the Declaration condemned.

(13) Abolishing the Federal Bureau of Investigation and repealing section 531 of title 28, United States Code, will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) In General.—The Federal Bureau of Investigation, a component of the Department of Justice, is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Federal Bureau of Investigation, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Federal Bureau of Investigation shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Federal Bureau of Investigation shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE FEDERAL BUREAU OF INVESTIGATION.

(a) In General.—Section 531 of title 28, United States Code, and any other provision of law establishing the Federal Bureau of Investigation or vesting functions in the Federal Bureau of Investigation, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Federal Bureau of Investigation and to any office, officer, or function established in or vested in the Federal Bureau of Investigation;

(2) terminating every function of the Federal Bureau of Investigation, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Federal Bureau of Investigation.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the Federal Bureau of Investigation shall revert to its organizational structure as it existed prior to the establishment of the Federal Bureau of Investigation, and no function of the Federal Bureau of Investigation shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Federal Bureau of Investigation abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.