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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

# H. R. \_\_\_\_\_

To provide increased Congressional oversight of certain pardons, to clarify the applicability of bribery prohibitions to pardons and commutations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To provide increased Congressional oversight of certain pardons, to clarify the applicability of bribery prohibitions to pardons and commutations, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Abuse of the Pardon  
5 Prevention Act”.

1 **SEC. 2. CONGRESSIONAL OVERSIGHT RELATING TO CER-**  
2 **TAIN PARDONS.**

3 (a) SUBMISSION OF INFORMATION.—In the event  
4 that the President grants an individual a pardon for a cov-  
5 ered offense, not later than 30 days after the date of such  
6 pardon—

7 (1) the Attorney General shall submit to the  
8 chairmen and ranking members of the appropriate  
9 congressional committees—

10 (A) all materials obtained or prepared by  
11 the prosecution team, including the Attorney  
12 General and any United States Attorney, and  
13 all materials obtained or prepared by any inves-  
14 tigative agency of the United States govern-  
15 ment, relating to the offense for which the indi-  
16 vidual was so pardoned; and

17 (B) all materials obtained or produced by  
18 the Department of Justice in relation to the  
19 pardon; and

20 (2) the President shall submit to the chairmen  
21 and ranking members of the appropriate congress-  
22 sional committees all materials obtained or produced  
23 within the Executive Office of the President in rela-  
24 tion to the pardon.

25 (b) TREATMENT OF INFORMATION.—Rule 6(e) of the  
26 Federal Rules of Criminal Procedure may not be con-

1 strued to prohibit the disclosure of information required  
2 by subsection (a) of this section.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-  
5 mittees” means—

6 (A) the Committee on the Judiciary of the  
7 House of Representatives and the Committee  
8 on the Judiciary of the Senate; and

9 (B) if an investigation relates to intel-  
10 ligence or counterintelligence matters, the Per-  
11 manent Select Committee on Intelligence of the  
12 House of Representatives and the Select Com-  
13 mittee on Intelligence of the Senate.

14 (2) The term “covered offense” means—

15 (A) an offense against the United States  
16 that arises from an investigation in which the  
17 President, or a relative of the President, is a  
18 target, subject, or witness;

19 (B) an offense under section 192 of title 2,  
20 United States Code; or

21 (C) an offense under section 1001, 1505,  
22 1512, or 1621 of title 18, United States Code,  
23 provided that the offense occurred in relation to  
24 a Congressional proceeding or investigation.

1           (3) The term “pardon” includes a commutation  
2 of sentence.

3           (4) The term “relative” has the meaning given  
4 that term in section 3110(a) of title 5, United  
5 States Code.

6 **SEC. 3. BRIBERY IN CONNECTION WITH PARDONS AND**  
7 **COMMUTATIONS.**

8           Section 201 of title 18, United States Code, is  
9 amended—

10           (1) in subsection (a)—

11                 (A) in paragraph (1), by inserting “, in-  
12 cluding the President and the Vice President of  
13 the United States,” after “or an officer or em-  
14 ployee or person”; and

15                 (B) in paragraph (3), by inserting before  
16 the period at the end the following: “, including  
17 any pardon, commutation, or reprieve, or offer  
18 any such pardon, commutation, or reprieve”;  
19 and

20           (2) in subsection (b)(3), by inserting “(includ-  
21 ing, for purposes of this paragraph, any pardon,  
22 commutation, or reprieve, or offer any such pardon,  
23 commutation, or reprieve)” after “corruptly gives,  
24 offers, or promises anything of value”.