

116TH CONGRESS  
1ST SESSION

# S. 2090

To direct the Attorney General to submit to Congress investigative materials in the event of certain pardons granted by the President, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 11, 2019

Ms. CORTEZ MASTO (for herself, Mr. BLUMENTHAL, Mr. CASEY, Mr. VAN HOLLEN, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To direct the Attorney General to submit to Congress investigative materials in the event of certain pardons granted by the President, 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”.

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

8 (a) SUBMISSION OF INFORMATION.—In the event  
9 that the President grants an individual a pardon for an

1 offense against the United States that arises from an in-  
2 vestigation in which the President, or a relative of the  
3 President, is a target, subject, or witness, not later than  
4 30 days after the date of such pardon, the Attorney Gen-  
5 eral shall submit to the chairmen and ranking members  
6 of the appropriate congressional committees all materials  
7 of an investigation that were obtained by a United States  
8 Attorney, another Federal prosecutor, or an investigative  
9 authority of the Federal Government, relating to the of-  
10 fense for which the individual is so pardoned.

11 (b) TREATMENT OF INFORMATION.—Rule 6(e) of the  
12 Federal Rules of Criminal Procedure may not be con-  
13 strued to prohibit the disclosure of information required  
14 by subsection (a) of this section.

15 (c) APPLICABILITY.—Subsection (a) shall apply with  
16 respect to a pardon granted by the President on or after  
17 January 20, 2017.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “appropriate congressional com-  
20 mittees” means—

21 (A) the Committee on the Judiciary of the  
22 House of Representatives and the Committee  
23 on the Judiciary of the Senate; and

24 (B) if an investigation relates to intel-  
25 ligence or counterintelligence matters, the Per-

1           manent Select Committee on Intelligence of the  
2           House of Representatives and the Select Com-  
3           mittee on Intelligence of the Senate.

4           (2) The term “pardon” includes a commutation  
5           of sentence.

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

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