

119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO (for herself, Mr. SCHIFF, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide increased 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 of 2026”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on the Judiciary of the
5 House of Representatives and the Committee
6 on the Judiciary of the Senate; and

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

12 (2) COVERED OFFENSE.—The term “covered
13 offense” means—

14 (A) an offense against the United States
15 that arises from an investigation in which the
16 target or subject is—

17 (i) the President;

18 (ii) a relative of the President;

19 (iii) a former President;

20 (iv) any individual who is serving or
21 has previously served as a political ap-
22 pointee under the President;

23 (v) any individual who was an em-
24 ployee of an authorized committee (as de-
25 fined in section 301 of the Federal Elec-

1 tion Campaign Act of 1971 (52 U.S.C.
2 30101)) of the President for any election
3 to the office of President; or

4 (vi) in the case of an offense moti-
5 vated by a direct and significant personal
6 or pecuniary interest of any individual de-
7 scribed in clause (i), (ii), (iii), (iv), or (v),
8 any person or entity;

9 (B) an offense under section 102 of the
10 Revised Statutes (12 U.S.C. 192); or

11 (C) an offense under section 1001, 1505,
12 1512, or 1621 of title 18, United States Code,
13 provided that the offense occurred in relation to
14 a Congressional proceeding or investigation.

15 (3) PARDON.—The term “pardon” includes a
16 commutation of sentence.

17 (4) POLITICAL APPOINTEE.—The term “polit-
18 ical appointee”—

19 (A) means any individual, other than the
20 President or the Vice President, employed or
21 holding office—

22 (i) in the Executive Office of the
23 President, the Office of the Vice President,
24 or any other office of the White House; or

1 (ii) in a confidential, policy-making,
2 policy-determining, or policy-advocating po-
3 sition appointed by the President, by and
4 with the advice and consent of the Senate;
5 and

6 (B) does not include—

7 (i) a career employee; or

8 (ii) an individual in the Foreign Serv-
9 ice.

10 (5) RELATIVE.—The term “relative”—

11 (A) has the meaning given the term in sec-
12 tion 3110(a) of title 5, United States Code; and

13 (B) includes the spouse of an individual
14 described in section 3110(a) of title 5, United
15 States Code.

16 **SEC. 3. DEPARTMENT OF JUSTICE INSPECTOR GENERAL**
17 **OVERSIGHT RELATING TO CERTAIN PAR-**
18 **DONS.**

19 (a) DEFINITIONS.—In this section, the term “Inspec-
20 tor General” means the Inspector General of the Depart-
21 ment of Justice.

22 (b) REQUIRED INVESTIGATION.—In the event that
23 the President grants an individual a pardon for a covered
24 offense, as soon as practicable after the date of such par-

1 don, the Inspector General shall begin an investigation of
2 the pardon.

3 (c) REQUIRED INFORMATION.—

4 (1) IN GENERAL.—Not later than 30 days after
5 the date on which the President grants an individual
6 a pardon for a covered offense, for purposes of an
7 investigation under subsection (b)—

8 (A) the Attorney General shall submit to
9 the Inspector General—

10 (i) all materials obtained or prepared
11 by the prosecution team, including the At-
12 torney General and any United States At-
13 torney, and all materials obtained or pre-
14 pared by any investigative agency of the
15 United States government, relating to the
16 offense for which the individual was so
17 pardoned; and

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

21 (B) the President shall submit to the In-
22 spector General all materials obtained or pro-
23 duced within the Executive Office of the Presi-
24 dent in relation to the pardon.

1 (2) REPORT ON NONCOMPLIANCE.—Not later
2 than 10 days after the date on which the Attorney
3 General or President fails or refuses to comply with
4 the requirement under paragraph (1), the Inspector
5 General shall submit a report to Congress on the
6 failure or refusal, which shall include a list of the
7 documents or information that has not been sub-
8 mitted as required under paragraph (1).

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

13 (e) REPORT.—

14 (1) IN GENERAL.—The Inspector General shall
15 submit to Congress and publish a report of the find-
16 ings of each investigation conducted under this sec-
17 tion.

18 (2) FORM OF REPORT.—Each report submitted
19 to Congress under this subsection shall be in unclas-
20 sified form, but may, if necessary, contain a classi-
21 fied annex.

22 **SEC. 4. CONGRESSIONAL OVERSIGHT RELATING TO CER-**
23 **TAIN PARDONS.**

24 (a) SUBMISSION OF INFORMATION.—In the event
25 that the President grants an individual a pardon for a cov-

1 ered offense, not later than 30 days after the date of such
2 pardon—

3 (1) the Attorney General shall submit to the
4 chairs and ranking members of the appropriate con-
5 gressional committees—

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

13 (B) all materials obtained or produced by
14 the Department of Justice in relation to the
15 pardon; and

16 (2) the President shall submit to the chairs and
17 ranking members of the appropriate congressional
18 committees all materials obtained or produced within
19 the Executive Office of the President in relation to
20 the pardon.

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

1 **SEC. 5. BRIBERY IN CONNECTION WITH PARDONS AND**
2 **COMMUTATIONS.**

3 Section 201 of title 18, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by inserting “, in-
7 cluding the President and the Vice President of
8 the United States,” after “or an officer or em-
9 ployee or person”; and

10 (B) in paragraph (2)—

11 (i) by striking “means any person”
12 and inserting the following: “means—

13 “(A) any person”;

14 (ii) by striking “and” at the end; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(B) any person who is an apparent suc-
18 cessful candidate for the office of President, as
19 determined under section 3(c) of the Presi-
20 dential Transition Act of 1963 (3 U.S.C. 102
21 note), and has not yet assumed the office of
22 President; and

23 “(C) any person who is an apparent suc-
24 cessful candidate for the office of Vice Presi-
25 dent, as determined under section 3(c) of the
26 Presidential Transition Act of 1963 (3 U.S.C.

1 102 note), and has not yet assumed the office
2 of Vice President; and”; and

3 (C) in paragraph (3), by inserting “, in-
4 cluding any pardon, commutation, or reprieve,
5 or an offer of any such pardon, commutation,
6 or reprieve” before the period at the end; and

7 (2) in subsection (b)(3), by inserting “(includ-
8 ing, for purposes of this paragraph, any pardon,
9 commutation, or reprieve, or offer any such pardon,
10 commutation, or reprieve)” after “corruptly gives,
11 offers, or promises anything of value”.

12 **SEC. 6. PROHIBITION ON PRESIDENTIAL SELF-PARDON.**

13 The President’s grant of a pardon to himself or her-
14 self is void and of no effect, and shall not deprive the
15 courts of jurisdiction, or operate to confer on the Presi-
16 dent any legal immunity from investigation or prosecution.

17 **SEC. 7. FINANCIAL DISCLOSURE REPORTS BY PARDON RE-**
18 **CIPIENTS.**

19 (a) DEFINITIONS.—In this section:

20 (1) COVERED INDIVIDUAL.—The term “covered
21 individual” means an individual who is granted a
22 pardon by the President on or after the date of en-
23 actment of this Act.

24 (2) DIRECTOR.—The term “Director” means
25 the Director of the Office of Government Ethics.

1 (3) GIFT.—The term “gift”—

2 (A) has the meaning given the term in sec-
3 tion 2635.203 of title 5, Code of Federal Regu-
4 lations, as in effect on the date of enactment of
5 this Act; and

6 (B) includes—

7 (i) any gift that is solicited or accept-
8 ed indirectly, as defined in section
9 2635.203 of title 5, Code of Federal Regu-
10 lations, as in effect on the date of enact-
11 ment of this Act;

12 (ii) any contribution to an authorized
13 committee (as defined in section 301 of the
14 Federal Election Campaign Act of 1971
15 (52 U.S.C. 30101)) of the President for
16 any election to the office of President;

17 (iii) any contribution, donation, trans-
18 fer, or provision of money, real property,
19 tangible personal property, or anything
20 else of value, made directly or indirectly to,
21 or for the benefit of, a Presidential library,
22 including—

23 (I) a Presidential archival deposi-
24 tory;

1 (II) any private or nonprofit enti-
2 ty established or operated for the pur-
3 pose of planning, constructing, endow-
4 ing, maintaining, supporting, or oper-
5 ating a Presidential archival deposi-
6 tory, Presidential center, Presidential
7 museum, or Presidential library; or

8 (III) any entity controlled by or
9 affiliated with an entity described in
10 subclause (I) or (II); and

11 (iv) any contribution, donation, in-
12 kind contribution of goods or professional
13 services, or transfer of funds (including
14 funds derived from legal settlements) made
15 directly or indirectly to, or for the benefit
16 of, a White House construction or renova-
17 tion entity.

18 (4) PRESIDENTIAL ARCHIVAL DEPOSITORY.—
19 The term “Presidential archival depository” has the
20 meaning given the term in section 2101 of title 44,
21 United States Code.

22 (5) WHITE HOUSE CONSTRUCTION OR RENOVA-
23 TION ENTITY.—The term “White House construc-
24 tion or renovation entity” means—

1 (A) any Treasury account or agency fund
2 established or utilized to receive funds or gifts
3 for construction, renovation, repair, mainte-
4 nance, alteration, expansion, or demolition on
5 the White House (including the Executive Resi-
6 dence at the White House);

7 (B) the White House Historical Associa-
8 tion, the White House Endowment Trust, the
9 White House Acquisition Trust, the National
10 Park Foundation, or any other nonprofit orga-
11 nization, 501(c)(3) entity, trust, foundation, or
12 special-purpose vehicle established, operated, or
13 utilized to solicit, accept, hold, or disburse
14 funds for construction, renovation, repair,
15 maintenance, alteration, expansion, or demoli-
16 tion on White House (including the Executive
17 Residence at the White House); and

18 (C) any entity controlled by or affiliated
19 with an entity described in subparagraph (A) or
20 (B).

21 (b) REQUIREMENT.—

22 (1) IN GENERAL.—

23 (A) SUBMISSIONS THROUGH ONLINE POR-
24 TAL.—

1 (i) INITIAL REPORT.—Except as pro-
2 vided in subparagraph (B), if a covered in-
3 dividual gave a gift to the President who
4 granted the covered individual a pardon
5 during the 365-day period before the date
6 on which the pardon was granted, not later
7 than 30 days after the date on which the
8 pardon is granted, the covered individual
9 shall submit to the Director, through the
10 online portal established under subsection
11 (c), a financial disclosure report with re-
12 spect to the gift.

13 (ii) CONTINUING REPORTS.—Except
14 as provided in subparagraph (B), if a cov-
15 ered individual gives a gift to the President
16 who granted the covered individual a par-
17 don on or after the date on which the par-
18 don is granted, not later than May 15 of
19 each year during the 5-year period fol-
20 lowing the date on which the pardon is
21 granted, the covered individual shall sub-
22 mit to the Director, through the online
23 portal established under subsection (c), a
24 financial disclosure report with respect to
25 the gift.

1 (B) SUBMISSIONS PRIOR TO ONLINE POR-
2 TAL.—Any report required to be submitted
3 under clause (i) or (ii) of subparagraph (A)
4 during the period before the Director has estab-
5 lished the online portal pursuant to subsection
6 (c) shall be submitted in such form and manner
7 as the Director may require.

8 (2) CONTENTS.—Each financial disclosure re-
9 port submitted under paragraph (1) shall include,
10 which respect to each gift required to be reported—

11 (A) the date on which the covered indi-
12 vidual gave the gift to the President;

13 (B) a description of the gift; and

14 (C) the value of the gift.

15 (c) ONLINE SUBMISSION.—Not later than 180 days
16 after the date of enactment of this Act, the Director shall
17 establish an online portal on the internet website of the
18 Office of Government Ethics through which covered indi-
19 viduals shall submit the financial disclosure reports re-
20 quired under subsection (b).

21 (d) PUBLICATION OF FINANCIAL DISCLOSURE RE-
22 PORTS.—The Director shall publish in a searchable format
23 on the publicly accessible internet website of the Office
24 of Government Ethics each financial disclosure report sub-
25 mitted in accordance with subsection (b) not later than

1 15 days after the date on which the financial disclosure
2 report is submitted.

3 **SEC. 8. SEVERABILITY.**

4 If any provision of this Act, an amendment made by
5 this Act, or the application of such provision or amend-
6 ment to any person or circumstance is held to be unconsti-
7 tutional, the remainder of this Act, the amendments made
8 by this Act, and the application of such provision or
9 amendment to any person or circumstance shall not be af-
10 fected thereby.