

118TH CONGRESS
2D SESSION

H. R. 9884

To amend title 28, United States Code, to preclude a President from controlling the conduct of an investigation into the President by the Department of Justice.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2024

Mr. SCHIFF (for himself, Ms. NORTON, Mr. COHEN, Mr. NICKEL, Ms. TOKUDA, Mr. CLEAVER, Ms. SCHAKOWSKY, and Mrs. RAMIREZ) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to preclude a President from controlling the conduct of an investigation into the President by the Department of Justice.

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 “Investigative Integrity
5 Protection Act of 2024”.

1 **SEC. 2. PRESIDENTIAL OVERSIGHT OF ATTORNEY GEN-**
2 **ERAL.**

3 (a) IN GENERAL.—Chapter 31 of title 28, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 530E. Presidential oversight of Attorney General**

7 “(a) CERTIFICATION.—In the case of any criminal
8 prosecution against the President, irrespective of when the
9 prosecution was initiated, if the government seeks dis-
10 missal of such prosecution, the court shall require the At-
11 torney General to submit a sworn statement under penalty
12 of perjury attesting as to whether the dismissal was or-
13 dered by the President or anyone acting pursuant to the
14 direction of the President.

15 “(b) CONSIDERATIONS.—

16 “(1) IN GENERAL.—The court shall only grant
17 the dismissal if deemed appropriate and in the inter-
18 est of justice after having duly considered the cir-
19 cumstances of the case and—

20 “(A) the sworn statement required by sub-
21 section (a);

22 “(B) any evidence in the record or ex
23 curia, which shall be reflected in the order of
24 the court, to support an inference that the deci-
25 sion to seek dismissal of the prosecution is mo-
26 tivated by bad faith or is a pretext to enable the

1 President to act outside of the legal and con-
2 stitutional authority of the Presidency; and

3 “(C) any other factors the court deems ap-
4 propriate.

5 “(2) EVIDENTIARY CONSIDERATIONS.—Evi-
6 dence considered under subsection (b)(1)(B) may in-
7 clude—

8 “(A) whether the dismissal was suggested,
9 encouraged, requested, or ordered by the Presi-
10 dent; or

11 “(B) whether the Attorney General was, in
12 the opinion of the court, appointed in whole or
13 in part for his willingness to dismiss the pros-
14 ecution at bar or any criminal prosecution
15 against the President.

16 “(c) THREE-JUDGE COURT.—Any action seeking dis-
17 missal shall be heard by a three-judge court convened pur-
18 suant to section 2284.

19 “(d) SANCTIONS.—If the court, in making a deter-
20 mination under subsection (b), additionally determines
21 that the motion to dismiss was made without good cause,
22 the court may impose sanctions as appropriate.

23 “(e) INSPECTOR GENERAL RESPONSIBILITIES.—The
24 Inspector General of the Department of Justice, upon hav-
25 ing a good faith basis to conclude that a motion to dismiss

1 a prosecution against the President was brought at the
2 direction of the President, or anyone acting pursuant to
3 the direction of the President, shall immediately report
4 such findings to Congress.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 for such chapter is amended by adding at the end the fol-
7 lowing:

“530E. Presidential oversight of Attorney General.”.

