

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7575

To amend title 28, United States Code, to prohibit attorneys for the Government from being influenced by the political association, activities, or beliefs of a person in determining whether to commence or recommend prosecution or take other action against the person.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2026

Mr. GOLDMAN of New York introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 28, United States Code, to prohibit attorneys for the Government from being influenced by the political association, activities, or beliefs of a person in determining whether to commence or recommend prosecution or take other action against the person.

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 “Prohibiting Political  
5 Prosecutions Act of 2026”.

1 **SEC. 2. IMPERMISSIBLE CONSIDERATIONS FOR INITIATING**  
2 **OR DECLINING CHARGES AND RIGHT OF AC-**  
3 **TION.**

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

7 **“§ 530E. Impermissible considerations for initiating**  
8 **or declining charges and right of action**

9 “(a) DEFINITION.—In this section, the term ‘applica-  
10 ble covered individual’ means—

11 “(1) if the investigation involved the Federal  
12 Bureau of Investigation, the Director of the Federal  
13 Bureau of Investigation, a special agent in charge,  
14 a section chief, and an agent of the Federal Bureau  
15 of Investigation;

16 “(2) if the investigation involved an agency  
17 other than the Federal Bureau of Investigation, the  
18 head of the agency and an agent of the agency; and

19 “(3) a United States attorney and a line pros-  
20 ecutor.

21 “(b) IMPERMISSIBLE CONSIDERATIONS.—

22 “(1) IN GENERAL.—In determining whether to  
23 commence or recommend prosecution or investiga-  
24 tion an attorney or investigator for the Government  
25 shall not consider the political or policy associations,  
26 activities, or beliefs of the person. An attorney or in-

1        investigator for the Government shall not commence  
2        or recommend prosecution or investigation against a  
3        person in order to influence or change, in any way,  
4        the political or policy associations, activities, or be-  
5        liefs of the person.

6            “(2) APPLICATIONS.—Each criminal complaint,  
7        information, indictment, and application for a search  
8        warrant or arrest warrant shall include an attesta-  
9        tion by the applicable covered individual that—

10            “(A) the covered individual is not aware  
11        that the criminal complaint, information, indict-  
12        ment, search warrant, or arrest warrant, as ap-  
13        plicable, is being sought because of the political  
14        association, activities, or beliefs of the person  
15        subject to the warrant or a defendant named in  
16        the indictment;

17            “(B) the covered individual is not aware  
18        that the criminal complaint, information, indict-  
19        ment, search warrant, or arrest warrant, as ap-  
20        plicable, is being sought in order to influence or  
21        change, in any way, the political or policy asso-  
22        ciations, activities, or beliefs of the person sub-  
23        ject to the warrant or a defendant named in the  
24        indictment; and

1           “(C) in the case of a criminal complaint,  
2 information, or indictment, the covered indi-  
3 vidual believes the evidence in support of the in-  
4 dictment is sufficient to prove the guilt of the  
5 defendant at trial beyond a reasonable doubt.

6           “(3) RULE OF CONSTRUCTION.—Nothing in  
7 paragraph (1) may be construed to limit the author-  
8 ity of the Attorney General—

9           “(A) to establish prosecutorial and other  
10 guidelines for personnel of the Department of  
11 Justice;

12           “(B) to displace any additional provisions  
13 of the Justice Manual; or

14           “(C) to exclude by implication any other  
15 consideration the Attorney General determines  
16 is impermissible in determining whether to com-  
17 mence or recommend prosecution or take other  
18 action against a person.

19           “(c) RIGHT OF ACTION.—Any person investigated or  
20 prosecuted following a violation of this section may bring  
21 a civil action in an appropriate court of the United States  
22 for damages against any applicable covered individual in  
23 their individual capacity.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
2 The table of sections for chapter 31, United States Code,  
3 is amended by adding at the end the following:

“530E. Impermissible considerations for initiating or declining charges and right  
of action.”.

4 **SEC. 3. GRAND JURY REFORMS.**

5 (a) IN GENERAL.—Rule 6 of the Federal Rules of  
6 Criminal Procedure is amended by adding at the end the  
7 following:

8 “(j) PRESENTATION OF EXCULPATORY INFORMA-  
9 TION.—If the government is aware of exculpatory evi-  
10 dence, the government shall inform the grand jury of its  
11 nature and existence.

12 “(k) PRESENTATION OF IMPEACHMENT INFORMA-  
13 TION.—The government shall inform the grand jury of  
14 any statement, report, communication, or recording in the  
15 possession of the government made by, or including, a wit-  
16 ness who testified before the grand jury that may impeach  
17 the credibility of the testimony of the witness.”.

18 (b) DISCOVERY AND INSPECTION.—Rule 16(a)(1) of  
19 the Federal Rules of Criminal Procedure is amended—

20 (1) by redesignating subparagraph (G) as sub-  
21 paragraph (H); and

22 (2) by inserting after subparagraph (F) the fol-  
23 lowing:

1           “(G) GRAND JURY VOTE TALLY.—Upon a  
2           defendant’s request, the government must fur-  
3           nish the defendant with the number of grand  
4           jurors who voted to indict on each count and  
5           the number of grand jurors present for the  
6           vote.”.

7           (c) DISMISSAL.—Rule 48 of the Federal Rules of  
8           Criminal Procedure is amended by adding at the end the  
9           following:

10          “(c) FOR POLITICAL REASONS.—

11           “(1) IN GENERAL.—Upon a motion by the de-  
12           fendant alleging that substantial grounds exist to be-  
13           lieve that the political or policy associations, activi-  
14           ties, or beliefs of the defendant were considered in  
15           bringing the prosecution or that the prosecution was  
16           sought in order to influence or change, in any way,  
17           the political or policy association, activities, or be-  
18           liefs of the defendant and requesting dismissal of all  
19           or part of the indictment and inspection of grand  
20           jury minutes, the judge shall review the grand jury  
21           minutes in camera, including whether—

22           “(A) the government provided the grand  
23           jury with sufficient evidence to prove by prob-  
24           able cause that the defendant committed each  
25           element of the crime;

1           “(B) the evidence presented to the grand  
2 jury was without impermissible reference to the  
3 political or policy associations, activities, or be-  
4 liefs of the defendant;

5           “(C) the government informed the grand  
6 jury of the nature and existence of all excul-  
7 patory evidence of which the government was  
8 aware; and

9           “(D) the government informed the grand  
10 jury of any statement, report, communication,  
11 or recording in the possession of the govern-  
12 ment made by a witness who testified before the  
13 grand jury that may impeach the credibility of  
14 the grand jury testimony of the witness.

15           “(2) DISMISSAL OF ALL OR PART OF THE IN-  
16 DICTMENT.—

17           “(A) DETERMINATION.—If the court de-  
18 termines that evidence presented to the grand  
19 jury impermissibly related to the political or  
20 policy associations, activities or beliefs of the  
21 defendant, or that the evidence was not suffi-  
22 cient to prove probable cause for each element  
23 of the offense, the court shall dismiss all or  
24 part of the indictment, as applicable.

1           “(B) RE-PRESENTATION.—If the court dis-  
2           misses all or part of an indictment under this  
3           paragraph, the government may re-present a  
4           case to a different grand jury only if the gov-  
5           ernment first files a motion providing, and the  
6           court first finds, substantial grounds to believe  
7           that the political or policy associations, activi-  
8           ties, or beliefs of the target were not considered  
9           in bringing the prosecution and that the pros-  
10          ecution is not being sought in order to influence  
11          or change, in any way, the political or policy as-  
12          sociation, activities, or beliefs of the defend-  
13          ant.”.

14 **SEC. 4. PROHIBITION ON WHITE HOUSE INFLUENCE.**

15          (a) IN GENERAL.—Chapter 31 of title 28, United  
16 States Code, as amended by section 2 of this Act, is  
17 amended by adding at the end the following:

18 **“§ 530F. Impermissible influence**

19          “(a) IN GENERAL.—No President or any employee  
20 of the White House shall directly or indirectly instruct the  
21 Department of Justice concerning investigative or charg-  
22 ing decisions in individual criminal cases.

23          “(b) NO CONSIDERATION.—No Department of Jus-  
24 tice employee may consider direct or indirect instructions  
25 from the President or any White House employee when

1 making investigative or charging decisions in individual  
2 criminal cases.”.

3 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—

4 The table of sections for chapter 31, United States Code,  
5 as amended by section 2 of this Act, is amended by adding  
6 at the end the following:

“530F. Impermissible influence.”.

7 **SEC. 5. REPORTING.**

8 (a) **IN GENERAL.**—Section 530B of title 28, United  
9 States Code, is amended—

10 (1) by redesignating subsection (c) as sub-  
11 section (d); and

12 (2) by inserting after subsection (b) the fol-  
13 lowing:

14 “(c)(1) All employees of the Department of Justice  
15 and Federal Bureau of Investigation shall report to the  
16 Office of Professional Responsibility of the Department of  
17 Justice and the Office of the Inspector General of the De-  
18 partment of Justice any instance where the political or  
19 policy associations, activities, or beliefs of the target were  
20 considered in any investigation or charging decision or  
21 when an investigation or charging decision was made in  
22 order to influence or change, in any way, the political or  
23 policy association, activities, or beliefs of the target.

24 “(2) The Director of the Office of Professional Re-  
25 sponsibility of the Department of Justice and the Inspec-

1 tor General of the Department of Justice shall disclose  
2 to each appropriate congressional committee any commu-  
3 nication or complaint received by the Office or Inspector  
4 General relating to an allegation that, in determining  
5 whether to commence or recommend prosecution or take  
6 other action against a person, the political or policy asso-  
7 ciations, activities, or beliefs of the person were considered  
8 or a decision was made in order to influence or change,  
9 in any way, the political or policy association, activities,  
10 or beliefs of the person.

11 “(3) Any disclosure made under paragraph (2)  
12 shall—

13 “(A) include—

14 “(i) the specific communication or com-  
15 plaint received by the Office of Professional Re-  
16 sponsibility or Office of the Inspector General;

17 “(ii) the investigative steps the Office of  
18 Professional Responsibility or Office of the In-  
19 spector General took in response to the allega-  
20 tion; and

21 “(iii) any findings of the Office of Profes-  
22 sional Responsibility or Office of the Inspector  
23 General;

24 “(B) notwithstanding section 552a of title 5, be  
25 confidential and not subject to disclosure; and

1           “(C) be made not later than 5 business days  
2           after the issuance of any findings or, if no findings  
3           are issued, be made no later than 5 business days  
4           after the conclusion of the investigation.

5           “(4) The Office of Professional Responsibility of the  
6 Department of Justice and the Office of the Inspector  
7 General of the Department of Justice shall investigate all  
8 communications and complaints relating to an allegation  
9 that, in determining whether to commence or recommend  
10 prosecution or take other action against a person, the po-  
11 litical association, activities, or beliefs of the person were  
12 considered or a decision was made in order to influence  
13 or change, in any way, the political or policy associations,  
14 activities, or beliefs of the person. Such investigations  
15 shall be commenced not later than 5 business days after  
16 the initial receipt of the communication or complaint and  
17 shall be completed not later than 1 month after such re-  
18 ceipt.”.

19 **SEC. 6. SEVERABILITY.**

20           If any provision of this Act, an amendment made by  
21 this Act, or the application of such provision or amend-  
22 ment to any person or circumstance is held to be unconsti-  
23 tutional, the remainder of this Act, the amendments made  
24 by this Act, and the application of the provisions of such

1 to any person or circumstance shall not be affected there-  
2 by.

○