

116TH CONGRESS
2D SESSION

S. 3851

To prohibit high-level appointees in the Department of Justice from participating in particular matters in which the President, a relative of the President, or an individual associated with the campaign of the President is a party.

IN THE SENATE OF THE UNITED STATES

JUNE 1, 2020

Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. MARKEY, Mrs. MURRAY, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. WYDEN, Mr. SANDERS, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit high-level appointees in the Department of Justice from participating in particular matters in which the President, a relative of the President, or an individual associated with the campaign of the President is a party.

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 “Blocking Appointees
5 from Refusing Recusal Act” or the “BARR Act”.

1 **SEC. 2. PROHIBITION ON HIGH-LEVEL APPOINTEES IN THE**
 2 **DEPARTMENT OF JUSTICE PARTICIPATING**
 3 **IN PARTICULAR MATTERS IN WHICH THE**
 4 **PRESIDENT, A RELATIVE OF THE PRESIDENT,**
 5 **OR AN INDIVIDUAL ASSOCIATED WITH THE**
 6 **CAMPAIGN OF THE PRESIDENT IS A PARTY.**

7 No funds, resources, or fees made available to the De-
 8 partment of Justice by any Act of Congress for any fiscal
 9 year, may be used for any participation by an officer or
 10 employee of the Department of Justice appointed by the
 11 President, by and with the advice and consent of the Sen-
 12 ate, or by a United States attorney appointed by the At-
 13 torney General under section 546 of title 28, United
 14 States Code, in any particular matter (as defined in sec-
 15 tion 207(i) of title 18, United States Code) involving a
 16 specific party who is—

17 (1) the President who appointed the officer or
 18 employee;

19 (2) a relative (as defined in section 3110 of title
 20 5, United States Code) of the President who ap-
 21 pointed the officer or employee; or

22 (3) a current or former agent or official of a
 23 campaign for elected office of the President who ap-
 24 pointed the officer or employee.

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