

119TH CONGRESS
2D SESSION

S. _____

To require the Attorney General to recover certain payments made to the President.

IN THE SENATE OF THE UNITED STATES

Mr. SCHIFF introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Attorney General to recover certain payments made to the President.

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 “Corruption Clawback
5 Act”.

6 **SEC. 2. DEFINITION.**

7 In this Act, the term “covered payment” means any
8 portion of any monetary settlement, administrative award,
9 including an award made under section 2672 of title 28,
10 United States Code, or a court-ordered judgment—

1 (1) paid from the United States Treasury or in
2 accordance with section 1304 of title 31, United
3 States Code;

4 (2) paid to an individual when they served as
5 President;

6 (3) that would not have been paid but for the
7 individual holding the status, authority, or duties as-
8 sociated with their position as President; and

9 (4) relating to an administrative claim filed or
10 settlement reached on or after January 20, 2025.

11 **SEC. 3. RECOVERY OF PAYMENTS MADE TO THE PRESI-**
12 **DENT.**

13 (a) **IN GENERAL.**—The Attorney General shall bring
14 a civil action in the United States Court of Federal Claims
15 or the United States Court of Appeals for the District of
16 Columbia Circuit to recover any covered payment.

17 (b) **CONSIDERATIONS.**—In determining whether a
18 payment described in section 2 would not have been made
19 but for the individual holding the status, authority, or du-
20 ties associated with their position as President, the court
21 should consider—

22 (1) whether the officials who authorized or ne-
23 gotiated the covered payment on behalf of the Gov-
24 ernment were appointed by, or previously served as
25 personal counsel to, the President;

1 (2) whether the amount of the covered payment
2 exceeds typical payouts for similar claims by private
3 citizens; and

4 (3) whether the settlement bypassed standard
5 legal defenses (such as statutes of limitations or sov-
6 ereign immunity) that career Government lawyers
7 would typically assert.

8 (c) USE OF RECOVERED PAYMENTS.—Any covered
9 payment that is recovered under this section shall be used
10 by the Public Integrity Section of the Criminal Division
11 of the Department of Justice.

12 **SEC. 4. REPORT.**

13 Not later than 180 days after the date on which a
14 covered payment that is greater than \$1,000,000 is made,
15 the Comptroller General shall submit to Congress a report
16 that includes the considerations described in section 3(b).