

AMENDMENT TO RULES COMMITTEE PRINT 117-

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OFFERED BY MR. RASKIN OF MARYLAND

Page 8, line 13, strike “**LIMITATIONS**” and insert
“**LIMITATIONS AND DELAY OF PROCEEDINGS**”.

Page 8, strike line 18 and all that follows through
page 9, line 2, and insert the following:

1 “(c) OFFENSES COMMITTED BY PRESIDENT OR VICE
2 PRESIDENT DURING OR PRIOR TO TENURE IN OFFICE.—
3 In the case of any person serving as President or Vice
4 President of the United States, the duration of that per-
5 son’s tenure may, at the discretion of a court of competent
6 jurisdiction, be excluded from any applicable statute of
7 limitations for any Federal criminal offense committed by
8 that person, when the investigation and prosecution of
9 such offense have been precluded or forestalled by reason
10 of the defendant’s official role or duties. Such offense may
11 include an offense committed preceding or during any pe-
12 riod of time preceding the defendant’s tenure in office.
13 “(d) DELAY IN TRIAL OR OTHER LEGAL PRO-
14 CEEDINGS.—Notwithstanding an exercise of discretion
15 pursuant to subsection (c), in the case of an indictment

1 of any person serving as President or Vice President of
2 the United States, a trial or other legal proceeding with
3 respect to such indictment may be delayed at the discre-
4 tion of a court of competent jurisdiction to the extent that
5 ongoing criminal proceedings would interfere with the per-
6 formance of the defendant's duties while in office.

7 “(e) BURDEN OF PROOF.—With respect to an exer-
8 cise of discretion under subsection (c) or (d), the burden
9 of proof shall be on the defendant to demonstrate that
10 an ongoing criminal proceeding would pose an undue bur-
11 den on the defendant's ability to fulfill the duties of the
12 defendant's office.”.

Page 9, strike line 8 and all that follows through
line 12, and insert the following:

13 (c) RULE OF CONSTRUCTION.—An exercise of discre-
14 tion pursuant to this section shall not be construed to pre-
15 clude the indictment or prosecution of a President or Vice
16 President, during such President's or Vice President's ten-
17 ure in office, for violations of the criminal laws of the
18 United States.

