

103^D CONGRESS
2^D SESSION

H. R. 4958

To amend title 3 of the United States Code to provide immunity from suit for the President of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 12, 1994

Mr. ROSE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 3 of the United States Code to provide immunity from suit for the President of the United States, and for other purposes.

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 “Presidential Immunity
5 Act of 1994”.

6 **SEC. 2. PRESIDENTIAL IMMUNITY FROM CIVIL SUIT.**

7 (a) IN GENERAL.—Title 3, United States Code, is
8 amended by adding at the end the following:

1 **“CHAPTER 5—IMMUNITY FROM CIVIL SUIT**

“Sec.

“501. Immunity generally.

“502. Recovery of attorneys’ fee.

“503. Sanctions for improper suit.

2 **“§ 501. Immunity generally**

3 “The President shall be immune from all civil suit,
4 in whatsoever court, seeking money damages, during the
5 period that begins when the President takes office and
6 ends 180 days after the President leaves office. None of
7 the time during any period in which the President is im-
8 mune from suit by reason of this section shall be counted
9 as part of any period of statutory or other limitations on
10 the later commencement of such a suit.

11 **“§ 502. Recovery of attorneys’ fees**

12 “If an individual who is President or a former Presi-
13 dent—

14 “(1) obtains the dismissal of a civil suit by rea-
15 son of section 501; or

16 “(2) otherwise prevails in any civil suit, in
17 whatsoever court, seeking money damages based on
18 a cause of action arising before or during that indi-
19 vidual’s term as President;

20 the Secretary of the Treasury shall reimburse such indi-
21 vidual for reasonable attorneys’ fees and other costs that
22 such individual is liable for in connection with such suit.

1 **“§ 503. Sanctions for improper suit**

2 “Any court in which a civil suit seeking money dam-
3 ages is commenced against a former President, based on
4 a cause of action arising before or during such former
5 President’s term as President, may impose upon a party
6 or that party’s attorney appropriate sanctions, including
7 an order to reimburse the Secretary of the Treasury for
8 payments made under section 502, if the court determines
9 the suit—

10 “(1) is not well grounded in fact;

11 “(2) is not warranted by existing law or by a
12 good faith argument for the extension, modification,
13 or reversal of existing law; or

14 “(3) is interposed for an improper purpose,
15 such as to harass or embarrass the former Presi-
16 dent.”

17 (b) CLERICAL AMENDMENT.—The table of chapters
18 at the beginning of title 3, United States Code, is amended
19 by adding at the end the following new item:

“5. Immunity from civil suit 501”.

