

118TH CONGRESS
1ST SESSION

H. R. 4807

To provide for the appointment of a Special Counsel to investigate and prosecute any charges arising from the activity of signatories to the letter entitled “Public Statement on the Hunter Biden Emails” (October 19, 2020) involving election interference.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2023

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

A BILL

To provide for the appointment of a Special Counsel to investigate and prosecute any charges arising from the activity of signatories to the letter entitled “Public Statement on the Hunter Biden Emails” (October 19, 2020) involving election interference.

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 “Deep State Account-
5 ability Act of 2023”.

1 **SEC. 2. APPOINTMENT OF SPECIAL COUNSEL.**

2 (a) APPOINTMENT.—The Attorney General shall ap-
3 point a Special Counsel to investigate and prosecute any
4 charges arising from the activity of a covered person that
5 involved—

6 (1) a violation of section 2004(b) of the Revised
7 Statutes (52 U.S.C. 10101(b)); or

8 (2) other unlawful conduct involving an abuse
9 of power or knowingly engaging in election inter-
10 ference.

11 (b) QUALIFICATIONS AND REQUIREMENTS OF SPE-
12 CIAL COUNSEL.—The Special Counsel appointed under
13 this section—

14 (1) shall be non-partisan;

15 (2) shall comply with all requests to appear
16 under oath before the Committees on the Judiciary
17 of the House of Representatives and of the Senate;

18 (3) may not have made any political contribu-
19 tions or engaged in political actions (including
20 through their spouse) with the presidential cam-
21 paigns of either President Trump or President
22 Biden; and

23 (4) shall report to the Committees on the Judi-
24 ciary of the House of Representatives and of the
25 Senate any attempt by the Administration of Presi-
26 dent Biden or the Department of Justice to halt,

1 delay, or interfere with the investigation of the Spe-
2 cial Counsel.

3 (c) SCOPE OF PROSECUTORIAL JURISDICTION.—

4 (1) IN GENERAL.—The special counsel is au-
5 thorized to fully investigate and prosecute and all
6 matters related to the activity described in sub-
7 section (a). Such jurisdiction shall also include the
8 authority to investigate and prosecute Federal
9 crimes, other than those classified as Class B or C
10 misdemeanors or infractions, that may arise out of
11 the investigation or prosecution such matters, in-
12 cluding perjury, obstruction of justice, destruction of
13 evidence, and intimidation of witnesses.

14 (2) EXPANSION OF JURISDICTION.—An appro-
15 priate district court of the United States, upon the
16 request of the Special Counsel, may expand the
17 prosecutorial jurisdiction of the Special Counsel.

18 (d) AUTHORITY.—Notwithstanding any other provi-
19 sion of law, the Special Counsel shall have, with respect
20 to all matters in such Special Counsel's prosecutorial ju-
21 risdiction established under this section, full power and
22 independent authority to exercise all investigative and
23 prosecutorial functions and powers of the Department of
24 Justice, the Attorney General, and any other officer or
25 employee of the Department of Justice, except that the

1 Attorney General shall exercise direction or control as to
2 those matters that specifically require the Attorney Gen-
3 eral's personal action under section 2516 of title 18. Such
4 investigative and prosecutorial functions and powers shall
5 include—

6 (1) conducting proceedings before grand juries
7 and other investigations;

8 (2) participating in court proceedings and en-
9 gaging in any litigation, including civil and criminal
10 matters, that such Special Counsel considers nec-
11 essary; a

12 (3) appealing any decision of a court in any
13 case or proceeding in which such Special Counsel
14 participates in an official capacity;

15 (4) reviewing all documentary evidence available
16 from any source;

17 (5) determining whether to contest the asser-
18 tion of any testimonial privilege;

19 (6) receiving appropriate national security
20 clearances and, if necessary, contesting in court (in-
21 cluding, where appropriate, participating in in cam-
22 era proceedings) any claim of privilege or attempt to
23 withhold evidence on grounds of national security;

24 (7) making applications to any Federal court
25 for a grant of immunity to any witness, consistent

1 with applicable statutory requirements, or for war-
2 rants, subpoenas, or other court orders, and, for
3 purposes of sections 6003, 6004, and 6005 of title
4 18, exercising the authority vested in a United
5 States attorney or the Attorney General;

6 (8) inspecting, obtaining, or using the original
7 or a copy of any tax return, in accordance with the
8 applicable statutes and regulations, and, for pur-
9 poses of section 6103 of the Internal Revenue Code
10 of 1986 and the regulations issued thereunder, exer-
11 cising the powers vested in a United States attorney
12 or the Attorney General;

13 (9) initiating and conducting prosecutions in
14 any court of competent jurisdiction, framing and
15 signing indictments, filing informations, and han-
16 dling all aspects of any case, in the name of the
17 United States; and

18 (10) consulting with the United States attorney
19 for the district in which any violation of law with re-
20 spect to which the Special Counsel is appointed was
21 alleged to have occurred.

22 **SEC. 3. CONGRESSIONAL OVERSIGHT.**

23 (a) OVERSIGHT OF CONDUCT OF INDEPENDENT
24 COUNSEL.—

1 (1) CONGRESSIONAL OVERSIGHT.—The appro-
2 priate committees of the Congress shall have over-
3 sight jurisdiction with respect to the official conduct
4 of any Special Counsel appointed under section 2,
5 and such Special Counsel shall have the duty to co-
6 operate with the exercise of such oversight jurisdic-
7 tion.

8 (2) REPORTS TO CONGRESS.—The Special
9 Counsel appointed under section 2 shall submit to
10 the Congress annually a report on the activities of
11 the Special Counsel, including a description of the
12 progress of any investigation or prosecution con-
13 ducted by the Special Counsel. Such report may
14 omit any matter that in the judgment of the Special
15 Counsel should be kept confidential, but shall pro-
16 vide information adequate to justify the expenditures
17 that the Special Counsel has made.

18 (b) OVERSIGHT OF CONDUCT OF ATTORNEY GEN-
19 ERAL.—Within 15 days after receiving an inquiry about
20 a particular case under this Act, which is a matter of pub-
21 lic knowledge, from a committee of the Congress with ju-
22 risdiction over this Act, the Attorney General shall provide
23 the following information to that committee with respect
24 to that case:

1 (1) When the information about the case was
2 received.

3 (2) Whether a preliminary investigation is being
4 conducted, and if so, the date it began.

5 (c) INFORMATION RELATING TO IMPEACHMENT.—
6 The Special Counsel shall advise the House of Representa-
7 tives of any substantial and credible information which
8 such Special Counsel receives, in carrying out the Special
9 Counsel’s responsibilities under this Act that may con-
10 stitute grounds for an impeachment. Nothing in this Act
11 or section 49 of title 28, United States Code, shall prevent
12 the Congress or either House thereof from obtaining infor-
13 mation in the course of an impeachment proceeding.

14 **SEC. 4. DEFINITION.**

15 In this Act, the term “covered person” means any
16 of the following signatories to the letter entitled “Public
17 Statement on the Hunter Biden Emails” (October 19,
18 2020):

- 19 (1) Jim Clapper.
- 20 (2) Mike Hayden.
- 21 (3) Leon Panetta.
- 22 (4) John Brennan.
- 23 (5) Thomas Finger.
- 24 (6) Rick Ledgett.
- 25 (7) John McLaughlin.

- 1 (8) Michael Morell.
- 2 (9) Mike Vickers.
- 3 (10) Doug Wise.
- 4 (11) Nick Rasmussen.
- 5 (12) Russ Travers.
- 6 (13) Andy Liepman.
- 7 (14) John Moseman.
- 8 (15) Larry Pfeiffer.
- 9 (16) Jeremy Bash.
- 10 (17) Rodney Snyder.
- 11 (18) Glenn Gerstell.
- 12 (19) David B. Buckley.
- 13 (20) Nada Bakos.
- 14 (21) Patty Brandmaier.
- 15 (22) James B. Bruce.
- 16 (23) David Cariens.
- 17 (24) Janice Cariens.
- 18 (25) Paul Kolbe.
- 19 (26) Peter Corsell.
- 20 (27) Brett Davis.
- 21 (28) Roger Zane George.
- 22 (29) Steven L. Hall.
- 23 (30) Kent Harrington.
- 24 (31) Don Hepburn.
- 25 (32) Timothy D. Kilbourn.

- 1 (33) Ron Marks.
- 2 (34) Jonna Hiestand Mendez.
- 3 (35) Emile Nakhleh.
- 4 (36) Gerald A. O'Shea.
- 5 (37) David Priess.
- 6 (38) Pam Purcilly.
- 7 (39) Marc Polymeropoulos.
- 8 (40) Chris Savos.
- 9 (41) Nick Shapiro.
- 10 (42) John Sipher.
- 11 (43) Stephen Slick.
- 12 (44) Cynthia Strand.
- 13 (45) Greg Tarbell.
- 14 (46) David Terry.
- 15 (47) Greg Treverton.
- 16 (48) John Tullius.
- 17 (49) David A. Vanell.
- 18 (50) Winston Wiley.
- 19 (51) Kristin Wood.

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