



Written by [Veronika Kyrylenko](#) on February 17, 2026

House Resolution Aims to Add Oversight to Presidential Pardons

On Presidents' Day, Representatives Don Bacon (R-Neb.) and Johnny Olszewski (D-Md.) promoted their joint resolution seeking to limit presidential pardon power.

Bacon said in a statement cited by [Fox News](#),

Across multiple administrations, we've seen legitimate questions raised about how this authority has been used[;] at the same time, the ability of Congress to provide oversight has weakened..... Frankly, it is clear to me the pardon authority has been abused.



AP Images

The resolution would establish a constitutional amendment allowing 20 House members and five senators to force a vote on nullifying a presidential pardon. Any such nullification would require a two-thirds majority in both chambers.

Olszewski has linked it directly to recent clemency decisions by President Donald Trump. He [wrote](#) in a December op-ed,

Trump — a self-proclaimed president of “law and order” — is using the pardon power not to correct injustices, but to absolve convicted criminals, simply because he can.

“Congress must have the power to stop the most brazen abuses of clemency,” he argued.

According to [Congress.gov](#), Bacon co-sponsored the measure on December 18, the day it was introduced. His support garnered attention when Olszewski [posted](#) on Monday that he was “Proud to have [Bacon] join this bipartisan effort.”

The Resolution

H.J. Res. 135 proposes a new constitutional article conditioning presidential pardon authority.

Section 1 states,

The President shall transmit a notification of a grant of a Reprieve or Pardon within 3 days to the President pro tempore of the Senate and the Speaker of the House of Representatives.

Congress may then “within 30 days, introduce a Bill to nullify the Reprieve or Pardon.”

If such a bill is introduced, Congress may pass it “within 60 days” by “two-thirds vote of both Houses.” If Congress fails to act, the pardon becomes effective 90 days after notification.



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Section 2 ensures that review cannot be buried:

Any Bill to nullify a Reprieve or Pardon that is signed by 20 Representatives or 5 Senators shall be voted on.

Section 3 adds a transparency mandate: “If the President fails to notify” Congress within three days, “the Reprieve or Pardon shall have no force or effect.”

Section 4 bars repetition: “The President may not grant a reprieve or pardon” for an offense that Congress has previously nullified.

Section 5 grants Congress power to enforce the amendment by appropriate legislation.

Clemency, Abused

Both Bacon and Olszewski frame the issue as bipartisan. They argue that presidents of both parties have stretched the pardon power beyond its intended bounds. Olszewski’s op-ed reads,

Democratic and Republican presidents alike have used clemency to reward allies and shield those close to them throughout history. After the Civil War, President [Andrew Johnson](#) issued [sweeping pardons](#) to more than 13,000 former Confederates. [President Bill Clinton famously pardoned his half-brother](#), who was also serving time for drug trafficking. Former President [Joe Biden](#) pardoned his son, who had been convicted on gun charges and pled guilty to tax-related charges.

Some presidents have gone so far as to issue preemptive pardons before prosecutors even had a chance to present their case in court and before the public had an opportunity to weigh the facts.

An analysis published by [Al Jazeera](#) quoted Margaret Love, who served as U.S. pardon attorney from 1990 to 1997. She argued that the “wheels came off” the clemency system during the Bill Clinton administration. Up to that point, she said, the pardon process “was really pretty regular and low-key.”

According to Love, the number of pardons declined during much of Clinton’s tenure, in part because Department of Justice (DOJ) officials tasked with processing clemency petitions were reluctant to advance recommendations to the president. She attributed that hesitation partly to political concerns: “Clinton, a Democrat, did not want to be seen as lax on crime.”

The dynamic shifted at the end of his presidency. On his last day in office, Clinton issued 177 pardons and commutations. Among them was financier Marc Rich, who had fled the United States while facing tax evasion and racketeering charges. Rich’s former wife had donated to Hillary Clinton’s Senate campaign and to the Clinton presidential library. “His pardon sparked a scandal, as well as accusations of self-dealing,” said the report.

Trump’s Record

Against that historical backdrop, once back in office, Trump has exercised the pardon power at a scale that has intensified scrutiny. He started off with a clemency to roughly 1,500 individuals connected to the January 6 events. As documented by this magazine, many of those prosecutions, indeed, constituted a miscarriage of justice, marked by disproportionate sentences, expansive charging theories, and uneven application of the law. Others, however, involved conduct that even some Republicans viewed as



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properly adjudicated. Bacon was among those who [publicly opposed](#) blanket pardons.

Since then, the record of clemency has become increasingly concerning.

Forbes [reported](#) on a series of pardons granted to individuals with “direct political or financial ties to the president.” In one case, Trump pardoned former Puerto Rico Governor Wanda Vázquez and banker Julio Herrera Velutini after Herrera’s daughter donated \$3.5 million to a Trump-aligned super PAC.

Similarly, Trevor Milton contributed nearly \$946,000 to Trump since 2016, including \$900,000 shortly before the 2024 election, before receiving clemency on securities fraud convictions. His wife separately donated an additional \$927,900. Former Representative George Santos and fundraiser Imaad Zuberi had also donated to Trump-aligned political efforts prior to receiving pardons.

Changpeng Zhao, co-founder of Binance, [was pardoned](#) shortly after his exchange emerged as a prominent supporter of [World Liberty Financial](#), the president’s own crypto venture.

NBC [reported in January](#),

Over half of Trump’s 88 individual pardons are for white-collar offenses, with money laundering, bank fraud and wire fraud among the most frequent crimes the president has wiped clean.

Forbes estimated that clemency erased roughly \$1 billion in restitution and penalties.

One of the most publicized cases involved former Honduran president [Juan Orlando Hernández](#), convicted of trafficking more than 400 tons of cocaine into the United States. Most recently, Trump [granted clemency](#) to five former NFL players, who had been convicted of various offenses, including perjury, drug trafficking, and counterfeiting.

The Constitutional Crossroads

H.J. Res. 135 faces long odds. Under [Article V](#) of the Constitution, constitutional amendments require two-thirds approval in both chambers and ratification by three-fourths of the states. Few proposals survive that gauntlet.

Still, Bacon’s support signals discomfort within Republican ranks. It reflects concern that the pardon power, while constitutional, may be straining public trust.

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