

HR 4326

Attorney-Client Privilege Protection Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Dec 16, 2009

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Apr 26, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/4326>

Sponsor

Name: Rep. Scott, Robert C. "Bobby" [D-VA-3]

Party: Democratic • **State:** VA • **Chamber:** House

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Coble, Howard [R-NC-6]	R · NC		Dec 16, 2009
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Dec 16, 2009
Rep. Delahunt, Bill [D-MA-10]	D · MA		Dec 16, 2009
Rep. Lungren, Daniel E. [R-CA-3]	R · CA		Dec 16, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Dec 16, 2009
Rep. Smith, Lamar [R-TX-21]	R · TX		Dec 16, 2009

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 26, 2010

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
111 S 445	Related bill	Feb 13, 2009: Read twice and referred to the Committee on the Judiciary.

Attorney-Client Privilege Protection Act of 2009 - Amends the federal criminal code to prohibit any U.S. agent or attorney, in any federal investigation or criminal or civil enforcement matter, from demanding, requesting, or conditioning treatment ("giving cooperation credit") on the disclosure by an organization (or affiliated person) of any communication protected by the attorney-client privilege or any attorney work product.

Prohibits a U.S. agent or attorney from conditioning a civil or criminal charging decision relating to an organization (or affiliated person) on one or more specified actions, or from using one or more such actions as a factor in determining whether an organization or affiliated person is cooperating with the government.

Numbers among the actions a U.S. agent or attorney may not use as a charging decision condition or a cooperation-determining factor: (1) any valid assertion of the attorney-client privilege or privilege for attorney work product; (2) the provision of counsel to, or contribution to the legal defense fees or expenses of, an employee of the organization; (3) entry into a joint-defense, information-sharing, or common-interest agreement with an employee of the organization if the organization determines it has a common interest in defending against the investigation or enforcement matter; (4) the sharing of relevant information with an employee; or (5) a failure to terminate an employee's employment, or otherwise sanction an employee, because of the employee's decision to exercise his or her constitutional rights or other legal protections in response to a government request.

Prohibits a U.S. agent or attorney from demanding or requesting that an organization or an affiliated person not take any such action.

Actions Timeline

- **Apr 26, 2010:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Dec 16, 2009:** Introduced in House
- **Dec 16, 2009:** Referred to the House Committee on the Judiciary.