

107TH CONGRESS  
4TH SESSION

# H. R. 5

To modify the composition and term length of grand juries by amending the previously established provisions at federal law inherited through the United States Code.

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## IN THE HOUSE OF REPRESENTATIVES SEPTEMBER 6TH, 2025

Mr. OLD\_DUDE47 OF THE STATE OF VIRGINIA, for himself, introduced the following bill; which was referred to the Committee on [...]

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# A BILL

To modify the composition and term length of grand juries by amending the previously established provisions at federal law inherited through the United States Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE

(a) SHORT TITLE.—This Act may be cited as the “Grand Jury Recomposition Act of 2025.”

### SECTION 2. GENERAL PROVISIONS

- (a) SEVERABILITY—Any provision of this Act, or the application thereof, which is prohibited or which is held to be void or invalid shall be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof.
- (b) EFFECTIVE DATE—This Act shall go into effect immediately upon passage by Congress and presentment to the President of the United States.

### SECTION 3. THE GRAND JURY ADMINISTRATION FRAMEWORK

- (a) AMENDMENT OF 18 U.S. CODE § 3321 – NUMBER OF AND SUMMONING GRAND JURORS. Section 3321 of title 18, United States Code, is amended—
- (i) by striking “not less than sixteen nor more than twenty-three persons”; and inserting “not less than six nor more than nine citizens of the United States”;
  - (ii) by striking “less than sixteen of the persons summoned”; and inserting “less than six of the persons summoned”;
  - (iii) by striking “either immediately or for a day fixed, from the body of the district, and not from the bystanders”; and inserting “and the court shall order the marshal to summon immediately, from the body of the nUSA Discord community server”;
- (b) AMENDMENT OF 28 U.S. CODE § 1861 – JURY POLICY. Section 1861 of title 28, United States Code, is amended to read as follows:

**“Section 1861. Declaration of policy.”**

“It is the policy of the United States that all litigants in Federal courts charged with a capital crime—or a crime that would, on conviction, make the defendant incapable of holding any office under the United States—shall have the right to grand juries selected at random from a fair cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all citizens shall have the opportunity to be considered for service on grand juries in the district courts of the United States, and shall have an obligation to serve as jurors when summoned for that purpose.”

- (c) AMENDMENT OF 28 U.S. CODE § 1863 – PLAN FOR RANDOM JURY SELECTION. Section 1863 of title 28, United States Code, is amended to read as follows:

**“Section 1863. Plan for random jury selection.”**

“(a) Each United States district court shall devise a plan to achieve the purposes of sections 1861 and 1862 of this title. The plan shall be placed into operation after approval by a reviewing panel established under the United States Supreme Court by the Chief Justice of the United States and either the chief judge of the district court whose plan is being reviewed or such other active district judge of that district, as the chief judge may designate. If the reviewing panel finds the plan does not comply with the aforementioned sections, or otherwise violates federal law or the United States Constitution, the panel shall state the particulars in which such plan fails and direct the district court to present an alternative plan within a reasonable timeframe. The district court may modify the plan at any time, and shall so modify the plan when directed by the reviewing panel. But any modifications must be published to notify the residents situated in such a district where the district court presides.”

- “(b) Among other things, the plan may—

“(1) authorize the clerk of the court to manage the jury selection process”; and

“(2) specify any technology by which the names of prospective jurors are drawn compliant with this title, and set out a list of qualifications for such jurors to serve pursuant to section 1865 of this title.

- (d) AMENDMENT OF 28 U.S. CODE § 1864. Section 1864 of title 28, United States Code, is amended to read as follows:

**“Section 1864. Completion of the juror qualification form; summoning jurors.”**

“From time to time, as directed by the chief judge of a district court, the clerk of the court shall draw the names of prospective jurors to serve on a jury. As designated by the chief judge, either the clerk of the court or a United States marshal will cause for such persons selected to receive personal notice—and, when contact cannot be made to such person, they shall exclude such from service on the jury—of their selection and attach a copy of the juror qualification form

as defined by section 1869 of this title, to be returned before such juror can serve. Any person summoned pursuant to this section who fails to appear as directed may be ordered by the district court to appear and show cause for their failure to comply with the summons. Any person who then fails to show good cause may be fined no more than \$1,000, imprisoned not more than three days, ordered to complete community service, or any combination thereof.”

(e) AMENDMENT OF 28 U.S. CODE § 1865. Section 1865 of title 28, United States Code, is amended to read as follows:

**“Section 1865. Qualifications for jury service**

“(a) The chief judge of the district court, or any other district judge as the plan may provide, shall determine on the sole basis of the information provided in the qualification form under section 1869 of this title, whether a person is eligible to serve as a juror. The fact a person has not appeared upon summons under section 1864 of this title may be taken into consideration in deciding eligibility. The chief judge, or any other district judge as the plan may provide, may excuse a person selected from jury service at their reasonable discretion.”

“(b) In making a determination under section 1865(a) of this title, the chief judge, or any other district judge as the plan may provide, shall deem any person who has completed the juror form and appeared in response to the initial summons qualified to serve as a juror, unless such person (1) is not a citizen of the United States; (2) is unable to read, write and understand the English language sufficiently to fill out the juror qualification form as defined by section 1869 of this title, or to coherently communicate with their peers and the court; (3) is reasonably perceived to hold bias rendering them incapable of discharging the functions of a juror impartially; or (4) has a criminal charge pending against them, or has been convicted in any court of a Municipality or the United States of a crime punishable by imprisonment for more than 10 days.”

(f) REPEALING 28 U.S. CODE § 1866. Section 1866 of title 28, United States Code, is repealed.

(g) AMENDMENT OF 28 U.S. CODE § 1867 – CHALLENGING COMPLIANCE WITH SELECTION PROCEDURES. Section 1867 of title 28, United States Code, is amended to read as follows:

**“Section 1867. Challenging compliance with selection procedures.**

“(a) In criminal cases, within five days after the defendant or the Attorney General for the United States, and any such designee, discovers or could have discovered through reasonable diligence, any substantial failure to comply with selecting a jury under this title, the defendant or the Attorney General, and any such designee, may move to dismiss the indictment or stay proceedings on such grounds before the district court.”

“(b) Upon motion filed under subsection (a) of this section, containing a sworn statement of facts or any declaration submitted in compliance with section 1746, title 28, United States Code, which, if true, would constitute a substantial failure to comply with the provisions of this title,

the moving party is entitled to present the testimony of the clerk of the court and any records directly relevant to identifying and arguing such a failure to comply, to which the clerk has access to. The district court shall then so grant the relief sought by the movant if it finds such a substantial failure to have occurred. But the names of members selected to serve on the jury challenged and their communications related to the jury, unless for extraordinary cause warranting their disclosure to argue a motion under subsection (a) of this section, shall not be disclosed.”

- (h) REPEALING 28 U.S. CODE § 1868. Section 1868 of title 28, United States Code, is repealed.
- (i) AMENDMENT OF 28 U.S. CODE § 1869. Section 1869 of title 28, United States Code, is amended to read as follows:

#### **“Section 1869. Definitions.**

“(a) ‘clerk’ and ‘clerk of the court’ shall mean the clerk of any district court of the United States, any authorized deputy clerk, and any other person authorized by the district court to assist the clerk in the performance of his functions”;

“(b) ‘chief judge’ shall mean the chief judge of any district court of the Untied States”;

“(c) ‘district court,’ ‘district court of the United States,’ and ‘court’ shall mean any district court established by chapter 5 of this title, and any court which is created by Act of Congress in a territory and is invested with any jurisdiction of a district court established by chapter 5 of this title”; and

“(d) ‘juror qualification form’ shall mean a form prescribed by the district court and approved by the reviewing panel under section 1863 of this title, which may elicit any information deemed relevant by the reviewing panel, but shall in any case elicit the Roblox and Discord username, occupation, and prior experience serving as a juror in the United States, and whether such a juror is able to sufficiently read, write and understand the English language to fill out substantially without assistance, has any criminal charge pending against him in a court of law of the United States, has been convicted in a court of a Municipality or the United States of any offense punishable by imprisonment for more than ten days, and any potential reasons for excusing such person from jury service.”

- (j) REPEALING 28 U.S. CODE §§ 1870-1878. Sections 1870 through 1878 of title 28, United States Code, are repealed.
- (k) AMENDMENT OF 18 U.S. CODE § 3331. Section 3331 through of title 18, United States Code, is amended to read as follows:

**“Section 3331. Term of a grand jury.”**

“In addition to other such grand juries, when the Attorney General for the United States transmits to the chief judge of a district court that, in their judgment, a special grand jury is necessary because of the criminal activity in a district, the district court shall order to summon a special grand jury, unless another special grand jury is already serving. All grand juries shall serve for a term of two months upon the first assembly of a quorum to do business of the grand jury. Grand juries shall be discharged before expiration of their term upon order of the district court – provided that their term can be extended to up to three months upon order of the district court. But no grand jury shall return an indictment as true to hold a person accountable under the laws of the United States unless at least five grand jurors vote to indict such a person.”