

109TH CONGRESS
1ST SESSION

H. R. 2232

To amend title 18, United States Code, to provide minimum mandatory penalties for certain public-corruption-related offenses.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2005

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

A BILL

To amend title 18, United States Code, to provide minimum mandatory penalties for certain public-corruption-related offenses.

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 “Restoring Trust in
5 Public Service Act of 2005”.

6 **SEC. 2. MINIMUM MANDATORY PENALTIES FOR CERTAIN**
7 **PUBLIC-CORRUPTION-RELATED OFFENSES.**

8 Section 3559 of title 18, United States Code, is
9 amended by adding at the end the following:

1 “(g) MINIMUM IMPRISONMENT PENALTY FOR CER-
2 TAIN PUBLIC-CORRUPTION-RELATED OFFENSES.—

3 “(1) COMPUTATION.—Notwithstanding any
4 other provision of law, unless that provision requires
5 a longer sentence of imprisonment, if a public offi-
6 cial is convicted of an offense arising out of conduct
7 in the course of official duty as such official, and
8 that conduct resulted in the unjust enrichment of
9 the official, then the minimum term of imprisonment
10 that may be imposed on the official is—

11 “(A) if the unjust enrichment was \$5,000
12 or less, 15 months;

13 “(B) if the unjust enrichment exceeds
14 \$5,000, but does not exceed \$10,000, 21
15 months;

16 “(C) if the unjust enrichment exceeds
17 \$10,000, but does not exceed \$30,000, 27
18 months;

19 “(D) if the unjust enrichment exceeds
20 \$30,000, but does not exceed \$70,000, 33
21 months;

22 “(E) if the unjust enrichment exceeds
23 \$70,000, but does not exceed \$120,000, 46
24 months;

1 “(F) if the unjust enrichment exceeds
2 \$120,000, but does not exceed \$200,000, 51
3 months;

4 “(G) if the unjust enrichment exceeds
5 \$200,000, but does not exceed \$400,000, 63
6 months;

7 “(H) if the unjust enrichment exceeds
8 \$400,000, but does not exceed \$1,000,000, 78
9 months;

10 “(I) if the unjust enrichment exceeds
11 \$1,000,000, but does not exceed \$2,500,000, 97
12 months;

13 “(J) if the unjust enrichment exceeds
14 \$2,500,000, but does not exceed \$7,000,000,
15 121 months;

16 “(K) if the unjust enrichment exceeds
17 \$7,000,000, but does not exceed \$20,000,000,
18 151 months;

19 “(L) if the unjust enrichment exceeds
20 \$20,000,000, but does not exceed \$50,000,000,
21 188 months;

22 “(M) if the unjust enrichment exceeds
23 \$50,000,000, but does not exceed
24 \$100,000,000, 235 months;

1 “(N) if the unjust enrichment exceeds
2 \$100,000,000, but does not exceed
3 \$200,000,000, 292 months;

4 “(O) if the unjust enrichment exceeds
5 \$200,000,000, but does not exceed
6 \$400,000,000, 360 months; and

7 “(P) if the unjust enrichment exceeds
8 \$400,000,000, life.

9 “(2) DEFINITION.—As used in this subsection,
10 the term ‘public official’ means an individual holding
11 Federal, State, or local public elected or appointive
12 office or employment.”.

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