

109TH CONGRESS
1ST SESSION

H. R. 4518

To amend title 5, United States Code, to deny Federal retirement benefits to Government officials convicted of certain crimes; to amend title 18, United States Code, to increase the penalties for certain corruption-related offenses; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2005

Mr. PALLONE introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Government Reform and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 5, United States Code, to deny Federal retirement benefits to Government officials convicted of certain crimes; to amend title 18, United States Code, to increase the penalties for certain corruption-related offenses; and for other purposes.

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 “Congressional Anti-
5 Corruption Act of 2005”.

1 **SEC. 2. FORFEITURE OF RETIREMENT BENEFITS.**

2 (a) IN GENERAL.—Section 8312(a) of title 5, United
3 States Code, is amended—

4 (1) by striking “or” at the end of paragraph
5 (1), by striking the period at the end of paragraph
6 (2) and inserting “; or”, and by inserting after para-
7 graph (2) the following:

8 “(3) is convicted of an offense described in sub-
9 section (d).”; and

10 (2) by striking “and” at the end of subpara-
11 graph (A), by striking the period at the end of sub-
12 paragraph (B) and inserting “; and”, and by insert-
13 ing after subparagraph (B) the following:

14 “(C) with respect to the offenses described in
15 subsection (d), to the period after the date of convic-
16 tion.”.

17 (b) OFFENSES DESCRIBED.—Section 8312 of such
18 title 5 is amended by redesignating subsection (d) as sub-
19 section (e), and by inserting after subsection (c) the fol-
20 lowing:

21 “(d)(1) An offense described in this subsection is any
22 offense which—

23 “(A) is within the purview of section 201(b),
24 216, 286, 641, 1341, 1343, 1951(a), 1952(a), or
25 1963 of title 18; and

1 “(B) is committed by the individual (as referred
2 to in subsection (a))—

3 “(i) on or after the date of the enactment
4 of this subsection; and

5 “(ii) while a covered official.

6 “(2) For purposes of this subsection, the term ‘cov-
7 ered official’ means the President, a Member of Congress
8 (as defined by section 2106, including the Vice President,
9 a Delegate to the House of Representatives, and the Resi-
10 dent Commissioner from Puerto Rico), and the head of
11 an Executive department (as defined by section 101).”.

12 (c) DEFINITION OF ANNUITY.—Section 8311(2) of
13 such title 5 is amended (in the matter before subpara-
14 graph (A)) by striking “benefit, but does not include” and
15 inserting “benefit, and (to the extent that a conviction de-
16 scribed in section 8312(a)(3) is involved) any monetary
17 allowance payable to a former President or the widow of
18 a former President under the Act of August 25, 1958 (3
19 U.S.C. 102 note), but does not include”.

20 (d) ABSENCE FROM UNITED STATES TO AVOID
21 PROSECUTION.—Section 8313(a)(1) of such title 5 is
22 amended by striking “or” at the end of subparagraph (A),
23 by striking “and” at the end of subparagraph (B) and
24 inserting “or”, and by adding at the end the following:

1 “(C) after the date of the enactment of
 2 subsection (d) of section 8312, for an offense
 3 described in such subsection; and”.

4 (e) NONACCRUAL OF INTEREST ON REFUNDS.—Sec-
 5 tion 8316(b) of such title 5 is amended by striking “or”
 6 at the end of paragraph (1), by striking the period at the
 7 end of paragraph (2) and inserting “; or”, and by adding
 8 at the end the following:

9 “(3) if the individual was convicted of an of-
 10 fense described in section 8312(d), for the period
 11 after the conviction.”.

12 **SEC. 3. INCREASED PENALTIES FOR CERTAIN CORRUPT-**
 13 **TION-RELATED OFFENSES.**

14 Title 18, United States Code, is amended—

15 (1) in section 201(b), by striking “fifteen
 16 years” and inserting “30 years”;

17 (2) in section 216—

18 (A) in subsection (a)(1), by striking “one
 19 year” and inserting “two years”; and

20 (B) in subsection (a)(2), by striking “five
 21 years” and inserting “10 years”;

22 (3) in section 286, by striking “ten years” and
 23 inserting “20 years”;

24 (4) in section 641—

1 (A) by striking “ten years” and inserting
2 “20 years”; and

3 (B) by striking “one year” and inserting
4 “two years”;

5 (5) in section 1341—

6 (A) by striking “20 years” and inserting
7 “40 years”; and

8 (B) by striking “30 years” and inserting
9 “60 years”;

10 (6) in section 1343—

11 (A) by striking “20 years” and inserting
12 “40 years”; and

13 (B) by striking “30 years” and inserting
14 “60 years”;

15 (7) in section 1951(a), by striking “twenty
16 years” and inserting “40 years”;

17 (8) in section 1952(a)—

18 (A) by striking “5 years” and inserting
19 “10 years”; and

20 (B) by striking “20 years” and inserting
21 “40 years”; and

22 (9) in section 1963, by striking “20 years” and
23 inserting “40 years”.

1 **SEC. 4. DISQUALIFICATION TO ACT AS LOBBYIST.**

2 (a) IN GENERAL.—A person convicted of any offense
3 under a provision of law listed in subsection (b) is disquali-
4 fied for life from acting as a lobbyist (as defined in the
5 Lobbying Disclosure Act of 1995).

6 (b) DISQUALIFYING OFFENSES.—The offenses re-
7 ferred to under subsection (a) are any violations of any
8 of the following sections of title 18, United States Code:
9 201(b), 216, 286, 641, 1341, 1343, 1951(a), 1952(a), and
10 1963.

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