

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3793

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

---

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2006

Mr. MENENDEZ introduced the following bill; which was read twice and 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 2006”.

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.”.

○