

S 49

Public Corruption Prosecution Improvements Act

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jan 6, 2009

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 32.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 32. (Mar 12, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/49>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cornyn, John [R-TX]	R · TX		Jan 6, 2009
Sen. Kaufman, Edward E. [D-DE]	D · DE		Mar 12, 2009

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Mar 12, 2009

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
111 HR 2822	Related bill	Jul 23, 2009: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Public Corruption Prosecution Improvements Act - Amends the federal criminal code to revise and expand prohibitions against bribery, theft of public money, and other public corruption offenses.

(Sec. 2) Establishes a six-year limitation period for the prosecution of public corruption crimes involving bribery, extortion, theft of government property, mail fraud, and racketeering.

(Sec. 3) Expands mail and wire fraud statutes to cover offenses involving any other thing of value (e.g., intangible rights and licenses).

(Sec. 4) Modifies general venue rules for criminal prosecutions to allow prosecutions in any district in which an act in furtherance of an offense is committed.

(Sec. 5) Reduces from \$5,000 to \$1,000 the threshold amount for theft or bribery involving federally-assisted programs and increases the maximum prison term for such offenses from 10 to 15 years.

(Sec. 6) Increases the maximum term of imprisonment for theft and embezzlement of federal money, property, or records from 10 to 15 years.

(Sec. 7) Increases the maximum term of imprisonment for bribery offenses from 15 to 20 years.

(Sec. 8) Increases to 10 years the maximum term of imprisonment for: (1) solicitation by federal officers and employees of political contributions from other federal officers and employees; (2) promise of employment made possible by an act of Congress for political activity; (3) deprivation of such employment for political activity; (4) intimidation to secure political contributions; (5) solicitation and acceptance of contributions in federal offices; and (6) coercion of political activity by federal employees.

(Sec. 9) Applies the prohibition against embezzlement or theft of federal money or property to government officials and employees of the District of Columbia.

(Sec. 10) Includes embezzlement or theft of government money or property as predicates for racketeering prosecutions and wiretaps.

(Sec. 12) Modifies elements relating to the crime of bribery of public officials and witnesses to: (1) prohibit public officials from accepting anything of value, other than what is permitted by rule or regulation, for or because of the official's or person's official position; (2) expand the definition of "official act" to include any conduct that falls within the range of official duty of a public official; (3) include a course of conduct involving multiple gifts, offers or promises designed to influence a public official.

(Sec. 15) Expands the types of perjury and obstruction of justice offenses for which venue lies in the district in which the official proceeding was intended to be affected or in which the conduct constituting the alleged offense occurred.

(Sec. 16) Authorizes appropriations for FY2010-FY2013 for additional Department of Justice (DOJ) personnel to investigate and prosecute public corruption offenses.

(Sec. 17) Directs the U.S. Sentencing Commission to review and amend its guidelines and policy statements relating to public corruption offenses to reflect the intent of Congress that penalties for such offenses be increased.

Actions Timeline

- **Mar 12, 2009:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 12, 2009:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Mar 12, 2009:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 32.
- **Jan 6, 2009:** Introduced in Senate
- **Jan 6, 2009:** Sponsor introductory remarks on measure. (CR S56)
- **Jan 6, 2009:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S56-58)