

## HR 2572

Clean Up Government Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jul 15, 2011

**Current Status:** Placed on the Union Calendar, Calendar No. 499.

**Latest Action:** Placed on the Union Calendar, Calendar No. 499. (Sep 21, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/2572>

### Sponsor

**Name:** Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

**Party:** Republican • **State:** WI • **Chamber:** House

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Quigley, Mike [D-IL-5]	D · IL		Jul 15, 2011
Rep. Cohen, Steve [D-TN-9]	D · TN		Dec 7, 2011

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	Nov 20, 2011

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

Bill	Relationship	Last Action
112 HR 4054	Related bill	Feb 28, 2012: Referred to the Subcommittee on the Constitution.
112 HR 1793	Related bill	May 23, 2011: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Clean Up Government Act of 2011 - Amends the federal criminal code to revise and expand prohibitions against bribery, theft of public money, and other public corruption offenses.

(Sec. 2) 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. 3) Increases the maximum term of imprisonment for theft or bribery involving federally assisted programs from 10 to 20 years. Reduces from \$5,000 to \$1,000 the threshold amount for bribery offenses.

(Sec. 4) Increases the maximum term of imprisonment for theft and embezzlement of public property or records from 10 to 15 years.

(Sec. 5) Increases the maximum term of imprisonment for: (1) bribery of public officials and witnesses from 15 to 20 years, and (2) seeking or accepting anything of value personally for testimony as a witness or for such witness's absence from 2 to 5 years.

Modifies elements relating to the crime of bribery of public officials and witnesses to prohibit public officials from accepting any thing or things of value, other than what is permitted by rule or regulation of the House of Representatives or the Senate, including those rules and regulations governing the acceptance of campaign contributions.

.Modifies the crime of illegal gratuities to require: (1) knowledge that a gratuity is being received by or given to a public official because of his or her position or status, and (2) that such gratuity has a value of not less than \$1,000.

(Sec. 6) Extends the prohibition against the theft or embezzlement of public property or records to property or records of the District of Columbia.

(Sec. 7) Expands the crime of illegal gratuities to include gratuities given to a public official because of such official's position.

(Sec. 8) Expands the definition of "official act," for purposes of the prohibition against bribery, to include conduct that falls within the range of official duties of the public official, which may be more than a single act or a course of conduct.

(Sec. 9) Directs the United States Sentencing Commission to review and, if appropriate, amend its guidelines and policy statements relating to public corruption offenses to reflect the intent of Congress that penalties for such offenses meet the requirements of this Act.

(Sec. 10) Extends the statute of limitations for specified public corruption offenses, including extortion, bribery, and racketeering activity that involves bribery chargeable under state law, to six years.

(Sec. 11) Increases the maximum term of imprisonment for: (1) solicitation by federal officers and employees of political contributions from other federal officers and employees (from three to five years), (2) promise of employment as a reward for political activity (from one to three years), (3) deprivation of such employment for political activity (from one to three years), (4) intimidation to secure political contributions (from three to five years), (5) solicitation and acceptance of contributions in federal offices (from three to five years), and (6) coercion of political activity by federal employees (from three to five years).

(Sec. 12) Includes as predicates for authorizing wiretaps the crimes of: (1) embezzlement or theft of public money, property, or records; (2) theft or bribery concerning programs that receive public funds; and (3) defrauding the United States.

(Sec. 13) Allows expanded venue (i.e., in the district in which the alleged offense occurred or in which the official proceeding was intended to be affected) for additional obstruction of justice offenses, including influencing or threatening a grand or petit juror or officer, obstructing proceedings before departments, agencies, and committees, and obstruction of a court order or a criminal investigation. Allows expanded venue for the prosecution of specified perjury offenses to include either the district in which the oath, declaration, certificate, verification, or statement under penalty of perjury is made or in which a proceeding takes place.

(Sec. 14) Prohibits undisclosed self-dealing by public officials.

(Sec. 15) Amends the federal judicial code to permit the disclosure of information in a complaint against a judge regarding a potential criminal offense to the Attorney General, a federal, state, or local grand jury, or a federal, state, or local law enforcement agency.

(Sec. 16) Excludes from the term "anything of value," as applied in the bribery provisions of the federal criminal code, a bona fide salary, wages, fees, or other compensation paid, or expenses paid or reimbursed, in the usual course of business (thus limiting such exclusion to bribery provisions and rendering it inapplicable to other theft provisions concerning programs receiving federal funds).

(Sec. 17) Amends the federal criminal code to permit the Deputy Attorney General, Assistant Attorney General, or the Attorney General to make certifications regarding appeals from district court orders suppressing or excluding evidence or requiring the return of seized property (currently, such certifications are made by a U.S. attorney only).

## **Actions Timeline**

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- **Sep 21, 2012:** Reported (Amended) by the Committee on Judiciary. H. Rept. 112-688.
- **Sep 21, 2012:** Placed on the Union Calendar, Calendar No. 499.
- **Dec 1, 2011:** Committee Consideration and Mark-up Session Held.
- **Dec 1, 2011:** Ordered to be Reported (Amended) by the Yeas and Nays: 30 - 0.
- **Nov 20, 2011:** Subcommittee on Crime, Terrorism, and Homeland Security Discharged.
- **Jul 26, 2011:** Subcommittee Hearings Held.
- **Jul 22, 2011:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jul 15, 2011:** Introduced in House
- **Jul 15, 2011:** Referred to the House Committee on the Judiciary.