

92ND SESSION

5TH SESSION

H.R. 60



IN THE UNITED STATES HOUSE OF REPRESENTATIVES

April 13, 2024

Presented by House Majority Leader MR. ALEX J. CABOT representing the Great State of South Carolina sponsored by MR. SELWYN COSGROVE having introduced this bill which was later referred to the Committee on the Judiciary, Government Affairs and Ethics.

AN ACT

To re-codify an abuse of tools statute following the NUSA law
reset

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled.*

SECTION 1. SHORT TITLE.

This Act may be cited as the

'Cabot-Cosgrove Act of 2024' or it may be cited alternatively as
the 'Official Misconduct Act of 2024'.

SEC. 2. CONFLICT, SEVERABILITY AND EFFECTIVE DATE.

- (a) In the case of conflict with any existing statute, including the U.S. Code this Act shall reign supreme and repeal any conflicting parts.
- (b) This Act shall also be severable. Meaning in the case that one part of this Act is declared unconstitutional the other constitutional and fit parts shall remain a statute.

- (c) This Act shall be enforceable effective immediately once it gains passage in both Houses of Congress and receives the signature of the President of the United States.

SEC. 4. LEGISLATIVE PURPOSE.

- (a) *Whereas*, the Congress of the United States recognizes following the law reset there is no statute outlining the abuse of tools or power by an officer of the United States.

SEC. 5. DEFINITION OF OFFICER OF THE UNITED STATES.

- (a) An 'officer of the United States' as referred to in this Act shall be defined as federal agent, employee or contractor of a federal US department or any officer, employee or contractor employed by the District of Columbia or any of its ancillary agencies.

SEC. 6. ABUSE OF POWER BY AN OFFICER OF THE UNITED STATES.

- (a) Whoever, while acting and exercising the authority and powers afforded to them as an officer of the United States—
 - (i) fraudulently detains or arrests any individual; or
 - (ii) extortionately threatens to detain or arrest any individual without legal cause or justification in exchange for any tangible benefit; or
 - (iii) uses any tool or power afforded to them by virtue of their office in a manner to deprive or interfere with the rights afforded to any citizen of the United States without lawful justification or cause; or
 - (iv) attempts to or does so seize or gain entry into any private property without warrant, probable cause or exigent circumstances.
- (b) Shall be imprisoned for no more than twenty (20) days upon conviction by a court of law.
- (c) The Federal Bureau of Investigation and Department of Justice are vested with the power to investigate and prosecute violations of this section, respectively.

SEC. 7. CONSPIRACIES BY OFFICERS OF THE UNITED STATES.

- (a) Whatever officer conspires, solicits, encourages or abbetts [with] one or more officers of the United States to engage in any illicit action outlined in section 6 of this Act shall be imprisoned for no more than thirty (30) days upon conviction by a court of law.