

117TH CONGRESS  
1ST SESSION

# S. 2695

To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

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IN THE SENATE OF THE UNITED STATES

AUGUST 10, 2021

Mr. PAUL (for himself and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

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 “Justice Safety Valve  
5 Act of 2021”.

6 **SEC. 2. AUTHORITY TO IMPOSE A SENTENCE BELOW A**  
7 **STATUTORY MINIMUM.**

8 Section 3553 of title 18, United States Code, is  
9 amended—

1           (1) by redesignating subsection (g) as sub-  
2           section (h); and

3           (2) by inserting after subsection (f) the fol-  
4           lowing:

5           “(g) AUTHORITY TO IMPOSE A SENTENCE BELOW A  
6           STATUTORY MINIMUM TO PREVENT AN UNJUST SEN-  
7           TENCE.—

8           “(1) GENERAL RULE.—Notwithstanding any  
9           provision of law other than this subsection, the court  
10          may impose a sentence below a statutory minimum  
11          if the court finds that it is necessary to do so in  
12          order to avoid violating the requirements of sub-  
13          section (a).

14          “(2) COURT TO GIVE PARTIES NOTICE.—Before  
15          imposing a sentence under paragraph (1), the court  
16          shall give the parties reasonable notice of the court’s  
17          intent to do so and an opportunity to respond.

18          “(3) STATEMENT IN WRITING OF FACTORS.—  
19          The court shall state, in the written statement of  
20          reasons, the factors under subsection (a) that re-  
21          quire imposition of a sentence below the statutory  
22          minimum.

1           “(4) APPEAL RIGHTS NOT LIMITED.—This sub-  
2           section does not limit any right to appeal that would  
3           otherwise exist in its absence.”.

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