

Relevant Criminal Statutes and Penalties

Title 18, Chapter 11 - Bribery Offenses

- * 18 U.S.C. § 201 - Bribery of public officials and witnesses (15 years)
- * 18 U.S.C. § 201(c) - Anti-gratuities statute (2 years)
- * 18 U.S.C. § 205 - Activities of officers and employees in claims against and other matters affecting the Government (1 year or 5 years for willful violation)
- * 18 U.S.C. § 207 - Restrictions on former officers, employees, and elected officials of the executive and legislative branches (1 year or 5 years for willful violation)
- * 18 U.S.C. § 208 - Acts affecting a personal financial interest (1 year or 5 years for willful violation)
- * 18 U.S.C. § 209 - Salary of Government officials and employees payable only by United States (1 year or 5 years for willful violation)
- * 18 U.S.C. § 217 - Acceptance of consideration for adjustment of farm indebtedness (1 year)

Title 18, Chapter 31 - Embezzlement and Theft Offenses

- * 18 U.S.C § 666 - Theft or bribery concerning programs receiving Federal funds (10 years)

Title 18, Chapter 63 - Mail Fraud Offenses

- * 18 U.S.C. § 1341 - Mail Fraud (20 years)
- * 18 U.S.C. § 1343 - Wire Fraud (20 years)
- * 18 U.S.C. § 1347 - Health Care Fraud (20 years)
- * 18 U.S.C. § 1348 - Securities Fraud (25 years)
- * 18 U.S.C. § 1351 - Fraud in foreign labor contracting (5 years)

Title 18, Chapter 95 - Racketeering Offenses

- * 18 U.S.C § 1951 - Interference with commerce by threats or violence (“The Hobbs Act”) (20 years)
- * 18 U.S.C § 1952 - Interstate and foreign travel or transportation in aid of racketeering enterprises (“The Travel Act”) (5 years, 20 years or life, depending on applicable subsection)
- * 15 U.S.C. §§ 78dd-1, et seq. - “The Foreign Corrupt Practices Act”

Relevant Administrative Provisions

Title 5, Chapter 73 - Suitability, Security and Conduct

- * 5 U.S.C. § 7353 - Gifts to federal employees (prohibiting federal employees from soliciting anything of value from individuals whose interests may be substantially affected by the performance or nonperformance of the individual’s official duties)

* Rule XXXV of the Standing Rules of the Senate¹²

* Rule XXVI of the Rules of the House of Representatives

Source: Testimony of Timothy P. O'Toole, Miller & Chevalier, on behalf of the National Association of Criminal Defense Lawyers Before the Senate Committee on the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security Re: "Restoring Key Tools To Combat Fraud and Corruption After the Supreme Court's Skilling Decision", September 28, 2010

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