

*Federal Law*

any office of honor, trust, or profit under the United States.

(c) Whoever—

(1) otherwise than as provided by law for the proper discharge of official duty—

*Just  
to Public  
Service  
1986*

(A) directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or

(B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

(2) directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of such person's absence therefrom;

(3) directly or indirectly, demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon any such trial, hearing, or other proceeding, or for or because of such person's absence therefrom;

shall be fined under this title or imprisoned for not more than two years, or both.

(d) Paragraphs (3) and (4) of subsection (b) and paragraphs (2) and (3) of subsection (c) shall not be construed to prohibit the payment or receipt of witness fees provided by law, or the payment, by the party upon whose behalf a witness is called and receipt by a witness, of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing, or proceeding, or in the case of expert witnesses, a reasonable fee for time spent in the preparation of such opinion, and in appearing and testifying.

(e) The offenses and penalties prescribed in this section are separate from and in addition to those prescribed in sections 1503, 1504, and 1505 of this title.

(Added Pub. L. 87-849, § 1(a), Oct. 23, 1962, 76 Stat. 1119; amended Pub. L. 91-405, title II, § 204(d)(1), Sept. 22, 1970, 84 Stat. 853; Pub. L. 99-646, § 46(a)-(l), Nov. 10, 1986, 100 Stat. 3601-3604; Pub. L. 103-322, title XXXIII, §§ 330011(b), 330016(2)(D), Sept. 13, 1994, 108 Stat. 2144, 2148.)

PRIOR PROVISIONS

A prior section 201, act June 25, 1948, ch. 645, 62 Stat. 691, prescribed penalties for anyone who offered or gave anything of value to an officer or other person to influence his decisions, prior to the general amendment of this chapter by Pub. L. 87-849, and is substantially covered by revised section 201.

Provisions similar to those comprising this section were contained in former sections 201 to 213 of this title, prior to the general amendment of this chapter by Pub. L. 87-849.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-322, § 330016(2)(D), which directed the amendment of "section 201" by inserting "under this title or" after "be fined" and "whichever is greater," before "or imprisoned", was executed by making the insertions in text of last par. of subsec. (b), and not in last par. of subsec. (c), to reflect the probable intent of Congress.

Pub. L. 103-322, § 330011(b)(A), amended Pub. L. 99-646, § 46(b)(1). See 1986 Amendment note below.

Subsec. (b)(1). Pub. L. 103-322, § 330011(b), amended Pub. L. 99-646, § 46(b). See 1986 Amendment note below.

1986—Pub. L. 99-646, § 46(l), provided for alignment of margins of each subsection, paragraph, and subparagraph of this section.

Subsec. (a). Pub. L. 99-646, § 46(a), substituted "section—" for "section:," designated provision defining "public official" as par. (1), inserted "the term" after "(1)", and substituted "Delegate" for "Delegate from the District of Columbia", "after such official has qualified" for "after he has qualified", and "juror;" for "juror; and"; designated provision defining "person who has been selected to be a public official" as par. (2), inserted "the term" after "(2)", and substituted "such person" for "he"; and designated provision defining "official act" as par. (3), inserted "the term" after "(3)", and substituted "in such official's official capacity, or in such official's" for "in his official capacity, or in his".

Subsec. (b). Pub. L. 99-646, § 46(b)(1), as amended by Pub. L. 103-322, § 330011(b)(A), substituted "Whoever—" for "Whoever," and inserted "(1)" before "directly".

Pub. L. 99-646, § 46(e)(5), redesignated the undesignated par. which followed former subsec. (e) as concluding par. of subsec. (b) and substituted "shall be fined not more than" for "Shall be fined not more than \$20,000 or" and "thing of value," for "thing of value, whichever is greater,".

Subsec. (b)(1). Pub. L. 99-646, § 46(b), as amended by Pub. L. 103-322, § 330011(b), redesignated former subsec. (b) as par. (1), redesignated former pars. (1) to (3) as subpars. (A) to (C), respectively, and realigned their margins, and in subpar. (C) substituted "the lawful duty of such official or person;" for "his lawful duty, or".

Subsec. (b)(2). Pub. L. 99-646, § 46(c), redesignated former subsec. (c) as par. (2), struck out "Whoever," before "being", substituted "corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally" for "corruptly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself", redesignated former pars. (1) to (3) as subpars. (A) to (C), respectively, and realigned their margins, in subpar. (A) substituted "the performance" for "his performance" and struck out "or" after "act;," and in subpar. (C) substituted "the official duty of such official or person;" for "his official duty; or".

Subsec. (b)(3). Pub. L. 99-646, § 46(d), redesignated former subsec. (d) as par. (3) and substituted "directly" for "Whoever, directly" and "therefrom;" for "therefrom; or".

Subsec. (b)(4). Pub. L. 99-646, § 46(e), redesignated former subsec. (e) as par. (4), substituted "directly" for