

WHEREAS the American tradition that all persons should receive fair, impartial, and equitable treatment at the hands of the Government requires that all persons seeking the privilege of employment or privileged to be employed in the departments and agencies of the Government be adjudged by mutually consistent and no less than minimum standards and procedures among the departments and agencies governing the employment and retention in employment of persons in the Federal service:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, including section 1753 of the Revised Statutes of the United States (5 U.S.C. 631) [sections 3301 and 7301 of this title]; the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, et seq.) [section 1101 et seq. of this title]; section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118j) [sections 3333 and 7311 of this title]; and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22-1, et seq.) [section 7501 et seq. of this title], and as President of the United States, and deeming such action necessary in the best interests of the national security it is hereby ordered as follows:

Section 1. In addition to the departments and agencies specified in the said act of August 26, 1950, and Executive Order No. 10237 of April 26, 1951 the provisions of that act shall apply to all other departments and agencies of the Government.

Sec. 2. The head of each department and agency of the Government shall be responsible for establishing and maintaining within his department or agency an effective program to insure that the employment and retention in employment of any civilian officer or employee within the department or agency is clearly consistent with the interests of the national security.

Sec. 3. (a) The appointment of each civilian officer or employee in any department or agency of the Government shall be made subject to investigation. The scope of the investigation shall be determined in the first instance according to the degree of adverse effect the occupant of the position sought to be filled could bring about, by virtue of the nature of the position, on the national security, but in no event shall the investigation include less than a national agency check (including a check of the fingerprint files of the Federal Bureau of Investigation), and written inquiries to appropriate local law enforcement agencies, former employers and supervisors, references, and schools attended by the person under investigation: Provided, that upon request of the head of the department or agency concerned, the Office of Personnel Management may, in its discretion, authorize such less investigation as may meet the requirements of the national security with respect to per-diem, intermittent, temporary, or seasonal employees, or aliens employed outside the United States. Should there develop at any stage of investigation information indicating that the employment of any such person may not be clearly consistent with the interests of the national security, there shall be conducted with respect to such person a full field investigation, or such less investigation as shall be sufficient to enable the head of the department or agency concerned to determine whether retention of such person is clearly consistent with the interests of the national security.

(b) The head of any department or agency shall designate, or cause to be designated, any position within his department or agency the occupant of which could bring about, by virtue of the nature of the position, a material adverse effect on the national security as a sensitive position. Any position so designated shall be filled or occupied only by a person with respect to whom a full field investigation has been conducted: Provided, that a person occupying a sensitive position at the time it is designated as such may continue to occupy such position pending the completion of a full field investigation, subject to the other provisions of this order: And provided further, that in case of emergency a sensitive position may be filled for a limited

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period by a person with respect to whom a full field pre-appointment investigation has not been completed if the head of the department or agency concerned finds that such action is necessary in the national interest, which finding shall be made a part of the records of such department or agency.

Sec. 4. The head of each department and agency shall review, or cause to be reviewed, the cases of all civilian officers and employees with respect to whom there has been conducted a full field investigation under Executive Order No. 9835 of March 21, 1947, and, after such further investigation as may be appropriate, shall re-adjudicate, or cause to be re-adjudicated, in accordance with the said act of August 26, 1950, such of those cases as have not been adjudicated under a security standard commensurate with that established under this order.

Sec. 5. Whenever there is developed or received by any department or agency information indicating that the retention in employment of any officer or employee of the Government may not be clearly consistent with the interests of the national security, such information shall be forwarded to the head of the employing department or agency or his representative, who, after such investigation as may be appropriate, shall review, or cause to be reviewed, and, where necessary, re-adjudicate, or cause to be re-adjudicated, in accordance with the said act of August 26, 1950, the case of such officer or employee.

Sec. 6. Should there develop at any stage of investigation information indicating that the employment of any officer or employees of the Government may not be clearly consistent with the interests of the national security, the head of the department or agency concerned or his representative shall immediately suspend the employment of the person involved if he deems such suspension necessary in the interests of the national security and, following such investigation and review as he deems necessary the head of the department or agency concerned shall terminate the employment of such suspended officer in the interests of the national security, or employee whenever he shall determine such termination necessary or advisable in accordance with the said act of August 26, 1950.

Sec. 7. Any person whose employment is suspended or terminated under the authority granted to heads of departments and agencies by or in accordance with the said act of August 26, 1950, or pursuant to the said Executive Order No. 9835 or any other security or loyalty program relating to officers or employees of the Government, shall not be reinstated or restored to duty or reemployed in the same department or agency and shall not be reemployed in any other department or agency, unless the head of the department or agency concerned finds that such reinstatement, restoration, or reemployment is clearly consistent with the interests of the national security, which finding shall be made a part of the records of such department or agency: Provided, that no person whose employment has been terminated under such authority thereafter may be employed by any other department or agency except after a determination by the Office of Personnel Management that such person is eligible for such employment.

Sec. 8. (a) The investigations conducted pursuant to this order shall be designed to develop information as to whether the employment or retention in employment in the Federal service of the person being investigated is clearly consistent with the interests of the national security.

Such information shall relate, but shall not be limited, to the following:

- (1) Depending on the relation of the Government employment to the national security:
  - (i) Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.
  - (ii) Any deliberate misrepresentations, falsifications or omissions of material facts.

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- (iii) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction or sexual perversion.
- (iv) Any illness, including any mental condition, of a nature which in the opinion of competent medical authority may cause significant defect in the judgment or reliability of the employee, with due regard to the transient or continuing effect of the illness and the medical findings in such case.
- (v) Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of the national security.

(2) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.

(3) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with any espionage or other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the government of the United States or the alteration of the form of government of the United States by unconstitutional means.

(4) Advocacy of use of force or violence to overthrow the government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.

(5) Knowing membership with the specific intent of furthering the aims of, or adherence to and active participation in, any foreign or domestic organization, association, movement, group, or combination of persons (hereinafter referred to as organizations) which unlawfully advocates or practices the commission of acts of force or violence to prevent others from exercising their rights under the Constitution or laws of the United States or of any State, or which seeks to overthrow the Government of the United States or any State or subdivision thereof by unlawful means.

(6) Intentional unauthorized disclosure to any person of security information, or of other information disclosure of which is prohibited by law, or willful violation or disregard of security regulations.

(7) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.

(8) Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a congressional committee regarding charges of his alleged disloyalty or other misconduct.

(b) The investigation of persons entering or employed in the competitive service shall primarily be the responsibility of the Office of Personnel Management, except in cases in which the head of a department or agency assumes that responsibility pursuant to law or by agreement with the Office. The Office shall furnish a full investigative report to the department or agency concerned.

(c) The investigation of persons (including consultants, however employed), entering employment of, or employed by, the Government other than in the competitive service shall primarily be the responsibility of the employing department or agency. Departments and agencies without investigative facilities may use the investigative facilities of the Office of Personnel Management, and other departments and agencies may use such facilities under agreement with the Office.

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(d) There shall be referred promptly to the Federal Bureau of Investigation all investigations being conducted by any other agencies which develop information indicating that an individual may have been subjected to coercion, influence, or pressure to act contrary to the interests of the national security, or information relating to any of the matters described in subdivisions (2) through (8) of subsection (a) of this section. In cases so referred to it, the Federal Bureau of Investigation shall make a full field investigation.

Sec. 9. (a) There shall be established and maintained in the Office of Personnel Management a security-investigations index covering all persons as to whom security investigations have been conducted by any department or agency of the Government under this order. The central index established and maintained by the Office under Executive Order No. 9835 of March 21, 1947, shall be made a part of the security-investigations index. The security-investigations index shall contain the name of each person investigated, adequate identifying information concerning each such person, and a reference to each department and agency which has conducted an investigation concerning the person involved or has suspended or terminated the employment of such person under the authority granted to heads of departments and agencies by or in accordance with the said act of August 26, 1950.

(b) The heads of all departments and agencies shall furnish promptly to the Office of Personnel Management information appropriate for the establishment and maintenance of the security-investigations index.

(c) The reports and other investigative material and information developed by investigations conducted pursuant to any statute, order, or program described in section 7 of this order shall remain the property of the investigative agencies conducting the investigations, but may, subject to considerations of the national security, be retained by the department or agency concerned. Such reports and other investigative material and information shall be maintained in confidence, and no access shall be given thereto except with the consent of the investigative agency concerned, to other departments and agencies conducting security programs under the authority granted by or in accordance with the said act of August 26, 1950, as may be required for the efficient conduct of Government business.

Sec. 10. Nothing in this order shall be construed as eliminating or modifying in any way the requirement for any investigation or any determination as to security which may be required by law.

Sec. 11. On and after the effective date of this order the Loyalty Review Board established by Executive Order No. 9835 of March 21, 1947, shall not accept agency findings for review, upon appeal or otherwise. Appeals pending before the Loyalty Review Board on such date shall be heard to final determination in accordance with the provisions of the said Executive Order No. 9835, as amended. Agency determinations favorable to the officer or employee concerned pending before the Loyalty Review Board on such date shall be acted upon by such Board, and whenever the Board is not in agreement with such favorable determination the case shall be remanded to the department or agency concerned for determination in accordance with the standards and procedures established pursuant to this order. Cases pending before the regional loyalty boards of the Office of Personnel Management on which hearings have not been initiated on such date shall be referred to the department or agency concerned. Cases being heard by regional loyalty boards on such date shall be heard to conclusion, and the determination of the board shall be forwarded to the head of the department or agency concerned: Provided, that if no specific department or agency is involved, the case shall be dismissed without prejudice to the applicant. Investigations pending in the Federal Bureau of

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Investigation or the Office of Personnel Management on such date shall be completed, and the reports thereon shall be made to the appropriate department or agency.

Sec. 12. Executive Order No. 9835 of March 21, 1947, as amended, is hereby revoked.

Sec. 13. The Attorney . is requested to render to the heads of departments and agencies such advice as may be requisite to enable them to establish and maintain an appropriate employee-security program.

Sec. 14. (a) The Office of Personnel Management, with the continuing advice and collaboration of representatives of such departments and agencies as the National Security Council may designate, shall make a continuing study of the manner in which this order is being implemented by the departments and agencies of the Government for the purpose of determining:

(1) Deficiencies in the department and agency security programs established under this order which are inconsistent with the interests of or directly or indirectly weaken, the national security.

(2) Tendencies in such programs to deny to individual employees fair, impartial and equitable treatment at the hands of the Government, or rights under the Constitution and laws of the United States or this order.

Information affecting any department or agency developed or received during the course of such continuing study shall be furnished immediately to the head of the department or agency concerned. The Office of Personnel Management shall report to the National Security Council, at least semiannually, on the results of such study, shall recommend means to correct any such deficiencies or tendencies, and shall inform the National Security Council immediately of any deficiency which is deemed to be of major importance.

(b) All departments and agencies of the Government are directed to cooperate with the Office of Personnel Management to facilitate the accomplishment of the responsibilities assigned to it by subsection (a) of this section.

(c) To assist the Office of Personnel Management in discharging its responsibilities under this order, the head of each department and agency shall, as soon as possible and in no event later than ninety days after receipt of the final investigative report on a civilian officer or employee subject to a full field investigation under the provisions of this order, advise the Office as to the action taken with respect to such officer or employee. The information furnished by the heads of departments and agencies pursuant to this section shall be included in the reports which the Office of Personnel Management is required to submit to the National Security Council in accordance with subsection (a) of this section. Such reports shall set forth any deficiencies on the part of the heads of departments and agencies in taking timely action under this order, and shall mention specifically any instances of noncompliance with this subsection.

Sec. 15. This order shall become effective thirty days after the date hereof.

Executive Order No. 11605

Ex. Ord. No. 11605. July 2, 1971, 36 F.R. 12831, which amended Ex. Ord. No. 10450, Apr. 27, 1953, 18 F.R. 2489, which related to security requirements for government employees, was revoked by Ex. Ord. No. 11785, June 4, 1974, 39 F.R. 20053, set out below.

Ex. Ord. No. 11785. Security Requirements for Governmental Employees

Ex. Ord. No. 11785, June 4, 1974, 39 F.R. 20053, provided:

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By virtue of the authority vested in me by the Constitution and statutes of the United States, including 5 U.S.C. 1101et seq., 3301, 3571, 7301, 7313, 7501(c), 7512, 7532, and 7533; and as President of the United States, and finding such action necessary in the best interests of national security, it is hereby ordered as follows:

Section 1. Section 12 of Executive Order No. 10450 of April 27, 1953, as amended [set out as a note under this section], is revised to read in its entirety as follows:

"Sec. 12. Executive Order No. 9835 of March 21, 1947, as amended, is hereby revoked."

Sec. 2. Neither the Attorney , nor the Subversive Activities Control Board, nor any other agency shall designate organizations pursuant to section 12 of Executive Order No. 10450, as amended, nor circulate nor publish a list of organizations previously so designated. The list of organizations previously designated is hereby abolished and shall not be used for any purpose.

Sec. 3. Su

"Knowing membership with the specific intent of furthering the aims of, or adherence to and active participation in, any foreign or domestic organization, association, movement, group, or combination of persons (hereinafter referred to as organizations) which unlawfully advocates or practices the commission of acts of force or violence to prevent others from exercising their rights under the Constitution or laws of the United States or of any State, or which seeks to overthrow the Government of the United States or any State or subdivision thereof by unlawful means."

Sec. 4. Executive Order No. 11605 of July 2, 1971, is revoked.

Richard Nixon.

The table below lists the classification updates, since Jan. 3, 2012, for this section. Updates to a broader range of sections may be found at the update page for containing chapter, title, etc.

The most recent Classification Table update that we have noticed was Tuesday, August 13, 2013

An empty table indicates that we see no relevant changes listed in the classification tables. If you suspect that our system may be missing something, please double-check with the Office of the Law Revision Counsel.

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#### **18 U.S. Code § 1918 - in pertinent part states Disloyalty and asserting the right to strike against the Government**

Whoever violates the provision of section 7311 of title 5 that an individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

- (1)advocates the overthrow of our constitutional form of government;
- (2)is a member of an organization that he knows advocates the overthrow of our constitutional form of government;
- (3)participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or
- (4)is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia;

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shall be fined under this title or imprisoned not more than one year and a day, or both.

**18 U.S. Code § 1922 - False or withheld report concerning Federal employees' compensation**

Whoever, being an officer or employee of the United States charged with the responsibility for making the reports of the immediate superior specified by section 8120 of title 5, willfully fails, neglects, or refuses to make any of the reports, or knowingly files a false report, or induces, compels, or directs an injured employee to forego filing of any claim for compensation or other benefits provided under subchapter I of chapter 81 of title 5 or any extension or application thereof, or willfully retains any notice, report, claim, or paper which is required to be filed under that subchapter or any extension or application thereof, or regulations prescribed thereunder, shall be fined under this title or imprisoned not more than one year, or both.

**18 U.S. Code § 1918 - Disloyalty and asserting the right to strike against the Government**

Whoever violates the provision of section 7311 of title 5 that an individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

- (1)advocates the overthrow of our constitutional form of government;
- (2)is a member of an organization that he knows advocates the overthrow of our constitutional form of government;
- (3)participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or
- (4)is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia;

shall be fined under this title or imprisoned not more than one year and a day, or both.

**18 U.S. Code § 1924 - Unauthorized removal and retention of classified documents or material**

(a)Whoever, being an officer, employee, contractor, or consultant of the United States, and, by virtue of his office, employment, position, or contract, becomes possessed of documents or materials containing classified information of the United States, knowingly removes such documents or materials without authority and with the intent to retain such documents or materials at an unauthorized location shall be fined under this title or imprisoned for not more than one year, or both.

(b)For purposes of this section, the provision of documents and materials to the Congress shall not constitute an offense under subsection (a).

(c)In this section, the term "classified information of the United States" means information originated, owned, or possessed by the United States Government concerning the national defense or foreign relations of the United States that has been determined pursuant to law or

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Executive order to require protection against unauthorized disclosure in the interests of national security.

**18 U.S. Code § 1951 - Interference with commerce by threats or violence**

(a)Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

(b)As used in this section—

(1)The term “robbery” means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2)The term “extortion” means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3)The term “commerce” means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

**8 U.S. Code § 1952 - in pertinent part states Interstate and foreign travel or transportation in aid of racketeering enterprises**

(a)Whoever travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to—

(1)distribute the proceeds of any unlawful activity; or

(2)commit any crime of violence to further any unlawful activity; or

(3)otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity, and thereafter performs or attempts to perform—

(A)an act described in paragraph (1) or (3) shall be fined under this title, imprisoned not more than 5 years, or both; or

(B)an act described in paragraph (2) shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be imprisoned for any term of years or for life.

(b)As used in this section (i) “unlawful activity” means

(1)any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or controlled substances (as defined in section 102(6) of the Controlled Substances Act), or prostitution offenses in violation of the laws of the State in which they are committed or of the United States,

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- (2)extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States, or
- (3)any act which is indictable under subchapter II of chapter 53 of title 31, United States Code, or under section 1956 or 1957 of this title and
  - (ii)the term "State" includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.
- (c)Investigations of violations under this section involving liquor shall be conducted under the supervision of the Attorney ..
- (d)If the offense under this section involves an act described in paragraph (1) or (3) of subsection (a) and also involves a pre-retail medical product (as defined in section 670), the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under subsection (a) is greater.

#### **18 U.S. Code § 1956 - Laundering of monetary instruments**

- (1)Whoever, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity—
  - (A)
    - (i)with the intent to promote the carrying on of specified unlawful activity; or
    - (ii)with intent to engage in conduct constituting a violation of section 7201 or 7206 of the Internal Revenue Code of 1986; or
  - (B)knowing that the transaction is designed in whole or in part—
    - (i)to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or
    - (ii)to avoid a transaction reporting requirement under State or Federal law, shall be sentenced to a fine of not more than \$500,000 or twice the value of the property involved in the transaction, whichever is greater, or imprisonment for not more than twenty years, or both. For purposes of this paragraph, a financial transaction shall be considered to be one involving the proceeds of specified unlawful activity if it is part of a set of parallel or dependent transactions, any one of which involves the proceeds of specified unlawful activity, and all of which are part of a single plan or arrangement.
- (2)Whoever transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument or funds from a place in the United States to or through a place outside the United States or to a place in the United States from or through a place outside the United States—
  - (A)with the intent to promote the carrying on of specified unlawful activity; or
  - (B)knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer is designed in whole or in part—
    - (i)to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or
    - (ii)to avoid a transaction reporting requirement under State or Federal law, shall be sentenced to a fine of not more than \$500,000 or twice the value of the monetary instrument or funds involved in the transportation, transmission, or transfer, whichever is greater, or imprisonment for not more than twenty years, or both. For the purpose of the offense

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described in subparagraph (B), the defendant's knowledge may be established by proof that a law enforcement officer represented the matter specified in subparagraph (B) as true, and the defendant's subsequent statements or actions indicate that the defendant believed such representations to be true.

(3) Whoever, with the intent—

(A) to promote the carrying on of specified unlawful activity;  
(B) to conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of specified unlawful activity; or  
(C) to avoid a transaction reporting requirement under State or Federal law, conducts or attempts to conduct a financial transaction involving property represented to be the proceeds of specified unlawful activity, or property used to conduct or facilitate specified unlawful activity, shall be fined under this title or imprisoned for not more than 20 years, or both. For purposes of this paragraph and paragraph (2), the term "represented" means any representation made by a law enforcement officer or by another person at the direction of, or with the approval of, a Federal official authorized to investigate or prosecute violations of this section.

(b) **Penalties.**—

(1) **In ..**— Whoever conducts or attempts to conduct a transaction described in subsection (a)(1) or (a)(3), or section 1957, or a transportation, transmission, or transfer described in subsection (a)(2), is liable to the United States for a civil penalty of not more than the greater of—  
(A) the value of the property, funds, or monetary instruments involved in the transaction; or  
(B) \$10,000.

(2) **Jurisdiction over foreign persons.**— For purposes of adjudicating an action filed or enforcing a penalty ordered under this section, the district courts shall have jurisdiction over any foreign person, including any financial institution authorized under the laws of a foreign country, against whom the action is brought, if service of process upon the foreign person is made under the Federal Rules of Civil Procedure or the laws of the country in which the foreign person is found, and—

(A) the foreign person commits an offense under subsection (a) involving a financial transaction that occurs in whole or in part in the United States;  
(B) the foreign person converts, to his or her own use, property in which the United States has an ownership interest by virtue of the entry of an order of forfeiture by a court of the United States; or  
(C) the foreign person is a financial institution that maintains a bank account at a financial institution in the United States.

(3) **Court authority over assets.**— A court may issue a pretrial restraining order or take any other action necessary to ensure that any bank account or other property held by the defendant in the United States is available to satisfy a judgment under this section.

(4) **Federal receiver.**—

(A) **In ..**— A court may appoint a Federal Receiver, in accordance with subparagraph (B) of this paragraph, to collect, marshal, and take custody, control, and possession of all assets of the defendant, wherever located, to satisfy a civil judgment under this subsection, a forfeiture judgment under section 981 or 982, or a criminal sentence under section 1957 or subsection (a) of this section, including an order of restitution to any victim of a specified unlawful activity.

(B) **Appointment and authority.**— A Federal Receiver described in subparagraph (A)—

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(i)may be appointed upon application of a Federal prosecutor or a Federal or State regulator, by the court having jurisdiction over the defendant in the case;

(ii)shall be an officer of the court, and the powers of the Federal Receiver shall include the powers set out in section 754 of title 28, United States Code; and

(iii)shall have standing equivalent to that of a Federal prosecutor for the purpose of submitting requests to obtain information regarding the assets of the defendant—

(I)from the Financial Crimes Enforcement Network of the Department of the Treasury; or

(II)from a foreign country pursuant to a mutual legal assistance treaty, multilateral agreement, or other arrangement for international law enforcement assistance, provided that such requests are in accordance with the policies and procedures of the Attorney ..

(c)As used in this section—

(1)the term “knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity” means that the person knew the property involved in the transaction represented proceeds from some form, though not necessarily which form, of activity that constitutes a felony under State, Federal, or foreign law, regardless of whether or not such activity is specified in paragraph (7);

(2)the term “conducts” includes initiating, concluding, or participating in initiating, or concluding a transaction;

(3)the term “transaction” includes a purchase, sale, loan, pledge, gift, transfer, delivery, or other disposition, and with respect to a financial institution includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of any stock, bond, certificate of deposit, or other monetary instrument, use of a safe deposit box, or any other payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected;

(4)the term “financial transaction” means

(A)a transaction which in any way or degree affects interstate or foreign commerce

(i)involving the movement of funds by wire or other means or

(ii)involving one or more monetary instruments, or

(iii)involving the transfer of title to any real property, vehicle, vessel, or aircraft, or

(B)a transaction involving the use of a financial institution which is engaged in, or the activities of which affect, interstate or foreign commerce in any way or degree;

(5)the term “monetary instruments” means

(i)coin or currency of the United States or of any other country, travelers’ checks, personal checks, bank checks, and money orders, or

(ii)investment securities or negotiable instruments, in bearer form or otherwise in such form that title thereto passes upon delivery;

(6)the term “financial institution” includes—

(A)any financial institution, as defined in section 5312(a)(2) of title 31, United States Code, or the regulations promulgated thereunder; and

(B)any foreign bank, as defined in section 1 of the International Banking Act of 1978 (12 U.S.C. 3101);

(7)the term “specified unlawful activity” means—

(A)any act or activity constituting an offense listed in section 1961(1) of this title except an act which is indictable under subchapter II of chapter 53 of title 31;

(B)with respect to a financial transaction occurring in whole or in part in the United States, an offense against a foreign nation involving—

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- (i)the manufacture, importation, sale, or distribution of a controlled substance (as such term is defined for the purposes of the Controlled Substances Act);
- (ii)murder, kidnapping, robbery, extortion, destruction of property by means of explosive or fire, or a crime of violence (as defined in section 16);
- (iii)fraud, or any scheme or attempt to defraud, by or against a foreign bank (as defined in paragraph 7 of section 1(b) of the International Banking Act of 1978));<sup>[1]</sup>
- (iv)bribery of a public official, or the misappropriation, theft, or embezzlement of public funds by or for the benefit of a public official;
- (v)smuggling or export control violations involving—
  - (I)an item controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778); or
  - (II)an item controlled under regulations under the Export Administration Regulations (15 C.F.R. Parts 730–774);
- (vi)an offense with respect to which the United States would be obligated by a multilateral treaty, either to extradite the alleged offender or to submit the case for prosecution, if the offender were found within the territory of the United States; or
- (vii)trafficking in persons, selling or buying of children, sexual exploitation of children, or transporting, recruiting or harboring a person, including a child, for commercial sex acts;
- (C)any act or acts constituting a continuing criminal enterprise, as that term is defined in section 408 of the Controlled Substances Act (21 U.S.C. 848);
- (D)an offense under section 32 (relating to the destruction of aircraft), section 37 (relating to violence at international airports), section 115 (relating to influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member), section 152 (relating to concealment of assets; false oaths and claims; bribery), section 175c (relating to the variola virus), section 215 (relating to commissions or gifts for procuring loans), section 351 (relating to congressional or Cabinet officer assassination), any of sections 500 through 503 (relating to certain counterfeiting offenses), section 513 (relating to securities of States and private entities), section 541 (relating to goods falsely classified), section 542 (relating to entry of goods by means of false statements), section 545 (relating to smuggling goods into the United States), section 549 (relating to removing goods from Customs custody), section 554 (relating to smuggling goods from the United States), section 555 (relating to border tunnels), section 641 (relating to public money, property, or records), section 656 (relating to theft, embezzlement, or misapplication by bank officer or employee), section 657 (relating to lending, credit, and insurance institutions), section 658 (relating to property mortgaged or pledged to farm credit agencies), section 666 (relating to theft or bribery concerning programs receiving Federal funds), section 793, 794, or 798 (relating to espionage), section 831 (relating to prohibited transactions involving nuclear materials), section 844(f) or (i) (relating to destruction by explosives or fire of Government property or property affecting interstate or foreign commerce), section 875 (relating to interstate communications), section 922(l) (relating to the unlawful importation of firearms), section 924(n) (relating to firearms trafficking), section 956 (relating to conspiracy to kill, kidnap, maim, or injure certain property in a foreign country), section 1005 (relating to fraudulent bank entries), 1006<sup>[2]</sup> (relating to fraudulent Federal credit institution entries), 1007<sup>[2]</sup> (relating to Federal Deposit Insurance transactions), 1014<sup>[2]</sup> (relating to fraudulent loan or credit applications), section 1030 (relating to computer fraud and abuse), 1032<sup>[2]</sup> (relating to concealment of assets from conservator, receiver, or liquidating agent of financial institution), section 1111 (relating to murder), section 1114 (relating to murder of

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United States law enforcement officials), section 1116 (relating to murder of foreign officials, official guests, or internationally protected persons), section 1201 (relating to kidnaping), section 1203 (relating to hostage taking), section 1361 (relating to willful injury of Government property), section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction), section 1708 (theft from the mail), section 1751 (relating to Presidential assassination), section 2113 or 2114 (relating to bank and postal robbery and theft), section 2252A (relating to child pornography) where the child pornography contains a visual depiction of an actual minor engaging in sexually explicit conduct, section 2260 (production of certain child pornography for importation into the United States), section 2280 (relating to violence against maritime navigation), section 2281 (relating to violence against maritime fixed platforms), section 2319 (relating to copyright infringement), section 2320 (relating to trafficking in counterfeit goods and services), section 2332 (relating to terrorist acts abroad against United States nationals), section 2332a (relating to use of weapons of mass destruction), section 2332b (relating to international terrorist acts transcending national boundaries), section 2332g (relating to missile systems designed to destroy aircraft), section 2332h (relating to radiological dispersal devices), section 2339A or 2339B (relating to providing material support to terrorists), section 2339C (relating to financing of terrorism), or section 2339D (relating to receiving military-type training from a foreign terrorist organization) of this title, section 46502 of title 49, United States Code, a felony violation of the Chemical Diversion and Trafficking Act of 1988 (relating to precursor and essential chemicals), section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) (relating to aviation smuggling), section 422 of the Controlled Substances Act (relating to transportation of drug paraphernalia), section 38(c)(relating to criminal violations) of the Arms Export Control Act, section 11 (relating to violations) of the Export Administration Act of 1979, section 206 (relating to penalties) of the International Emergency Economic Powers Act, section 16 (relating to offenses and punishment) of the Trading with the Enemy Act, any felony violation of section 15 of the Food and Nutrition Act of 2008 (relating to supplemental nutrition assistance program benefits fraud) involving a quantity of benefits having a value of not less than \$5,000, any violation of section 543(a)(1) of the Housing Act of 1949 (relating to equity skimming), any felony violation of the Foreign Agents Registration Act of 1938, any felony violation of the Foreign Corrupt Practices Act, or section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122) (relating to prohibitions governing atomic weapons) <sup>[3]</sup>environmental crimes

(E)a felony violation of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Ocean Dumping Act (33 U.S.C. 1401 et seq.), the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or the Resources Conservation and Recovery Act (42 U.S.C. 6901 et seq.); or (F)any act or activity constituting an offense involving a Federal health care offense;

(8)the term "State" includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(9)the term "proceeds" means any property derived from or obtained or retained, directly or indirectly, through some form of unlawful activity, including the gross receipts of such activity.

(d)Nothing in this section shall supersede any provision of Federal, State, or other law imposing criminal penalties or affording civil remedies in addition to those provided for in this section.

(e)Violations of this section may be investigated by such components of the Department of Justice as the Attorney . may direct, and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, and, with respect to offenses over

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which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney .. Violations of this section involving offenses described in paragraph (c)(7)(E) may be investigated by such components of the Department of Justice as the Attorney . may direct, and the National Enforcement Investigations Center of the Environmental Protection Agency.

(f) There is extraterritorial jurisdiction over the conduct prohibited by this section if—  
(1) the conduct is by a United States citizen or, in the case of a non-United States citizen, the conduct occurs in part in the United States; and  
(2) the transaction or series of related transactions involves funds or monetary instruments of a value exceeding \$10,000.

(g) **Notice of Conviction of Financial Institutions.**— If any financial institution or any officer, director, or employee of any financial institution has been found guilty of an offense under this section, section 1957 or 1960 of this title, or section 5322 or 5324 of title 31, the Attorney . shall provide written notice of such fact to the appropriate regulatory agency for the financial institution.

(h) Any person who conspires to commit any offense defined in this section or section 1957 shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

(i) **Venue.**—

(1) Except as provided in paragraph (2), a prosecution for an offense under this section or section 1957 may be brought in—

(A) any district in which the financial or monetary transaction is conducted; or  
(B) any district where a prosecution for the underlying specified unlawful activity could be brought, if the defendant participated in the transfer of the proceeds of the specified unlawful activity from that district to the district where the financial or monetary transaction is conducted.

(2) A prosecution for an attempt or conspiracy offense under this section or section 1957 may be brought in the district where venue would lie for the completed offense under paragraph (1), or in any other district where an act in furtherance of the attempt or conspiracy took place.

(3) For purposes of this section, a transfer of funds from 1 place to another, by wire or any other means, shall constitute a single, continuing transaction. Any person who conducts (as that term is defined in subsection (c)(2)) any portion of the transaction may be charged in any district in which the transaction takes place.

#### **18 U.S. Code § 1957 - Engaging in monetary transactions in property derived from specified unlawful activity**

(a) Whoever, in any of the circumstances set forth in subsection (d), knowingly engages or attempts to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity, shall be punished as provided in

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subsection (b). the punishment for an offense under this section is a fine under title 18, United States Code, or imprisonment for not more than ten years or both.

And (1)that if the offense under this section takes place in the United States or in the special maritime and territorial jurisdiction of the United States; or (2)that the offense under this section takes place outside the United States and such special jurisdiction, but the defendant is a United States person (as defined in section 3077 of this title, but excluding the class described in paragraph (2)(D) of such section). (e)Violations of this section may be investigated by such components of the Department of Justice as the Attorney . may direct, and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate. and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney ..

(f)As used in this section—

(1)the term “monetary transaction” means the deposit, withdrawal, transfer, or exchange, in or affecting interstate or foreign commerce, of funds or a monetary instrument (as defined in section 1956(c)(5) of this title) by, through, or to a financial institution (as defined in section 1956 of this title), including any transaction that would be a financial transaction under section 1956(c)(4)(B) of this title, but such term does not include any transaction necessary to preserve a person’s right to representation as guaranteed by the sixth amendment to the Constitution;

(2)the term “criminally derived property” means any property constituting, or derived from, proceeds obtained from a criminal offense; and

(3)the terms “specified unlawful activity” and “proceeds” shall have the meaning given those terms in section 1956 of

U.S. Code › Title 18 › Part I › Chapter 95 › § 1958

#### **18 U.S. Code § 1958 - Use of interstate commerce facilities in the commission of murder-for-hire**

(a)Whoever travels in or causes another (including the intended victim) to travel in interstate or foreign commerce, or uses or causes another (including the intended victim) to use the mail or any facility of interstate or foreign commerce, with intent that a murder be committed in violation of the laws of any State or the United States as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value, or who conspires to do so, shall be fined under this title or imprisoned for not more than ten years, or both; and if personal injury results, shall be fined under this title or imprisoned for not more than twenty years, or both; and if death results, shall be punished by death or life imprisonment, or shall be fined not more than \$250,000, or both.

#### **18 U.S. Code § 1959 - Violent crimes in aid of racketeering activity**

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(a) Whoever, as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value from an enterprise engaged in racketeering activity, or for the purpose of gaining entrance to or maintaining or increasing position in an enterprise engaged in racketeering activity, murders, kidnaps, maims, assaults with a dangerous weapon, commits assault resulting in serious bodily injury upon, or threatens to commit a crime of violence against any individual in violation of the laws of any State or the United States, or attempts or conspires so to do, shall be punished—

- (1) for murder, by death or life imprisonment, or a fine under this title, or both; and for kidnapping, by imprisonment for any term of years or for life, or a fine under this title, or both;
- (2) for maiming, by imprisonment for not more than thirty years or a fine under this title, or both;
- (3) for assault with a dangerous weapon or assault resulting in serious bodily injury, by imprisonment for not more than twenty years or a fine under this title, or both;
- (4) for threatening to commit a crime of violence, by imprisonment for not more than five years or a fine under this title, or both;
- (5) for attempting or conspiring to commit murder or kidnapping, by imprisonment for not more than ten years or a fine under this title, or both; and
- (6) for attempting or conspiring to commit a crime involving maiming, assault with a dangerous weapon, or assault resulting in serious bodily injury, by imprisonment for not more than three years or a fine of <sup>[11]</sup>under this title, or both.

(b) As used in this section—

- (1) "racketeering activity" has the meaning set forth in section 1961 of this title; and
- (2) "enterprise" includes any partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity, which is engaged in, or the activities of which affect, interstate or foreign commerce.

## **18 U.S. Code § 1959 - Violent crimes in aid of racketeering activity**

(a) Whoever, as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value from an enterprise engaged in racketeering activity, or for the purpose of gaining entrance to or maintaining or increasing position in an enterprise engaged in racketeering activity, murders, kidnaps, maims, assaults with a dangerous weapon, commits assault resulting in serious bodily injury upon, or threatens to commit a crime of violence against any individual in violation of the laws of any State or the United States, or attempts or conspires so to do, shall be punished—

- (1) for murder, by death or life imprisonment, or a fine under this title, or both; and for kidnapping, by imprisonment for any term of years or for life, or a fine under this title, or both;
- (2) for maiming, by imprisonment for not more than thirty years or a fine under this title, or both;
- (3) for assault with a dangerous weapon or assault resulting in serious bodily injury, by imprisonment for not more than twenty years or a fine under this title, or both;
- (4) for threatening to commit a crime of violence, by imprisonment for not more than five years or a fine under this title, or both;
- (5) for attempting or conspiring to commit murder or kidnapping, by imprisonment for not more than ten years or a fine under this title, or both; and

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(6)for attempting or conspiring to commit a crime involving maiming, assault with a dangerous weapon, or assault resulting in serious bodily injury, by imprisonment for not more than three years or a fine of <sup>(1)</sup>under this title, or both.

(b)As used in this section—

(1)“racketeering activity” has the meaning set forth in section 1961 of this title; and  
(2)“enterprise” includes any partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity, which is engaged in, or the activities of which affect, interstate or foreign commerce.

#### **18 U.S. Code § 2233 - in pertinent part states:Rescue of seized property**

Whoever forcibly rescues, dispossesses, or attempts to rescue or dispossess any property, articles, or objects after the same shall have been taken, detained, or seized by any officer or other person under the authority of any revenue law of the United States, or by any person authorized to make searches and seizures, shall be fined under this title or imprisoned not more than two years, or both.

#### **8 U.S. Code § 2235 - Search warrant procured maliciously**

Whoever maliciously and without probable cause procures a search warrant to be issued and executed, shall be fined under this title or imprisoned not more than one year, or both.

#### **18 U.S. Code § 2236 - Searches without warrant**

Whoever, being an officer, agent, or employee of the United States or any department or agency thereof, engaged in the enforcement of any law of the United States, searches any private dwelling used and occupied as such dwelling without a warrant directing such search, or maliciously and without reasonable cause searches any other building or property without a search warrant, shall be fined under this title for a first offense; and, for a subsequent offense, shall be fined under this title or imprisoned not more than one year, or both.

#### **8 U.S. Code § 2234 - Authority exceeded in executing warrant**

Whoever, in executing a search warrant, willfully exceeds his authority or exercises it with unnecessary severity, shall be fined under this title or imprisoned not more than one year, or both.

#### **18 U.S. Code § 2314 - Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting**

Whoever transports, transmits, or transfers in interstate or foreign commerce any goods, wares, merchandise, securities or money, of the value of \$5,000 or more, knowing the same to have been stolen, converted or taken by fraud; or

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person or persons to travel in, or to be transported in interstate or foreign commerce in the execution or concealment of a scheme or artifice to defraud that person or those persons of money or property having a value of \$5,000 or more; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any falsely made, forged, altered, or counterfeited securities or tax stamps, knowing the same to have been falsely made, forged, altered, or counterfeited; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any traveler's check bearing a forged countersignature; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce, any tool, implement, or thing used or fitted to be used in falsely making, forging, altering, or counterfeiting any security or tax stamps, or any part thereof; or

Whoever transports, transmits, or transfers in interstate or foreign commerce any veterans' memorial object, knowing the same to have been stolen, converted or taken by fraud—

Shall be fined under this title or imprisoned not more than ten years, or both. If the offense involves a pre-retail medical product (as defined in section 670) the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under this section is greater. If the offense involves the transportation, transmission, or transfer in interstate or foreign commerce of veterans' memorial objects with a value, in the aggregate, of less than \$1,000, the defendant shall be fined under this title or imprisoned not more than one year, or both.

This section shall not apply to any falsely made, forged, altered, counterfeited or spurious representation of an obligation or other security of the United States, or of an obligation, bond, certificate, security, treasury note, bill, promise to pay or bank note issued by any foreign government. This section also shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of any bank note or bill issued by a bank or corporation of any foreign country which is intended by the laws or usage of such country to circulate as money.

For purposes of this section the term "veterans' memorial object" means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.

#### **18 U.S. Code § 2261A - Stalking**

(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

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(A) places that person in reasonable fear of the death of, or serious bodily injury to—  
(i) that person;  
(ii) an immediate family member (as defined in section 115) of that person; or  
(iii) a spouse or intimate partner of that person; or  
(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or  
(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—  
(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or  
(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.  
(b) **Penalties.**— A person who violates this section or section 2261A shall be fined under this title, imprisoned—  
(1) for life or any term of years, if death of the victim results;  
(2) for not more than 20 years if permanent disfigurement or life threatening bodily injury to the victim results;  
(3) for not more than 10 years, if serious bodily injury to the victim results or if the offender uses a dangerous weapon during the offense;  
(4) as provided for the applicable conduct under chapter 109A if the offense would constitute an offense under chapter 109A (without regard to whether the offense was committed in the special maritime and territorial jurisdiction of the United States or in a Federal prison); and  
(5) for not more than 5 years, in any other case, or both fined and imprisoned.  
(6) Whoever commits the crime of stalking in violation of a temporary or permanent civil or criminal injunction, restraining order, no-contact order, or other order described in section 2266 of title 18, United States Code, shall be punished by imprisonment for not less than 1 year.

## 18 U.S. Code § 2332b - Acts of terrorism transcending national boundaries

### (a) **Prohibited Acts.**—

(1) **Offenses.**— Whoever, involving conduct transcending national boundaries and in a circumstance described in subsection (b)—  
(A) kills, kidnaps, maims, commits an assault resulting in serious bodily injury, or assaults with a dangerous weapon any person within the United States; or  
(B) creates a substantial risk of serious bodily injury to any other person by destroying or damaging any structure, conveyance, or other real or personal property within the United States or by attempting or conspiring to destroy or damage any structure, conveyance, or other real or personal property within the United States; in violation of the laws of any State, or the United States, shall be punished as prescribed in subsection (c).

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(2) **Treatment of threats, attempts and conspiracies.**— Whoever threatens to commit an offense under paragraph (1), or attempts or conspires to do so, shall be punished under subsection (c).

(b) **Jurisdictional Bases.**—

(1) **Circumstances.**— The circumstances referred to in subsection (a) are—

(A) the mail or any facility of interstate or foreign commerce is used in furtherance of the offense;

(B) the offense obstructs, delays, or affects interstate or foreign commerce, or would have so obstructed, delayed, or affected interstate or foreign commerce if the offense had been consummated;

(C) the victim, or intended victim, is the United States Government, a member of the uniformed services, or any official, officer, employee, or agent of the legislative, executive, or judicial branches, or of any department or agency, of the United States;

(D) the structure, conveyance, or other real or personal property is, in whole or in part, owned, possessed, or leased to the United States, or any department or agency of the United States;

(E) the offense is committed in the territorial sea (including the airspace above and the seabed and subsoil below, and artificial islands and fixed structures erected thereon) of the United States; or

(F) the offense is committed within the special maritime and territorial jurisdiction of the United States.

(2) **Co-conspirators and accessories after the fact.**— Jurisdiction shall exist over all principals and co-conspirators of an offense under this section, and accessories after the fact to any offense under this section, if at least one of the circumstances described in subparagraphs (A) through (F) of paragraph (1) is applicable to at least one offender.

(c) **Penalties.**—

(1) **Penalties.**— Whoever violates this section shall be punished—

(A) for a killing, or if death results to any person from any other conduct prohibited by this section, by death, or by imprisonment for any term of years or for life;

(B) for kidnapping, by imprisonment for any term of years or for life;

(C) for maiming, by imprisonment for not more than 35 years;

(D) for assault with a dangerous weapon or assault resulting in serious bodily injury, by imprisonment for not more than 30 years;

(E) for destroying or damaging any structure, conveyance, or other real or personal property, by imprisonment for not more than 25 years;

(F) for attempting or conspiring to commit an offense, for any term of years up to the maximum punishment that would have applied had the offense been completed; and

(G) for threatening to commit an offense under this section, by imprisonment for not more than 10 years.

## **18 U.S. Code § 2332a - Use of weapons of mass destruction**

(a) **Offense Against a National of the United States or Within the United States.**— A person who, without lawful authority, uses, threatens, or attempts or conspires to use, a weapon of mass destruction—

(1) against a national of the United States while such national is outside of the United States;

(2) against any person or property within the United States, and

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(A)the mail or any facility of interstate or foreign commerce is used in furtherance of the offense;  
(B)such property is used in interstate or foreign commerce or in an activity that affects interstate or foreign commerce;  
(C)any perpetrator travels in or causes another to travel in interstate or foreign commerce in furtherance of the offense; or  
(D)the offense, or the results of the offense, affect interstate or foreign commerce, or, in the case of a threat, attempt, or conspiracy, would have affected interstate or foreign commerce;  
(3)against any property that is owned, leased or used by the United States or by any department or agency of the United States, whether the property is within or outside of the United States; or  
(4)against any property within the United States that is owned, leased, or used by a foreign government,

shall be imprisoned for any term of years or for life, and if death results, shall be punished by death or imprisoned for any term of years or for life.

(b)**Offense by National of the United States Outside of the United States.**— Any national of the United States who, without lawful authority, uses, or threatens, attempts, or conspires to use, a weapon of mass destruction outside of the United States shall be imprisoned for any term of years or for life, and if death results, shall be punished by death, or by imprisonment for any term of years or for life.

#### **18 U.S. Code § 2332d - Financial transactions**

(a)**Offense.**— Except as provided in regulations issued by the Secretary of the Treasury, in consultation with the Secretary of State, whoever, being a United States person, knowing or having reasonable cause to know that a country is designated under section 6(j) of the Export Administration Act of 1979 (50 App. U.S.C. 2405) as a country supporting international terrorism, engages in a financial transaction with the government of that country, shall be fined under this title, imprisoned for not more than 10 years, or both.

(b)**Definitions.**— As used in this section—

(1)the term “financial transaction” has the same meaning as in section 1956(c)(4); and  
(2)the term “United States person” means any—  
(A)United States citizen or national;  
(B)permanent resident alien;  
(C)juridical person organized under the laws of the United States; or  
(D)any person in the United States.

#### **18 U.S. Code § 2332g - Missile systems designed to destroy aircraft**

(1)**In ..**— Except as provided in paragraph (3), it shall be unlawful for any person to knowingly produce, construct, otherwise acquire, transfer directly or indirectly, receive, possess, import, export, or use, or possess and threaten to use—

(A)an explosive or incendiary rocket or missile that is guided by any system designed to enable the rocket or missile to—

(i)seek or proceed toward energy radiated or reflected from an aircraft or toward an image locating an aircraft; or  
(ii)otherwise direct or guide the rocket or missile to an aircraft;

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(B)any device designed or intended to launch or guide a rocket or missile described in subparagraph (A); or

(C)any part or combination of parts designed or redesigned for use in assembling or fabricating a rocket, missile, or device described in subparagraph (A) or (B).

(2) **Nonweapon.**— Paragraph (1)(A) does not apply to any device that is neither designed nor redesigned for use as a weapon.

(3) **Excluded conduct.**— This subsection does not apply with respect to—

(A)conduct by or under the authority of the United States or any department or agency thereof or of a State or any department or agency thereof; or

(B)conduct pursuant to the terms of a contract with the United States or any department or agency thereof or with a State or any department or agency thereof.

(b) **Jurisdiction.**— Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

(1)the offense occurs in or affects interstate or foreign commerce;

(2)the offense occurs outside of the United States and is committed by a national of the United States;

(3)the offense is committed against a national of the United States while the national is outside the United States;

(4)the offense is committed against any property that is owned, leased, or used by the United States or by any department or agency of the United States, whether the property is within or outside the United States; or

(5)an offender aids or abets any person over whom jurisdiction exists under this subsection in committing an offense under this section or conspires with any person over whom jurisdiction exists under this subsection to commit an offense under this section.

(c) **Criminal Penalties.**—

(1) **In ..**— Any person who violates, or attempts or conspires to violate, subsection (a) shall be fined not more than \$2,000,000 and shall be sentenced to a term of imprisonment not less than 25 years or to imprisonment for life.

(2) **Other circumstances.**— Any person who, in the course of a violation of subsection (a), uses, attempts or conspires to use, or possesses and threatens to use, any item or items described in subsection (a), shall be fined not more than \$2,000,000 and imprisoned for not less than 30 years or imprisoned for life.

(3) **Special circumstances.**— If the death of another results from a person's violation of subsection (a), the person shall be fined not more than \$2,000,000 and punished by imprisonment for life.

(d) **Definition.**— As used in this section, the term "aircraft" has the definition set forth in section 40102(a)(6) of title 49, United States Code.

#### **18 U.S. Code § 2337 - Suits against Government officials**

No action shall be maintained under section 2333 of this title against—

(1)the United States, an agency of the United States, or an officer or employee of the United States or any agency thereof acting within his or her official capacity or under color of legal authority; or

(2)a foreign state, an agency of a foreign state, or an officer or employee of a foreign state or an agency thereof acting within his or her official capacity or under color of legal authority.

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## **18 U.S. Code § 2339 - Harboring or concealing terrorists**

(a) Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe, has committed, or is about to commit, an offense under section 32 (relating to destruction of aircraft or aircraft facilities), section 175 (relating to biological weapons), section 229 (relating to chemical weapons), section 831 (relating to nuclear materials), paragraph (2) or (3) of section 844(f) (relating to arson and bombing of government property risking or causing injury or death), section 1366(a) (relating to the destruction of an energy facility), section 2280 (relating to violence against maritime navigation), section 2332a (relating to weapons of mass destruction), or section 2332b (relating to acts of terrorism transcending national boundaries) of this title, section 236(a) (relating to sabotage of nuclear facilities or fuel) of the Atomic Energy Act of 1954 (42 U.S.C. 2284(a)), or section 46502 (relating to aircraft piracy) of title 49, shall be fined under this title or imprisoned not more than ten years, or both.

(b) A violation of this section may be prosecuted in any Federal judicial district in which the underlying offense was committed, or in any other Federal judicial district as provided by law.

BARAK H. OBAMA, HILLARY CLINTON, SUSAN RICE, BEGANIZHI, FAST AND FURIOUS

## **18 U.S. Code § 2339A - Providing material support to terrorists**

(a) **Offense.**— Whoever provides material support or resources or conceals or disguises the nature, location, source, or ownership of material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, a violation of section 32, 37, 81, 175, 229, 351, 831, 842(m) or (n), 844(f) or (i), 930(c), 956, 1091, 1114, 1116, 1203, 1361, 1362, 1363, 1366, 1751, 1992, 2155, 2156, 2280, 2281, 2332, 2332a, 2332b, 2332f, 2340A, or 2442 of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), section 46502 or 60123(b) of title 49, or any offense listed in section 2332b(g)(5)(B) (except for sections 2339A and 2339B) or in preparation for, or in carrying out, the concealment of an escape from the commission of any such violation, or attempts or conspires to do such an act, shall be fined under this title, imprisoned not more than 15 years, or both, and, if the death of any person results, shall be imprisoned for any term of years or for life. A violation of this section may be prosecuted in any Federal judicial district in which the underlying offense was committed, or in any other Federal judicial district as provided by law.

(b) **Definitions.**— As used in this section—

- (1) the term “material support or resources” means any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who may be or include oneself), and transportation, except medicine or religious materials;
- (2) the term “training” means instruction or teaching designed to impart a specific skill, as opposed to knowledge; and
- (3) the term “expert advice or assistance” means advice or assistance derived from scientific, technical or other specialized knowledge.

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## **18 U.S. Code § 2339B - Providing material support or resources to designated foreign terrorist organizations**

### **(a) Prohibited Activities.—**

**(1) Unlawful conduct.**— Whoever knowingly provides material support or resources to a foreign terrorist organization, or attempts or conspires to do so, shall be fined under this title or imprisoned not more than 15 years, or both, and, if the death of any person results, shall be imprisoned for any term of years or for life. To violate this paragraph, a person must have knowledge that the organization is a designated terrorist organization (as defined in subsection (g)(6)), that the organization has engaged or engages in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), or that the organization has engaged or engages in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).

**(2) Financial institutions.**— Except as authorized by the Secretary, any financial institution that becomes aware that it has possession of, or control over, any funds in which a foreign terrorist organization, or its agent, has an interest, shall—

(A) retain possession of, or maintain control over, such funds; and

(B) report to the Secretary the existence of such funds in accordance with regulations issued by the Secretary.

**(b) Civil Penalty.**— Any financial institution that knowingly fails to comply with subsection (a)(2) shall be subject to a civil penalty in an amount that is the greater of—

(A) \$50,000 per violation; or

(B) twice the amount of which the financial institution was required under subsection (a)(2) to retain possession or control.

**(c) Injunction.**— Whenever it appears to the Secretary or the Attorney . that any person is engaged in, or is about to engage in, any act that constitutes, or would constitute, a violation of this section, the Attorney . may initiate civil action in a district court of the United States to enjoin such violation.

### **(d) Extraterritorial Jurisdiction.—**

**(1) In ..**— There is jurisdiction over an offense under subsection (a) if—

(A) an offender is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))) or an alien lawfully admitted for permanent residence in the United States (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)));

(B) an offender is a stateless person whose habitual residence is in the United States;

(C) after the conduct required for the offense occurs an offender is brought into or found in the United States, even if the conduct required for the offense occurs outside the United States;

(D) the offense occurs in whole or in part within the United States;

(E) the offense occurs in or affects interstate or foreign commerce; or

(F) an offender aids or abets any person over whom jurisdiction exists under this paragraph in committing an offense under subsection (a) or conspires with any person over whom jurisdiction exists under this paragraph to commit an offense under subsection (a).

**(2) Extraterritorial jurisdiction.**— There is extraterritorial Federal jurisdiction over an offense under this section.

### **(e) Investigations.—**

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(1) **In ..**— The Attorney . shall conduct any investigation of a possible violation of this section, or of any license, order, or regulation issued pursuant to this section.

(2) **Coordination with the department of the treasury.**— The Attorney . shall work in coordination with the Secretary in investigations relating to—

(A) the compliance or noncompliance by a financial institution with the requirements of subsection (a)(2); and

(B) civil penalty proceedings authorized under subsection (b).

(3) **Referral.**— Any evidence of a criminal violation of this section arising in the course of an investigation by the Secretary or any other Federal agency shall be referred immediately to the Attorney . for further investigation. The Attorney . shall timely notify the Secretary of any action taken on referrals from the Secretary, and may refer investigations to the Secretary for remedial licensing or civil penalty action.

(f) **Classified Information in Civil Proceedings Brought by the United States.**—

(1) **Discovery of classified information by defendants.**—

(A) **Request by united states.**— In any civil proceeding under this section, upon request made ex parte and in writing by the United States, a court, upon a sufficient showing, may authorize the United States to—

(i) redact specified items of classified information from documents to be introduced into evidence or made available to the defendant through discovery under the Federal Rules of Civil Procedure;

(ii) substitute a summary of the information for such classified documents; or

(iii) substitute a statement admitting relevant facts that the classified information would tend to prove.

(B) **Order granting request.**— If the court enters an order granting a request under this paragraph, the entire text of the documents to which the request relates shall be sealed and preserved in the records of the court to be made available to the appellate court in the event of an appeal.

(C) **Denial of request.**— If the court enters an order denying a request of the United States under this paragraph, the United States may take an immediate, interlocutory appeal in accordance with paragraph (5). For purposes of such an appeal, the entire text of the documents to which the request relates, together with any transcripts of arguments made ex parte to the court in connection therewith, shall be maintained under seal and delivered to the appellate court.

(2) **Introduction of classified information; precautions by court.**—

(A) **Exhibits.**— To prevent unnecessary or inadvertent disclosure of classified information in a civil proceeding brought by the United States under this section, the United States may petition the court ex parte to admit, in lieu of classified writings, recordings, or photographs, one or more of the following:

(i) Copies of items from which classified information has been redacted.

(ii) Stipulations admitting relevant facts that specific classified information would tend to prove.

(iii) A declassified summary of the specific classified information.

(B) **Determination by court.**— The court shall grant a request under this paragraph if the court finds that the redacted item, stipulation, or summary is sufficient to allow the defendant to prepare a defense.

(3) **Taking of trial testimony.**—

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**(A) Objection.**— During the examination of a witness in any civil proceeding brought by the United States under this subsection, the United States may object to any question or line of inquiry that may require the witness to disclose classified information not previously found to be admissible.

**(B) Action by court.**— In determining whether a response is admissible, the court shall take precautions to guard against the compromise of any classified information, including—  
(i) permitting the United States to provide the court, ex parte, with a proffer of the witness's response to the question or line of inquiry; and

(ii) requiring the defendant to provide the court with a proffer of the nature of the information that the defendant seeks to elicit.

**(C) Obligation of defendant.**— In any civil proceeding under this section, it shall be the defendant's obligation to establish the relevance and materiality of any classified information sought to be introduced.

U.S. Code › Title 18 › Part I › Chapter 113B › § 2339B

#### **18 U.S. Code § 2339B - Providing material support or resources to designated foreign terrorist organizations**

##### **(a) Prohibited Activities.**—

**(1) Unlawful conduct.**— Whoever knowingly provides material support or resources to a foreign terrorist organization, or attempts or conspires to do so, shall be fined under this title or imprisoned not more than 15 years, or both, and, if the death of any person results, shall be imprisoned for any term of years or for life. To violate this paragraph, a person must have knowledge that the organization is a designated terrorist organization (as defined in subsection (g)(6)), that the organization has engaged or engages in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), or that the organization has engaged or engages in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).

**(2) Financial institutions.**— Except as authorized by the Secretary, any financial institution that becomes aware that it has possession of, or control over, any funds in which a foreign terrorist organization, or its agent, has an interest, shall—

(A) retain possession of, or maintain control over, such funds; and

(B) report to the Secretary the existence of such funds in accordance with regulations issued by the Secretary.

**(b) Civil Penalty.**— Any financial institution that knowingly fails to comply with subsection (a)(2) shall be subject to a civil penalty in an amount that is the greater of—

(A) \$50,000 per violation; or

(B) twice the amount of which the financial institution was required under subsection (a)(2) to retain possession or control.

**(c) Injunction.**— Whenever it appears to the Secretary or the Attorney . that any person is engaged in, or is about to engage in, any act that constitutes, or would constitute, a violation of this section, the Attorney . may initiate civil action in a district court of the United States to enjoin such violation.

##### **(d) Extraterritorial Jurisdiction.**—

**(1) In ..**— There is jurisdiction over an offense under subsection (a) if—

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(A) an offender is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))) or an alien lawfully admitted for permanent residence in the United States (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)));

(B) an offender is a stateless person whose habitual residence is in the United States;

(C) after the conduct required for the offense occurs an offender is brought into or found in the United States, even if the conduct required for the offense occurs outside the United States;

(D) the offense occurs in whole or in part within the United States;

(E) the offense occurs in or affects interstate or foreign commerce; or

(F) an offender aids or abets any person over whom jurisdiction exists under this paragraph in committing an offense under subsection (a) or conspires with any person over whom jurisdiction exists under this paragraph to commit an offense under subsection (a).

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#### **18 U.S. Code § 2339C - Prohibitions against the financing of terrorism**

(1) **In ..**— Whoever, in a circumstance described in subsection (b), by any means, directly or indirectly, unlawfully and willfully provides or collects funds with the intention that such funds be used, or with the knowledge that such funds are to be used, in full or in part, in order to carry out—

(A) an act which constitutes an offense within the scope of a treaty specified in subsection (e)(7), as implemented by the United States, or

(B) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act, shall be punished as prescribed in subsection (d)(1).

(2) **Attempts and conspiracies.**— Whoever attempts or conspires to commit an offense under paragraph (1) shall be punished as prescribed in subsection (d)(1).

(3) **Relationship to predicate act.**— For an act to constitute an offense set forth in this subsection, it shall not be necessary that the funds were actually used to carry out a predicate act.

(b) **Jurisdiction.**— There is jurisdiction over the offenses in subsection (a) in the following circumstances—

(1) the offense takes place in the United States and—

(A) a perpetrator was a national of another state or a stateless person;

(B) on board a vessel flying the flag of another state or an aircraft which is registered under the laws of another state at the time the offense is committed;

(C) on board an aircraft which is operated by the government of another state;

(D) a perpetrator is found outside the United States;

(E) was directed toward or resulted in the carrying out of a predicate act against—

(i) a national of another state; or

(ii) another state or a government facility of such state, including its embassy or other diplomatic or consular premises of that state;

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(F) was directed toward or resulted in the carrying out of a predicate act committed in an attempt to compel another state or international organization to do or abstain from doing any act; or  
(G) was directed toward or resulted in the carrying out of a predicate act—  
(i) outside the United States; or  
(ii) within the United States, and either the offense or the predicate act was conducted in, or the results thereof affected, interstate or foreign commerce;  
(2) the offense takes place outside the United States and—  
(A) a perpetrator is a national of the United States or is a stateless person whose habitual residence is in the United States;  
(B) a perpetrator is found in the United States; or  
(C) was directed toward or resulted in the carrying out of a predicate act against—  
(i) any property that is owned, leased, or used by the United States or by any department or agency of the United States, including an embassy or other diplomatic or consular premises of the United States;  
(ii) any person or property within the United States;  
(iii) any national of the United States or the property of such national; or  
(iv) any property of any legal entity organized under the laws of the United States, including any of its States, districts, commonwealths, territories, or possessions;  
(3) the offense is committed on board a vessel flying the flag of the United States or an aircraft which is registered under the laws of the United States at the time the offense is committed;  
(4) the offense is committed on board an aircraft which is operated by the United States; or  
(5) the offense was directed toward or resulted in the carrying out of a predicate act committed in an attempt to compel the United States to do or abstain from doing any act.

(c) **Concealment.**— Whoever—

(1)

(A) is in the United States; or

(B) is outside the United States and is a national of the United States or a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions); and

(2) knowingly conceals or disguises the nature, location, source, ownership, or control of any material support or resources, or any funds or proceeds of such funds—

(A) knowing or intending that the support or resources are to be provided, or knowing that the support or resources were provided, in violation of section 2339B of this title; or

(B) knowing or intending that any such funds are to be provided or collected, or knowing that the funds were provided or collected, in violation of subsection (a), shall be punished as prescribed in subsection (d)(2).

(d) **Penalties.**—

(1) Subsection (a).— Whoever violates subsection (a) shall be fined under this title, imprisoned for not more than 20 years, or both.

(2) Subsection (c).— Whoever violates subsection (c) shall be fined under this title, imprisoned for not more than 10 years, or both.

(e) **Definitions.**— In this section—

(1) the term “funds” means assets of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets, including coin, currency,

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bank credits, travelers checks, bank checks, money orders, shares, securities, bonds, drafts, and letters of credit;

(2) the term "government facility" means any permanent or temporary facility or conveyance that is used or occupied by representatives of a state, members of a government, the legislature, or the judiciary, or by officials or employees of a state or any other public authority or entity or by employees or officials of an intergovernmental organization in connection with their official duties;

(3) the term "proceeds" means any funds derived from or obtained, directly or indirectly, through the commission of an offense set forth in subsection (a);

(4) the term "provides" includes giving, donating, and transmitting;

(5) the term "collects" includes raising and receiving;

(6) the term "predicate act" means any act referred to in subparagraph (A) or (B) of subsection (a)(1);

(7) the term "treaty" means—

(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on December 16, 1970;

(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on September 23, 1971;

(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the . Assembly of the United Nations on December 14, 1973;

(D) the International Convention against the Taking of Hostages, adopted by the . Assembly of the United Nations on December 17, 1979;

(E) the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on March 3, 1980;

(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on February 24, 1988;

(G) the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on March 10, 1988;

(H) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on March 10, 1988; or

(I) the International Convention for the Suppression of Terrorist Bombings, adopted by the . Assembly of the United Nations on December 15, 1997;

(8) the term "intergovernmental organization" includes international organizations;

(9) the term "international organization" has the same meaning as in section 1116(b)(5) of this title;

(10) the term "armed conflict" does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

(11) the term "serious bodily injury" has the same meaning as in section 1365(g)(3) of this title; <sup>[1]</sup>

(12) the term "national of the United States" has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

(13) the term "material support or resources" has the same meaning given that term in section 2339B(g)(4) of this title; and

(14)the term "state" has the same meaning as that term has under international law, and includes all political subdivisions thereof.

(f) **Civil Penalty.**— In addition to any other criminal, civil, or administrative liability or penalty, any legal entity located within the United States or organized under the laws of the United States, including any of the laws of its States, districts, commonwealths, territories, or possessions, shall be liable to the United States for the sum of at least \$10,000, if a person responsible for the management or control of that legal entity has, in that capacity, committed an offense set forth in subsection (a).

**18 U.S. Code § 2332f - in pertinent part states: Bombings of places of public use, government facilities, public transportation systems and infrastructure facilities**

Whoever( applies to attempts and conspiracies- the offense takes place in the United States and— the offense is committed against another state or a government facility of such state, including its embassy or other diplomatic or consular premises of that state;

(B)the offense is committed in an attempt to compel another state or the United States to do or abstain from doing any act; ) unlawfully delivers, places, discharges, or detonates an explosive or other lethal device in, into, or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility—with the intent to cause death or serious bodily injury, or with the intent to cause extensive destruction of such a place, facility, or system, where such destruction results in or is likely to result in major economic loss, shall be punished as prescribed in subsection (c). Whoever attempts or conspires to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c).

(b) **Jurisdiction.**— There is jurisdiction over the offenses in subsection (a) if—

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(c) **Penalties.**— Whoever violates this section shall be punished as provided under section 2332a(a) of this title.

(d) **Exemptions to Jurisdiction.**— This section does not apply to—

(1)the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law,

(2)activities undertaken by military forces of a state in the exercise of their official duties; or

(3)offenses committed within the United States, where the alleged offender and the victims are United States citizens and the alleged offender is found in the United States, or where jurisdiction is predicated solely on the nationality of the victims or the alleged offender and the offense has no substantial effect on interstate or foreign commerce.

(e) **Definitions.**— As used in this section, the term—

(1)"serious bodily injury" has the meaning given that term in section 1365(g)(3) of this title; <sup>[1]</sup>

(2)"national of the United States" has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

(3)

(8)"explosive" has the meaning given in section 844(j) of this title insofar that it is designed, or has the capability, to cause death, serious bodily injury, or substantial material damage;

(9)"other lethal device" means any weapon or device that is designed or has the capability to cause death, serious bodily injury, or substantial damage to property through the release,

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dissemination, or impact of toxic chemicals, biological agents, or toxins (as those terms are defined in section 178 of this title) or radiation or radioactive material;

(10) "military forces of a state" means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

(11) "armed conflict" does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature; and

(12) "state" has the same meaning as that term has under international law, and includes all political subdivisions thereof.

#### **18 U.S. Code § 2340 - Definitions**

(1) "torture" means an act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control;

(2) "severe mental pain or suffering" means the prolonged mental harm caused by or resulting from—

- (A) the intentional infliction or threatened infliction of severe physical pain or suffering;
- (B) the administration or application, or threatened administration or application, of mind-altering substances or other procedures calculated to disrupt profoundly the senses or the personality;
- (C) the threat of imminent death; or
- (D) the threat that another person will imminently be subjected to death, severe physical pain or suffering, or the administration or application of mind-altering substances or other procedures calculated to disrupt profoundly the senses or personality; and

(3) "United States" means the several States of the United States, the District of Columbia, and the commonwealths, territories, and possessions of the United States.

U.S. Code › Title 18 › Part I › Chapter 113C › § 2340A

#### **18 U.S. Code § 2340 18 U.S. Code § 2340A - Torture**

(a) **Offense.**— Whoever outside the United States commits or attempts to commit torture shall be fined under this title or imprisoned not more than 20 years, or both, and if death results to any person from conduct prohibited by this subsection, shall be punished by death or imprisoned for any term of years or for life.

(b) **Jurisdiction.**— There is jurisdiction over the activity prohibited in subsection (a) if—

- (1) the alleged offender is a national of the United States; or
- (2) the alleged offender is present in the United States, irrespective of the nationality of the victim or alleged offender.

(c) **Conspiracy.**— A person who conspires to commit an offense under this section shall be subject to the same penalties (other than the penalty of death) as the penalties prescribed for the offense, the commission of which was the object of the conspiracy.

#### **18 U.S. Code § 2340 18 U.S. Code § 2340A - Torture**

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Ex. Ord. No. 13440, July 20, 2007, 72 F.R. 40707, which interpreted the Geneva Conventions Common Article 3 as applied to a program of detention and interrogation operated by the Central Intelligence Agency, was revoked by Ex. Ord. No. 13491, § 1, Jan. 22, 2009, 74 F.R. 4893, set out as a note under section 2000dd of Title 42, The Public Health and Welfare. The table below lists the classification updates, since Jan. 3, 2012, for this section. Updates to a broader range of sections may be found at the update page for containing chapter, title, etc. The most recent Classification Table update that we have noticed was Tuesday, August 13, 2013

An empty table indicates that we see no relevant changes listed in the classification tables. If you suspect that our system may be missing something, please double-check with the Office of the Law Revision Counsel.

## 18 U.S. Code § 2510 - Definitions

(1) "wire communication" means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce;

(2) "oral communication" means any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation, but such term does not include any electronic communication;

(3) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

(4) "intercept" means the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.<sup>[1]</sup>

(5) "electronic, mechanical, or other device" means any device or apparatus which can be used to intercept a wire, oral, or electronic communication other than—

- (a) any telephone or telegraph instrument, equipment or facility, or any component thereof,
- (i) furnished to the subscriber or user by a provider of wire or electronic communication service in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business or furnished by such subscriber or user for connection to the facilities of such service and used in the ordinary course of its business; or
- (ii) being used by a provider of wire or electronic communication service in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his duties;
- (b) a hearing aid or similar device being used to correct subnormal hearing to not better than normal;

(6) "person" means any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation;

(7) "Investigative or law enforcement officer" means any officer of the United States or of a State or political subdivision thereof, who is empowered by law to conduct investigations of or to make arrests for offenses enumerated in this chapter, and any attorney authorized by law to prosecute or participate in the prosecution of such offenses;

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(8) "contents", when used with respect to any wire, oral, or electronic communication, includes any information concerning the substance, purport, or meaning of that communication;

(9) "Judge of competent jurisdiction" means—

(a) a judge of a United States district court or a United States court of appeals; and

(b) a judge of any court of criminal jurisdiction of a State who is authorized by a statute of that State to enter orders authorizing interceptions of wire, oral, or electronic communications;

(10) "communication common carrier" has the meaning given that term in section 3 of the Communications Act of 1934;

(11) "aggrieved person" means a person who was a party to any intercepted wire, oral, or electronic communication or a person against whom the interception was directed;

(12) "electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system that affects interstate or foreign commerce, but does not include—

(A) any wire or oral communication;

(B) any communication made through a tone-only paging device;

(C) any communication from a tracking device (as defined in section 3117 of this title); or

(D) electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds;

(13) "user" means any person or entity who—

(A) uses an electronic communication service; and

(B) is duly authorized by the provider of such service to engage in such use;

(14) "electronic communications system" means any wire, radio, electromagnetic, photooptical or photoelectronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications;

(15) "electronic communication service" means any service which provides to users thereof the ability to send or receive wire or electronic communications;

(16) "readily accessible to the public" means, with respect to a radio communication, that such communication is not—

(A) scrambled or encrypted;

(B) transmitted using modulation techniques whose essential parameters have been withheld from the public with the intention of preserving the privacy of such communication;

(C) carried on a subcarrier or other signal subsidiary to a radio transmission;

(D) transmitted over a communication system provided by a common carrier, unless the communication is a tone only paging system communication; or

(E) transmitted on frequencies allocated under part 25, subpart D, E, or F of part 74, or part 94 of the Rules of the Federal Communications Commission, unless, in the case of a communication transmitted on a frequency allocated under part 74 that is not exclusively allocated to broadcast auxiliary services, the communication is a two-way voice communication by radio;

(17) "electronic storage" means—

(A) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and

(B) any storage of such communication by an electronic communication service for purposes of backup protection of such communication;

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(18) "aural transfer" means a transfer containing the human voice at any point between and including the point of origin and the point of reception;

(19) "foreign intelligence information", for purposes of section 2517(6) of this title, means—  
(A) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against—  
(i) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;  
(ii) sabotage or international terrorism by a foreign power or an agent of a foreign power; or  
(iii) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or  
(B) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to—  
(i) the national defense or the security of the United States; or  
(ii) the conduct of the foreign affairs of the United States;

(20) "protected computer" has the meaning set forth in section 1030; and

(21) "computer trespasser"—  
(A) means a person who accesses a protected computer without authorization and thus has no reasonable expectation of privacy in any communication transmitted to, through, or from the protected computer; and  
(B) does not include a person known by the owner or operator of the protected computer to have an existing contractual relationship with the owner or operator of the protected computer for access to all or part of the protected computer.

## 18 U.S. Code § 2510 - Definitions

(1) "wire communication" means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce;

(2) "oral communication" means any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation, but such term does not include any electronic communication;

(3) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

(4) "intercept" means the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.<sup>[1]</sup>

(5) "electronic, mechanical, or other device" means any device or apparatus which can be used to intercept a wire, oral, or electronic communication other than—  
(a) any telephone or telegraph instrument, equipment or facility, or any component thereof,  
(i) furnished to the subscriber or user by a provider of wire or electronic communication service in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business or furnished by such subscriber or user for connection to the facilities of such service and used in the ordinary course of its business; or

(ii) being used by a provider of wire or electronic communication service in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his duties;

(b) a hearing aid or similar device being used to correct subnormal hearing to not better than normal;

(6) "person" means any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation;

(7) "Investigative or law enforcement officer" means any officer of the United States or of a State or political subdivision thereof, who is empowered by law to conduct investigations of or to make arrests for offenses enumerated in this chapter, and any attorney authorized by law to prosecute or participate in the prosecution of such offenses;

(8) "contents", when used with respect to any wire, oral, or electronic communication, includes any information concerning the substance, purport, or meaning of that communication;

(9) "Judge of competent jurisdiction" means—

(a) a judge of a United States district court or a United States court of appeals; and

(b) a judge of any court of criminal jurisdiction of a State who is authorized by a statute of that State to enter orders authorizing interceptions of wire, oral, or electronic communications;

(10) "communication common carrier" has the meaning given that term in section 3 of the Communications Act of 1934;

(11) "aggrieved person" means a person who was a party to any intercepted wire, oral, or electronic communication or a person against whom the interception was directed;

(12) "electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system that affects interstate or foreign commerce, but does not include—

(A) any wire or oral communication;

(B) any communication made through a tone-only paging device;

(C) any communication from a tracking device (as defined in section 3117 of this title); or

(D) electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds;

(13) "user" means any person or entity who—

(A) uses an electronic communication service; and

(B) is duly authorized by the provider of such service to engage in such use;

(14) "electronic communications system" means any wire, radio, electromagnetic, photooptical or photoelectronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications;

(15) "electronic communication service" means any service which provides to users thereof the ability to send or receive wire or electronic communications;

(16) "readily accessible to the public" means, with respect to a radio communication, that such communication is not—

(A) scrambled or encrypted;

(B) transmitted using modulation techniques whose essential parameters have been withheld from the public with the intention of preserving the privacy of such communication;

(C) carried on a subcarrier or other signal subsidiary to a radio transmission;

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(D)transmitted over a communication system provided by a common carrier, unless the communication is a tone only paging system communication; or

(E)transmitted on frequencies allocated under part 25, subpart D, E, or F of part 74, or part 94 of the Rules of the Federal Communications Commission, unless, in the case of a communication transmitted on a frequency allocated under part 74 that is not exclusively allocated to broadcast auxiliary services, the communication is a two-way voice communication by radio;

(17)"electronic storage" means—

(A)any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and

(B)any storage of such communication by an electronic communication service for purposes of backup protection of such communication;

(18)"aural transfer" means a transfer containing the human voice at any point between and including the point of origin and the point of reception;

(19)"foreign intelligence information", for purposes of section 2517(6) of this title, means—

(A)information, whether or not concerning a United States person, that relates to the ability of the United States to protect against—

(i)actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

(ii)sabotage or international terrorism by a foreign power or an agent of a foreign power; or

(iii)clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

(B)information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to—

(i)the national defense or the security of the United States; or

(ii)the conduct of the foreign affairs of the United States;

(20)"protected computer" has the meaning set forth in section 1030; and

(21)"computer trespasser"—

(A)means a person who accesses a protected computer without authorization and thus has no reasonable expectation of privacy in any communication transmitted to, through, or from the protected computer; and

(B)does not include a person known by the owner or operator of the protected computer to have an existing contractual relationship with the owner or operator of the protected computer for access to all or part of the protected computer.

#### **18 U.S. Code § 2511 - Interception and disclosure of wire, oral, or electronic communications prohibited**

(1)Except as otherwise specifically provided in this chapter any person who—

(a)intentionally intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(b)intentionally uses, endeavors to use, or procures any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication when—

(i)such device is affixed to, or otherwise transmits a signal through, a wire, cable, or other like connection used in wire communication; or

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- (ii)such device transmits communications by radio, or interferes with the transmission of such communication; or
- (iii)such person knows, or has reason to know, that such device or any component thereof has been sent through the mail or transported in interstate or foreign commerce; or
- (iv)such use or endeavor to use (A) takes place on the premises of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or (B) obtains or is for the purpose of obtaining information relating to the operations of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or
- (v)such person acts in the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States;

(c)intentionally discloses, or endeavors to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection;

(d)intentionally uses, or endeavors to use, the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection; or

(e)

- (i)intentionally discloses, or endeavors to disclose, to any other person the contents of any wire, oral, or electronic communication, intercepted by means authorized by sections 2511(2)(a)(ii), 2511(2)(b)–(c), 2511(2)(e), 2516, and 2518 of this chapter,
- (ii)knowing or having reason to know that the information was obtained through the interception of such a communication in connection with a criminal investigation,
- (iii)having obtained or received the information in connection with a criminal investigation, and
- (iv)with intent to improperly obstruct, impede, or interfere with a duly authorized criminal investigation,

shall be punished as provided in subsection (4) or shall be subject to suit as provided in subsection (5).

(2)

(a)

- (i)It shall not be unlawful under this chapter for an operator of a switchboard, or an officer, employee, or agent of a provider of wire or electronic communication service, whose facilities are used in the transmission of a wire or electronic communication, to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property of the provider of that service, except that a provider of wire communication service to the public shall not utilize service observing or random monitoring except for mechanical or service quality control checks.
- (ii)Notwithstanding any other law, providers of wire or electronic communication service, their officers, employees, and agents, landlords, custodians, or other persons, are authorized to provide information, facilities, or technical assistance to persons authorized by law to intercept wire, oral, or electronic communications or to conduct electronic surveillance, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978, if such provider, its officers, employees, or agents, landlord, custodian, or other specified person, has been provided with—

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(A) a court order directing such assistance or a court order pursuant to section 704 of the Foreign Intelligence Surveillance Act of 1978 signed by the authorizing judge, or  
(B) a certification in writing by a person specified in section 2518(7) of this title or the Attorney . of the United States that no warrant or court order is required by law, that all statutory requirements have been met, and that the specified assistance is required, setting forth the period of time during which the provision of the information, facilities, or technical assistance is authorized and specifying the information, facilities, or technical assistance required. No provider of wire or electronic communication service, officer, employee, or agent thereof, or landlord, custodian, or other specified person shall disclose the existence of any interception or surveillance or the device used to accomplish the interception or surveillance with respect to which the person has been furnished a court order or certification under this chapter, except as may otherwise be required by legal process and then only after prior notification to the Attorney . or to the principal prosecuting attorney of a State or any political subdivision of a State, as may be appropriate. Any such disclosure, shall render such person liable for the civil damages provided for in section 2520. No cause of action shall lie in any court against any provider of wire or electronic communication service, its officers, employees, or agents, landlord, custodian, or other specified person for providing information, facilities, or assistance in accordance with the terms of a court order, statutory authorization, or certification under this chapter.

(iii) If a certification under subparagraph (ii)(B) for assistance to obtain foreign intelligence information is based on statutory authority, the certification shall identify the specific statutory provision and shall certify that the statutory requirements have been met.

(b) It shall not be unlawful under this chapter for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the Commission in the enforcement of chapter 5 of title 47 of the United States Code, to intercept a wire or electronic communication, or oral communication transmitted by radio, or to disclose or use the information thereby obtained.

(c) It shall not be unlawful under this chapter for a person acting under color of law to intercept a wire, oral, or electronic communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception.

(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

(e) Notwithstanding any other provision of this title or section 705 or 706 of the Communications Act of 1934, it shall not be unlawful for an officer, employee, or agent of the United States in the normal course of his official duty to conduct electronic surveillance, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978, as authorized by that Act.

(f) Nothing contained in this chapter or chapter 121 or 206 of this title, or section 705 of the Communications Act of 1934, shall be deemed to affect the acquisition by the United States Government of foreign intelligence information from international or foreign communications, or foreign intelligence activities conducted in accordance with otherwise applicable Federal law involving a foreign electronic communications system, utilizing a means other than electronic

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surveillance as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978, and procedures in this chapter or chapter 121 and the Foreign Intelligence Surveillance Act of 1978 shall be the exclusive means by which electronic surveillance, as defined in section 101 of such Act, and the interception of domestic wire, oral, and electronic communications may be conducted.

(g) It shall not be unlawful under this chapter or chapter 121 of this title for any person—

(i) to intercept or access an electronic communication made through an electronic communication system that is configured so that such electronic communication is readily accessible to the . public;

(ii) to intercept any radio communication which is transmitted—

(I) by any station for the use of the . public, or that relates to ships, aircraft, vehicles, or persons in distress;

(II) by any governmental, law enforcement, civil defense, private land mobile, or public safety communications system, including police and fire, readily accessible to the . public;

(III) by a station operating on an authorized frequency within the bands allocated to the amateur, citizens band, or . mobile radio services; or

(IV) by any marine or aeronautical communications system;

(iii) to engage in any conduct which—

(I) is prohibited by section 633 of the Communications Act of 1934; or

(II) is excepted from the application of section 705(a) of the Communications Act of 1934 by section 705(b) of that Act;

(iv) to intercept any wire or electronic communication the transmission of which is causing harmful interference to any lawfully operating station or consumer electronic equipment, to the extent necessary to identify the source of such interference; or

(v) for other users of the same frequency to intercept any radio communication made through a system that utilizes frequencies monitored by individuals engaged in the provision or the use of such system, if such communication is not scrambled or encrypted.

(h) It shall not be unlawful under this chapter—

(i) to use a pen register or a trap and trace device (as those terms are defined for the purposes of chapter 206 (relating to pen registers and trap and trace devices) of this title); or

(ii) for a provider of electronic communication service to record the fact that a wire or electronic communication was initiated or completed in order to protect such provider, another provider furnishing service toward the completion of the wire or electronic communication, or a user of that service, from fraudulent, unlawful or abusive use of such service.

(i) It shall not be unlawful under this chapter for a person acting under color of law to intercept the wire or electronic communications of a computer trespasser transmitted to, through, or from the protected computer, if—

(I) the owner or operator of the protected computer authorizes the interception of the computer trespasser's communications on the protected computer;

(II) the person acting under color of law is lawfully engaged in an investigation;

(III) the person acting under color of law has reasonable grounds to believe that the contents of the computer trespasser's communications will be relevant to the investigation; and

(IV) such interception does not acquire communications other than those transmitted to or from the computer trespasser.

(3)

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(a) Except as provided in paragraph (b) of this subsection, a person or entity providing an electronic communication service to the public shall not intentionally divulge the contents of any communication (other than one to such person or entity, or an agent thereof) while in transmission on that service to any person or entity other than an addressee or intended recipient of such communication or an agent of such addressee or intended recipient.

(b) A person or entity providing electronic communication service to the public may divulge the contents of any such communication—

(i) as otherwise authorized in section 2511(2)(a) or 2517 of this title;

(ii) with the lawful consent of the originator or any addressee or intended recipient of such communication;

(iii) to a person employed or authorized, or whose facilities are used, to forward such communication to its destination; or

(iv) which were inadvertently obtained by the service provider and which appear to pertain to the commission of a crime, if such divulgence is made to a law enforcement agency.

(4)

(a) Except as provided in paragraph (b) of this subsection or in subsection (5), whoever violates subsection (1) of this section shall be fined under this title or imprisoned not more than five years, or both.

(b) Conduct otherwise an offense under this subsection that consists of or relates to the interception of a satellite transmission that is not encrypted or scrambled and that is transmitted—

(i) to a broadcasting station for purposes of retransmission to the public; or

(ii) as an audio subcarrier intended for redistribution to facilities open to the public, but not including data transmissions or telephone calls,

is not an offense under this subsection unless the conduct is for the purposes of direct or indirect commercial advantage or private financial gain.

(5)

(a)

(i) If the communication is—

(A) a private satellite video communication that is not scrambled or encrypted and the conduct in violation of this chapter is the private viewing of that communication and is not for a tortious or illegal purpose or for purposes of direct or indirect commercial advantage or private commercial gain; or

(B) a radio communication that is transmitted on frequencies allocated under subpart D of part 74 of the rules of the Federal Communications Commission that is not scrambled or encrypted and the conduct in violation of this chapter is not for a tortious or illegal purpose or for purposes of direct or indirect commercial advantage or private commercial gain, then the person who engages in such conduct shall be subject to suit by the Federal Government in a court of competent jurisdiction.

(ii) In an action under this subsection—

(A) if the violation of this chapter is a first offense for the person under paragraph (a) of subsection (4) and such person has not been found liable in a civil action under section 2520 of this title, the Federal Government shall be entitled to appropriate injunctive relief; and

(B) if the violation of this chapter is a second or subsequent offense under paragraph (a) of subsection (4) or such person has been found liable in any prior civil action under section 2520, the person shall be subject to a mandatory \$500 civil fine.

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(b) The court may use any means within its authority to enforce an injunction issued under paragraph (ii)(A), and shall impose a civil fine of not less than \$500 for each violation of such an injunction.

**18 U.S. Code § 2511 - Interception and disclosure of wire, oral, or electronic communications prohibited**

(1) Except as otherwise specifically provided in this chapter any person who—

(a) intentionally intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(b) intentionally uses, endeavors to use, or procures any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication when—

(i) such device is affixed to, or otherwise transmits a signal through, a wire, cable, or other like connection used in wire communication; or

(ii) such device transmits communications by radio, or interferes with the transmission of such communication; or

(iii) such person knows, or has reason to know, that such device or any component thereof has been sent through the mail or transported in interstate or foreign commerce; or

(iv) such use or endeavor to use (A) takes place on the premises of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or (B) obtains or is for the purpose of obtaining information relating to the operations of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or

(v) such person acts in the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States;

(c) intentionally discloses, or endeavors to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection;

(d) intentionally uses, or endeavors to use, the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection; or

(e)

(i) intentionally discloses, or endeavors to disclose, to any other person the contents of any wire, oral, or electronic communication, intercepted by means authorized by sections 2511(2)(a)(ii), 2511(2)(b)–(c), 2511(2)(e), 2516, and 2518 of this chapter,

(ii) knowing or having reason to know that the information was obtained through the interception of such a communication in connection with a criminal investigation,

(iii) having obtained or received the information in connection with a criminal investigation, and

(iv) with intent to improperly obstruct, impede, or interfere with a duly authorized criminal investigation,

shall be punished as provided in subsection (4) or shall be subject to suit as provided in subsection (5).

(2)

(a)

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(i) It shall not be unlawful under this chapter for an operator of a switchboard, or an officer, employee, or agent of a provider of wire or electronic communication service, whose facilities are used in the transmission of a wire or electronic communication, to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property of the provider of that service, except that a provider of wire communication service to the public shall not utilize service observing or random monitoring except for mechanical or service quality control checks.

(ii) Notwithstanding any other law, providers of wire or electronic communication service, their officers, employees, and agents, landlords, custodians, or other persons, are authorized to provide information, facilities, or technical assistance to persons authorized by law to intercept wire, oral, or electronic communications or to conduct electronic surveillance, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978, if such provider, its officers, employees, or agents, landlord, custodian, or other specified person, has been provided with—

(A) a court order directing such assistance or a court order pursuant to section 704 of the Foreign Intelligence Surveillance Act of 1978 signed by the authorizing judge, or

(B) a certification in writing by a person specified in section 2518(7) of this title or the Attorney . of the United States that no warrant or court order is required by law, that all statutory requirements have been met, and that the specified assistance is required, setting forth the period of time during which the provision of the information, facilities, or technical assistance is authorized and specifying the information, facilities, or technical assistance required. No provider of wire or electronic communication service, officer, employee, or agent thereof, or landlord, custodian, or other specified person shall disclose the existence of any interception or surveillance or the device used to accomplish the interception or surveillance with respect to which the person has been furnished a court order or certification under this chapter, except as may otherwise be required by legal process and then only after prior notification to the Attorney . or to the principal prosecuting attorney of a State or any political subdivision of a State, as may be appropriate. Any such disclosure, shall render such person liable for the civil damages provided for in section 2520. No cause of action shall lie in any court against any provider of wire or electronic communication service, its officers, employees, or agents, landlord, custodian, or other specified person for providing information, facilities, or assistance in accordance with the terms of a court order, statutory authorization, or certification under this chapter.

(iii) If a certification under subparagraph (ii)(B) for assistance to obtain foreign intelligence information is based on statutory authority, the certification shall identify the specific statutory provision and shall certify that the statutory requirements have been met.

(b) It shall not be unlawful under this chapter for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the Commission in the enforcement of chapter 5 of title 47 of the United States Code, to intercept a wire or electronic communication, or oral communication transmitted by radio, or to disclose or use the information thereby obtained.

(c) It shall not be unlawful under this chapter for a person acting under color of law to intercept a wire, oral, or electronic communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception.

(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication where such person is a party to the

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communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

(e) Notwithstanding any other provision of this title or section 705 or 706 of the Communications Act of 1934, it shall not be unlawful for an officer, employee, or agent of the United States in the normal course of his official duty to conduct electronic surveillance, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978, as authorized by that Act.

(f) Nothing contained in this chapter or chapter 121 or 206 of this title, or section 705 of the Communications Act of 1934, shall be deemed to affect the acquisition by the United States Government of foreign intelligence information from international or foreign communications, or foreign intelligence activities conducted in accordance with otherwise applicable Federal law involving a foreign electronic communications system, utilizing a means other than electronic surveillance as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978, and procedures in this chapter or chapter 121 and the Foreign Intelligence Surveillance Act of 1978 shall be the exclusive means by which electronic surveillance, as defined in section 101 of such Act, and the interception of domestic wire, oral, and electronic communications may be conducted.

(g) It shall not be unlawful under this chapter or chapter 121 of this title for any person—

(i) to intercept or access an electronic communication made through an electronic communication system that is configured so that such electronic communication is readily accessible to the . public;

(ii) to intercept any radio communication which is transmitted—

(I) by any station for the use of the . public, or that relates to ships, aircraft, vehicles, or persons in distress;

(II) by any governmental, law enforcement, civil defense, private land mobile, or public safety communications system, including police and fire, readily accessible to the . public;

(III) by a station operating on an authorized frequency within the bands allocated to the amateur, citizens band, or . mobile radio services; or

(IV) by any marine or aeronautical communications system;

(iii) to engage in any conduct which—

(I) is prohibited by section 633 of the Communications Act of 1934; or

(II) is excepted from the application of section 705(a) of the Communications Act of 1934 by section 705(b) of that Act;

(iv) to intercept any wire or electronic communication the transmission of which is causing harmful interference to any lawfully operating station or consumer electronic equipment, to the extent necessary to identify the source of such interference; or

(v) for other users of the same frequency to intercept any radio communication made through a system that utilizes frequencies monitored by individuals engaged in the provision or the use of such system, if such communication is not scrambled or encrypted.

(h) It shall not be unlawful under this chapter—

(i) to use a pen register or a trap and trace device (as those terms are defined for the purposes of chapter 206 (relating to pen registers and trap and trace devices) of this title); or

(ii) for a provider of electronic communication service to record the fact that a wire or electronic communication was initiated or completed in order to protect such provider, another provider

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furnishing service toward the completion of the wire or electronic communication, or a user of that service, from fraudulent, unlawful or abusive use of such service.

(i) It shall not be unlawful under this chapter for a person acting under color of law to intercept the wire or electronic communications of a computer trespasser transmitted to, through, or from the protected computer, if—

(I) the owner or operator of the protected computer authorizes the interception of the computer trespasser's communications on the protected computer;

(II) the person acting under color of law is lawfully engaged in an investigation;

(III) the person acting under color of law has reasonable grounds to believe that the contents of the computer trespasser's communications will be relevant to the investigation; and

(IV) such interception does not acquire communications other than those transmitted to or from the computer trespasser.

(3)

(a) Except as provided in paragraph (b) of this subsection, a person or entity providing an electronic communication service to the public shall not intentionally divulge the contents of any communication (other than one to such person or entity, or an agent thereof) while in transmission on that service to any person or entity other than an addressee or intended recipient of such communication or an agent of such addressee or intended recipient.

(b) A person or entity providing electronic communication service to the public may divulge the contents of any such communication—

(i) as otherwise authorized in section 2511(2)(a) or 2517 of this title;

(ii) with the lawful consent of the originator or any addressee or intended recipient of such communication;

(iii) to a person employed or authorized, or whose facilities are used, to forward such communication to its destination; or

(iv) which were inadvertently obtained by the service provider and which appear to pertain to the commission of a crime, if such divulgence is made to a law enforcement agency.

(4)

(a) Except as provided in paragraph (b) of this subsection or in subsection (5), whoever violates subsection (1) of this section shall be fined under this title or imprisoned not more than five years, or both.

(b) Conduct otherwise an offense under this subsection that consists of or relates to the interception of a satellite transmission that is not encrypted or scrambled and that is transmitted—

(i) to a broadcasting station for purposes of retransmission to the public; or

(ii) as an audio subcarrier intended for redistribution to facilities open to the public, but not including data transmissions or telephone calls,

is not an offense under this subsection unless the conduct is for the purposes of direct or indirect commercial advantage or private financial gain.

(5)

(a)

(i) If the communication is—

(A) a private satellite video communication that is not scrambled or encrypted and the conduct in violation of this chapter is the private viewing of that communication and is not for a tortious or illegal purpose or for purposes of direct or indirect commercial advantage or private commercial gain; or

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(B)a radio communication that is transmitted on frequencies allocated under subpart D of part 74 of the rules of the Federal Communications Commission that is not scrambled or encrypted and the conduct in violation of this chapter is not for a tortious or illegal purpose or for purposes of direct or indirect commercial advantage or private commercial gain, then the person who engages in such conduct shall be subject to suit by the Federal Government in a court of competent jurisdiction.

(ii)In an action under this subsection—

(A)if the violation of this chapter is a first offense for the person under paragraph (a) of subsection (4) and such person has not been found liable in a civil action under section 2520 of this title, the Federal Government shall be entitled to appropriate injunctive relief; and

(B)if the violation of this chapter is a second or subsequent offense under paragraph (a) of subsection (4) or such person has been found liable in any prior civil action under section 2520, the person shall be subject to a mandatory \$500 civil fine.

(b)The court may use any means within its authority to enforce an injunction issued under paragraph (ii)(A), and shall impose a civil fine of not less than \$500 for each violation of such an injunction.

U.S. Code › Title 18 › Part I › Chapter 119 › § 2516

#### **18 U.S. Code § 2516 - Authorization for interception of wire, oral, or electronic communications**

(1)The Attorney ., Deputy Attorney ., Associate Attorney .,<sup>[1]</sup>or any Assistant Attorney ., any acting Assistant Attorney ., or any Deputy Assistant Attorney . or acting Deputy Assistant Attorney . in the Criminal Division or National Security Division specially designated by the Attorney ., may authorize an application to a Federal judge of competent jurisdiction for, and such judge may grant in conformity with section 2518 of this chapter an order authorizing or approving the interception of wire or oral communications by the Federal Bureau of Investigation, or a Federal agency having responsibility for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of—

(a)any offense punishable by death or by imprisonment for more than one year under sections 2122 and 2274 through 2277 of title 42 of the United States Code (relating to the enforcement of the Atomic Energy Act of 1954), section 2284 of title 42 of the United States Code (relating to sabotage of nuclear facilities or fuel), or under the following chapters of this title: chapter 10 (relating to biological weapons)<sup>[2]</sup>chapter 37 (relating to espionage), chapter 55 (relating to kidnapping), chapter 90 (relating to protection of trade secrets), chapter 105 (relating to sabotage), chapter 115 (relating to treason), chapter 102 (relating to riots), chapter 65 (relating to malicious mischief), chapter 111 (relating to destruction of vessels), or chapter 81 (relating to piracy);

(b)a violation of section 186 or section 501(c) of title 29, United States Code (dealing with restrictions on payments and loans to labor organizations), or any offense which involves murder, kidnapping, robbery, or extortion, and which is punishable under this title;

(c)any offense which is punishable under the following sections of this title: section 37 (relating to violence at international airports), section 43 (relating to animal enterprise terrorism), section 81 (arson within special maritime and territorial jurisdiction), section 201 (bribery of public officials and witnesses), section 215 (relating to bribery of bank officials), section 224 (bribery

  
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in sporting contests), subsection (d), (e), (f), (g), (h), or (i) of section 844 (unlawful use of explosives), section 1032 (relating to concealment of assets), section 1084 (transmission of wagering information), section 751 (relating to escape), section 832 (relating to nuclear and weapons of mass destruction threats), section 842 (relating to explosive materials), section 930 (relating to possession of weapons in Federal facilities), section 1014 (relating to loans and credit applications .ly; renewals and discounts), section 1114 (relating to officers and employees of the United States), section 1116 (relating to protection of foreign officials), sections 1503, 1512, and 1513 (influencing or injuring an officer, juror, or witness .ly), section 1510 (obstruction of criminal investigations), section 1511 (obstruction of State or local law enforcement), section 1591 (sex trafficking of children by force, fraud, or coercion), section 1751 (Presidential and Presidential staff assassination, kidnapping, and assault), section 1951 (interference with commerce by threats or violence), section 1952 (interstate and foreign travel or transportation in aid of racketeering enterprises), section 1958 (relating to use of interstate commerce facilities in the commission of murder for hire), section 1959 (relating to violent crimes in aid of racketeering activity), section 1954 (offer, acceptance, or solicitation to influence operations of employee benefit plan), section 1955 (prohibition of business enterprises of gambling), section 1956 (laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 659 (theft from interstate shipment), section 664 (embezzlement from pension and welfare funds), section 1343 (fraud by wire, radio, or television), section 1344 (relating to bank fraud), section 1992 (relating to terrorist attacks against mass transportation), sections 2251 and 2252 (sexual exploitation of children), section 2251A (selling or buying of children), section 2252A (relating to material constituting or containing child pornography), section 1466A (relating to child obscenity), section 2260 (production of sexually explicit depictions of a minor for importation into the United States), sections 2421, 2422, 2423, and 2425 (relating to transportation for illegal sexual activity and related crimes), sections 2312, 2313, 2314, and 2315 (interstate transportation of stolen property), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), section 2340A (relating to torture), section 1203 (relating to hostage taking), section 1029 (relating to fraud and related activity in connection with access devices), section 3146 (relating to penalty for failure to appear), section 3521(b)(3) (relating to witness relocation and assistance), section 32 (relating to destruction of aircraft or aircraft facilities), section 38 (relating to aircraft parts fraud), section 1963 (violations with respect to racketeer influenced and corrupt organizations), section 115 (relating to threatening or retaliating against a Federal official), section 1341 (relating to mail fraud), a felony violation of section 1030 (relating to computer fraud and abuse), section 351 (violations with respect to congressional, Cabinet, or Supreme Court assassinations, kidnapping, and assault), section 831 (relating to prohibited transactions involving nuclear materials), section 33 (relating to destruction of motor vehicles or motor vehicle facilities), section 175 (relating to biological weapons), section 175c (relating to variola virus) <sup>[2]</sup> section 956 (conspiracy to harm persons or property overseas), <sup>[3]</sup> section <sup>[4]</sup> a felony violation of section 1028 (relating to production of false identification documentation), section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale of naturalization or citizenship papers), section 1541 (relating to passport issuance without authority), section 1542 (relating to false statements in passport applications), section 1543 (relating to forgery or false use of passports), section 1544 (relating to misuse of passports), or <sup>[5]</sup> section 1546 (relating to fraud and misuse of

visas, permits, and other documents), section 161555 (relating to construction or use of international border tunnels);

(d)any offense involving counterfeiting punishable under section 471, 472, or 473 of this title;

(e)any offense involving fraud connected with a case under title 11 or the manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in narcotic drugs, marihuana, or other dangerous drugs, punishable under any law of the United States;

(f)any offense including extortionate credit transactions under sections 892, 893, or 894 of this title;

(g)a violation of section 5322 of title 31, United States Code (dealing with the reporting of currency transactions), or section 5324 of title 31, United States Code (relating to structuring transactions to evade reporting requirement prohibited);

(h)any felony violation of sections 2511 and 2512 (relating to interception and disclosure of certain communications and to certain intercepting devices) of this title;

(i)any felony violation of chapter 71 (relating to obscenity) of this title;

(j)any violation of section 60123(b) (relating to destruction of a natural gas pipeline,) <sup>[7]</sup>section 46502 (relating to aircraft piracy), the second sentence of section 46504 (relating to assault on a flight crew with dangerous weapon), or section 46505(b)(3) or (c) (relating to explosive or incendiary devices, or endangerment of human life, by means of weapons on aircraft) of title 49;

(k)any criminal violation of section 2778 of title 22 (relating to the Arms Export Control Act);

(l)the location of any fugitive from justice from an offense described in this section;

(m)a violation of section 274, 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324, 1327, or 1328) (relating to the smuggling of aliens);

(n)any felony violation of sections 922 and 924 of title 18, United States Code (relating to firearms);

(o)any violation of section 5861 of the Internal Revenue Code of 1986 (relating to firearms);

(p)a felony violation of section 1028 (relating to production of false identification documents), section 1542 (relating to false statements in passport applications), section 1546 (relating to fraud and misuse of visas, permits, and other documents, section 1028A (relating to aggravated identity theft)) <sup>[8]</sup>of this title or a violation of section 274, 277, or 278 of the Immigration and Nationality Act (relating to the smuggling of aliens); or <sup>[5]</sup>

(q)any criminal violation of section 229 (relating to chemical weapons) or section 2332, 2332a, 2332b, 2332d, 2332f, 2332g, 2332h <sup>[2]</sup>2339, 2339A, 2339B, 2339C, or 2339D of this title (relating to terrorism);

(r)any criminal violation of section 1 (relating to illegal restraints of trade or commerce), 2 (relating to illegal monopolizing of trade or commerce), or 3 (relating to illegal restraints of trade or commerce in territories or the District of Columbia) of the Sherman Act (15 U.S.C. 1, 2, 3);

(s)any violation of section 670 (relating to theft of medical products); or

(t)any conspiracy to commit any offense described in any subparagraph of this paragraph.

(2)The principal prosecuting attorney of any State, or the principal prosecuting attorney of any political subdivision thereof, if such attorney is authorized by a statute of that State to make application to a State court judge of competent jurisdiction for an order authorizing or approving the interception of wire, oral, or electronic communications, may apply to such judge for, and such judge may grant in conformity with section 2518 of this chapter and with the applicable State statute an order authorizing, or approving the interception of wire, oral, or electronic communications by investigative or law enforcement officers having responsibility

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for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of the commission of the offense of murder, kidnapping, gambling, robbery, bribery, extortion, or dealing in narcotic drugs, marihuana or other dangerous drugs, or other crime dangerous to life, limb, or property, and punishable by imprisonment for more than one year, designated in any applicable State statute authorizing such interception, or any conspiracy to commit any of the foregoing offenses.

(3) Any attorney for the Government (as such term is defined for the purposes of the Federal Rules of Criminal Procedure) may authorize an application to a Federal judge of competent jurisdiction for, and such judge may grant, in conformity with section 2518 of this title, an order authorizing or approving the interception of electronic communications by an investigative or law enforcement officer having responsibility for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of any Federal felony.

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#### **18 U.S. Code § 2518 - Procedure for interception of wire, oral, or electronic communications**

(1) Each application for an order authorizing or approving the interception of a wire, oral, or electronic communication under this chapter shall be made in writing upon oath or affirmation to a judge of competent jurisdiction and shall state the applicant's authority to make such application. Each application shall include the following information:

(a) the identity of the investigative or law enforcement officer making the application, and the officer authorizing the application;

(b) a full and complete statement of the facts and circumstances relied upon by the applicant, to justify his belief that an order should be issued, including

(i) details as to the particular offense that has been, is being, or is about to be committed,

(ii) except as provided in subsection (11), a particular description of the nature and location of the facilities from which or the place where the communication is to be intercepted,

(iii) a particular description of the type of communications sought to be intercepted,

(iv) the identity of the person, if known, committing the offense and whose communications are to be intercepted;

(c) a full and complete statement as to whether or not other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous;

(d) a statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been first obtained, a particular description of facts establishing probable cause to believe that additional communications of the same type will occur thereafter;

(e) a full and complete statement of the facts concerning all previous applications known to the individual authorizing and making the application, made to any judge for authorization to intercept, or for approval of interceptions of, wire, oral, or electronic communications involving any of the same persons, facilities or places specified in the application, and the action taken by the judge on each such application; and

(f) where the application

  
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### **18 U.S. Code § 2381 - Treason**

Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.

### **18 U.S. Code § 2382 - Misprision of treason**

Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both

### **18 U.S. Code § 2383 - Rebellion or insurrection**

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined under this title or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

### **18 U.S. Code § 2384 - Seditious conspiracy**

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty years, or both

### **8 U.S. Code § 2385 - Advocating overthrow of Government**

Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or

Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or

Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by

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force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof—

Shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

If two or more persons conspire to commit any offense named in this section, each shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

As used in this section, the terms "organizes" and "organize", with respect to any society, group, or assembly of persons, include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons.

#### **18 U.S. Code § 2386 - Registration of certain organizations**

(A) For the purposes of this section:

"Attorney ." means the Attorney . of the United States;

"Organization" means any group, club, league, society, committee, association, political party, or combination of individuals, whether incorporated or otherwise, but such term shall not include any corporation, association, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes; "Political activity" means any activity the purpose or aim of which, or one of the purposes or aims of which, is the control by force or overthrow of the Government of the United States or a political subdivision thereof, or any State or political subdivision thereof;

An organization is engaged in "civilian military activity" if:

(1)it gives instruction to, or prescribes instruction for, its members in the use of firearms or other weapons or any substitute therefor, or military or naval science; or  
(2)it receives from any other organization or from any individual instruction in military or naval science; or  
(3)it engages in any military or naval maneuvers or activities; or  
(4)it engages, either with or without arms, in drills or parades of a military or naval character; or  
(5)it engages in any other form of organized activity which in the opinion of the Attorney . constitutes preparation for military action;

An organization is "subject to foreign control" if:

(a)it solicits or accepts financial contributions, loans, or support of any kind, directly or indirectly, from, or is affiliated directly or indirectly with, a foreign government or a political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or political subdivision thereof, or a political party in a foreign country, or an international political organization; or

(b)its policies, or any of them, are determined by or at the suggestion of, or in collaboration with, a foreign government or political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or a political subdivision thereof, or a political party in a foreign country, or an international political organization.

(B)

(1)The following organizations shall be required to register with the Attorney .:

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Every organization subject to foreign control which engages in political activity; Every organization which engages both in civilian military activity and in political activity; Every organization subject to foreign control which engages in civilian military activity; and Every organization, the purpose or aim of which, or one of the purposes or aims of which, is the establishment, control, conduct, seizure, or overthrow of a government or subdivision thereof by the use of force, violence, military measures, or threats of any one or more of the foregoing. Every such organization shall register by filing with the Attorney ., on such forms and in such detail as the Attorney . may by rules and regulations prescribe, a registration statement containing the information and documents prescribed in subsection (B)(3) and shall within thirty days after the expiration of each period of six months succeeding the filing of such registration statement, file with the Attorney ., on such forms and in such detail as the Attorney . may by rules and regulations prescribe, a supplemental statement containing such information and documents as may be necessary to make the information and documents previously filed under this section accurate and current with respect to such preceding six months' period. Every statement required to be filed by this section shall be subscribed, under oath, by all of the officers of the organization.

(2) This section shall not require registration or the filing of any statement with the Attorney . by:

- (a) The armed forces of the United States; or
- (b) The organized militia or National Guard of any State, Territory, District, or possession of the United States; or
- (c) Any law-enforcement agency of the United States or of any Territory, District or possession thereof, or of any State or political subdivision of a State, or of any agency or instrumentality of one or more States; or
- (d) Any duly established diplomatic mission or consular office of a foreign government which is so recognized by the Department of State; or
- (e) Any nationally recognized organization of persons who are veterans of the armed forces of the United States, or affiliates of such organizations.

(3) Every registration statement required to be filed by any organization shall contain the following information and documents:

- (a) The name and post-office address of the organization in the United States, and the names and addresses of all branches, chapters, and affiliates of such organization;
- (b) The name, address, and nationality of each officer, and of each person who performs the functions of an officer, of the organization, and of each branch, chapter, and affiliate of the organization;
- (c) The qualifications for membership in the organization;
- (d) The existing and proposed aims and purposes of the organization, and all the means by which these aims or purposes are being attained or are to be attained;
- (e) The address or addresses of meeting places of the organization, and of each branch, chapter, or affiliate of the organization, and the times of meetings;
- (f) The name and address of each person who has contributed any money, dues, property, or other thing of value to the organization or to any branch, chapter, or affiliate of the organization;
- (g) A detailed statement of the assets of the organization, and of each branch, chapter, and affiliate of the organization, the manner in which such assets were acquired, and a detailed statement of the liabilities and income of the organization and of each branch, chapter, and affiliate of the organization;

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(h) A detailed description of the activities of the organization, and of each chapter, branch, and affiliate of the organization;

(i) A description of the uniforms, badges, insignia, or other means of identification prescribed by the organization, and worn or carried by its officers or members, or any of such officers or members;

(j) A copy of each book, pamphlet, leaflet, or other publication or item of written, printed, or graphic matter issued or distributed directly or indirectly by the organization, or by any chapter, branch, or affiliate of the organization, or by any of the members of the organization under its authority or within its knowledge, together with the name of its author or authors and the name and address of the publisher;

(k) A description of all firearms or other weapons owned by the organization, or by any chapter, branch, or affiliate of the organization, identified by the manufacturer's number thereon;

(l) In case the organization is subject to foreign control, the manner in which it is so subject;

(m) A copy of the charter, articles of association, constitution, bylaws, rules, regulations, agreements, resolutions, and all other instruments relating to the organization, powers, and purposes of the organization and to the powers of the officers of the organization and of each chapter, branch, and affiliate of the organization; and

(n) Such other information and documents pertinent to the purposes of this section as the Attorney . may from time to time require.

All statements filed under this section shall be public records and open to public examination and inspection at all reasonable hours under such rules and regulations as the Attorney . may prescribe.

(C) The Attorney . is authorized at any time to make, amend, and rescind such rules and regulations as may be necessary to carry out this section, including rules and regulations governing the statements required to be filed.

(D) Whoever violates any of the provisions of this section shall be fined under this title or imprisoned not more than five years, or both.

Whoever in a statement filed pursuant to this section willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made not misleading, shall be fined under this title or imprisoned not more than five years, or both.

#### **18 U.S. Code § 2389 - Recruiting for service against United States**

Whoever recruits soldiers or sailors within the United States, or in any place subject to the jurisdiction thereof, to engage in armed hostility against the same; or

Whoever opens within the United States, or in any place subject to the jurisdiction thereof, a recruiting station for the enlistment of such soldiers or sailors to serve in any manner in armed hostility against the United States— Shall be fined under this title or imprisoned not more than five years, or both

#### **18 U.S. Code § 2390 - Enlistment to serve against United States**

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Whoever enlists or is engaged within the United States or in any place subject to the jurisdiction thereof, with intent to serve in armed hostility against the United States, shall be fined under this title [1] or imprisoned not more than three years, or both.

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### **8 U.S. Code § 2701 - Unlawful access to stored communications**

(a) **Offense.**— Except as provided in subsection (c) of this section whoever—

(1) intentionally accesses without authorization a facility through which an electronic communication service is provided; or

(2) intentionally exceeds an authorization to access that facility;

and thereby obtains, alters, or prevents authorized access to a wire or electronic communication while it is in electronic storage in such system shall be punished as provided in subsection (b) of this section.

(b) **Punishment.**— The punishment for an offense under subsection (a) of this section is—

(1) if the offense is committed for purposes of commercial advantage, malicious destruction or damage, or private commercial gain, or in furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States or any State—

(A) a fine under this title or imprisonment for not more than 5 years, or both, in the case of a first offense under this subparagraph; and

(B) a fine under this title or imprisonment for not more than 10 years, or both, for any subsequent offense under this subparagraph; and

(2) in any other case—

(A) a fine under this title or imprisonment for not more than 1 year or both, in the case of a first offense under this paragraph; and

(B) a fine under this title or imprisonment for not more than 5 years, or both, in the case of an offense under this subparagraph that occurs after a conviction of another offense under this section.

(c) **Exceptions.**— Subsection (a) of this section does not apply with respect to conduct authorized—

(1) by the person or entity providing a wire or electronic communications service;

(2) by a user of that service with respect to a communication of or intended for that user; or

(3) in section 2703, 2704 or 2518 of this title.

U.S. Code › Title 18 › Part I › Chapter 121 › § 2702

### **18 U.S. Code § 2702 - Voluntary disclosure of customer communications or records**

(a) **Prohibitions.**— Except as provided in subsection (b) or (c)—

(1) a person or entity providing an electronic communication service to the public shall not knowingly divulge to any person or entity the contents of a communication while in electronic storage by that service; and

(2) a person or entity providing remote computing service to the public shall not knowingly divulge to any person or entity the contents of any communication which is carried or maintained on that service—



- (A)on behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such service;
- (B)solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing; and
- (3)a provider of remote computing service or electronic communication service to the public shall not knowingly divulge a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by paragraph (1) or (2)) to any governmental entity.

(b)Exceptions for disclosure of communications.— A provider described in subsection (a) may divulge the contents of a communication—

- (1)to an addressee or intended recipient of such communication or an agent of such addressee or intended recipient;
- (2)as otherwise authorized in section 2517, 2511(2)(a), or 2703 of this title;
- (3)with the lawful consent of the originator or an addressee or intended recipient of such communication, or the subscriber in the case of remote computing service;
- (4)to a person employed or authorized or whose facilities are used to forward such communication to its destination;
- (5)as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service;
- (6)to the National Center for Missing and Exploited Children, in connection with a report submitted thereto under section 2258A;

#### **18 U.S. Code § 2703 - Required disclosure of customer communications or records**

(a)Contents of Wire or Electronic Communications in Electronic Storage.— A governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication, that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction. A governmental entity may require the disclosure by a provider of electronic communications services of the contents of a wire or electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

(b)Contents of Wire or Electronic Communications in a Remote Computing Service.—

- (1)A governmental entity may require a provider of remote computing service to disclose the contents of any wire or electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection—
  - (A)without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction; or

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

COMMITTEE ON OVERSIGHT AND )  
GOVERNMENT REFORM, UNITED )  
STATES HOUSE OF )  
REPRESENTATIVES, )  
Plaintiff, )  
v. ) Civil Action No. 12-1332 (ABJ)  
LORETTA E. LYNCH, )  
Attorney General of the United States, )  
Defendant. )

## FINAL JUDGMENT

On August 13, 2012, plaintiff Committee on Oversight and Government Reform of the United States House of Representatives (“Committee”) filed this action against Eric H. Holder, in his official capacity as Attorney General of the United States, seeking to enforce certain aspects of a subpoena issued to the Attorney General and requesting declaratory and injunctive relief. [Dkt. # 1]. The complaint was amended when a subsequent Congress reissued the subpoena. [Dkt. # 35].

Defendant moved to dismiss the complaint on jurisdictional and prudential grounds [Dkt. # 13], and the Court denied the motion on September 30, 2013. [Dkt. # 51].

In 2015, pursuant to Fed. R. Civ. Proc. 25(d), Loretta E. Lynch, the current Attorney General of the United States, was automatically substituted as a party.

Over the course of this proceeding, the Court has entered multiple orders addressing the merits of the dispute. On August 20, 2014, the Court denied pending cross-motions for summary

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judgment and ordered defendant to conduct a “document-by document analysis” and determine which responsive records being withheld satisfied both prongs of the deliberative process privilege in his view. [Dkt. # 81]. Defendant was directed to “prepare a detailed list that identifies and describes the material” in a manner sufficient to enable resolution of the privilege claims, and to produce any documents (including segregable sections of documents) that were not both predecisional and deliberative.

On January 19, 2016, the Court issued a Memorandum Opinion and Order [Dkt. # 117] granting plaintiff’s Motion to Compel [Dkt. # 103] in part, and directing the Attorney General to produce certain responsive records on the detailed list by February 2, 2016.

On January 28, 2016, defendant sought an extension of the production deadline until March 21, 2016, seeking sixty days from to entry of the Court’s order to consider whether to file an appeal and “to allow sufficient time to fully process, review, and produce” the records. [Dkt. # 118].

Plaintiff opposed the request for additional time, and it urged the Court to enter final judgment in the matter. *See* Pl.’s Resp. to Def.’s Mot. to Extend Deadline for Produc. of Docs. [Dkt. # 119].

In a minute order dated February 1, 2016, the Court suspended the February 2, 2016 date for production pending further order of the Court, and it solicited defendant’s view on the question of whether the Court should enter judgment in the case.

The parties are agreed that in light of the Court’s rulings in the Memorandum Opinion and Order dated January 19, 2016, the Court should enter final judgment at this time. *See* Def.’s Notice Regarding Entry of Final J. [Dkt. # 120]. While the Court does not believe that defendant requires additional time to review and process the records in light of the August 2014 order to do just that,

the Federal Rules of Appellate Procedure accord the Attorney General sixty days to file a notice of appeal after an entry of judgment. Fed. R. App. Proc. 4(a)(1)(B).

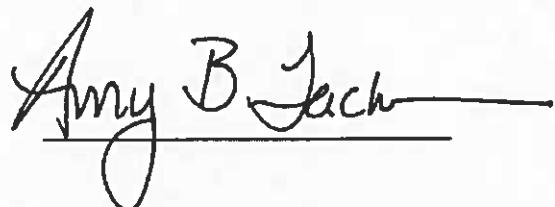
It is therefore **ORDERED** that, on or before April 8, 2016:

Defendant shall, as specified in the Memorandum Opinion and Order dated January 19, 2016, produce to the Committee those documents responsive to the October 11, 2011 subpoena that concern the Department of Justice's response to congressional and media inquiries into Operation Fast and Furious which were withheld on deliberative process privilege grounds;

Defendant shall produce document numbers 9087, 883, 6592, 6594, 7038, 7987, 8002, 9685, and 14768; and

Defendant shall produce to plaintiff all segregable portions of any responsive records withheld in full or in part on the grounds that they contain attorney-client privileged material, attorney work product, private information, law enforcement sensitive material, or foreign policy sensitive material.

This is a **FINAL, APPEALABLE ORDER.**

A handwritten signature in black ink, appearing to read "Amy B Jackson", is written over a horizontal line. The signature is fluid and cursive, with "Amy" on the first line and "B Jackson" on the second line.

AMY BERMAN JACKSON  
United States District Judge

DATE: February 8, 2016

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

Case No. 1:17-cv-116

Tareq Aqel Mohammed Aziz  
and  
Ammar Aqel Mohammed Aziz,  
by their next friend,  
Aqel Muhammad Aziz,  
and  
John Does 1-60,

Date: January 28, 2017

*Petitioners,*

v.

DONALD TRUMP, President of the United States;  
U.S. DEPARTMENT OF HOMELAND SECURITY  
("DHS"); U.S. CUSTOMS AND BORDER  
PROTECTION ("CBP"); JOHN KELLY, Secretary  
of DHS; KEVIN K. MCALLENAN, Acting  
Commissioner of CBP; and WAYNE BIONDI,  
Customs and Border Protection (CBP) Port Director  
of the Area Port of Washington Dulles,

*Resr*

**RESTRAINING ORDER**

ture 65, the Court orders that:

ccess to all legal permanent residents being

detail

L

at Dulles In

Dates: January 28

*exh E*

g petitioners—lawful permanent residents  
n the issuance of this Order.

*Brinkema*  
Brinkema  
District Judge

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Sharon Bridgewater

Plaintiff/Petitioner/Appellant/Claimant

Vs.

Jeff Sessions in his official capacity as  
Attorney General of the United States

United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001 et al

Defendant/Respondent/Appellee

CASE # 17-CV-169 (R.B.W.)

)  
) **AFFIDIVANT OF SERVICE**

)  
)  
)  
)  
)

**AFFIDIVANT OF SERVICE**

I being duly sworn dispose and says that:

I Sharon Bridgewater mailed the summons and/or complaint, hereby declare that on Dec. 1, 2015

I mailed a copy of the summons and/or complaint, certified mail return receipt request to one or

(\$)  
Shm P

17TH JUDICIAL DISTRICT {X}PR  
POLICE NO: 1500220  
Court Address 15111  
ORI MI820125J REDFC

People of STATE OF MICHIGAN

Date of Arrest: JAN. 11, 2015  
Off type: MISDEM. Arrest Agent  
Offense: LYING TO A PEACE OFFICER  
Purpose of next appearance: P  
Appearance place: AT COURT ADDI  
{ } P:

Type of bond: PERSONAL  
Bond set by Judge: CHARLOTTE  
{ } Pursuant to 18 USC 922(g)(8)  
defendant represents a credible  
persons as defined in 18 USC 92  
IT IS ORDERED:

{ } 1. The defendant shall post  
are specified in item 2.  
{X} 2. Conditions to be specific  
(see following page for list of  
2,3,5,15  
NO RETURN TO AUTO ZONE -

{ } 3. The { }sheriff { }custod  
{ } a. continue to hold  
custody until fur  
{ } b. hold the above-na  
bond is posted and  
in item 2. and in  
The defendant shall be br  
or as otherwise ordered.  
{X} 4. The previously posted bo  
{ } 5. The previously posted bo  
MCL 765.6b or 780.582a a:

IAL RELEASE { }CUSTODY X-REF: 1500220  
{ }AMENDED

ECH DALY Court Telephone  
MI 48239 (313) 387-279  
Defendant's name, address, and phone  
V BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223  
DOB CTN/TCN  
12/01/82 821570619101

REDFORD TOWNSHIP POL Agency file #: 1500220  
Statute/citation: 750.479C2A

IAL Time: 8:45 AM Date: DEC. 8, 2015

{ } ABOVE

{ } of value & interest in real property require  
all bail amount: 500.00 { } Bond denie

WIRTH

the court found, at a hearing, that the  
threat to the physical safety of one or more  
(8) and 18 USC 921(32) and named in item 2.

new bond (MC 241). Any additional conditions  
id in the bond.

in the bond are:

conditions-they may be indicated by item number

) ALCOHOL/DRUGS-TESTING

{ } agency/facility \_\_\_\_\_ shall  
{ } above-named defendant in their care and  
order of the court.

{ } defendant in their care (and custody until  
the conditions are agreed to as specified  
in the bond.

right to all court appearances while in custody

is continued.

is revoked, conditions of release under  
cancelled, and LEIN entry be removed.

{ } Bond is forfeited

P-30727

Bar no.

CHARLOTTE L. WIRTH

NOTE: Prepare order below only  
to protect 1 or more named

TO THE LOCAL LAW ENFORCEMENT AUTHORITY:

IT IS ORDERED that the above rel  
and the following identifying  
on the LEIN system. The cour  
of any subsequent amendments to or revocation of this order.

HGT WGT RACE SEX DOB H- R EYES OTHER IDENTIFYING INFORMATION  
6 04 195 B M 12/01/82 E K BRO

Effective date of conditions in Item 2. NOV. 24, 2015

Expiration date of order . . . . . DEC. 8, 2015

NOV. 24, 2015 P-30727  
Date Judge: CHARLOTTE L. WIRTH Bar no.  
COURT LEIN COPY MCL 765.6b, MCL780.582a, MCR3.935, MCR6.106, MCR6.6  
MC240 (1/08) ORDER FOR PRETRIAL RELEASE/CUSTODY 18 USC 922(g)(8)

535 A389

STATE OF MICHIGAN 17TH JUDICIAL DISTRICT POLICE NO: 1500220 ORI MI820125J	{X} PRETRIAL RELEASE { } CUSTODY { } AMENDED	X-REF: 1500220 Court Telephone: (313) 387-2791
Court Address 15111 BEECH DALY REDFORD, MI 48239		Defendant's name, address, and phone
People of STATE OF MICHIGAN	V	BRIDGEWATER/JAMES/SHANNON 12070 W. OUTER DR DETROIT, MI 48223 DOB 12/01/82 CTN/TCN 821570619101

Date of Arrest: JAN. 11, 2015  
 Off type: MISDEM. Arrest Agency: REDFORD TOWNSHIP POL Agency file #: 1500220  
 Offense: LYING TO A PEACE OFFICER Statute/citation: 750.479C2A  
 Purpose of next appearance: PRETRIAL Time: 8:45 AM Date: DEC. 8, 2015  
 Appearance place: AT COURT ADDRESS ABOVE

Type of bond: PERSONAL Full bail amount: 500.00  Bond denied  
 Bond set by Judge: CHARLOTTE L. WIRTH

Pursuant to 18 USC 922(g)(8), the court found, at a hearing, that the defendant represents a credible threat to the physical safety of one or more persons as defined in 18 USC 922(g)(8) and 18 USC 921(32) and named in item 2.

IT IS ORDERED:  
 1. The defendant shall post a new bond (MC 241). Any additional conditions are specified in item 2. and in the bond.

2. Conditions to be specified in the bond are:  
 (see following page for list of conditions-they may be indicated by item number  
 2,3,5,15

NO RETURN TO AUTO ZONE - NO ALCOHOL/DRUGS-TESTING

3. The  sheriff  custodial agency/facility  shall  
 a. continue to hold the above-named defendant in their care and custody until further order of the court.  
 b. hold the above-named defendant in their care and custody until bond is posted and the conditions are agreed to as specified in item 2. and in the bond.  
 The defendant shall be brought to all court appearances while in custody or as otherwise ordered.  
 4. The previously posted bond is continued.  
 5. The previously posted bond is revoked, conditions of release under MCL 765.6b or 780.582a are cancelled, and LEIN entry be removed.

Bond is forfeited

NOV. 24, 2015

Date Judge: CHARLOTTE L. WIRTH

P-30727

Bar no.

NOTE: Prepare order below only when release is subject to conditions necessary to protect 1 or more named persons under MCL 765.6b or 780.582a

TO THE LOCAL LAW ENFORCEMENT AUTHORITY: or for NCI

IT IS ORDERED that the above release order, including the conditions of release and the following identifying information of the defendant must be entered on the LEIN system. The court will notify the local law enforcement agency of any subsequent amendments to or revocation of this order.

HGT WGT RACE SEX DOB HAIR EYES OTHER IDENTIFYING INFORMATION  
 6 04 195 B M 12/01/82 BLK BRO

Effective date of conditions in Item 2. NOV. 24, 2015  
 Expiration date of order . . . . . DEC. 8, 2015

NOV. 24, 2015

Date Judge: CHARLOTTE L. WIRTH  
 COURT LEIN COPY MCL765.6b, MCL780.582a, MCR3.935, MCR6.106, MCR6.6  
 MC240 (1/08) ORDER FOR PRETRIAL RELEASE/CUSTODY

P-30727

Bar no.

18 USC 922(g)(8)

A

SS4

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT  
POLICE NO: 1500220

MOTION/ORDER  
OF NOLLE PROSEQUI

CASE NO. 15117148 SM  
X-REF: 1500220

Court Address 15111 BEECH DALY  
ORI MI820125J REDFORD, MI 48239

Court Telephone  
(313) 387-2790

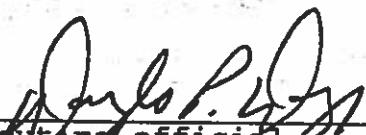
People of STATE OF MICHIGAN	V	Defendant's name, address, and phone
		BRIDGEWATER/JAMES/SHANNON 12070 W. OUTER DR DETROIT, MI 48223
	CTN/TCN 821570619101	SID DOB 12/01/1982

Count	CRIME	CHARGE CODE(S) MCL citation/PACC Code
1	DISORDERLY PERSON	

MOTION

DOUGLAS P. DWYER, prosecuting official, moves for a nolle prosequi in this case for the following reason(s):

5-17-16

  
Prosecuting official

P-39211  
Bar no.

ORDER

IT IS ORDERED:

- 1. Motion for nolle prosequi is granted and the case is dismissed without prejudice.
- 2. Motion for nolle prosequi is granted as to the following charge(s), which are dismissed without prejudice:
  
- 3. Motion for nolle prosequi is denied.
- 4. Defendant shall be immediately discharged from confinement in this case.
- 5. Bond is canceled and shall be returned after costs are deducted.
- 6. Bond is continued on the remaining charge(s).

MAY 17, 2016

Judge CHARLOTTE L. WIRTH

P-30727  
Bar no.

If item 1 is checked, the clerk of the court shall advise the Michigan State Police Criminal Justice Information Center of the disposition as required under CL 769.16a.

THE DEFENDANT: Your fingerprints and arrest card will be destroyed by the Michigan State Police within 60 days of the date of this order when permitted

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT  
POLICE NO: 1500220

PRETRIAL RELEASE     CUSTODY    X-REF: 1500220  
 AMENDED

Court Address 15111 BEECH DALY  
ORI MI820125J REDFORD, MI 48239

Court Telephone  
(313) 387-279

People of STATE OF MICHIGAN

Defendant's name, address, and phone

V BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223

DOB CTN/TCN  
12/01/82 821570619101

Date of Arrest: JAN. 11, 2015

Off type: MISDEM. Arrest Agency: REDFORD TOWNSHIP POL Agency file #: 1500220  
Offense: LYING TO A PEACE OFFICER Statute/citation: 750.479C2A

Purpose of next appearance: PRETRIAL Time: 8:45 AM Date: DEC. 8, 2015

Appearance place: AT COURT ADDRESS ABOVE

Proof of value & interest in real property require  
Full bail amount: 500.00  Bond denied

Type of bond: PERSONAL

Bond set by Judge: CHARLOTTE L. WIRTH

Pursuant to 18 USC 922(g)(8), the court found, at a hearing, that the defendant represents a credible threat to the physical safety of one or more persons as defined in 18 USC 922(g)(8) and 18 USC 921(32) and named in item 2.

IT IS ORDERED:

1. The defendant shall post a new bond (MC 241). Any additional conditions are specified in item 2. and in the bond.

2. Conditions to be specified in the bond are:

(see following page for list of conditions-they may be indicated by item number  
2,3,5,15

NO RETURN TO AUTO ZONE - NO ALCOHOL/DRUGS-TESTING

3. The  sheriff  custodial agency/facility  shall  
 a. continue to hold the above-named defendant in their care and custody until further order of the court.

b. hold the above-named defendant in their care and custody until bond is posted and the conditions are agreed to as specified in item 2. and in the bond.

The defendant shall be brought to all court appearances while in custody or as otherwise ordered.

4. The previously posted bond is continued.

5. The previously posted bond is revoked, conditions of release under MCL 765.6b or 780.582a are cancelled, and LEIN entry be removed.

Bond is forfeited

NOV. 24, 2015

P-30727

Date

Judge: CHARLOTTE L. WIRTH

Bar no.

NOTE: Prepare order below only when release is subject to conditions necessary to protect 1 or more named persons under MCL 765.6b or 780.582a

TO THE LOCAL LAW ENFORCEMENT AUTHORITY:

IT IS ORDERED that the above release order, including the conditions of release and the following identifying information of the defendant must be entered on the LEIN system. The court will notify the local law enforcement agency of any subsequent amendments to or revocation of this order.

HGT WGT RACE SEX DOB HAIR EYES OTHER IDENTIFYING INFORMATION  
6 04 195 B M 12/01/82 BLK BRO

Effective date of conditions in Item 2. NOV. 24, 2015  
Expiration date of order . . . . . DEC. 8, 2015

NOV. 24, 2015

P-30727

Date

Judge: CHARLOTTE L. WIRTH

Bar no.

COURT LEIN COPY  
MC240 (1/08) ORDER FOR PRETRIAL RELEASE/CUSTODY

MCL765.6b, MCL780.582a, MCR3.935, MCR6.106, MCR6.6  
18 USC 922(g)(8)

P-30727  
AS38 A39

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT  
POLICE NO: 1500220

ORDER OF PROBATION  
(Misdemeanor)

CASE NO. 15117148 SM  
X-REF: 1500220

Court Address 15111 BEECH DALY  
ORI MI820125J REDFORD, MI 48239

Court Telephone  
(313) 387-2790

People of STATE OF MICHIGAN

V

Defendant's name, address, and phone

BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223

CTN/TCN 821570619101	SID	DOB 12/01/1982
-------------------------	-----	-------------------

8. Other: \*\* 3 MONTHS NONREPORTING PROBATION AT THE DEFENDANT'S COST OF  
\$100 UNDER DELAYED SENTENCE 771.1  
\*\*

\*\*

\*\* NO POLICE CONTACT, CRIMINAL ACTIVITY, ANTI-SOCIAL CONDUCT, OR OTHER  
SIMILAR INCIDENTS.

\*\* NO ALCOHOL USE/POSSESSION. NO CONTROLLED SUBSTANCE OR DRUG  
PARAPHERNALIA USE/POSSESSION WITHOUT A VALID PRESCRIPTION. NOT TO  
ASSOCIATE WITH ANYONE USING CONTROLLED SUBSTANCES/ILLEGAL DRUGS/K2/SPICE.

\*\* NOT TO BE PRESENT IN ANY BAR/NIGHTCLUB OR OTHER PLACE WHERE ALCOHOL  
IS SOLD FOR CONSUMPTION ON THE PREMISE AS THE MAIN BUSINESS.

\*\* SUBMIT TO RANDOM DRUG/ALCOHOL TESTING WHEN DIRECTED AT COST TO THE  
DEFENDANT. SHALL BE TESTED AS REQUESTED BY COURT OR LAW ENFORCEMENT  
PERSONNEL.

\*\* NO CONTACT W/ELLIOTT COOPER.

\*\* DEFENDANT TO PAY \$200 IN COURT APPOINTED ATTORNEY FEES.

\*\* DEFENDANT TO PROVIDE THE COURT WITH PAY STUBS OR OTHER PROOF OF  
EMPLOYMENT ON A MONTHLY BASIS. BALANCE TO BE PAID IN FULL AT THE TIME OF  
SENTENCING OR THE DEFENDANT IS TO COMPLY WITH A MONTHLY PAYMENT PLAN.  
WAGE ASSIGNMENT MAY BE ORDERED.

Failure to comply with this order may result in a revocation of probation and  
incarceration.

FEB. 16, 2016  
ate

Judge CHARLOTTE L. WIRTH

P-30727  
Bar no.

have read or heard the above order of probation and have received a copy.  
understand and agree to comply with this order. I also understand that federal  
and/or state law may prohibit me from possessing or purchasing ammunition or a  
firearm (including a rifle, pistol, or revolver) if the court found I represent  
a credible threat to the physical safety of a named person and/or explicitly  
prohibited (in item 8) the use, attempted use, or threatened use of physical  
force that would reasonably be expected to cause bodily injury to that named  
person.

ate: \_\_\_\_\_ Defendant signature \_\_\_\_\_  
CL 600.4803, MCL 769.1a, MCL 771.1 et seq., MCL 775.22, MCL 780.826, MCR 6.445,  
18 USC 922(g)(8)  
C 243(9/15) ORDER OF PROBATION (Misdemeanor), Part 1

STRICT MOTION AND SUMMONS REGARDING  
20 PROBATION VIOLATION

X-REF: 150122

Address 15111 BEECH DALY  
REDFORD, MI 48239

Court Telephone  
(313) 387-279

STATE OF MICHIGAN

V

Defendant's name, address, and phone  
BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223  
CTN/TCN  
821570619101

SID

DOB  
12/01/198

MICHAEL STETZ - NONREPORTING, allege that the probationer has violated the terms of his/her probation as follows:

1. THE DEFENDANT FAILED TO SUBMIT TO RANDOM DRUG/ALCOHOL TESTING
2. HE FAILED TO COMPLY WITH HIS PAYMENT PLAN TOWARDS HIS OUTSTANDING BALANCE OF \$825.00

REQUEST that the court compel the probationer to appear for a hearing on the charges in this motion.

MARCH 22, 2016

Probation Officer:

*Michael Stetz*  
MICHAEL STETZ - NONREPORTING

Date

**SUMMONS**

TO DEFENDANT, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN:

You are ordered to appear in court

at { } the above address

on Date: APRIL 15, 2016 at 08:45 AM

for arraignment on the alleged probation violation. Failure to appear at the stated time and place may subject you to arrest.

MARCH 22, 2016

Judge *Charlotte H. Wirth*

Date

**CERTIFICATE OF MAILING**

I certify that on this date a copy of this motion and summons was served the probationer by first-class mail addressed to his/her last-known address as defined by MCR 2.107(C)(3).

*Michael Stetz*

Date: 3/22/16 Signature:

MCR 6.103(B), (C), MCR 6.

MC 246 (3/09) MOTION AND SUMMONS REGARDING PROBATION VIOLATION

*Michael Stetz*

exh (A)



P-540  
393

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT  
POLICE NO: 1500220

ORDER OF PROBATION  
(Misdemeanor)

CASE NO. 15117148 S  
X-REF: 1500220

Court Address 15111 BEECH DALY  
REDFORD, MI 48239  
ORI MI820125J

Court Telephone  
(313) 387-279

People of STATE OF MICHIGAN

V

Defendant's name, address, and phone

BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223

CTN/TCN  
821570619101

SID

DOB  
12/01/198

Probation Officer: MICHAEL STETZ - NONREPORTING

Term: 3 MONTHS

Offense: DISORDERLY PERSON

IT IS ORDERED that the defendant be placed on probation under the supervision of the probation officer named above for the term indicated, and the defendant shall:

1. Not violate any criminal law of any unit of government.
2. Not leave the state without the consent of this court.
3. Make a truthful report to the probation officer monthly, or as often as the probation officer may require, either in person or in writing, as required by the probation officer.
4. Notify the probation officer immediately of any change of address or employment status.
5. Pay the following:

Fine.....	\$ 200.00
Costs.....	\$ 200.00
Restitution....	\$
Crime Victim....	\$ 75.00
Supervision....	\$ 100.00
St Min Costs....	\$ 50.00
Other/DNA Assess	\$ 200.00
TOTAL.....	\$ 825.00

{ a. The due date for payment is \_\_\_\_\_.  
b. Total amount due shall be paid in installments of \$ \_\_\_\_\_ per \_\_\_\_\_  
starting on \_\_\_\_\_ and paid in full by the due date on the  
judgment of sentence or by \_\_\_\_\_.

Fines, costs, and fees not paid within 56 days of the date owed or of any  
installment payment date are subject to a 20% late penalty on the amount owed.

A-571  
394

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT

NOTICE TO APPEAR

CASE NO. 15117148 S  
X-REF: 1500220  
OFFENSE: 1) LYING TO PC

Court Address 15111 BEECH DALY  
REDFORD, MI 48239

Court Telephone  
(313) 387-279

Plaintiff  Personal service  
STATE OF MICHIGAN

YOU ARE DIRECTED TO APPEAR AT:

The court address above, courtroom \_\_\_\_\_

{\_}

V

Defendant  Personal service  
BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223

Judge: CHARLOTTE L. WIRTH P-3072

FOR THE FOLLOWING PURPOSE:

DAY DATE TIME

Pre-trial Conf. TUE 12/08/15 8:45 A

Pltf Atty/People  Personal service  
(313) 224-8519 P-69650  
FAITH A. ARMINIAK  
1441 SAINT ANTOINE ST STE 1006  
FRANK MURPHY HALL OF JUSTICE  
DETROIT, MI 48226

{\_} Prelim Exam.

{\_} Jury Selection

{\_} Jury Trial

{\_} Non-Jury Trial

PER COURT RULE  
FINES & COSTS MUST  
BE PAID IN FULL  
AT SENTENCING

Defendant's Atty  Personal service

{\_} Sentencing

{\_} Motion

{\_} Arraignment

{\_} Informal Hrg.

{\_} Formal Hearing

{\_}

{\_} The above matter is adjourned from

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements

Date issued: NOV. 24, 2015

Clerk of the Court

IMPORTANT: READ THIS CAREFULLY

1. Bring this notice with you.
2. No case may be adjourned except by authority of the judge for good cause shown.
3. FAILURE OF THE DEFENDANT TO APPEAR in a civil case may cause a default judgment to be entered. FAILURE OF THE PLAINTIFF TO APPEAR may result in a dismissal of the case.
4. FAILURE TO APPEAR in a criminal case may subject you to the penalty for contempt of court, and a bench warrant may be issued for your arrest.
5. If you intend to employ a lawyer, he or she should be notified of the date at once.
6. Fines, costs, and other financial obligations imposed by the court must be paid at the time of assessment.

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT  
POLICE NO: 1500220

ORDER FOR  
{X} PRETRIAL RELEASE { } CUSTODY  
{ } AMENDED

CASE NO. 15111-150  
X-REF: 1500220

Court Address 15111 BEECH DALY  
REDFORD, MI 48239

ORI MI820125J

Court Telephone  
(313) 387-2790

People of STATE OF MICHIGAN

V Defendant's name, address, and phone  
BRIDGEWATER/JAMES/SHANNON  
12070 W. OUTER DR  
DETROIT, MI 48223  
DOB CTN/TCN  
12/01/82 821570619101

Date of Arrest: JAN. 11, 2015  
Off type: MISDEM. Arrest Agency: REDFORD TOWNSHIP POL Agency file #: 1500220  
Offense: LYING TO A PEACE OFFICER Statute/citation: 750.479C2A  
Purpose of next appearance: PRETRIAL Time: 8:45 AM Date: DEC. 8, 2015  
Appearance place: AT COURT ADDRESS ABOVE

{ } Proof of value & interest in real property required  
Full bail amount: 500.00 { } Bond denied

Type of bond: PERSONAL

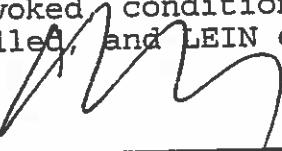
Bond set by Judge: CHARLOTTE L. WIRTH

{ } Pursuant to 18 USC 922(g)(8), the court found, at a hearing, that the defendant represents a credible threat to the physical safety of one or more persons as defined in 18 USC 922(g)(8) and 18 USC 921(32) and named in item 2.

IT IS ORDERED:

{ } 1. The defendant shall post a new bond (MC 241). Any additional conditions are specified in item 2. and in the bond.  
{X} 2. Conditions to be specified in the bond are:  
(see following page for list of conditions-they may be indicated by item number  
2,3,5,15  
NO RETURN TO AUTO ZONE - NO ALCOHOL/DRUGS-TESTING

{ } 3. The { } sheriff { } custodial agency/facility \_\_\_\_\_ shall  
{ } a. continue to hold the above-named defendant in their care and custody until further order of the court.  
{ } b. hold the above-named defendant in their care and custody until bond is posted and the conditions are agreed to as specified in item 2. and in the bond.  
The defendant shall be brought to all court appearances while in custody or as otherwise ordered.  
{X} 4. The previously posted bond is continued.  
{ } 5. The previously posted bond is revoked, conditions of release under MCL 765.6b or 780.582a are cancelled, and LEIN entry be removed.  
{ } Bond is forfeited

  
P-30727

Bar no.

NOV. 24, 2015

Judge: CHARLOTTE L. WIRTH

NOTE: Prepare order below only when release is subject to conditions necessary to protect 1 or more named persons under MCL 765.6b or 780.582a

TO THE LOCAL LAW ENFORCEMENT AUTHORITY:

IT IS ORDERED that the above release order, including the conditions of release and the following identifying information of the defendant must be entered on the LEIN system. The court will notify the local law enforcement agency of any subsequent amendments to or revocation of this order.

HGT WGT RACE SEX DOB HAIR EYES OTHER IDENTIFYING INFORMATION

6'04 195 B M 12/01/82 BLK BRO

Effective date of conditions in Item 2. NOV. 24, 2015  
Expiration date of order . . . . . DEC. 8, 2015

P-30727

Bar no.

NOV. 24, 2015

Judge: CHARLOTTE L. WIRTH

MCL765.6b, MCL780.582a, MCR3.935, MCR6.106, MCR6.6  
18 USC 922(g)(8)

COURT LEIN COPY  
MC240 (1/08)

ORDER FOR PRETRIAL RELEASE/CUSTODY

A-2077

AS43396

*GD*

**THE 17<sup>TH</sup> JUDICIAL DISTRICT COURT OF THE STATE OF MICHIGAN**  
15111 Beech Daly Road, Redford, Michigan 48239  
(313) 387-2790

**Karen Khalil**

District Judge

**Charlotte L. Wirth**

District Judge



**Matthew Sawicki**

Court Administrator

March 3, 2016

Mr. James Shannon Bridgewater  
12070 West Outer Drive  
Detroit, MI 48223

Re: James Shannon Bridgewater  
Case no: 15117148 SM

Dear Mr. Bridgewater:

The Court is in receipt of paperwork filed on your case dated 2-11-16. Unfortunately the paperwork does not meet the criteria of the Michigan Court Rules, so no action will be taken.

Sincerely,

17<sup>th</sup> District Court

*Gh.*

*A-1*

*A*

*MSF 397*

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT {X} PRETRIAL RELEASE { } CUSTODY X-REF: 1500220  
POLICE NO: 1500220 { } AMENDED

Court Address 15111 BEECH DALY  
REDFORD, MI 48239  
Court Telephone  
(313) 387-2791

ORI MI820125J

People of STATE OF MICHIGAN

V

Defendant's name, address, and phone

BRIDGEWATER/JAMES/SHANNON

12070 W. OUTER DR

DETROIT, MI 48223

DOB CTN/TCN

12/01/82 821570619101

Date of Arrest: JAN. 11, 2015

Off type: MISDEM. Arrest Agency: REDFORD TOWNSHIP POL Agency file #: 1500220

Offense: LYING TO A PEACE OFFICER Statute/citation: 750.479C2A

Purpose of next appearance: PRETRIAL Time: 8:45 AM Date: DEC. 8, 2015

Appearance place: AT COURT ADDRESS ABOVE

{ } Proof of value & interest in real property require  
Type of bond: PERSONAL Full bail amount: 500.00 { } Bond denied

Bond set by Judge: CHARLOTTE L. WIRTH

{ } Pursuant to 18 USC 922(g)(8), the court found, at a hearing, that the defendant represents a credible threat to the physical safety of one or more persons as defined in 18 USC 922(g)(8) and 18 USC 921(32) and named in item 2.

IT IS ORDERED:

{ } 1. The defendant shall post a new bond (MC 241). Any additional conditions are specified in item 2. and in the bond.

{X} 2. Conditions to be specified in the bond are:

(see following page for list of conditions-they may be indicated by item number  
2,3,5,15

NO RETURN TO AUTO ZONE - NO ALCOHOL/DRUGS-TESTING

{ } 3. The { } sheriff { } custodial agency/facility \_\_\_\_\_ shall  
{ } a. continue to hold the above-named defendant in their care and custody until further order of the court.

{ } b. hold the above-named defendant in their care and custody until bond is posted and the conditions are agreed to as specified in item 2. and in the bond.

The defendant shall be brought to all court appearances while in custody or as otherwise ordered.

{X} 4. The previously posted bond is continued.

{ } 5. The previously posted bond is revoked, conditions of release under MCL 765.6b or 780.582a are cancelled, and LEIN entry be removed.

{ } Bond is forfeited

NOV. 24, 2015

Date Judge: CHARLOTTE L. WIRTH Bar no.

P-30727

NOTE: Prepare order below only when release is subject to conditions necessary to protect 1 or more named persons under MCL 765.6b or 780.582a

TO THE LOCAL LAW ENFORCEMENT AUTHORITY:

or for NCI

IT IS ORDERED that the above release order, including the conditions of release and the following identifying information of the defendant must be entered on the LEIN system. The court will notify the local law enforcement agency of any subsequent amendments to or revocation of this order.

HGT WGT RACE SEX DOB HAIR EYES OTHER IDENTIFYING INFORMATION

6 04 195 B M 12/01/82 BLK BRO

Effective date of conditions in Item 2. NOV. 24, 2015

Expiration date of order . . . . . DEC. 8, 2015

NOV. 24, 2015

Date Judge: CHARLOTTE L. WIRTH Bar no.

P-30727

COURT LEIN COPY  
MC240 (1/08) ORDER FOR PRETRIAL RELEASE/CUSTODY

MCL765.6b, MCL780.582a, MCR3.935, MCR6.106, MCR6.6  
18 USC 000

A [REDACTED]

STATE OF MICHIGAN  
17TH JUDICIAL DISTRICT  
POLICE NO: 1500220

PRETRIAL RELEASE     CUSTODY    X-REF: 1500220  
 AMENDED

Court Address 15111 BEECH DALY  
ORI MI820125J REDFORD, MI 48239

Court Telephone  
(313) 387-279

People of STATE OF MICHIGAN

Defendant's name, address, and phone

V BRIDGEWATER/JAMES/SHANNON

12070 W. OUTER DR  
DETROIT, MI 48223

DOB CTN/TCN

12/01/82 821570619101

Date of Arrest: JAN. 11, 2015

Off type: MISDEM. Arrest Agency: REDFORD TOWNSHIP POL Agency file #: 1500220

Offense: LYING TO A PEACE OFFICER Statute/citation: 750.479C2A

Purpose of next appearance: PRETRIAL Time: 8:45 AM Date: DEC. 8, 2015

Appearance place: AT COURT ADDRESS ABOVE

Proof of value & interest in real property require

Type of bond: PERSONAL Full bail amount: 500.00  Bond denie

Bond set by Judge: CHARLOTTE L. WIRTH

Pursuant to 18 USC 922(g)(8), the court found, at a hearing, that the defendant represents a credible threat to the physical safety of one or more persons as defined in 18 USC 922(g)(8) and 18 USC 921(32) and named in item 2.

IT IS ORDERED:

1. The defendant shall post a new bond (MC 241). Any additional conditions are specified in item 2. and in the bond.

2. Conditions to be specified in the bond are:

(see following page for list of conditions-they may be indicated by item number  
2,3,5,15

NO RETURN TO AUTO ZONE - NO ALCOHOL/DRUGS-TESTING

3. The  sheriff  custodial agency/facility \_\_\_\_\_ shall  
 a. continue to hold the above-named defendant in their care and custody until further order of the court.  
 b. hold the above-named defendant in their care and custody until bond is posted and the conditions are agreed to as specified in item 2. and in the bond.

The defendant shall be brought to all court appearances while in custody or as otherwise ordered.

4. The previously posted bond is continued.

5. The previously posted bond is revoked conditions of release under MCL 765.6b or 780.582a are cancelled, and LEIN entry be removed.

Bond is forfeited

NOV. 24, 2015

P-30727

Date

Judge: CH. PLOTTE L. WIRTH

Bar no.

NOTE: Prepare order below only when release is subject to conditions necessary to protect 1 or more named persons under MCL 765.6b or 780.582a

TO THE LOCAL LAW ENFORCEMENT AUTHORITY:

or for NCI

IT IS ORDERED that the above release order, including the conditions of release and the following identifying information of the defendant must be entered on the LEIN system. The court will notify the local law enforcement agency of any subsequent amendments to or revocation of this order.

HGT WGT RACE SEX DOB H. R. EYES OTHER IDENTIFYING INFORMATION

6 04 195 B M 12/01/82 F K BRO

Effective date of conditions in Item 2. NOV. 24, 2015

Expiration date of order . . . . . DEC. 8, 2015

NOV. 24, 2015

P-30727

Date

Judge: CH. PLOTTE L. WIRTH

Bar no.

COURT LEIN COPY

MCL 765.6b, MCL780.582a, MCR3.935, MCR6.106, MCR6.6

MC240 (1/08) ORDER FOR PRETRIAL RELEASE/CUSTODY

18 USC 922(g)(8)

P-30727  
399

PLAINTIFF FILE COURT DOCUMENTS  
COURT REJECTS! PLAINTIFF HAS  
NO OTHER APPROPRIATE REMEDIES AT LAW.

**THE 17<sup>TH</sup> JUDICIAL DISTRICT COURT OF THE STATE OF MICHIGAN**  
15111 Beech Daly Road, Redford, Michigan 48239  
(313) 387-2790

**Karen Khalil**

District Judge

**Charlotte L. Wirth**

District Judge



**Matthew Sawicki**

Court Administrator

March 3, 2016

Mr. James Shannon Bridgewater  
12070 West Outer Drive  
Detroit, MI 48223

Re: James Shannon Bridgewater  
Case no: 15117148 SM

Dear Mr. Bridgewater:

The Court is in receipt of paperwork filed on your case dated 2-11-16. Unfortunately the paperwork does not meet the criteria of the Michigan Court Rules, so no action will be taken.

Sincerely,

17<sup>th</sup> District Court

Gh.  
A-1

[Redacted]

400  
A 557

## 2010

Judicial Watch, the public interest group that investigates and prosecutes government corruption, today released its 2010 list of Washington's "Ten Most Wanted Corrupt Politicians." The list, in alphabetical order, includes: Senator Barbara Boxer (D-CA), Rahm Emanuel, Former Obama White House Chief of Staff, Senator John Ensign (R-NV), Rep. Barney Frank (D-MA), Rep. Jesse Jackson, Jr. (D-IL), President Barack Obama, Rep. Nancy Pelosi (D-CA), Rep. Charles Rangel (D-NY), Rep. Hal Rogers (R-KY), and Rep. Maxine Waters (D-CA).

**Senator Barbara Boxer (D-CA)** is Chair of the Senate Select Committee on Ethics. But it appears she still needs an ethics lesson. Boxer presided over a year-long investigation by the Senate Ethics Committee into whether two of her Senate colleagues, Christopher Dodd (D-CT) and Kent Conrad (D-ND), received preferential treatment from Countrywide Financial as part of the company's "VIP" program. (Senate ethics rules prohibit members from receiving loan terms not available to the general public.) In fact, according to *The Associated Press*, during an Ethics Committee hearing Boxer asked "the bulk of the questions."

However, Boxer failed to mention (or disclose on her official Senate Financial Disclosure documents) that she and her husband have signed no less than seven mortgages with Countrywide! At the time of the hearing, Boxer reportedly indicated she had paid off two Countrywide mortgages, but did not mention the others.

The evidence clearly showed that Dodd and Conrad knew they were receiving preferential treatment despite repeated denials. Yet Boxer's Senate Ethics Committee allowed Dodd and Conrad to wriggle off the hook with a light admonition that suggested the two Senators should have exercised better judgment. The same, apparently, can be said of the Committee's own chair, who either neglected to mention or outright lied about her own dealings with the corrupt mortgage company.

**Rahm Emanuel**, Former Obama White House Chief of Staff didn't earn the nickname "Rahmbo" for being a mild-mannered shrinking violet. He served as Bill Clinton's chief money-man at a time when the Clinton campaign was corrupted by foreign money. He defended the "worst of the worst" Clinton scandals, and, in fact, earned his reputation as a ruthless political combatant by fiercely defending President Clinton in the Monica Lewinsky investigation. (Notably, Emanuel also served on the board of Freddie Mac when the company was involved in fraudulent activity.)

The bottom line is that when the Clintons' dirty work needed to be done, Emanuel did it and apparently without question. That didn't change under Obama. Remember when the Obama White House wanted to manipulate Democratic primaries in 2010?

Emanuel teamed with his then-Deputy Chief of Staff Jim Messina to allegedly interfere with Senate elections in Pennsylvania and Colorado by offering federal appointments to Rep. Joe Sestak and Andrew Romanoff. Sestak and Romanoff were not Obama's favored candidates, so

A 240

Emanuel and Messina apparently attempted to unlawfully persuade them to abandon their campaigns.

A Judicial Watch complaint to the U.S. Office of Special Counsel on June 15, 2010, tells the story: "As widely reported in the media, White House Chief of Staff Rahm Emanuel and Deputy Chief of Staff Jim Messina, on behalf of the Obama Administration, have both used their position and influence as highly placed federal employees to affect the outcome of federal elections in direct violation of the Hatch Act, which states that an employee may not 'use his official authority or influence for the purpose of interfering with or affecting the result of an election.'"

And then, of course, there's Emanuel's participation in the Blagojevich scandal.

According to sworn testimony during the "Blago" trial, Emanuel served as Obama's chief negotiator with the Blagojevich team as the former Illinois Governor attempted to illegally sell Obama's former Senate seat to the highest bidder. Unfortunately, the federal prosecutor cut short the case against Blagojevich and Emanuel and other Obama insiders were never called to testify.

Emanuel left the White House under an ethical cloud and has decided to throw his hat in the ring for Mayor of Chicago, where he again stands accused of ignoring the rules and violating the law regarding candidate residency requirements.

**Senator John Ensign (R-NV):** In a scandal that first broke in 2009, Senator Ensign publicly admitted to an affair with the wife of a long-time staffer. And the evidence indicates Ensign then tried to cover up his sexual shenanigans by bribing the couple with lucrative gifts and political favors.

According to The New York Times, after Ensign's aide, Douglas Hampton, discovered the affair, "Mr. Ensign asked political backers to find a job for...Hampton. Payments of \$96,000 to the Hamptons also were made by Senator Ensign's parents, who insist this was a gift, not hush money. Once a lobbying job was secured, Senator Ensign and his chief of staff continued to help Mr. Hampton, advocating his clients' cases directly with federal agencies."

These lobbying activities were seemingly in violation of the Senate's "cooling off" period for lobbyists. According to The Wall Street Journal, "Under Senate rules, former Senate aides cannot lobby their former colleagues for one year after leaving Capitol Hill." Hampton began to lobby Mr. Ensign's office immediately upon leaving his congressional job.

Ensign seems to have ignored the law and allowed Hampton lobbying access to his office as a payment for his silence about the affair. And despite the claims of Ensign and his parents, the \$96,000 in "gifts" provided to the Hamptons were clearly hush payments.

Nonetheless, on December 1, 2010, the Obama Justice Department announced it will file no criminal charges against Ensign, while the Federal Election Commission has also dismissed a related ethics complaint. If there is to be justice for Ensign, it will have to be up to the corrupt

Am 41

(see Boxer entry above) Senate Ethics Committee, which is still considering the charges against the Nevada Republican.

**Rep. Barney Frank (D-MA):** In a story that continued to mushroom throughout 2010, Congressman Barney Frank (D-MA) improperly intervened for Maxine Waters (D-CA) on behalf of his home-state OneUnited Bank to obtain Troubled Asset Relief Program (TARP) funds. When asked about the scandal, the Massachusetts Democrat admitted he spoke to a “federal regulator” but, according to *The Wall Street Journal* he didn’t remember which federal regulator he spoke with.” According to explosive Treasury Department emails uncovered by Judicial Watch in 2010, however, it appears this nameless bureaucrat was none other than then-Treasury Secretary Henry “Hank” Paulson!

While Frank’s “partner in crime” in the OneUnited scandal, Congressman Maxine Waters, is being investigated by the House Ethics Committee (see below), Frank’s colleagues in the House have inexcusably ignored the Massachusetts Democrat’s connection to the OneUnited grant.

To this day, Barney Frank continues to defend his role in the meltdown of Fannie Mae and Freddie Mac, saying he was just as blindsided as the rest of America when the two government sponsored enterprises collapsed, triggering the financial crisis. Frank has been peddling this fiction ever since the economy collapsed in September 2008. But, as *The Boston Globe* reported in a devastating article published on October 14, 2010, not many people are buying Frank’s lies anymore. And Frank knows it. Here’s an excerpt from the *Globe*:

The issue...in 2003 was whether mortgage backers Fannie Mae and Freddie Mac were fiscally strong. Frank declared with his trademark confidence that they were, accusing critics and regulators of exaggerating threats to Fannie’s and Freddie’s financial integrity. And, the Massachusetts Democrat maintained, ‘even if there were problems, the federal government doesn’t bail them out.’ Now, it’s clear he was wrong on both points...

Frank wasn’t wrong. He was just lying through his teeth. Frank claims that he “missed” the warning signs with Fannie and Freddie because he was wearing “ideological blinders,” which was just his lame attempt to blame Republicans. But he did not miss them. According to evidence uncovered by Judicial Watch, he just chose to ignore them.

Judicial Watch obtained documents in 2010 proving that members of Congress, including — and perhaps especially — Barney Frank, were well aware that Fannie and Freddie were in deep trouble due to corruption and incompetence and yet they did nothing to stop it.

Moreover, as the *Globe* notes, in July 2008, then-Treasury Secretary Henry Paulson says he called Frank and told him the government would need to spend “billions of taxpayer dollars to backstop the institutions from catastrophic failure.” Frank, despite that conversation, appeared on national television two days later and said the companies were “fundamentally sound, not in danger of going under.” Less than two months later, the government seized Fannie and Freddie and the bailout began.

A-742

**Rep. Jesse Jackson Jr. (D-IL):** This year's trial of scandal-ridden former Illinois Governor Rod Blagojevich ended with "Blago" being convicted of only 1 of 24 charges related to the scheme to sell Obama's vacated Senate seat to the highest bidder. But as the government plans its second attempt to prosecute the case, one person who should be on the hot-seat is Rep. Jesse Jackson Jr. (D-IL).

According to the *Chicago Sun-Times*, "Rep. Jesse Jackson Jr. directed a major political fundraiser to offer former Gov. Rod Blagojevich millions of dollars in campaign cash in return for an appointment to the U.S. Senate."

How much cash?

The *Chicago Sun Times* put that figure at \$1.5 million in its initial reports. But according to Jackson's fundraiser, Raghveer Nayak, the Illinois Congressman asked him to offer not \$1.5 million, but a whopping \$6 million in campaign cash to Blagojevich to secure the Senate seat!

In addition to his corrupt deal-making, in 2010 Jackson was also nailed for conducting an improper and potentially criminal relationship with a female "social acquaintance."

Nayak told investigators that Jackson asked him to "pay to fly a Washington, DC, restaurant hostess named Giovana Huidobro...to Chicago to visit him." Nayak reportedly did so twice.

We all know what "social acquaintance" means under these circumstances. Jackson says this is a "private and personal matter between me and my wife." But not if it involves public funds or illegal gifts — issues which remain unsettled.

**President Barack Obama:** Remember the promise President Obama made just after his inauguration in 2009? "Transparency and the rule of law will be the touchstones of this presidency."

Instead, Americans have suffered through lies, stonewalling, cover-ups, corruption, secrecy, scandal and blatant disregard for the rule of law...this has been the Obama legacy in its first two years.

In 2010, Obama was caught in a lie over what he knew about Illinois Governor Rod Blagojevich's scheme to sell the president's vacated Senate seat. Blagojevich's former Chief of Staff John Harris testified that Obama had personal knowledge of Blago's plot to obtain a presidential cabinet position in exchange for appointing a candidate handpicked by the President. In fact, according to Harris's court testimony, Obama sent Blagojevich a list of "acceptable" Senate candidates to fill his old seat. Obama was interviewed by the FBI even before he was sworn into office. He claimed he and his staff had no contact with Blagojevich's office. Unfortunately federal prosecutors never called the President or his staff to testify under oath.

The President also broke his famous pledge to televise healthcare negotiations. And in 2010, we learned why he broke his pledge. In what is now known as the "Cornhusker Kickback" scheme, Obama and the Democrats in the Senate "purchased" the vote of one of the last Democrat hold-

outs, Nebraska Senator Ben Nelson, who opposed Obamacare over the issue of covering abortions with taxpayer funds. Nelson abandoned his opposition to Obamacare after receiving millions of dollars in federal aid for his home-state, helping to give the Democrats the 60 votes they needed to overcome a Republican filibuster. Same goes for Louisiana Democratic Senator Mary Landrieu, who received a \$100 million payoff in what has been called "The Louisiana Purchase." (The Kickback was so corrupt that Democrats stripped it out at the last minute. The Louisiana Purchase, on the other hand, became law of the land.)

Obama lied about his White House's involvement in this legislative bribery that helped lead to the passage of the signature policy achievement of his presidency.

*It's not often that House Minority Leader Nancy Pelosi camps under the GOP tent, but that's just what happened recently when she broke ranks with Bay Area Democrats and the Obama administration and voted to keep billions of dollars in federal student aid flowing into the coffers of for-profit colleges.*

*She had her reasons. Some of the biggest recipients of the \$32 billion in federal student loans and Pell Grants each year paid to for-profits are in her district - including major Democratic donor John Sperling, founder of the online University of Phoenix, the nation's largest for-profit college.*

*The issue arose after Education Secretary Arne Duncan proposed a rule that would stiffen federal aid requirements for for-profits, making them provide stats showing that their students actually are getting the jobs they trained for."*

<http://www.sfgate.com>

**Rep. Nancy Pelosi (D-CA):** "Air Pelosi" is now grounded.

Judicial Watch uncovered documents back in 2009 detailing attempts by Pentagon staff to accommodate Pelosi's numerous requests for military escorts and military aircraft for herself and her family as well as the speaker's 11th hour cancellations and changes. In 2010, Judicial Watch kept the pressure on Pelosi, uncovering documents that demonstrated the Speaker was using U.S. Air Force aircraft as her own personal party planes. Overall, the Speaker's military travel cost the United States Air Force \$2,100,744.59 over a two-year period — \$101,429.14 of which was for in-flight expenses, including food and alcohol.

For example, purchases for one Pelosi-led congressional delegation traveling from Washington, DC to Tel Aviv, Israel and Baghdad, Iraq May 15-20, 2008, included: Johnny Walker Red scotch, Grey Goose vodka, E&J brandy, Bailey's Irish Cream, Maker's Mark whisky, Courvoisier cognac, Bacardi Light rum, Jim Beam whiskey, Beefeater gin, Dewar's scotch, Bombay Sapphire gin, Jack Daniels whiskey, Corona beer and several bottles of wine.

Moreover, Pelosi also abused the rules by allowing members of her family to join her on taxpayer-funded Air Force flights. For example, on June 20, 2009, Speaker Pelosi's daughter, son-in-law and two grandsons joined a flight from Andrews Air Force Base to San Francisco International Airport. That flight included \$143 for on-flight expenses for food and other items. On July 2, 2010, Pelosi took her grandson on a flight from Andrews Air Force Base to Travis Air Force Base in Fairfield, California, which is northeast of San Francisco.

Judicial Watch's efforts not only exposed Nancy Pelosi's corrupt abuse of military aircraft, but they also led to reform when Rep. John Boehner announced after Election Day that, as Speaker of the House of Representatives, he will fly commercial to and from Ohio instead of using military aircraft.

Of course, it was Rep. Nancy Pelosi who famously promised to "drain the swamp" in Washington, DC during the campaign of 2006 when the Democrats seized control of power on Capitol Hill. That did not happen. Aside from her own personal transgressions, Pelosi also turned a blind eye to corruption on the part of her Congressional colleagues (see Charlie Rangel entry below).

**Rep. Charles Rangel (D-NY):** On December 2, 2010, the House of Representatives voted 333-79 to "censure" Rep. Charles Rangel. Next to expulsion, this is the most serious sanction that can be taken by the House against an individual member. This censure vote followed an investigation by the Committee for Official Standards of Conduct, which finally convicted Rangel on 13 ethics violations, including:

- Forgetting to pay taxes on \$75,000 in rental income he earned from his off-shore rental property. (Rangel was formerly in charge of the committee responsible for writing tax policy.)
- Misusing his congressional office, staff and resources to raise money for his private Rangel Center for Public Service, to be housed at the City College of New York. (He also put the squeeze on donors who had business before his House Ways and Means Committee, and used the congressional "free mail" privilege to solicit funds.)
- Misusing his residentially-zoned Harlem apartment as a campaign headquarters.
- Failing to report \$600,000 in income on his official congressional financial disclosure reports, which contained "numerous errors and omissions."

It is worth noting that the Committee did not consider other serious corruption charges against Rangel. For example, it has been alleged that Rangel preserved a tax loophole for an oil company in exchange for a Rangel Center donation. The Committee also did not consider the charge that Rangel used improper influence to maintain ownership of his highly coveted rent-controlled apartment — the same apartment he improperly used for campaign activities.

As this is Washington, politicians of both parties will pretend that censure is a serious punishment. But it is a "punishment" that simply requires Rangel to come to the well of the House and hear a disapproving statement read by lame-duck House Speaker Nancy Pelosi. In the real world, you get fired or thrown in jail for abusing your office and not paying your taxes.

Here is further context: The last time the House censured anyone was in 1983, when two congressmen (a Republican and Democrat) were censured for having sexual relationships with teenaged House pages. It seems that unless one is convicted of a crime, one can do *anything* as a congressman and not be thrown out of the House! The fact that the House has so rarely resorted to censure is more indicative of the lack of seriousness about ethics in Congress than of the so-called severity of the censure punishment.

Rangel should have been expelled from the House of Representatives.

**Rep. Hal Rogers (R-KY):** On Election Day 2010, voters sent Congress a clear message: No more big spending or corrupt back-room deals! And what did House Republicans decide to do as one of their first moves for the new Tea Party Congress? Appoint Rep. Hal Rogers, also known as the “Prince of Pork,” to chair the powerful House Appropriations Committee.

According to ABC News: “In two years, Rogers pushed through 135 earmarks worth \$246 million. He’s brought tens of millions of dollars into his hometown of Somerset, Ky., so much so that the town has been dubbed ‘Mr. Rogers’ neighborhood.’” Among the most egregious earmarks was a \$17 million grant Rogers obtained for an “Airport to Nowhere,” a Kentucky airport with “so little traffic that the last commercial airline pulled out in February (2010).”

But the most serious charge against Rogers involves an earmark he obtained that could benefit one of his own family members.

Rogers secured \$5 million in the House for conservation groups that work with wild cats, including the Cheetah Conservation Fund, a Namibia-based organization that employs Rogers’ daughter Allison. In fact, Allison Rogers serves as grants administrator. After she joined the organization in 2007, Congressman Rogers began his push for funding. In 2009, with help from Rogers, the bill passed the House by a 2-1 margin. (It has yet to be voted on in the Senate.)

Congressman Rogers claims he’ll change his stripes now: “No more earmarks. I’ll be the enforcer of the moratorium.” But Rogers’ 27 year history of wasting taxpayer funds on questionable projects is certainly cause for skepticism.

On November 9, 2010, Judicial Watch sent a letter to House Speaker John Boehner asking him to reject a bid by Rep. Jerry Lewis (R-CA), who made our 2009 “Top Ten” list, to once again serve as Chair of the Appropriations Committee, given Lewis’s penchant for influence peddling. Rep. Rogers, however, is no upgrade.

**Rep. Maxine Waters (D-CA):** Now that Charlie Rangel has been “punished” for his wrongdoing is California Rep. Maxine Waters next up on the hot-seat?

The Committee on Standards of Official Conduct (known informally as the House Ethics Committee) plans to hold hearings, although the committee delayed the trial indefinitely on November 29, 2010, citing newly discovered documentary evidence that may impact proceedings. According to The Associated Press, “The charges focus on whether Waters broke

the rules in requesting federal help for a bank where her husband owned stock and had served on the board of directors."

Judicial Watch has investigated the Waters/OneUnited Bank scandal for months. In fact, JW successfully sued the Obama Treasury Department to get documents and obtained explosive emails from the Treasury that provide documented evidence to support the charges against Waters.

For instance, a January 13, 2009, email from Brookly McLaughlin, Treasury's Deputy Assistant Secretary for Public Affairs, expresses surprise at Waters' apparent conflict of interest:

Further to email below, WSJ [*Wall Street Journal*] tells me: ...Apparently this bank is the only one that has gotten money through section 103-6 of the EESA law. And Maxine Waters' husband is on the board of the bank. ??????

Judicial Watch also uncovered documents detailing the deplorable financial condition of the bank at the time of the cash infusion, which showed that the bank would have been an unlikely candidate to receive TARP funding without intervention from Waters and Frank.

Aside from OneUnited, there was yet another scandal with Waters' fingerprints all over it.

**To support Judicial Watch's efforts to fight political corruption, [donate here](#).**

According to *The Washington Times*: "A lobbyist known as one of California's most successful power brokers while serving as a legislative leader in that state paid Rep. Maxine Waters' husband \$15,000 in consulting fees at a time she was co-sponsoring legislation that would help save the real-estate finance business of one of the lobbyist's best-paying clients, records show." That "real-estate finance business" was labeled a "scam" by the IRS in a 2006 report.

*Where Are They Now?*

**(Updates on Selected Judicial Watch "Ten Most Wanted" Alumni)**

**Jack Abramoff, Former Lobbyist:** Jack Abramoff appeared on Judicial Watch's 2006 "Ten Most Wanted" list for his role in a slew of public corruption scandals that led to the convictions of 20 people, including former Ohio Republican Congressman Bob Ney. Abramoff was sentenced that year to nearly six years in prison for a fraudulent casino deal. In 2008, Abramoff received a concurrent four-year sentence "for conspiring to defraud the government, corrupting public officials and defrauding his clients in a separate case." In December 2010, Abramoff completed a six-month stint at a Baltimore piz joint, which officially concludes his prison sentence, and he is now on probation for three years. In 2010, Abramoff was also the subject of a new film called "Casino Jack," which stars actor Kevin Spacey. Spacey received a Golden Globe nomination for his portrayal of the disgraced former lobbyist.

**Former Senator Roland Burris (D-IL):** Former Senator Roland Burris made Judicial Watch's 2009 "Ten Most Wanted" list for his corrupt (and ultimately successful) attempt to secure Barack Obama's vacated Senate seat from then-Governor Rod Blagojevich. According to Reuters: "Roland Burris came under fresh scrutiny...after disclosing he tried to raise money for the disgraced former Illinois governor who named him to the U.S. Senate seat once held by President Barack Obama...Burris said he looked into mounting a fundraiser for Rod Blagojevich — later charged with trying to sell Obama's Senate seat — at the same time he was expressing interest to the then-governor's aides about his desire to be appointed." Burris changed his story five times regarding his contacts with Blagojevich prior to being appointed to the U.S. Senate. Three of those changing explanations came under oath. As a special appointment, Roland Burris's term ended in November 2010, and he is no longer in the U.S. Senate.

**Former House Majority Leader Tom DeLay (R-TX):** Congressman DeLay was embroiled in a series of scandals while serving as majority leader for House Republicans, earning him a spot on Judicial Watch's 2006 "Ten Most Wanted" list. DeLay, who was also investigated for his ties to "Ten Most Wanted" alumnus Jack Abramoff, resigned his post as majority leader in 2005 and resigned from Congress in 2006. In November 2010, DeLay was ultimately convicted of "illegally funneling corporate money to Texas candidates in 2002," according to The Associated Press. "He faces five years to life in prison on the money laundering charge and two to 20 years on the conspiracy charge." Mr. DeLay is adamant he did nothing wrong and plans to appeal the verdict. Mr. DeLay is also the only "Ten Most Wanted" alumnus to appear on the television dance competition *Dancing with the Stars*.

**Senator Christopher Dodd (D-CT):** Senator Dodd made Judicial Watch's "Ten Most Wanted" list in 2008 for his corrupt relationship with Fannie Mae and Freddie Mac and for improperly accepting preferential treatment from Countrywide Financial as part of the company's corrupt "Friends of Angelo" VIP program. Then he made the list again in 2009 for undervaluing a property he owns in Ireland on his Senate Financial Disclosure form. Dodd allegedly obtained a sweetheart real estate deal for the Ireland property in exchange for his assistance in obtaining a presidential pardon (during the Clinton administration) and other favors for a long-time friend and business associate. It seems the scandals were too much politically, and in 2010 Dodd announced he would not run for re-election. Despite his ethical lapses related to the financial sector, Dodd's name (along with Barney Frank's) is affixed to the "Dodd-Frank Wall Street Reform and Consumer Protection Act," the huge regulatory overhaul of the financial sector passed and signed into the law earlier this year. In January 2011 he will be out of office.

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2009

## **Judicial Watch Announces List of Washington's "Ten Most Wanted Corrupt Politicians" for 2009**

December 11, 2009 | [No Comments](#)

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## Washington, DC

Judicial Watch, the public interest group that investigates and prosecutes government corruption, today released its 2009 list of Washington's "Ten Most Wanted Corrupt Politicians." The list, in alphabetical order, includes:

1. **Senator Christopher Dodd (D-CT):** This marks two years in a row for Senator Dodd, who made the 2008 "Ten Most Corrupt" list for his corrupt relationship with Fannie Mae and Freddie Mac and for accepting preferential treatment and loan terms from Countrywide Financial, a scandal which still dogs him. In 2009, the scandals kept coming for the Connecticut Democrat. In 2009, Judicial Watch filed a Senate ethics complaint against Dodd for undervaluing a property he owns in Ireland on his Senate Financial Disclosure forms. Judicial Watch's complaint forced Dodd to amend the forms. However, press reports suggest the property to this day remains undervalued. Judicial Watch also alleges in the complaint that Dodd obtained a sweetheart deal for the property in exchange for his assistance in obtaining a presidential pardon (during the Clinton administration) and other favors for a long-time friend and business associate. The false financial disclosure forms were part of the cover-up. Dodd remains the head the Senate Banking Committee.
2. **Senator John Ensign (R-NV):** A number of scandals popped up in 2009 involving public officials who conducted illicit affairs, and then attempted to cover them up with hush payments and favors, an obvious abuse of power. The year's worst offender might just be Nevada Republican Senator John Ensign. Ensign admitted in June to an extramarital affair with the wife of one of his staff members, who then allegedly obtained special favors from the Nevada Republican in exchange for his silence. According to The New York Times: "The Justice Department and the Senate Ethics Committee are expected to conduct preliminary inquiries into whether Senator John Ensign violated federal law or ethics rules as part of an effort to conceal an affair with the wife of an aide..." The former staffer, Douglas Hampton, began to lobby Mr. Ensign's office immediately upon leaving his congressional job, despite the fact that he was subject to a one-year lobbying ban. Ensign seems to have ignored the law and allowed Hampton lobbying access to his office as a payment for his silence about the affair. (These are potentially criminal offenses.) It looks as if Ensign misused his public office (and taxpayer resources) to cover up his sexual shenanigans.
3. **Rep. Barney Frank (D-MA):** Judicial Watch is investigating a \$12 million TARP cash injection provided to the Boston-based OneUnited Bank at the urging of Massachusetts Rep. Barney Frank. As reported in the January 22, 2009, edition of the Wall Street Journal, the Treasury Department indicated it would only provide funds to healthy banks to jump-start lending. Not only was OneUnited Bank in massive financial turmoil, but it was also "under attack from its regulators for allegations of poor lending practices and executive-pay abuses, including owning a Porsche for its executives' use." Rep. Frank

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admitted he spoke to a “federal regulator,” and Treasury granted the funds. (The bank continues to flounder despite Frank’s intervention for federal dollars.) Moreover, Judicial Watch uncovered documents in 2009 that showed that members of Congress for years were aware that Fannie Mae and Freddie Mac were playing fast and loose with accounting issues, risk assessment issues and executive compensation issues, even as liberals led by Rep. Frank continued to block attempts to rein in the two Government Sponsored Enterprises (GSEs). For example, during a hearing on September 10, 2003, before the House Committee on Financial Services considering a Bush administration proposal to further regulate Fannie and Freddie, Rep. Frank stated: “I want to begin by saying that I am glad to consider the legislation, but I do not think we are facing any kind of a crisis. That is, in my view, the two Government Sponsored Enterprises we are talking about here, Fannie Mae and Freddie Mac, are not in a crisis. We have recently had an accounting problem with Freddie Mac that has led to people being dismissed, as appears to be appropriate. I do not think at this point there is a problem with a threat to the Treasury.” Frank received \$42,350 in campaign contributions from Fannie Mae and Freddie Mac between 1989 and 2008. Frank also engaged in a relationship with a Fannie Mae Executive while serving on the House Banking Committee, which has jurisdiction over Fannie Mae and Freddie Mac.

4. **Secretary of Treasury Timothy Geithner:** In 2009, Obama Treasury Secretary Timothy Geithner admitted that he failed to pay \$34,000 in Social Security and Medicare taxes from 2001-2004 on his lucrative salary at the International Monetary Fund (IMF), an organization with 185 member countries that oversees the global financial system. (Did we mention Geithner now runs the IRS?) It wasn’t until President Obama tapped Geithner to head the Treasury Department that he paid back most of the money, although the IRS kindly waived the hefty penalties. In March 2009, Geithner also came under fire for his handling of the AIG bonus scandal, where the company used \$165 million of its bailout funds to pay out executive bonuses, resulting in a massive public backlash. Of course as head of the New York Federal Reserve, Geithner helped craft the AIG deal in September 2008. However, when the AIG scandal broke, Geithner claimed he knew nothing of the bonuses until March 10, 2009. The timing is important. According to CNN: “Although Treasury Secretary Timothy Geithner told congressional leaders on Tuesday that he learned of AIG’s impending \$160 million bonus payments to members of its troubled financial-products unit on March 10, sources tell TIME that the New York Federal Reserve informed Treasury staff that the payments were imminent on Feb. 28. That is ten days before Treasury staffers say they first learned ‘full details’ of the bonus plan, and three days before the [Obama] Administration launched a new \$30 billion infusion of cash for AIG.” Throw in another embarrassing disclosure in 2009 that Geithner employed “household help” ineligible to work in the United States, and it becomes clear why the Treasury Secretary has earned a spot on the “Ten Most Corrupt Politicians in Washington” list.
5. **Attorney General Eric Holder:** Tim Geithner can be sure he won’t be hounded about his tax-dodging by his colleague Eric Holder, US Attorney General. Judicial Watch strongly opposed Holder because of his terrible ethics record, which includes: obstructing an FBI investigation of the theft of nuclear secrets from Los Alamos Nuclear Laboratory; rejecting multiple requests for an independent counsel to investigate alleged fundraising abuses by then-Vice President Al Gore in the Clinton White House;

undermining the criminal investigation of President Clinton by Kenneth Starr in the midst of the Lewinsky investigation; and planning the violent raid to seize then-six-year-old Elian Gonlez at gunpoint in order to return him to Castro's Cuba. Moreover, there is his soft record on terrorism. Holder bypassed Justice Department procedures to push through Bill Clinton's scandalous presidential pardons and commutations, including for 16 members of FALN, a violent Puerto Rican terrorist group that orchestrated approximately 120 bombings in the United States, killing at least six people and permanently maiming dozens of others, including law enforcement officers. His record in the current administration is no better. As he did during the Clinton administration, Holder continues to ignore serious incidents of corruption that could impact his political bosses at the White House. For example, Holder has refused to investigate charges that the Obama political machine traded VIP access to the White House in exchange for campaign contributions – a scheme eerily similar to one hatched by Holder's former boss, Bill Clinton in the 1990s. The Holder Justice Department also came under fire for dropping a voter intimidation case against the New Black Panther Party. On Election Day 2008, Black Panthers dressed in paramilitary garb threatened voters as they approached polling stations. Holder has also failed to initiate a comprehensive Justice investigation of the notorious organization ACORN (Association of Community Organizations for Reform Now), which is closely tied to President Obama. There were allegedly more than 400,000 fraudulent ACORN voter registrations in the 2008 campaign. And then there were the journalist videos catching ACORN Housing workers advising undercover reporters on how to evade tax, immigration, and child prostitution laws. Holder's controversial decisions on new rights for terrorists and his attacks on previous efforts to combat terrorism remind many of the fact that his former law firm has provided and continues to provide pro bono representation to terrorists at Guantanamo Bay. Holder's politicization of the Justice Department makes one long for the days of Alberto Gonles.

6. **Rep. Jesse Jackson, Jr. (D-IL)/ Senator Roland Burris (D-IL):** One of the most serious scandals of 2009 involved a scheme by former Illinois Governor Rod Blagojevich to sell President Obama's then-vacant Senate seat to the highest bidder. Two men caught smack dab in the middle of the scandal: Senator Roland Burris, who ultimately got the job, and Rep. Jesse Jackson, Jr. According to the Chicago Sun-Times, emissaries for Jesse Jackson Jr., named "Senate Candidate A" in the Blagojevich indictment, reportedly offered \$1.5 million to Blagojevich during a fundraiser if he named Jackson Jr. to Obama's seat. Three days later federal authorities arrested Blagojevich. Burris, for his part, apparently lied about his contacts with Blagojevich, who was arrested in December 2008 for trying to sell Obama's Senate seat. According to Reuters: "Roland Burris came under fresh scrutiny...after disclosing he tried to raise money for the disgraced former Illinois governor who named him to the U.S. Senate seat once held by President Barack Obama...In the latest of those admissions, Burris said he looked into mounting a fundraiser for Rod Blagojevich — later charged with trying to sell Obama's Senate seat — at the same time he was expressing interest to the then-governor's aides about his desire to be appointed." Burris changed his story five times regarding his contacts with Blagojevich prior to the Illinois governor appointing him to the U.S. Senate. Three of those changing explanations came under oath.
7. **President Barack Obama:** During his presidential campaign, President Obama promised to run an ethical and transparent administration. However, in his first year in

office, the President has delivered corruption and secrecy, bringing Chicago-style political corruption to the White House. Consider just a few Obama administration “lowlights” from year one: Even before President Obama was sworn into office, he was interviewed by the FBI for a criminal investigation of former Illinois Governor Rod Blagojevich’s scheme to sell the President’s former Senate seat to the highest bidder. (Obama’s Chief of Staff Rahm Emanuel and slumlord Valerie Jarrett, both from Chicago, are also tangled up in the Blagojevich scandal.) Moreover, the Obama administration made the startling claim that the Privacy Act does not apply to the White House. *The Obama White House believes it can violate the privacy rights of American citizens without any legal consequences or accountability*. President Obama boldly proclaimed that “transparency and the rule of law will be the touchstones of this presidency,” but his administration is addicted to secrecy, stonewalling far too many of Judicial Watch’s Freedom of Information Act requests and is refusing to make public White House visitor logs as federal law requires. The Obama administration turned the National Endowment of the Arts (as well as the agency that runs the AmeriCorps program) into propaganda machines, using tax dollars to persuade “artists” to promote the Obama agenda. According to documents uncovered by Judicial Watch, the idea emerged as a direct result of the Obama campaign and enjoyed White House approval and participation. President Obama has installed a record number of “crs” in positions of power. Too many of these individuals are leftist radicals who answer to no one but the president. And too many of the crs are not subject to Senate confirmation (which raises serious constitutional questions). Under the President’s bailout schemes, the federal government continues to appropriate or control — through fiat and threats — large sectors of the private economy, prompting conservative columnist George Will to write: “The administration’s central activity — the political allocation of wealth and opportunity — is not merely susceptible to corruption, it is corruption.” Government-run healthcare and car companies, White House coercion, uninvestigated ACORN corruption, debasing his office to help Chicago cronies, attacks on conservative media and the private sector, unprecedented and dangerous new rights for terrorists, perks for campaign donors — this is Obama’s “ethics” record — and we haven’t even gotten through the first year of his presidency.

8. **Rep. Nancy Pelosi (D-CA):** At the heart of the corruption problem in Washington is a sense of entitlement. Politicians believe laws and rules (even the U.S. Constitution) apply to the rest of us but not to them. Case in point: House Speaker Nancy Pelosi and her excessive and boorish demands for military travel. Judicial Watch obtained documents from the Pentagon in 2009 that suggest Pelosi has been treating the Air Force like her own personal airline. These documents, obtained through the Freedom of Information Act, include internal Pentagon email correspondence detailing attempts by Pentagon staff to accommodate Pelosi’s numerous requests for military escorts and military aircraft as well as the speaker’s 11th hour cancellations and changes. House Speaker Nancy Pelosi also came under fire in April 2009, when she claimed she was never briefed about the CIA’s use of the waterboarding technique during terrorism investigations. The CIA produced a report documenting a briefing with Pelosi on September 4, 2002, that suggests otherwise. Judicial Watch also obtained documents, including a CIA Inspector General report, which further confirmed that Congress was fully briefed on the enhanced interrogation techniques. Aside from her own personal transgressions, Nancy Pelosi has

ignored serious incidents of corruption within her own party, including many of the individuals on this list. (See Rangel, Murtha, Jesse Jackson, Jr., etc.)

9. **Rep. John Murtha (D-PA) and the rest of the PMA Seven:** Rep. John Murtha made headlines in 2009 for all the wrong reasons. The Pennsylvania congressman is under federal investigation for his corrupt relationship with the now-defunct defense lobbyist PMA Group. PMA, founded by a former Murtha associate, has been the congressman's largest campaign contributor. Since 2002, Murtha has raised \$1.7 million from PMA and its clients. And what did PMA and its clients receive from Murtha in return for their generosity? Earmarks — tens of millions of dollars in earmarks. In fact, even with all of the attention surrounding his alleged influence peddling, Murtha kept at it. Following an FBI raid of PMA's offices earlier in 2009, Murtha continued to seek congressional earmarks for PMA clients, while also hitting them up for campaign contributions. According to *The Hill*, in April, "Murtha reported receiving contributions from three former PMA clients for whom he requested earmarks in the pending appropriations bills." When it comes to the PMA scandal, Murtha is not alone. As many as six other Members of Congress are currently under scrutiny according to *The Washington Post*. They include: Peter J. Visclosky (D-IN.), James P. Moran Jr. (D-VA), Norm Dicks (D-WA.), Marcy Kaptur (D-OH), C.W. Bill Young (R-FL.) and Todd Tiahrt (R-KS.). Of course rather than investigate this serious scandal, according to *Roll Call* House Democrats circled the wagons, "cobbling together a defense to offer political cover to their rank and file." The Washington Post also reported in 2009 that Murtha's nephew received \$4 million in Defense Department no-bid contracts: "Newly obtained documents...show Robert Murtha mentioning his influential family connection as leverage in his business dealings and holding unusual power with the military."

10. **Rep. Charles Rangel (D-NY):** Rangel, the man in charge of writing tax policy for the entire country, has yet to adequately explain how he could possibly "forget" to pay taxes on \$75,000 in rental income he earned from his off-shore rental property. He also faces allegations that he improperly used his influence to maintain ownership of highly coveted rent-controlled apartments in Harlem, and misused his congressional office to fundraise for his private Rangel Center by preserving a tax loophole for an oil drilling company in exchange for funding. On top of all that, Rangel recently amended his financial disclosure reports, which doubled his reported wealth. (He somehow "forgot" about \$1 million in assets.) And what did he do when the House Ethics Committee started looking into all of this? He apparently resorted to making "campaign contributions" to dig his way out of trouble. According to *WCBS TV*, a New York CBS affiliate: "The reigning member of Congress' top tax committee is apparently 'wrangling' other politicos to get him out of his own financial and tax troubles... Since ethics probes began last year the 79-year-old congressman has given campaign donations to 119 members of Congress, including three of the five Democrats on the House Ethics Committee who are charged with investigating him." Charlie Rangel should not be allowed to remain in Congress, let alone serve as Chairman of the powerful House Ways and Means Committee, and he knows it. That's why he felt the need to disburse campaign contributions to Ethics Committee members and other congressional colleagues.

# Judicial Watch Announces List of Washington's "Ten Most Wanted Corrupt Politicians" for 2008

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**Washington, DC — December 31, 2008**

Judicial Watch, the public interest group that investigates and prosecutes government corruption, today released its 2008 list of Washington's "Ten Most Wanted Corrupt Politicians." The list, *in alphabetical order*, includes:

**Senator Hillary Clinton (D-NY):** Let's start with the fact that Hillary Clinton is constitutionally ineligible to serve as Secretary of State in the Obama administration. According to the Ineligibility Clause of the United States Constitution, no member of Congress can be appointed to an office that has benefited from a salary increase during the time that Senator or Representative served in Congress. A January 2008 Executive Order signed by President Bush during Hillary Clinton's current Senate term increased the salary for Secretary of State, thereby rendering Senator Clinton ineligible for the position. (Congressional "fixes" do not address the constitutional issue. Her appointment would be in violation of the U.S. Constitution.) And then, of course, there is the long history of corrupt behavior that follows Hillary wherever she goes, including Chinagate, Filegate, pardons for terrorists, pardons for cash (for her brothers), White House fundraising coffees, Whitewater, Travelgate lies, doing business with the State of Arkansas while her husband was governor, Web Hubbell, smear campaigns, false financial disclosure forms, John Huang, Chinese generals, the Lippo Group, paid sleepovers in the Lincoln Bedroom, cattle futures fraud, and stealing White House furniture. (This corruption is still going strong. In 2008, Hillary also received an illegal foreign campaign contribution in the form of a fundraising concert by music icon Elton John.)

**Senator Chris Dodd (D-CT):** Question: Which member of the U.S. Senate took the most campaign money from corrupt institutions Fannie Mae and Freddie Mac? Answer: Chris Dodd, Chairman of the Senate Banking Committee. Given this fact there is little reason to wonder why Senator Dodd blocked reform proposals for Fannie and Freddie, calling them "ill advised." Dodd's willingness to protect Fannie and Freddie would alone merit a spot on the "ten most corrupt list," but there is much more. Dodd was also nabbed for accepting preferential treatment and loan terms from Countrywide Financial. The Connecticut Senator admitted earlier this year that he was told in 2003 when he refinanced two properties that he was being placed in Countrywide's "VIP Program," but said he believed this was simply a courtesy that had nothing to do with his position in the U.S. Senate. This is either a blatant lie or horribly naïve for a man

who has served in the Senate for more than 25 years and currently chairs the Senate Banking Committee that regulates the mortgage industry. We're not buying it.

**Obama Advisor Valerie Jarrett (D-IL):** CBS News once called Chicago politician Valerie Jarrett "the other side of Barack Obama's brain." Residents of a housing project in Chicago simply know her as "slumlord." Jarrett is the former manager of Grove Parc Pla, a controversial low-income housing project located in Obama's former state senate district. According to the *Boston Globe*, the housing complex was considered "uninhabitable by unfixed problems, such as collapsed roofs and fire damage... In 2006, federal inspectors graded the condition of the complex an 11 on a 100-point scale – a score so bad the buildings now face demolition." According to documents uncovered by Judicial Watch, Jarrett is also linked to a series of other shady real estate scandals involving convicted felon and former Obama fundraiser Antoin "Tony" Rezko. Jarrett has also been caught up in the Blagojevich scandal as Obama's Candidate #1 for his senate seat. Most of Blagojevich's corrupt negotiations with the Obama team centered on the possible Jarrett appointment. She remains mum on the scandal.

**Rep. Jerry Lewis (R-CA):** Rep. Lewis may share a name with a world-renowned comedian, but there's nothing funny about his addiction to influence peddling and earmarking. Lewis, the senior Republican on the House Appropriations Committee, is under investigation for approving hundreds of millions of dollars in federal projects to benefit clients of one of his best friends, lobbyist and former Congressman Bill Lowery. According to press reports, Lowery, partners in his company and their clients donated approximately 37% of the funds collected by Lewis' campaign PAC over a six-year period (an estimated \$480,000) in return. Lowery has benefited handsomely from his relationship to Lewis. His company more than tripled its income between 1998 and 2004 with help from Lewis, while increasing its client base from 21 clients to 101 over that same time period. Despite these allegations, Lewis maintains his high-ranking position on the House Appropriations Committee.

**President-Elect Barack Obama (D-IL):** As Barack Obama assumes the presidency he already brings to the White House a large amount of ethical baggage. Obama's presidential campaign had some of the ethical trimmings of a Chicago ward election. It was marked with enormous corruption issues, ranging from its alliance with the sleazy ACORN operation's "voter registration" and "get out the vote" efforts to its acceptance of untraceable, and in too many cases, illegal online contributions. There are also Obama's corrupt dealings with convicted felon Tony Rezko and unrepentant terrorist William Ayers, his below-market rate mortgage loans, his stock dealings and related "earmark" votes in the U.S. Senate, and his missing or non-existent official papers from his years in the Illinois State Senate. His ongoing cover up of his and his team's role in the Blagojevich "pay-to-play" scandal is ruining his presidency even before he takes the oath of office.

**House Speaker Nancy Pelosi (D-CA):** Last year House Speaker Nancy Pelosi made the "most corrupt" list for sneaking a \$25 million earmark for her husband into a \$15 billion Water Resources Development Act passed by Congress. This year, Pelosi ran afoul of federal election law by participating in an illegal advertising campaign funded by Al Gore's non-profit Alliance for Climate protection. The advertisement featuring Pelosi ran at least 300 times nationally, including in the House speaker's district, during campaign season, representing an illegal in-kind

contribution to her campaign. Perhaps more disturbing than this incident, however, is the fact that Speaker Pelosi has allowed corruption to run rampant in Congress and has ignored serious incidents of crooked behavior within her own party. Pelosi promised a new era of ethics enforcement during the 2006 campaign and she has failed to deliver. Instead, she continues to protect the worst of the worst of political corruption in the House of Representatives.

**Rep. Charles Rangel (D-NY):** Rep. Charles Rangel, Chairman of the powerful Ways and Means Committee, took the unusual step of filing an ethics complaint against himself in 2008 related to scandals involving unpaid taxes and rent-controlled apartments. This act was clearly a publicity stunt, but regardless, the House Ethics Committee took the New York congressman up on his request, and even took things a step further by expanding the scope of its investigation. The initial transgressions that led to the ethics panel probe involve: Rangel's failure to pay taxes on \$75,000 in rental income he earned from his off-shore rental property; his efforts to use his influence to keep hold of highly coveted rent-controlled apartments in Harlem; and misusing his congressional office to fundraise for his private Rangel Center. Now Congress is looking into whether or not Rangel preserved a tax loophole for an oil drilling company in exchange for funding for the Rangel Center as well.

**Former Rep. Rick Renzi (R-AZ):** Three-term Republican congressman Rick Renzi was indicted by a federal grand jury in 2008 for conspiracy, extortion, money laundering and wire fraud. He allegedly used his influence on a House Natural Resources Committee to orchestrate a land swap with the federal government that financially benefited himself and his associates. The 49-year-old lawmaker, who owns an insurance business, is also charged with embezzling more than \$400,000 from insurance clients to fund his congressional campaign. A 26-page federal indictment lays out how the legislator and his business associates conspired to obtain federal government land by swapping land they owned together because the coveted public land sits above underground copper deposits. The indictment says that the congressman concealed nearly \$1 million that he made for using his influence to seal the land deals. No wonder Renzi decided to retire this year.

**Former Senator Ted Stevens (R-AK):** "Uncle Ted" Stevens, the face of Alaska politics for 40 years and formerly the longest serving Republican in the U.S. Senate, was narrowly defeated in his campaign for re-election in November. But that's the least of his problems. Just days before the November election, Stevens was convicted on seven felony counts for accepting illegal gifts and then lying about it. The establishment of both political parties came to Stevens' defense, including former Secretary of State Colin Powell and Democratic Senator Daniel Inouye, but to no avail. The jury found Stevens guilty on all counts. And now Stevens faces the possibility of a 35-year prison sentence.

**Rep. Don Young (R-AK):** Carrying on Alaska's legacy of corruption, Rep. Don Young is also the subject of an influence peddling investigation. (You may recall it was Young who attempted to push through the \$200 million "Bridge to Nowhere" boondoggle.) Well the Justice Department is also investigating the 18-term congressman for his corrupt ties to an oil services company, VECO, ironically the same company that furnished illegal gifts to Senator Ted Stevens. VECO allegedly used golf tournaments and pig roasts to illegally funnel cash to Young, which the 18-term congressman then failed to report on his financial disclosure forms. VECO

Vice President Rick Smith has already pleaded guilty to bribing lawmakers to support oil-friendly legislation. The Alaska Republican also added a \$10 million earmark for the construction of short stretch of road in *Florida* that benefited a wealthy campaign contributor. Real estate developer, Daniel Aronoff, had raised \$40,000 for Young shortly before the earmark was inserted.

## DISHONORABLE MENTIONS

**Former Senator John Edwards (D-NC):** By day, former North Carolina Senator and Democratic presidential candidate John Edwards repeatedly professed his love for his cancer-stricken wife during media interviews and campaign speeches. By night, Edwards was carrying on an illicit sexual affair with a former campaign consultant, Rielle Hunter. Of course, Edwards denied the affair (calling it “tabloid trash”) even after he was trapped in the basement of the Beverly Hilton hotel by reporters from the *National Enquirer* during one of his late-night liaisons with Ms. Hunter. While Edwards did finally admit to violating his marriage vows, questions remain as to whether or not he broke any laws. Edwards’ former National Finance Chairman (who just passed away) paid large sums of money to Ms. Hunter, as much as \$15,000 per month, in addition to covering Hunter’s moving expenses. Were these “hush funds” paid out of Edwards’ campaign coffers?

**Former Rep. William “Dollar Bill” Jefferson (D-LA):** William “Dollar Bill” Jefferson was nabbed in a sting operation accepting a \$100,000 bribe from an FBI informant to broker business deals in Africa. During his conversation with the informant, who was wired, Jefferson famously remarked, “All these notes we’re writing to each other, as if the FBI is watching.” Well, the FBI was watching (and listening) and during a subsequent search of Jefferson’s home, investigators found \$90,000 in cash stuffed in the congressman’s freezer. (The marked bills were later recovered by federal authorities.) Jefferson allegedly intended to use the money to bribe a Nigerian official over a business deal that would have enriched himself and his family. Jefferson was widely expected to return to Congress despite these serious allegations. However, in a December 2008 special election surprise, voters decided instead to send “Dollar Bill” into retirement.

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*Judicial Watch is a 501(c)(3) non-profit organization. Judicial Watch neither supports nor opposes candidates for public office.*

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2007

**Judicial Watch Announces List of Washington’s “Ten Most Wanted Corrupt Politicians” for 2007**

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(Washington, DC) – Judicial Watch, the public interest group that investigates and prosecutes government corruption, today released its 2007 list of Washington’s “Ten Most Wanted Corrupt Politicians.” The list, in alphabetical order, includes:

1. **Senator Hillary Rodham Clinton (D-NY):** In addition to her long and sordid ethics record, Senator Hillary Clinton took a lot of heat in 2007 – and rightly so – for blocking the release her official White House records. Many suspect these records contain a treasure trove of information related to her role in a number of serious Clinton-era scandals. Moreover, in March 2007, Judicial Watch filed an ethics complaint against Senator Clinton for filing false financial disclosure forms with the U.S. Senate (again). And Hillary’s top campaign contributor, Norman Hsu, was exposed as a felon and a fugitive from justice in 2007. Hsu pleaded guilty to one count of grand theft for defrauding investors as part of a multi-million dollar Ponzi scheme.
2. **Rep. John Conyers (D-MI):** Conyers reportedly repeatedly violated the law and House ethics rules, forcing his staff to serve as his personal servants, babysitters, valets and campaign workers while on the government payroll. While the House Ethics Committee investigated these allegations in 2006, and substantiated a number of the accusations against Conyers, the committee blamed the staff and required additional administrative record-keeping and employee training. Judicial Watch obtained documentation in 2007 from a former Conyers staffer that sheds new light on the activities and conduct on the part of the Michigan congressman, which appear to be at a minimum inappropriate and likely unlawful. Judicial Watch called on the Attorney General in 2007 to investigate the matter.
3. **Senator Larry Craig (R-ID):** In one of the most shocking scandals of 2007, Senator Craig was caught by police attempting to solicit sex in a Minneapolis International Airport men’s bathroom during the summer. Senator Craig reportedly “sent signals” to a police officer in an adjacent stall that he wanted to engage in sexual activity. When the police officer showed Craig his police identification under the bathroom stall divider and pointed toward the exit, the senator reportedly exclaimed ‘No!’” When asked to produce identification, Craig presented police his U.S. Senate business card and said, “What do you think of that?” The power play didn’t work. Craig was arrested, charged and entered a guilty plea. Despite enormous pressure from his Republican colleagues to resign from the Senate, Craig refused.
4. **Senator Diane Feinstein (D-CA):** As a member of the Senate Appropriations Committee’s subcommittee on military construction, Feinstein reviewed military construction government contracts, some of which were ultimately awarded to URS Corporation and Perini, companies then owned by Feinstein’s husband, Richard Blum. While the Pentagon ultimately awards military contracts, there is a reason for the review process. The Senate’s subcommittee on Military Construction’s approval carries weight. Sen. Feinstein, therefore, likely had influence over the decision making process. Senator Feinstein also attempted to undermine ethics reform in 2007, arguing in favor of a perk that allows members of Congress to book multiple airline

flights and then cancel them without financial penalty. Judicial Watch's investigation into this matter is ongoing.

**5. Former New York Mayor Rudy Giuliani (R-NY):** Giuliani came under fire in late 2007 after it was discovered the former New York mayor's office "billed obscure city agencies for tens of thousands of dollars in security expenses amassed during the time when he was beginning an extramarital relationship with future wife Judith Nathan in the Hamptons..." ABC News also reported that Giuliani provided Nathan with a police vehicle and a city driver at taxpayer expense. All of this news came on the heels of the federal indictment on corruption charges of Giuliani's former Police Chief and business partner Bernard Kerik, who pleaded guilty in 2006 to accepting a \$165,000 bribe in the form of renovations to his Bronx apartment from a construction company attempting to land city contracts.

**6. Governor Mike Huckabee (R-AR):** Governor Huckabee enjoyed a meteoric rise in the polls in December 2007, which prompted a more thorough review of his ethics record. According to The Associated Press: "[Huckabee's] career has also been colored by 14 ethics complaints and a volley of questions about his integrity, ranging from his management of campaign cash to his use of a nonprofit organization to subsidize his income to his destruction of state computer files on his way out of the governor's office." And what was Governor Huckabee's response to these ethics allegations? Rather than cooperating with investigators, Huckabee sued the state ethics commission twice and attempted to shut the ethics process down.

**7. I. Lewis "Scooter" Libby:** Libby, former Chief of Staff to Vice President Dick Cheney, was sentenced to 30 months in prison and fined \$250,000 for lying and obstructing the Valerie Plame CIA leak investigation. Libby was found guilty of four felonies — two counts of perjury, one count of making false statements to the FBI and one count of obstructing justice — all serious crimes. Unfortunately, Libby was largely let off the hook. In an appalling lack of judgment, President Bush issued "Executive Clemency" to Libby and commuted the sentence.

**8. Senator Barack Obama (D-IL):** A "Dishonorable Mention" last year, Senator Obama moves onto the "ten most wanted" list in 2007. In 2006, it was discovered that Obama was involved in a suspicious real estate deal with an indicted political fundraiser, Antoin "Tony" Rezko. In 2007, more reports surfaced of deeper and suspicious business and political connections. It was reported that just two months after he joined the Senate, Obama purchased \$50,000 worth of stock in speculative companies whose major investors were his biggest campaign contributors. One of the companies was a biotech concern that benefited from legislation Obama pushed just two weeks after the senator purchased \$5,000 of the company's shares. Obama was also nabbed conducting campaign business in his Senate office, a violation of federal law.

**9. Rep. Nancy Pelosi (D-CA):** House Speaker Nancy Pelosi, who promised a new era of ethics enforcement in the House of Representatives, snuck a \$25 million gift to her husband, Paul Pelosi, in a \$15 billion Water Resources Development Act recently passed by Congress. The pet project involved renovating ports in Speaker Pelosi's home base of San Francisco. Pelosi just happens to own apartment buildings near the areas targeted for improvement, and will almost certainly experience a significant boost in property value as a result of Pelosi's earmark. Earlier

in the year, Pelosi found herself in hot water for demanding access to a luxury Air Force jet to ferry the Speaker and her entourage back and forth from San Francisco non-stop, in unprecedented request which was wisely rejected by the Pentagon. And under Pelosi's leadership, the House ethics process remains essentially shut down – which protects members in both parties from accountability.

**10. Senator Harry Reid (D-NV):** Over the last few years, Reid has been embroiled in a series of scandals that cast serious doubt on his credibility as a self-professed champion of government ethics, and 2007 was no different. According to The Los Angeles Times, over the last four years, Reid has used his influence in Washington to help a developer, Harvey Whittemore, clear obstacles for a profitable real estate deal. As the project advanced, the Times reported, "Reid received tens of thousands of dollars in campaign contributions from Whittemore." Whittemore also hired one of Reid's sons (Leif) as his personal lawyer and then promptly handed the junior Reid the responsibility of negotiating the real estate deal with federal officials. Leif Reid even called his father's office to talk about how to obtain the proper EPA permits, a clear conflict of interest.

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**Washington, DC — December 22, 2006**

Judicial Watch, the public interest group that investigates and prosecutes government corruption, today released its 2006 list of Washington's "Ten Most Wanted Corrupt Politicians." The list, in alphabetical order, includes:

- **Jack Abramoff, Former Lobbyist** — Abramoff is at the center of a massive public corruption investigation by the Department of Justice that, in the end, could involve as many as a dozen members of Congress. Abramoff pleaded guilty to conspiracy, fraud and a host of other charges on January 3, 2006, and was sent to prison in November to serve a five-year, 10-month sentence for defrauding banks of \$23 million in Florida in 2000.
- **Sen. Hillary Clinton (D-NY)** — In January 2006, Hillary Clinton's fundraising operation was fined \$35,000 by the Federal Election Commission for failing to accurately report more than \$700,000 in contributions to Clinton's Senate 2000 campaign. New information also surfaced in 2006 raising more questions about Hillary and her brother

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