

signed to an agency under chapter 37 of title 5, from continuing to receive pay and benefits from such organization in accordance with such chapter.

(2) For purposes of this subsection, the term “agency” means an agency (as defined by section 3701 of title 5) and the Office of the Chief Technology Officer of the District of Columbia.

(h) This section does not prohibit a member of the reserve components of the armed forces on active duty pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13) of title 10 from receiving from any person that employed such member before the call or order to active duty any payment of any part of the salary or wages that such person would have paid the member if the member’s employment had not been interrupted by such call or order to active duty.

(Added Pub. L. 87-849, §1(a), Oct. 23, 1962, 76 Stat. 1125; amended Pub. L. 96-174, Dec. 29, 1979, 93 Stat. 1288; Pub. L. 97-171, Apr. 13, 1982, 96 Stat. 67; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 99-646, §70, Nov. 10, 1986, 100 Stat. 3617; Pub. L. 101-194, title IV, §406, Nov. 30, 1989, 103 Stat. 1753; Pub. L. 101-647, title XXXV, §3510, Nov. 29, 1990, 104 Stat. 4922; Pub. L. 103-322, title XXXIII, §330008(7), Sept. 13, 1994, 108 Stat. 2143; Pub. L. 107-273, div. A, title III, §302(3), Nov. 2, 2002, 116 Stat. 1781; Pub. L. 107-347, title II, §209(g)(2), Dec. 17, 2002, 116 Stat. 2932; Pub. L. 108-375, div. A, title VI, §663, Oct. 28, 2004, 118 Stat. 1974.)

REFERENCES IN TEXT

Section 501 of the Internal Revenue Code of 1986, referred to in subsec. (f), is classified to section 501 of Title 26, Internal Revenue Code.

PRIOR PROVISIONS

A prior section 209, act June 25, 1948, ch. 645, 62 Stat. 693, related to an offer of a bribe to a witness, prior to the general amendment of this chapter by Pub. L. 87-849 and is substantially covered by section 201.

Provisions similar to those comprising this section were contained in section 1914 of this title prior to the repeal of such section and the general amendment of this chapter by Pub. L. 87-849.

AMENDMENTS

2004—Subsec. (h). Pub. L. 108-375 added subsec. (h).

2002—Subsec. (a). Pub. L. 107-273, in second par., substituted “makes” for “or makes” and “supplements, the salary of any” for “supplements the salary of, any”.

Subsec. (g). Pub. L. 107-347 added subsec. (g).

1994—Subsec. (d). Pub. L. 103-322 struck out “the” before “chapter 41”.

1990—Subsec. (d). Pub. L. 101-647 substituted “chapter 41 of title 5” for “Government Employees Training Act (Public Law 85-507, 72 Stat. 327; 5 U.S.C. 2301-2319, July 7, 1958)”.

1989—Subsec. (a). Pub. L. 101-194 substituted at end “Shall be subject to the penalties set forth in section 216 of this title.” for “Shall be fined not more than \$5,000 or imprisoned not more than one year, or both.”

1986—Subsec. (e). Pub. L. 99-646 inserted “or, in the case of participants in overseas assignments, in excess of three hundred and sixty-five days”.

Subsec. (f). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

1982—Subsec. (f). Pub. L. 97-171 added subsec. (f).

1979—Subsec. (e). Pub. L. 96-174 added subsec. (e).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-347 effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set

out as an Effective Date note under section 3601 of Title 44, Public Printing and Documents.

EFFECTIVE DATE

Section effective 90 days after Oct. 23, 1962, see section 4 of Pub. L. 87-849, set out as a note under section 201 of this title.

EXEMPTIONS

Exemptions from former section 1914 of this title deemed to be exemptions from this section, see section 2 of Pub. L. 87-849, set out as a note under section 203 of this title.

PROMULGATION OF REGULATIONS

Responsibility of Office of Government Ethics for promulgating regulations and interpreting this section, see section 201(c) of Ex. Ord. No. 12674, Apr. 12, 1989, 54 F.R. 15159, as amended, set out as a note under section 7301 of Title 5, Government Organization and Employees.

§ 210. Offer to procure appointive public office

Whoever pays or offers or promises any money or thing of value, to any person, firm, or corporation in consideration of the use or promise to use any influence to procure any appointive office or place under the United States for any person, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 694, §210, formerly §214; renumbered §210, Pub. L. 87-849, §1(b), Oct. 23, 1962, 76 Stat. 1125; Pub. L. 103-322, title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on Title 18, U. S.C., 1940 ed., §§149 and 151 (Dec. 11, 1926, c. 3, §§1, 3, 44 Stat. 918).

Changes of style and substance were made in this section.

Term “or place” was inserted after words “appointive office” in order to give broader scope to the section and also to follow the phraseology used in similar provisions of section 202 of Title 18, U.S.C., 1940 ed., now section 216 [repealed] of this title. (See 46 Corpus Juris 924, where it is explained that the work “places” is used in a less technical sense than the word “offices”.)

The punishment provision, added at the end of this section and section 215 [now section 211] of this title to secure uniformity of style throughout this chapter, was originally enacted as a separate section, incorporating the other two by reference. 80th Congress House Report No. 304.

PRIOR PROVISIONS

A prior section 210, act June 25, 1948, ch. 645, 62 Stat. 693, related to acceptance of a bribe by a witness, prior to the general amendment of this chapter by Pub. L. 87-849 and is substantially covered in revised section 201.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

§ 211. Acceptance or solicitation to obtain appointive public office

Whoever solicits or receives, either as a political contribution, or for personal emolument, any money or thing of value, in consideration of the promise of support or use of influence in obtaining for any person any appointive office or place under the United States, shall be fined