

Statement of

# The Honorable Patrick Leahy

United States Senator  
Vermont  
October 25, 2007

Opening Statement Of Chairman Patrick Leahy  
On Committee Consideration  
Of The Public Corruption Prosecution Improvements Act of 2007  
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Today, the Committee has the opportunity to consider the bipartisan "Public Corruption Prosecution Improvements Act of 2007," a bill that I introduced with Senator Cornyn to strengthen and clarify key aspects of federal criminal law and provide new tools to help law enforcement attack public corruption nationwide. I thank Senator Sessions for joining today as a cosponsor.

Congress took an important step in restoring Americans' faith in their elected officials earlier this year by passing long-awaited ethics and lobbying reforms to tighten restrictions on those of us who hold public office, as well as those who seek to lobby us on behalf of private industry. But rooting out the kinds of rampant public corruption we have seen in recent years requires us to go further, and to give law enforcement the resources it needs to effectively investigate and prosecute public corruption crimes.

The most serious corruption cannot be prevented only by changing our own rules. Bribery and extortion, in all branches and at all levels of government, are committed by people bent on getting around the rules and banking that they will not get caught. These offenses are very difficult to detect and even harder to prove. Because they attack the core of our democracy, these offenses must be found out and punished.

Congress must send a strong signal that it will not tolerate this corruption by providing better tools for federal investigators and prosecutors to combat it. This bill will do exactly that.

The bill will improve the prosecution of public corruption offenses in three ways. First, it gives investigators and prosecutors more time and resources to effectively enforce existing anti-corruption laws.

The bill extends the statute of limitations for the most serious public corruption offenses.

The bill would also provide significant and much-needed additional funding for public corruption enforcement. FBI Director Mueller has said recently that public corruption is now among the FBI's top investigative priorities, but a September 2005 report by the Department of Justice Inspector General found that, from 2000 to 2004, there was an overall reduction in public corruption matters handled by the FBI.

More recently, a study by the research group Transactional Records Access Clearinghouse (TRAC) found that the prosecution of all kinds of white collar crimes is down 27 percent since 2000, and official corruption cases have dropped in the same period by 14 percent. Manpower and funding shortages have caused these declines.

The bill goes further by amending several key statutes to broaden their application in corruption and fraud contexts. This series of fixes will prevent corrupt public officials and their accomplices from evading or defeating prosecution. And it raises the statutory maximum penalties for several statutes dealing with official misconduct, including theft of government property and bribery.

This bipartisan bill has received the support of the Department of Justice, as well as from a wide array of public interest groups that have long advocated for vigorous enforcement of our fraud and public corruption laws, including the Campaign Legal Center, Common Cause, Democracy 21, the League of Women Voters, Public Citizen, and U.S. PIRG.

If we are serious about addressing the kinds of egregious misconduct that we have recently witnessed in high-profile public corruption cases, Congress must enact meaningful legislation to give investigators and prosecutors the tools and resources they need to enforce our laws. I hope all Members will join Senator Cornyn and me in supporting this bill so that the Committee can promptly report it to the Senate.

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