

Review Questions

Feb. 25, 2014

1. In a fit of legislative frustration after several high-profile incidents of corruption and bribery of federal officials by corporations, Congress passes a statute that bars any corporation previously convicted of a federal or state criminal bribery offense from obtaining a contract with the U.S. government. This type of debarment can be a death knell for vulnerable corporations. Which interpretative canons would apply to this statute?
 - a. The presumption against retroactivity.
 - b. The federalism clear statement rule.
 - c. The rule of lenity.
 - d. The presumption against preemption.
 - e. All of the above.
 - f. None of the above.

2. The United States wishes to extradite “El Chapo”, the leader of a vicious Mexican drug cartel, to face criminal charges for manufacturing and distributing drugs in Mexico. Other criminals allegedly purchased and conveyed these drugs into the United States for ultimate use. As his defense counsel, which canons of construction would offer the strongest arguments against the U.S. prosecution? What other facts might you need to make your arguments?
 - a. _____

 - b. _____