published in the Federal Register, during any period designated in such a proclamation, shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89–81, title II, § 212(a), July 23, 1965, 79 Stat. 257; amended Pub. L. 103–322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $10,000''.

EFFECTIVE DATE

Section 212(c) of Pub. L. 89–81 provided that: ''The amendments made by this section [enacting this section] shall apply only with respect to loans made, renewed, or increased on or after the 31st day after the date of enactment of this Act [July 23, 1965].''

CHAPTER 17A—COMMON CARRIER OPERATION UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Sec.
341. Definitions.
342. Operation of a common carrier under the influence of alcohol or drugs.
343. Presumptions.

§ 341. Definitions

As used in this chapter, the term ''common carrier'' means a locomotive, a rail carrier, a sleeping car carrier, a bus transporting passengers in interstate commerce, a water common carrier, and an air common carrier.

(Added Pub. L. 99–570, title I, § 1971(a), Oct. 27, 1986, 100 Stat. 3207–59; amended Pub. L. 100–690, title VI, § 6482(a), Nov. 18, 1988, 102 Stat. 4382.)

AMENDMENTS

1988—Pub. L. 100–690 inserted ''locomotive, a'' after ''means a''.

§ 342. Operation of a common carrier under the influence of alcohol or drugs

Whoever operates or directs the operation of a common carrier while under the influence of alcohol or any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), shall be imprisoned not more than fifteen years or fined under this title, or both.

(Added Pub. L. 99–570, title I, § 1971(a), Oct. 27, 1986, 100 Stat. 3207–59; amended Pub. L. 100–690, title VI, §§ 6473(a), (b), 6482(b), Nov. 18, 1988, 102 Stat. 4379, 4382.)

AMENDMENTS

1988—Pub. L. 100–690 substituted ''any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802))'' for ''drugs'', ''fifteen'' for ''five'', and ''fined under this title'' for ''fined not more than $10,000''.

§ 343. Presumptions

For purposes of this chapter—

(1) an individual with a blood alcohol content of .10 percent or more shall be presumed to be under the influence of alcohol; and

(2) an individual shall be presumed to be under the influence of drugs if the quantity of the drug in the system of the individual would be sufficient to impair the perception, mental processes, or motor functions of the average individual.

(Added Pub. L. 99–570, title I, § 1971(a), Oct. 27, 1986, 100 Stat. 3207–59; amended Pub. L. 100–690, title VI, § 6473(c), Nov. 18, 1988, 102 Stat. 4379.)

AMENDMENTS

1988—Par. (1). Pub. L. 100–690, § 6473(c)(1), substituted ''.10 percent'' for ''.10'' and struck out ''conclusively'' after ''shall be''.

Par. (2). Pub. L. 100–690, § 6473(c)(2), struck out ''conclusively'' after ''shall be''.

CHAPTER 18—CONGRESSIONAL, CABINET, AND SUPREME COURT ASSASSINATION, KIDNAPPING, AND ASSAULT

Sec.
351. Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault; penalties.

AMENDMENTS

1994—Pub. L. 103–322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150, which directed the amendment of this title ''by striking 'kidnaping' each place it appears and inserting 'kidnapping' '', was executed by substituting ''KIDNAPPING'' for ''KIDNAPING'' in chapter heading, to reflect the probable intent of Congress.

Pub. L. 103–322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150, substituted ''kidnapping'' for ''kidnaping'' in item 351.

1982—Pub. L. 97–285, § 2(b), (c), Oct. 6, 1982, 96 Stat. 1219, substituted ''CONGRESSIONAL, CABINET, AND SUPREME COURT ASSASSINATION, KIDNAPING, AND ASSAULT'' for ''CONGRESSIONAL ASSASSINATION, KIDNAPING, AND ASSAULT'' as chapter heading and substituted ''Congressional, Cabinet, and Supreme Court assassination, kidnaping, and assault: penalties'' for ''Congressional assassination, kidnaping, and assault; penalties'' in item 351.

1971—Pub. L. 91–644, title IV, § 15, Jan. 2, 1971, 84 Stat. 1891, added chapter 18 and item 351.

§ 351. Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault; penalties

(a) Whoever kills any individual who is a Member of Congress or a Member-of-Congress-elect, a member of the executive branch of the Government who is the head, or a person nominated to be head during the pendency of such nomination, of a department listed in section 101 of title 5 or the second ranking official in such department, the Director (or a person nominated to be Director during the pendency of such nomination) or Deputy Director of Central Intelligence, a major Presidential or Vice Presidential candidate (as defined in section 3056 of this title), or a Justice of the United States, as defined in section 451 of title 28, or a person nominated to be a Justice of the United States, during the pendency of such nomination, shall be punished as provided by sections 1111 and 1112 of this title.

(b) Whoever kidnaps any individual designated in subsection (a) of this section shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(c) Whoever attempts to kill or kidnap any individual designated in subsection (a) of this sec-