of any individual results or if avoidance costs have been incurred exceeding $10,000, in the aggregate,'' for ''if damage exceeding $10,000 to the property of any individual results,'' and ''20'' for ''ten''.

Subsec. (c). Pub. L. 104–134, § 101(c) [title III, § 330(2)], substituted ''20'' for ''ten''.

Subsec. (d)(4). Pub. L. 104–134, § 101(c) [title III, § 330(3)], added par. (4).

Subsec. (e). Pub. L. 104–134, § 101(c) [title III, § 330(4)], added subsec. (e).

1994—Subsec. (c). Pub. L. 103–322 substituted ''(b)(5)'' for ''(b)(3), (4), or (5)''.

1990—Subsec. (d)(1)(D), (E). Pub. L. 101–647 struck out ''and'' at end of subpar. (D) and substituted ''; and'' for period at end of subpar. (E).

## CHAPTER 93—PUBLIC OFFICERS AND EMPLOYEES

Sec.
1901. Collecting or disbursing officer trading in public property.
1902. Disclosure of crop information and speculation thereon.
1903. Speculation in stocks or commodities affecting crop insurance.
[1904. Repealed.]
1905. Disclosure of confidential information generally.
1906. Disclosure of information from a bank examination report.
1907. Disclosure of information by farm credit examiner.
[1908. Repealed.]
1909. Examiner performing other services.
1910. Nepotism in appointment of receiver or trustee.
1911. Receiver mismanaging property.
1912. Unauthorized fees for inspection of vessels.
1913. Lobbying with appropriated moneys.
[1914. Repealed.]
1915. Compromise of customs liabilities.
1916. Unauthorized employment and disposition of lapsed appropriations.
1917. Interference with civil service examinations.
1918. Disloyalty and asserting the right to strike against the Government.
1919. False statement to obtain unemployment compensation for Federal service.
1920. False statement or fraud to obtain Federal employees' compensation.
1921. Receiving Federal employees' compensation after marriage.
1922. False or withheld report concerning Federal employees' compensation.
1923. Fraudulent receipt of payments of missing persons.
1924. Unauthorized removal and retention of classified documents or material.

AMENDMENTS

1996—Pub. L. 104–294, title VI, § 604(b)(44), Oct. 11, 1996, 110 Stat. 3509, substituted ''employees' '' for ''employee's'' in item 1920.

1994—Pub. L. 103–359, title VIII, § 808(b), Oct. 14, 1994, 108 Stat. 3454, added item 1924.

Pub. L. 103–333, title I, § 101(b)(2), Sept. 30, 1994, 108 Stat. 2548, substituted ''or fraud to obtain Federal employee's compensation'' for ''to obtain Federal employees' compensation'' in item 1920.

Pub. L. 103–322, title XXXIII, § 330004(11), Sept. 13, 1994, 108 Stat. 2141, struck out items 1904 ''Disclosure of information or speculation in securities affecting Reconstruction Finance Corporation'' and 1908 ''Disclosure of information by National Agricultural Credit Corporation examiner''.

1990—Pub. L. 101–647, title XXXV, § 3556, Nov. 29, 1990, 104 Stat. 4927, substituted ''from a bank examination report'' for ''by bank examiner'' in item 1906 and struck out item 1914 ''Salary of Government officials and employees payable only by United States''.

1966—Pub. L. 89–554, § 3(c), Sept. 6, 1966, 80 Stat. 608, added items 1916 to 1923.

### § 1901. Collecting or disbursing officer trading in public property

Whoever, being an officer of the United States concerned in the collection or the disbursement of the revenues thereof, carries on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be fined under this title or imprisoned not more than one year, or both; and shall be removed from office, and be incapable of holding any office under the United States.

(June 25, 1948, ch. 645, 62 Stat. 790; Pub. L. 103–322, title XXXIII, § 330016(1)(J), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 192 (Mar. 4, 1909, ch. 321, § 103, 35 Stat. 1107).

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $3,000''.

### § 1902. Disclosure of crop information and speculation thereon

Whoever, being an officer, employee or person acting for or on behalf of the United States or any department or agency thereof, and having by virtue of his office, employment or position, become possessed of information which might influence or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of such department or agency required to be withheld from publication until a fixed time, willfully imparts, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or agency to receive the same; or, before such information is made public through regular official channels, directly or indirectly speculates in any such product by buying or selling the same in any quantity, shall be fined under this title or imprisoned not more than ten years, or both.

No person shall be deemed guilty of a violation of any such rules, unless prior to such alleged violation he shall have had actual knowledge thereof.

(June 25, 1948, ch. 645, 62 Stat. 790; Pub. L. 103–322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 214 (Mar. 4, 1909, ch. 321, § 123, 35 Stat. 1110).

Words ''agency thereof'' were inserted in lieu of ''office thereof'' at beginning of section in conformity with section 6 of this title.

Minor changes were made in phraseology.

AMENDMENTS

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

### § 1903. Speculation in stocks or commodities affecting crop insurance

Whoever, while acting in any official capacity in the administration of any Act of Congress re-

lating to crop insurance or to the Federal Crop Insurance Corporation speculates in any agricultural commodity or product thereof, to which such enactments apply, or in contracts relating thereto, or in the stock or membership interests of any association or corporation engaged in handling, processing, or disposing of any such commodity or product, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 790; Pub. L. 103–322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 1514(b) of title 7, U.S.C., 1940 ed., Agriculture (Feb. 16, 1938, ch. 30, title V, § 514(b), 52 Stat. 76).

Words ''upon conviction thereof'' were omitted as surplusage since punishment can be imposed only after a conviction.

Minor changes were made in phraseology and translations.

AMENDMENTS

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

### [§ 1904. Repealed. Pub. L. 103–322, title XXXIII, § 330004(11), Sept. 13, 1994, 108 Stat. 2141]

Section, acts June 25, 1948, ch. 645, 62 Stat. 791; Sept. 13, 1994, Pub. L. 103–322, title XXXIII, § 330016(1)(L), 108 Stat. 2147, related to disclosure of information or speculation in securities affecting Reconstruction Finance Corporation.

### § 1905. Disclosure of confidential information generally

Whoever, being an officer or employee of the United States or of any department or agency thereof, any person acting on behalf of the Federal Housing Finance Agency, or agent of the Department of Justice as defined in the Antitrust Civil Process Act (15 U.S.C. 1311–1314), or being an employee of a private sector organization who is or was assigned to an agency under chapter 37 of title 5, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; shall be fined under this title, or imprisoned not more than one year, or both; and shall be removed from office or employment.

(June 25, 1948, ch. 645, 62 Stat. 791; Pub. L. 96–349, § 7(b), Sept. 12, 1980, 94 Stat. 1158; Pub. L. 102–550, title XIII, § 1353, Oct. 28, 1992, 106 Stat. 3970; Pub. L. 104–294, title VI, § 601(a)(8), Oct. 11, 1996, 110 Stat. 3498; Pub. L. 107–347, title II, § 209(d)(2), Dec. 17, 2002, 116 Stat. 2930; Pub. L. 110–289, div. A, title I, § 1161(d), July 30, 2008, 122 Stat. 2780.)

HISTORICAL AND REVISION NOTES

Based on section 176b of title 15, U.S.C., 1940 ed., Commerce and Trade; section 216 of title 18, U.S.C., 1940 ed.; section 1335 of title 19, U.S.C., 1940 ed., Customs Duties (R.S. § 3167; Aug. 27, 1894, ch. 349, § 24, 28 Stat. 557; Feb. 26, 1926, ch. 27, § 1115, 44 Stat. 117; June 17, 1930, ch. 497, title III, § 335, 46 Stat. 701; Jan. 27, 1938, ch. 11, § 2, 52 Stat. 8).

Section consolidates section 176b of title 15, U.S.C., 1940 ed., Commerce and Trade; section 216 of title 18, U.S.C., 1940 ed., and section 1335 of title 19, U.S.C., 1940 ed., Customs Duties.

Words ''or of any department or agency thereof'' and words ''such department or agency'' were inserted so as to eliminate any possible ambiguity as to scope of section. (See definition of ''department'' and ''agency'' in section 6 of this title.)

References to the offenses as misdemeanors, contained in all of said sections, were omitted in view of definitive section 1 of this title.

The provisions of section 216 of title 18, U.S.C., 1940 ed., relating to publication of income tax data by ''any person'', were omitted as covered by section 55(f)(1) of title 26, U.S.C., 1940 ed., Internal Revenue Code.

Minor changes were made in translations and phraseology.

REFERENCES IN TEXT

The Antitrust Civil Process Act, referred to in text, is Pub. L. 87–664, Sept. 19, 1962, 76 Stat. 548, as amended, which is classified generally to chapter 34 (§ 1311 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1311 of Title 15 and Tables.

AMENDMENTS

2008—Pub. L. 110–289 substituted ''Federal Housing Finance Agency'' for ''Office of Federal Housing Enterprise Oversight''.

2002—Pub. L. 107–347 inserted ''or being an employee of a private sector organization who is or was assigned to an agency under chapter 37 of title 5,'' after ''(15 U.S.C. 1311–1314),''.

1996—Pub. L. 104–294 substituted ''fined under this title'' for ''fined not more than $1,000''.

1992—Pub. L. 102–550 inserted ''any person acting on behalf of the Office of Federal Housing Enterprise Oversight,'' after ''or agency thereof,''.

1980—Pub. L. 96–349 provided for punishment and removal from office of an agent of the Department of Justice as defined in the Antitrust Civil Process Act for disclosure of confidential information.

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.

### § 1906. Disclosure of information from a bank examination report

Whoever, being an examiner, public or private, or a Government Accountability Office employee with access to bank examination report information under section 714 of title 31, discloses the names of borrowers or the collateral for loans of any member bank of the Federal Reserve System, any bank insured by the Federal Deposit Insurance Corporation, any branch or agency of a foreign bank (as such terms are defined in paragraphs (1) and (3) of section 1(b) of the International Banking Act of 1978), or any

organization operating under section 25 or section 25(a)[1] of the Federal Reserve Act, examined by him or subject to Government Accountability Office audit under section 714 of title 31 to other than the proper officers of such bank, branch, agency, or organization, without first having obtained the express permission in writing from the Comptroller of the Currency as to a national bank or a Federal branch or Federal agency (as such terms are defined in paragraphs (5) and (6) of section 1(b) of the International Banking Act of 1978), the Board of Governors of the Federal Reserve System as to a State member bank, an uninsured State branch or State agency (as such terms are defined in paragraphs (11) and (12) of section 1(b) of the International Banking Act of 1978), or an organization operating under section 25 or section 25(a)[1] of the Federal Reserve Act, or the Federal Deposit Insurance Corporation as to any other insured bank, including any insured branch (as defined in section 3(s) of the Federal Deposit Insurance Act),,[2] or from the board of directors of such bank or organization, except when ordered to do so by a court of competent jurisdiction, or by direction of the Congress of the United States, or either House thereof, or any committee of Congress or either House duly authorized or as authorized by section 714 of title 31 shall be fined under this title or imprisoned not more than one year or both.

(June 25, 1948, ch. 645, 62 Stat. 791; Pub. L. 95–320, § 3, July 21, 1978, 92 Stat. 393; Pub. L. 97–258, § 3(e)(1), Sept. 13, 1982, 96 Stat. 1064; Pub. L. 101–647, title XXV, § 2597(k), Nov. 29, 1990, 104 Stat. 4911; Pub. L. 103–322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814.)

HISTORICAL AND REVISION NOTES

Based on section 594 of title 12, U.S.C., 1940 ed., Banks and Banking (Dec. 23, 1913, ch. 6, § 22 [second and third sentences of second paragraph], 38 Stat. 272, 273; Sept. 26, 1918, ch. 177, § 5 [22(b), second paragraph], 40 Stat. 970; Aug. 23, 1935, ch. 614, § 326(b), 49 Stat. 716).

Other provisions of section 594 of title 12, U.S.C., 1940 ed., Banks and Banking, were consolidated with similar provisions from other sections, to form section 1909 of this title.

Changes were made in phraseology.

REFERENCES IN TEXT

Section 1(b) of the International Banking Act of 1978, referred to in text, is classified to section 3101 of Title 12, Banks and Banking.

Section 25 of the Federal Reserve Act, referred to in text, is classified to subchapter I (§ 601 et seq.) of chapter 6 of Title 12. Section 25(a) of the Federal Reserve Act, which is classified to subchapter II (§ 611 et seq.) of chapter 6 of Title 12, was renumbered section 25A of that act by Pub. L. 102–242, title I, § 142(e)(2), Dec. 19, 1991, 105 Stat. 2281.

Section 3(s) of the Federal Deposit Insurance Act, referred to in text, is classified to section 1813(s) of Title 12.

AMENDMENTS

2004—Pub. L. 108–271 substituted ''Government Accountability Office'' for ''General Accounting Office'' in two places.

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $5,000''.

1990—Pub. L. 101–647 substituted ''System, any bank insured'' for ''System, or bank insured'' and inserted '', any branch or agency of a foreign bank (as such terms are defined in paragraphs (1) and (3) of section 1(b) of the International Banking Act of 1978), or any organization operating under section 25 or section 25(a) of the Federal Reserve Act,'' after ''by the Federal Deposit Insurance Corporation'', ''branch, agency, or organization,'' after ''proper officers of such bank,'', ''or a Federal branch or Federal agency (as such terms are defined in paragraphs (5) and (6) of section 1(b) of the International Banking Act of 1978)'' after ''national bank'', '', an uninsured State branch or State agency (as such terms are defined in paragraphs (11) and (12) of section 1(b) of the International Banking Act of 1978), or an organization operating under section 25 or section 25(a) of the Federal Reserve Act'' after ''as to a State member bank'', '', including any insured branch (as defined in section 3(s) of the Federal Deposit Insurance Act),'' after ''any other insured bank'', and ''or organization'' after ''board of directors of such bank''.

1982—Pub. L. 97–258 substituted ''section 714 of title 31'' for ''section 117(e) of the Accounting and Auditing Act of 1950'' wherever appearing.

1978—Pub. L. 95–320 substituted ''from a bank examination report'' for ''by bank examiner'' in section catchline and, in text, substituted ''public or private, or a General Accounting Office employee with access to bank examination report information under section 117(e) of the Accounting and Auditing Act of 1950, discloses'' for ''public or private, discloses'', ''examined by him or subject to General Accounting Office audit under section 117(e) of the Accounting and Auditing Act of 1950 to other than'' for '', examined by him, to other than'', and ''either House duly authorized or as authorized by section 117(e) of the Accounting and Auditing Act of 1950 shall be fined'' for ''either House duly authorized, shall be fined''.

EXCEPTION AS TO TRANSFER OF FUNCTIONS

Functions vested by any provision of law in Comptroller of the Currency, referred to in this section, were not included in transfer of functions of officers, agencies, and employees of Department of the Treasury to Secretary of the Treasury, made by Reorg. Plan No. 26, of 1950, § 1, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5, Government Organization and Employees.

## § 1907. Disclosure of information by farm credit examiner

Whoever, being a farm credit examiner or any examiner, public or private, discloses the names of borrowers of any Federal land bank association or Federal land bank, or any organization examined by him under the provisions of law relating to Federal intermediate credit banks, to other than the proper officers of such institution or organization, without first having obtained express permission in writing from the Land Bank Commissioner or from the board of directors of such institution or organization, except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States or either House thereof, or any committee of Congress or either House duly authorized, shall be fined under this title or imprisoned not more than one year, or both; and shall be disqualified from holding office as a farm credit examiner.

(June 25, 1948, ch. 645, 62 Stat. 791; Pub. L. 86–168, title I, § 104(h), Aug. 18, 1959, 73 Stat. 387; Pub. L. 97–297, § 4(c), Oct. 12, 1982, 96 Stat. 1318; Pub. L. 103–322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

[1] See References in Text note below.

[2] So in original.

HISTORICAL AND REVISION NOTES

Based on sections 983 and 1124 of title 12, U.S.C., 1940 ed., Banks and Banking (July 17, 1916, ch. 245, § 31 [third and fourth sentences of third paragraph], 39 Stat. 383; July 17, 1916, ch. 245, § 211(d) [part of first sentence], as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1460; June 16, 1933, ch. 98, § 80(a), 48 Stat. 273).

Section 983 of title 12, U.S.C., 1940 ed., Banks and Banking, does not include the term ''farm credit examiner,'' as used in this section, but it relates thereto as is indicated by sections 951 and 952 of said title.

Section 1124 of title 12, U.S.C., 1940 ed., Banks and Banking, which was taken from a chapter in that title dealing with Federal intermediate credit banks, also relates to farm credit examiners as is indicated by section 1093 thereof. Even so, it was deemed advisable to retain the reference to any examiner ''public or private,'' as used in said section 1124.

For clarification, the types of associations, banks, and organizations to which section relates, were enumerated wherever referred to, and words ''examined by him under the provisions of law relating to Federal intermediate credit banks'' were inserted.

In addition, changes were made in phraseology.

The provisions relating to disqualification from holding office as an incident to violation were contained in section 1124 of title 12, U.S.C., 1940 ed., Banks and Banking.

For bribery and other provisions of section 1124 of title 12, U.S.C., 1940 ed., Banks and Banking, see sections 218 and 1909 of this title.

Other provisions of said section 983 of title 12, U.S.C., 1940 ed., were incorporated in section 221 of this title.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $5,000''.

1982—Pub. L. 97–297 substituted ''or Federal land bank'' for '', Federal land bank, or joint-stock land bank''.

1959—Pub. L. 86–168 substituted ''Federal land bank associations'' for ''national farm loan association''.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86–168 effective Dec. 31, 1959, see section 104(k) of Pub. L. 86–168.

ABOLITION OF OFFICE OF LAND BANK COMMISSIONER

The office of Land Bank Commissioner was abolished by section 636f of Title 12, Banks and Banking.

## [§ 1908. Repealed. Pub. L. 103–322, title XXXIII, § 330004(11), Sept. 13, 1994, 108 Stat. 2141]

Section, acts June 25, 1948, ch. 645, 62 Stat. 792; Sept. 13, 1994, Pub. L. 103–322, title XXXIII, § 330016(1)(K), 108 Stat. 2147, related to disclosure of information by National Agricultural Credit Corporation examiner.

## § 1909. Examiner performing other services

Whoever, being a national-bank examiner, Federal Deposit Insurance Corporation examiner, or farm credit examiner, performs any other service, for compensation, for any bank or banking or loan association, or for any officer, director, or employee thereof, or for any person connected therewith in any capacity, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 792; Pub. L. 103–322, title XXXIII, §§ 330004(12), 330016(1)(K), Sept. 13, 1994, 108 Stat. 2142, 2147.)

HISTORICAL AND REVISION NOTES

Based on sections 594, 656a, 952, 981, 1093, 1124, 1243, and 1314 of title 12, U.S.C., 1940 ed., Banks and Banking (Dec. 23, 1913, ch. 6, § 22, fourth sentence of first paragraph, and third sentence of second paragraph, 38 Stat. 272; July 17, 1916, ch. 245, §§ 28, 31 [third sentence of first paragraph], 39 Stat. 381, 383; July 17, 1916, ch. 245, §§ 208(c), 211(d), second sentence, as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1459, 1460; Sept. 26, 1918, ch. 177, § 5 [''22(b)''] 40 Stat. 970; Mar. 4, 1923, ch. 252, title II, §§ 209(c), 216(d) [second sentence], 42 Stat. 1468, 1472; Ex. Ord. No. 6084, Mar. 27, 1933; June 16, 1933, ch. 98, § 80(a), 48 Stat. 273; Aug. 23, 1935, ch. 614, § 326(b), 49 Stat. 716; Aug. 19, 1937, ch. 704, § 20, 50 Stat. 710).

Section 594 of title 12, U.S.C., 1940 ed., Banks and Banking, first paragraph, related to national-bank examiners and Federal Deposit Insurance Corporation examiners, and provided punishment for several offenses including the offense of performing services, for compensation, other than their regular duties. Section 656a of said title 12 is authority for the designation ''farm credit examiner'' included in this section, and section 1093 of said title authorizes farm credit examiners to conduct examinations in connection with contemplated transactions of Federal intermediate credit banks, to which section 1124 of said title relates.

Sections 981 and 1124 of title 12, U.S.C., 1940 ed., Banks and Banking, which relate to farm credit examiners, and section 1314 of said title, which relates to National Agricultural Credit Corporation examiners, all prohibit the performance of services, for compensation, other than regular duties. They do not specifically provide punishment for violation of such prohibition, but the provisions of said section 594 of said title, relating to national-bank examiners and Federal Deposit Insurance Corporation examiners, which does provide punishment for the same offense, are extended to the former two types of examiners by sections 952 and 1243 thereof.

The remaining provisions of sections 594, 981, 1124, and 1314 of title 12, U.S.C., 1940 ed., Banks and Banking, relating to unlawful disclosure of the names of borrowers or the collateral for loans, false statements in applications for loans, overvaluation of securities, and acceptance of loans or gratuities, were separated and transferred according to subject matter to sections 218, 1014, 1906–1908 of this title, where, insofar as possible, they were consolidated with similar provisions from other sections.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103–322, § 330016(1)(K), substituted ''fined under this title'' for ''fined not more than $5,000''.

Pub. L. 103–322, § 330004(12), inserted ''or'' before ''farm credit examiner'' and struck out ''or an examiner of National Agricultural Credit Corporations,'' before ''performs any other service''.

## § 1910. Nepotism in appointment of receiver or trustee

Whoever, being a judge of any court of the United States, appoints as receiver, or trustee, any person related to such judge by consanguinity, or affinity, within the fourth degree—

Shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, 62 Stat. 792; Pub. L. 103–322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 531 of title 28, U.S.C., 1940 ed., Judicial Code and Judiciary (Aug. 25, 1937, ch. 777, 50 Stat. 810).

Minor changes were made in phraseology.

AMENDMENTS

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

### § 1911. Receiver mismanaging property

Whoever, being a receiver, trustee, or manager in possession of any property in any cause pending in any court of the United States, willfully fails to manage and operate such property according to the requirements of the valid laws of the State in which such property shall be situated, in the same manner that the owner or possessor thereof would be bound to do if in possession thereof, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 792; Pub. L. 103–322, title XXXIII, § 330016(1)(J), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based upon section 124 of title 28, U.S.C., 1940 ed., Judicial Code and Judiciary (Mar. 3, 1911, ch. 231, § 65, 36 Stat. 1104).

Word ''trustee'' was inserted after ''receiver'' so as to make it clear that persons holding such office are included in the enumeration of court officers who are subject to the provisions of this section.

Changes were made in phraseology and arrangement, but without change of substance or meaning.

Other provisions of section 124 of title 28, U.S.C., 1940 ed., were retained in that title.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $3,000''.

### § 1912. Unauthorized fees for inspection of vessels

Whoever, being an officer, employee, or agent of the United States or any agency thereof, engaged in inspection of vessels, upon any pretense, receives any fee or reward for his services, except what is allowed to him by law, shall be fined under this title or imprisoned not more than six months, or both; and shall forfeit his office.

(June 25, 1948, ch. 645, 62 Stat. 792; Pub. L. 103–322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 196 (Mar. 4, 1909, ch. 321, § 107, 35 Stat. 1107).

The phrase ''officer or employee of the United States or any agency thereof'' was substituted for the phrase ''inspector of steamboats'' in view of 1946 Reorganization Plan No. 3, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097, abolishing inspectors and transferring their functions to the Coast Guard.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $500''.

### § 1913. Lobbying with appropriated moneys

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31.

(June 25, 1948, ch. 645, 62 Stat. 792; Pub. L. 103–322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 107–273, div. A, title II, § 205(b), Nov. 2, 2002, 116 Stat. 1778.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 201 (July 11, 1919, ch. 6, § 6, 41 Stat. 68).

Reference to ''department'' and ''agency'' was added in three instances after the words ''United States'' to remove doubt as to the scope of the section. (See definitions of ''department'' and ''agency'' in section 6 of this title.)

Reference to the offense as a misdemeanor was omitted as unnecessary in view of the definitive section 1 of this title.

Words ''on conviction thereof'' were omitted as surplusage since punishment can be imposed only after conviction.

Minor changes were made in phraseology.

AMENDMENTS

2002—Pub. L. 107–273 substituted ''a jurisdiction, or an official of any government, to favor, adopt,'' for ''to favor'', inserted '', law, ratification, policy,'' after ''legislation'' wherever appearing, struck out ''by Congress'' before '', whether before or after'', inserted '', measure,'' before ''or resolution'', substituted ''any such Member or official, at his request,'' for ''Members of Congress on the request of any Member'', inserted ''or such official'' before '', through the proper'', substituted ''for any legislation'' for ''for legislation'', substituted '', or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31.'' for period at end of first par., and struck out last par. which read as follows: ''Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined under this title or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment.''

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $500'' in last par.

### [§ 1914. Repealed. Pub. L. 87–849, § 2, Oct. 23, 1962, 76 Stat. 1126]

Section, act June 25, 1948, ch. 645, 62 Stat. 793, related to salary of Government officials and employees payable only by United States. Section was supplanted by section 209 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 90 days after Oct. 23, 1962, see section 4 of Pub. L. 87–849, set out as an Effective Date note under section 201 of this title.

## § 1915. Compromise of customs liabilities

Whoever, being an officer of the United States, without lawful authority compromises or abates or attempts to compromise or abate any claim of the United States arising under the customs laws for any fine, penalty or forfeiture, or in any manner relieves or attempts to relieve any person, vessel, vehicle, merchandise or baggage therefrom, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 793; Pub. L. 103–322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 1616 of title 19, U.S.C., 1940 ed., Customs Duties (June 17, 1930, ch. 497, title IV, § 616, 46 Stat. 757).

Designation of the offense as a felony was omitted as unnecessary in view of definitive section 1 of this title. (See reviser's note under section 550 of this title.)

Words ''and upon conviction thereof'' were also omitted as unnecessary, since punishment could not be imposed until after conviction.

Changes were made in phraseology.

REFERENCES IN TEXT

The customs laws, referred to in text, are classified generally to Title 19, Customs Duties.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $5,000''.

## § 1916. Unauthorized employment and disposition of lapsed appropriations

Whoever—

(1) violates the provision of section 3103 of title 5 that an individual may be employed in the civil service in an Executive department at the seat of Government only for services actually rendered in connection with and for the purposes of the appropriation from which he is paid; or

(2) violates the provision of section 5501 of title 5 that money accruing from lapsed salaries or from unused appropriations for salaries shall be covered into the Treasury of the United States;

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

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 608; amended Pub. L. 104–294, title VI, § 601(a)(8), Oct. 11, 1996, 110 Stat. 3498; Pub. L. 107–273, div. B, title III, § 3002(a)(3), Nov. 2, 2002, 116 Stat. 1805.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 5 U.S.C. 47 (less so much as relates to removal). | Aug. 23, 1912, ch. 350, § 5 (less so much as relates to removal), 37 Stat. 414. |
| ..... | 5 U.S.C. 50 (2d sentence, less so much as relates to removal). | |

The statement of the acts prohibited is supplied from section 4 of the Act of Aug. 5, 1882, ch. 389, 22 Stat. 255, as amended June 22, 1906, ch. 3514, §§ 6, 8, 34 Stat. 449, and Sept. 23, 1950, ch. 1010, § 7, 64 Stat. 986, which is codified in sections 3103 and 5501 of title 5, United States Code.

The words ''upon conviction thereof'' are omitted as unnecessary because punishment can be imposed only after conviction.

AMENDMENTS

2002—Pub. L. 107–273 inserted '', or both'' after ''year'' in concluding provisions.

1996—Pub. L. 104–294 substituted ''fined under this title'' for ''fined not more than $1,000'' in concluding provisions.

## § 1917. Interference with civil service examinations

Whoever, being a member or employee of the United States Office of Personnel Management or an individual in the public service, willfully and corruptly—

(1) defeats, deceives, or obstructs an individual in respect of his right of examination according to the rules prescribed by the President under title 5 for the administration of the competitive service and the regulations prescribed by such Office under section 1302(a) of title 5;

(2) falsely marks, grades, estimates, or reports on the examination or proper standing of an individual examined;

(3) makes a false representation concerning the mark, grade, estimate, or report on the examination or proper standing of an individual examined, or concerning the individual examined; or

(4) furnishes to an individual any special or secret information for the purpose of improving or injuring the prospects or chances of an individual examined, or to be examined, being appointed, employed, or promoted;

shall, for each offense, be fined under this title not less than $100 or imprisoned not less than ten days nor more than one year, or both.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 609; amended Pub. L. 103–322, title XXXIII, § 330010(2), Sept. 13, 1994, 108 Stat. 2143; Pub. L. 104–294, title VI, § 601(a)(9), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 5 U.S.C. 637. | Jan. 16, 1883, ch. 27, § 5, 22 Stat. 405. |

The section is rewritten to conform to the style of title 18. The words ''a member or employee of the United States Civil Service Commission'' are coextensive with and substituted for ''Civil Service Commissioner, examiner, copyist, or messenger''.

The references to actions in concert with others to violate this section are omitted in view of the crime of conspiracy contained in chapter 19 of title 18.

In paragraph (1), the words ''the rules prescribed by the President under title 5 for the administration of the competitive service and the regulations prescribed by the Commission under section 1302(a) of title 5'' are substituted for ''any such rules or regulations'' to provide the basis of reference.

The words ''be deemed guilty of a misdemeanor'' are omitted as unnecessary in view of the definitive section

1 of this title. (See reviser's note under 18 U.S.C. 212, 1964 ed.)

The words ''and upon conviction thereof'' are omitted as unnecessary because punishment can be imposed only after conviction.

The words ''or both'' are substituted for ''or by both such fine and imprisonment''.

AMENDMENTS

1996—Pub. L. 104–294 substituted ''fined under this title not less than $100'' for ''fined not less than $100 nor more than $1,000'' in concluding provisions.

1994—Pub. L. 103–322 substituted ''Office of Personnel Management'' for ''Civil Service Commission'' in introductory provisions and ''such Office'' for ''the Commission'' in par. (1).

## § 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.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 609; amended Pub. L. 104–294, title VI, § 601(a)(8), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 5 U.S.C. 118r.<br>[Uncodified.] | Aug. 9, 1955, ch. 690, § 3, 69 Stat. 625.<br>June 29, 1956, ch. 479, § 3 (as applicable to the Act of Aug. 9, 1955, ch. 690, § 3, 69 Stat. 625), 70 Stat. 453. |

The section is rewritten to conform to the style of title 18. The statement of the acts prohibited is supplied from the Act of Aug. 9, 1955, ch. 690, § 1, 69 Stat. 624, which is codified in section 7311 of title 5, United States Code.

The words ''From and after July 1, 1956'', appearing in the Act of June 29, 1956, are omitted as executed.

The words ''shall be guilty of a felony'' are omitted as unnecessary in view of the definitive section 1 of this title. (See reviser's note under section 550 of this title.)

AMENDMENTS

1996—Pub. L. 104–294 substituted ''fined under this title'' for ''fined not more than $1,000'' in concluding provisions.

## § 1919. False statement to obtain unemployment compensation for Federal service

Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under chapter 85 of title 5 or under an agreement thereunder, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 609.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 42 U.S.C. 1368(a). | Sept. 1, 1954, ch. 1212, § 4(a) ''Sec. 1508(a)'', 68 Stat. 1135. |

The words ''under chapter 85 of title 5'' are substituted for ''under this title'' (Title XV of the Social Security Act, as amended) to reflect the codification of the Title in title 5, United States Code.

## § 1920. False statement or fraud to obtain Federal employees' compensation

Whoever knowingly and willfully falsifies, conceals, or covers up a material fact, or makes a false, fictitious, or fraudulent statement or representation, or makes or uses a false statement or report knowing the same to contain any false, fictitious, or fraudulent statement or entry in connection with the application for or receipt of compensation or other benefit or payment under subchapter I or III of chapter 81 of title 5, shall be guilty of perjury, and on conviction thereof shall be punished by a fine under this title, or by imprisonment for not more than 5 years, or both; but if the amount of the benefits falsely obtained does not exceed $1,000, such person shall be punished by a fine under this title, or by imprisonment for not more than 1 year, or both.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103–322, title XXXIII, § 330016(1)(I), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 103–333, title I, § 101(b)(1), Sept. 30, 1994, 108 Stat. 2547; Pub. L. 104–294, title VI, § 601(a)(10), Oct. 11, 1996, 110 Stat. 3498; Pub. L. 107–273, div. B, title IV, § 4002(f)(2), Nov. 2, 2002, 116 Stat. 1811.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 5 U.S.C. 789. | Sept. 7, 1916, ch. 458, § 39, 39 Stat. 749.<br>Oct. 14, 1949, ch. 691, § 103(b), 63 Stat. 855. |

The word ''That'' in the Act of Sept. 7, 1916, is omitted as unnecessary.

The words ''under section 8106 of title 5'' are substituted for ''under section 754 of this title'' to reflect the codification of the section in title 5, United States Code. The words ''a claim for compensation under subchapter I of chapter 81 of title 5'' are substituted for ''any claim for compensation'' for clarity.

The words ''or both'' are substituted for ''or by both such fine and imprisonment''.

Minor changes in phraseology are made to conform to the style of title 18.

AMENDMENTS

2002—Pub. L. 107–273 substituted ''employees' '' for ''employee's'' in section catchline.

1996—Pub. L. 104–294 substituted ''fine under this title'' the first place it appears for ''fine of not more

than $250,000'' and ''fine under this title'' the second place it appears for ''fine of not more than $100,000''.

1994—Pub. L. 103–333 substituted ''False statement or fraud to obtain Federal employee's compensation'' for ''False statement to obtain Federal employees' compensation'' as section catchline and amended text generally. Prior to amendment, text read as follows: ''Whoever makes, in an affidavit or report required by section 8106 of title 5 or in a claim for compensation under subchapter I of chapter 81 of title 5, a statement, knowing it to be false, is guilty of perjury and shall be fined under this title or imprisoned not more than one year, or both.''

Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $2,000''.

## § 1921. Receiving Federal employees' compensation after marriage

Whoever, being entitled to compensation under sections 8107–8113 and 8133 of title 5 and whose compensation by the terms of those sections stops or is reduced on his marriage or on the marriage of his dependent, accepts after such marriage any compensation or payment to which he is not entitled shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103–322, title XXXIII, § 330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 5 U.S.C. 760(L). | Sept. 7, 1916, ch. 458, § 10(L) 39 Stat. 745. Oct. 14, 1949, ch. 691, § 106(e), 63 Stat. 860. |

The word ''Whoever'' is substituted for ''If any person'' to conform to the style of title 18.

The words ''under sections 8107–8113 and 8133 of title 55'' are substituted for ''under this section or section 755 or 756 of this title'' to reflect the codification of the sections in title 5, United States Code.

The words ''or both'' are substituted for ''or by both such fine and imprisonment''.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $2,000''.

## § 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.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103–322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 5 U.S.C. 774(b). | Sept. 13, 1960, Pub. L. 86–767, § 206, 74 Stat. 908. |

The words ''the reports of the immediate superior specified in section 8120 of title 5'' are substituted for ''the reports specified in subsection (a) of this section'' to reflect the codification of that subsection in title 5, United States Code.

The words ''subchapter I of chapter 81 of title 5'' and ''that subchapter'' are substituted for ''sections 751–756, 757–781, 783–791, and 793 of this title'' and ''said sections'', respectively, to reflect the codification of the sections in title 5, United States Code.

The words ''shall be guilty of a misdemeanor'' are omitted as unnecessary in view of the definitive section 1 of this title. (See reviser's note under 18 U.S.C. 212, 1964 ed.)

The words ''and upon conviction thereof'' are omitted as unnecessary because punishment can be imposed only after conviction.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $500''.

## § 1923. Fraudulent receipt of payments of missing persons

Whoever obtains or receives any money, check, or allotment under—

(1) subchapter VII of chapter 55 of title 5; or

(2) chapter 10 of title 37;

without being entitled thereto, with intent to defraud, shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89–554, § 3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103–322, title XXXIII, § 330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

| *Derivation* | *U.S. Code* | *Revised Statutes and Statutes at Large* |
|---|---|---|
| ..... | 50A U.S.C. 1008. | Mar. 7, 1942, ch. 166, § 8, 56 Stat. 145. |

Clauses (1) and (2) are substituted for the words ''under this Act'' to reflect the codification of the Act. The portion of the Act which is applicable to civilian officers and employees and their dependents is codified in subchapter VII of chapter 55 of title 5, United States Code. The portion of the Act which is applicable to members of the uniformed services and their dependents is codified in chapter 10 of title 37, United States Code.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $2,000''.

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

(Added Pub. L. 103–359, title VIII, § 808(a), Oct. 14, 1994, 108 Stat. 3453; amended Pub. L. 107–273, div. B, title IV, § 4002(d)(1)(C)(i), Nov. 2, 2002, 116 Stat. 1809.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107–273 substituted ''under this title'' for ''not more than $1,000,''.

## CHAPTER 95—RACKETEERING

Sec.
1951. Interference with commerce by threats or violence.
1952. Interstate and foreign travel or transportation in aid of racketeering enterprises.
1953. Interstate transportation of wagering paraphernalia.
1954. Offer, acceptance, or solicitation to influence operations of employee benefit plan.
1955. Prohibition of illegal gambling businesses.
1956. Laundering of monetary instruments.
1957. Engaging in monetary transactions in property derived from specified unlawful activity.
1958. Use of interstate commerce facilities in the commission of murder-for-hire.
1959. Violent crimes in aid of racketeering activity.
1960. Prohibition of unlicensed money transmitting businesses.

AMENDMENTS

2001—Pub. L. 107–56, title III, § 373(c), Oct. 26, 2001, 115 Stat. 340, substituted ''unlicensed'' for ''illegal'' in item 1960.

1992—Pub. L. 102–550, title XV, § 1512(b), Oct. 28, 1992, 106 Stat. 4058, added item 1960.

1988—Pub. L. 100–690, title VII, § 7053(c), Nov. 18, 1988, 102 Stat. 4402, redesignated items 1952A and 1952B as 1958 and 1959, respectively, and transferred them to the end of the table of sections.

1986—Pub. L. 99–570, title I, § 1352(b), Oct. 27, 1986, 100 Stat. 3207–21, added items 1956 and 1957.

1984—Pub. L. 98–473, title II, § 1002(b), Oct. 12, 1984, 98 Stat. 2137, added items 1952A and 1952B.

1970—Pub. L. 91–452, title VIII, § 803(b), Oct. 15, 1970, 84 Stat. 938, added item 1955.

1962—Pub. L. 87–420, § 17(f), Mar. 20, 1962, 76 Stat. 43, added item 1954.

1961—Pub. L. 87–228, § 1(b), Sept. 13, 1961, 75 Stat. 499, added item 1952.

Pub. L. 87–218, § 1, Sept. 13, 1961, 75 Stat. 492, added item 1953.

### § 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.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101–115, 151–166 of Title 29 or sections 151–188 of Title 45.

(June 25, 1948, ch. 645, 62 Stat. 793; Pub. L. 103–322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 420a–420e–1 (June 18, 1934, ch. 569, §§ 1–6, 48 Stat. 979, 980; July 3, 1946, ch. 537, 60 Stat. 420).

Section consolidates sections 420a to 420e–1 of Title 18, U.S.C., 1940 ed., with changes in phraseology and arrangement necessary to effect consolidation.

Provisions designating offense as felony were omitted as unnecessary in view of definitive section 1 of this title. (See reviser's note under section 550 of this title.)

Subsection (c) of the revised section is derived from title II of the 1946 amendment. It substitutes references to specific sections of the United States Code, 1940 ed., in place of references to numerous acts of Congress, in conformity to the style of the revision bill. Subsection (c) as rephrased will preclude any construction of implied repeal of the specified acts of Congress codified in the sections enumerated.

The words ''attempts or conspires so to do'' were substituted for sections 3 and 4 of the 1946 act, omitting as unnecessary the words ''participates in an attempt'' and the words ''or acts in concert with another or with others'', in view of section 2 of this title which makes any person who participates in an unlawful enterprise or aids or assists the principal offender, or does anything towards the accomplishment of the crime, a principal himself.

Words ''shall, upon conviction thereof,'' were omitted as surplusage, since punishment cannot be imposed until a conviction is secured.

REFERENCES IN TEXT

Sections 101–115 of Title 29, referred to in subsec. (c), is a reference to act Mar. 23, 1932, ch. 90, 47 Stat. 70, popularly known as the Norris-LaGuardia Act. For complete classification of this Act to the Code, see Short Title note set out under section 101 of Title 29, Labor, and Tables.