

§ 876. Mailing threatening communications.

Whoever knowingly deposits in any post office or authorized depository for mail matter, to be sent or delivered by the Post Office Department or knowingly causes to be delivered by the Post Office Department according to the direction thereon, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person, and containing any demand or request for ransom or reward for the release of any kidnaped person, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

Whoever, with intent to extort from any person any money or other thing of value, so deposits, or causes to be delivered, as aforesaid, any communication containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

Whoever knowingly so deposits or causes to be delivered as aforesaid, any communication with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits or causes to be delivered, as aforesaid, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined not more than \$500 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 741.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 338a (July 8, 1932, ch. 464, § 1, 47 Stat. 649; June 28, 1935, ch. 326, 49 Stat. 427; May 15, 1939, ch. 133, § 1, 53 Stat. 742).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Provisions as to district of trial were omitted as covered by sections 3237 and 3239 of this title.

Changes in phraseology and arrangement were made.

CROSS REFERENCES

Venue, see sections 3237 and 3239 of this title.

§ 877. Mailing threatening communications from foreign country.

Whoever knowingly deposits in any post office or authorized depository for mail matter of any foreign country any communication addressed to any person within the United States, for the purpose of having such communication delivered by the post office establishment of such foreign country to the Post Office Department of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the post office establishment of such foreign country to the Post Office Department of the United States and by it delivered to the address to which it is directed in the United States, and containing any

demand or request for ransom or reward for the release of any kidnaped person, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

Whoever, with intent to extort from any person any money or other thing of value, so deposits as aforesaid, any communication for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

Whoever knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined not more than \$500 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 741.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 338b (July 8, 1932, ch. 464, § 2, 47 Stat. 649; May 15, 1939, ch. 133, § 1, 53 Stat. 742).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Provisions as to district of trial were omitted as covered by sections 3237 and 3239 of this title.

CROSS REFERENCES

Venue, see sections 3237 and 3239 of this title.

Chapter 43.—FALSE PERSONATION

Sec.

- 911. Citizen of the United States.
- 912. Officer or employee of the United States.
- 913. Impersonator making arrest or search.
- 914. Creditors of the United States.
- 915. Foreign diplomats, consuls or officers.
- 916. 4-H Club members or agents.
- 917. Red Cross members or agents.

CROSS REFERENCES

Naturalization proceedings; false personation or misuse of papers, see section 1424 of this title.

Visas and permits; false personation, see section 1546 of this title.

§ 911. Citizen of the United States.

Whoever falsely and willfully represents himself to be a citizen of the United States shall be fined not more than \$1,000 or imprisoned not more than three years, or both. (June 25, 1948, ch. 645, 62 Stat. 742.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on subsection (a), paragraph (18) and subsection (d), of section 746, title 8, U. S. C., 1940 ed., Aliens and Nationality (Oct. 14, 1940, ch. 876, § 346 (a), par. (18), and (d), 54 Stat. 1165, 1167).

Section consolidates said provisions of section 746, title 8, U. S. C., 1940 ed., Aliens and Nationality. The word "willfully" was substituted for "knowingly", "\$1,000" for "\$5,000", and "three years" for "five years", to harmonize with congressional intent evidenced by the other sections of this chapter.

Minor changes were made in phraseology and unnecessary words were omitted.

CROSS REFERENCES

Certificate of citizenship—

Penalty for misuse of, see section 1423 of this title.

Procurement unlawfully, see section 1425 of this title.

Sale or disposal, see section 1427 of this title.

Surrender of canceled certificate, see section 1428 of this title.

Citizenship—

Counterfeiting papers, see section 1426 of this title.

Misuse of papers in proceeding relating to, see section 1424 of this title.

Penalty for demanding or receiving additional fees, see section 1422 of this title.

Penalty for false statements in matters relating to, see section 1015 of this title.

Limitations; offenses not capital, see section 3282 of this title.

Visas and permits, false personation, see section 1546 of this title.

§ 912. Officer or employee of the United States.

Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency or officer thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined not more than \$1,000 or imprisoned not more than three years, or both. (June 25, 1948, ch. 645, 62 Stat. 742.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., §§ 76 and 123 (Mar. 4, 1909, ch. 321, §§ 32 and 66, 35 Stat. 1095, 1100; Feb. 28, 1938, ch. 37, 52 Stat. 82).

Section consolidates sections 76 and 123 of title 18, U. S. C., 1940 ed. The effect of this consolidation was to increase the punishment for revenue officers from \$500 to \$1,000 and from 2 years to 3 years, and to rephrase in the alternative the mandatory punishment provision.

This section now applies the same punishment to all officers and agents of the United States found guilty of false personation.

Words "agency or" were inserted to eliminate any possible ambiguity as to scope of section. (See definitive section 6 of this title.) Other words referring to "authority of any corporation owned or controlled by the United States" were omitted for the same reason. (See *Pierce v. U. S.*, 1941, 62 S. Ct. 237, 314 U. S. 306, 86 L. Ed. 226.)

The words "with the intent to defraud the United States or any person", contained in said section 76 of title 18, U. S. C., 1940 ed., were omitted as meaningless in view of *United States v. Lapowich*, 63 S. Ct. 914.

Changes were made in phraseology.

FORMS

Indictment—

Impersonation of Federal Officer, see form 8, Appendix to this title.

Obtaining money by impersonation of Federal Officer, see form 9.

§ 913. Impersonator making arrest or search.

Whoever falsely represents himself to be an officer, agent, or employee of the United States, and in such assumed character arrests or detains any person or in any manner searches the person, buildings, or other property of any person, shall be fined not more than \$1,000 or imprisoned not more than three years, or both. (June 25, 1948, ch. 645, 62 Stat. 742.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 77a (Aug. 27, 1935, ch. 740, § 201, 49 Stat. 877).

Words "shall be deemed guilty of a misdemeanor" were omitted. (See definitive section 1 of this title.) Words

"and upon conviction thereof" preceding "shall be" were omitted as surplusage since punishment cannot be imposed until conviction is secured.

Maximum imprisonment provision was changed from 1 year to 3 years so as to be consistent with sections 911 and 912 of this title, the latter having also been changed to 3 years. There is no sound reason why a uniform punishment should not be prescribed for the offenses defined in these three sections.

Changes were made in phraseology.

§ 914. Creditors of the United States.

Whoever falsely personates any true and lawful holder of any share or sum in the public stocks or debt of the United States, or any person entitled to any annuity, dividend, pension, wages, or other debt due from the United States, and, under color of such false personation, transfers or endeavors to transfer such public stock or any part thereof, or receives or endeavors to receive the money of such true and lawful holder thereof, or the money of any person really entitled to receive such annuity, dividend, pension, wages, or other debt, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 742.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 78 (Mar. 4, 1909, ch. 321, § 33, 35 Stat. 1095).

Words "prize money" after "pension" were deleted as repealed by act Mar. 3, 1899, ch. 413, 30 Stat. 1007, repealing all laws authorizing prize money distribution.

Mandatory punishment was rephrased in the alternative.

In the punishment provision the words "five years" were substituted for "ten years" to harmonize it with the punishment provisions in sections 287 and 1001 of this title, covering similar offenses. (See reviser's note under section 287 of this title.)

§ 915. Foreign diplomats, consuls or officers.

Whoever, with intent to defraud within the United States, falsely assumes or pretends to be a diplomatic, consular or other official of a foreign government duly accredited as such to the United States and acts as such, or in such pretended character, demands or obtains or attempts to obtain any money, paper, document, or other thing of value, shall be fined not more than \$5,000 or imprisoned not more than ten years, or both. (June 25, 1948, ch. 645, 62 Stat. 743.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 232 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title VIII, § 2, 40 Stat. 226; Mar. 28, 1940, ch. 72, § 6, 54 Stat. 80).

Reference to "jurisdiction" of the United States was omitted as unnecessary in view of definition of "United States" in section 5 of this title.

Mandatory punishment provision was rephrased in the alternative.

Minor changes were made in phraseology.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Jurisdiction of offenses, see section 3241 of this title.

Letters, writings, etc., in violation of this section as nonmailable, see section 1717 of this title.

§ 916. 4-H Club members or agents.

Whoever, falsely and with intent to defraud, holds himself out as or represents or pretends himself to

be a member of, associated with, or an agent or representative for the 4-H clubs, an organization established by the Extension Service of the United States Department of Agriculture and the land grant colleges, shall be fined not more than \$300 or imprisoned not more than six months, or both. (June 25, 1948, ch. 645, 62 Stat. 743.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 76c (June 5, 1939, ch. 184, § 1, 53 Stat. 809).

Section 76c of title 18, U. S. C., 1940 ed., was incorporated in this section and section 707 of this title.

Reference to offense as a misdemeanor was omitted in view of definitive section 1 of this title. Words "upon conviction thereof" were omitted, since criminal punishment can follow only after conviction.

Minor changes were made in phraseology.

CROSS REFERENCES

4-H Club emblem fraudulently used, penalty, see section 707 of this title.

§ 917. Red Cross members or agents.

Whoever, within the United States, falsely or fraudulently holds himself out as or represents or pretends himself to be a member of or an agent for the American National Red Cross for the purpose of soliciting, collecting, or receiving money or material, shall be fined not more than \$500 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 743.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 4 of title 36, U. S. C., 1940 ed., Patriotic Societies and Observances (Jan. 5, 1905, ch. 23, § 4, 33 Stat. 600; June 23, 1910, ch. 372, § 1, 36 Stat. 604).

Section 4 of title 36, U. S. C., 1940 ed., Patriotic Societies and Observances, was divided into this section and section 706 of this title.

Reference to "jurisdiction" of the United States was omitted as unnecessary in view of definition of "United States" in section 5 of this title.

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

Words "upon conviction thereof" were omitted as punishment cannot be imposed until conviction is secured.

Minor changes were made in phraseology.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Red Cross, fraudulent wearing or display of sign of, see section 706 of this title.

Chapter 45.—FOREIGN RELATIONS

- Sec.
- 951. Agents of foreign governments.
 - 952. Diplomatic codes and correspondence.
 - 953. Private correspondence with foreign governments.
 - 954. False statements influencing foreign government.
 - 955. Financial transactions with foreign governments.
 - 956. Conspiracy to injure property of foreign government.
 - 957. Possession of property in aid of foreign government.
 - 958. Commission to serve against friendly nation.
 - 959. Enlistment in foreign service.
 - 960. Expedition against friendly nation.
 - 961. Strengthening armed vessel of foreign nation.
 - 962. Arming vessel against friendly nation.
 - 963. Detention of armed vessel.
 - 964. Delivering armed vessel to belligerent nation.
 - 965. Verified statements as prerequisite to vessel's departure.
 - 966. Departure of vessel forbidden for false statements.

Sec.

- 967. Departure of vessel forbidden in aid of neutrality.
- 968.¹ Exportation of war materials to certain countries.
- 969. Exportation of arms, liquors and narcotics to Pacific Islands.

§ 951. Agents of foreign governments.

Whoever, other than a diplomatic or consular officer or attaché, acts in the United States as an agent of a foreign government without prior notification to the Secretary of State, shall be fined not more than \$5,000 or imprisoned not more than ten years, or both. (June 25, 1948, ch. 645, 62 Stat. 743.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 601 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title VIII, § 3, 40 Stat. 226; Mar. 28, 1940, ch. 72, § 6, 54 Stat. 80).

Mandatory punishment provision was rephrased in the alternative.

Minor changes in phraseology were made.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

False representation as foreign diplomat, consul or officers, see section 915 of this title.

Foreign government, definition of, see section 11 of this title.

Jurisdiction of offenses, see section 3241 of this title.

§ 952. Diplomatic codes and correspondence.

Whoever, by virtue of his employment by the United States, obtains from another or has or has had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and without authorization or competent authority, willfully publishes or furnishes to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. (June 25, 1948, ch. 645, 62 Stat. 743.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 135 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (June 10, 1933, ch. 57, 48 Stat. 122).

Minor changes of phraseology were made.

CROSS REFERENCES

Classified information, disclosure by Government official, penalty for, see section 783 (b), (d) of Title 50, War and National Defense.

Classified information, disclosure of, see section 788 of this title.

§ 953. Private correspondence with foreign governments.

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the

¹ Act Aug. 26, 1954, ch. 937, title V, § 542 (a) (14), 68 Stat. 861, which repealed section 968 of this title, did not amend analysis to reflect the repeal.