

prisoned not more than five years, or both. (As amended Pub. L. 93-406, title I, § 111(a) (2) (B) (i), (ii), Sept. 2, 1974, 88 Stat. 851.)

REFERENCES IN TEXT

Title I of the Employee Retirement Income Security Act of 1974, referred to in text, is classified to section 1001 et seq. of Title 29, Labor.

AMENDMENTS

1974—Pub. L. 93-406 substituted "Employee Retirement Income Security Act of 1974" for "Welfare and Pension Plans Disclosure Act" in the section catchline, and "title I of the Employee Retirement Income Security Act of 1974" and "title" for "the Welfare and Pension Plans Disclosure Act" and "Act", respectively, in the text.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-406 effective Jan. 1, 1975, except as provided in section 1031(b) (2) of Title 29, Labor, see section 1031(b) (1) of Title 29.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 29 sections 1031, 1111.

Chapter 51.—HOMICIDE

Sec.

1116. Murder or manslaughter of foreign officials or official guests.

1117. Conspiracy to murder.

AMENDMENTS

1972—Pub. L. 92-539, title I, § 102, Oct. 24, 1972, 86 Stat. 1071, added items 1116 and 1117.

§ 1111. Murder.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1116, 1117 of this title.

§ 1112. Manslaughter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1116 of this title.

§ 1114. Protection of officers and employees of the United States.

Whoever kills any judge of the United States, any United States Attorney, any Assistant United States Attorney, or any United States marshal or deputy marshal or person employed to assist such marshal or deputy marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, any officer or employee of the Postal Service, any officer or employee of the secret service or of the Drug Enforcement Administration, any officer or enlisted man of the Coast Guard, any officer or employee of any United States penal or correctional institution, any officer, employee or agent of the customs or of the internal revenue or any person assisting him in the execution of his duties, any immigration officer, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any employee of the Department of Agriculture designated by the Secretary of Agriculture to carry out any law or regulation, or to perform any function in connection with any Federal or State program or any program of Puerto Rico, Guam, the Virgin Islands of the United States, or the District of Columbia, for the control or eradication or prevention of the introduction or dissemina-

tion of animal diseases, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty, in the field service of the Bureau of Land Management, any employee of the Bureau of Animal Industry of the Department of Agriculture, or any officer or employee of the Indian field service of the United States, or any officer or employee of the National Aeronautics and Space Administration directed to guard and protect property of the United States under the administration and control of the National Aeronautics and Space Administration, any security officer of the Department of State or the Foreign Service, or any officer or employee of the Department of Health, Education, and Welfare or of the Department of Labor assigned to perform investigative, inspection, or law enforcement functions, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under sections 1111 and 1112 of this title. (As amended Oct. 26, 1974, Pub. L. 93-481, § 5, 88 Stat. 1456.)

AMENDMENTS

1974—Pub. L. 93-481 substituted "Drug Enforcement Administration" for "Bureau of Narcotics and Dangerous Drugs".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 111, 1117 of this title; title 21 sections 461, 675; title 42 section 2000e-13.

§ 1116. Murder or manslaughter of foreign officials or official guests.

(a) Whoever kills a foreign official or official guest shall be punished as provided under sections 1111 and 1112 of this title, except that any such person who is found guilty of murder in the first degree shall be sentenced to imprisonment for life.

(b) For the purpose of this section "foreign official" means—

(1) a Chief of State or the political equivalent, President, Vice President, Prime Minister, Ambassador, Foreign Minister, or other officer of cabinet rank or above of a foreign government or the chief executive officer of an international organization, or any person who has previously served in such capacity, and any member of his family, while in the United States; and

(2) any person of a foreign nationality who is duly notified to the United States as an officer or employee of a foreign government or international organization, and who is in the United States on official business, and any member of his family whose presence in the United States is in connection with the presence of such officer or employee.

(c) For the purpose of this section:

(1) "Foreign government" means the government of a foreign country, irrespective of recognition by the United States.

(2) "International organization" means a public international organization designated as such pursuant to section 1 of the International Organizations Immunities Act (22 U.S.C. 288).

(3) "Family" includes (a) a spouse, parent, brother or sister, child, or person to whom the foreign official stands in loco parentis, or (b) any other person living in his household and related to the foreign official by blood or marriage.

(4) "Official guest" means a citizen or national of a foreign country present in the United States as an official guest of the government of the United States pursuant to designation as such by the Secretary of State.

(Added Pub. L. 92-539, title I, § 101, Oct. 24, 1972, 86 Stat. 1071.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 112, 970, 1117, 1201 of this title.

§ 1117. Conspiracy to murder.

If two or more persons conspire to violate section 1111, 1114, or 1116 of this title, and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be punished by imprisonment for any term of years or for life. (Added Pub. L. 92-539, title I, § 101, Oct. 24, 1972, 86 Stat. 1071.)

Chapter 55.—KIDNAPING

Sec.

1201. Kidnaping.

AMENDMENTS

1972—Pub. L. 92-539, title II, § 202, Oct. 24, 1972, 86 Stat. 1072, substituted "Kidnaping" for "Transportation" in item 1201.

§ 1201. Kidnaping.

(a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when:

(1) the person is willfully transported in interstate or foreign commerce;

(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States;

(3) any such act against the person is done within the special aircraft jurisdiction of the United States as defined in section 101(32) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301(32)); or

(4) the person is a foreign official as defined in section 1116(b) or an official guest as defined in section 1116(c) (4) of this title, shall be punished by imprisonment for any term of years or for life.

(b) With respect to subsection (a) (1), above, the failure to release the victim within twenty-four hours after he shall have been unlawfully seized, confined, inveigled, decoyed, kidnaped, abducted, or carried away shall create a rebuttable presumption that such person has been transported to interstate or foreign commerce.

(c) If two or more persons conspire to violate this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be punished by imprisonment for any terms of years or for life. (As amended Oct. 24, 1972, Pub. L. 92-539, title II, § 201, 86 Stat. 1072.)

AMENDMENTS

1972—Subsec. (a). Pub. L. 92-539 substituted "Kidnaping" for "Transportation" in the section catchline and, in subsec. (a), extended the jurisdictional base to include acts committed within the special maritime, territorial, and aircraft jurisdiction of the United States, and to include acts committed against foreign officials and

official guests, and struck out provisions relating to death penalty.

Subsec. (b). Pub. L. 92-539 added reference to subsec. (a) (1).

Subsec. (c). Pub. L. 92-539 substituted "by imprisonment for any term of years or for life" for "as provided in subsection (a)."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1202 of this title.

Chapter 61.—LOTTERIES

Sec.

1307. State-conducted lotteries.

AMENDMENTS

1975—Pub. L. 93-583, § 2, Jan. 2, 1975, 88 Stat. 1916, added item 1307.

§§ 1301 to 1304.

SECTIONS REFERRED TO IN OTHER SECTIONS

These sections are referred to in section 1307 of this title.

§ 1307. State-conducted lotteries.

(a) The provisions of sections 1301, 1302, 1303, and 1304 shall not apply to an advertisement, list of prizes, or information concerning a lottery conducted by a State acting under the authority of State law—

(1) contained in a newspaper published in that State, or

(2) broadcast by a radio or television station licensed to a location in that State or an adjacent State which conducts such a lottery.

(b) The provisions of sections 1301, 1302, and 1303 shall not apply to the transportation or mailing to addresses within a State of tickets and other material concerning a lottery conducted by that State acting under authority of State law.

(c) For the purposes of this section "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(d) For the purposes of this section "lottery" means the pooling of proceeds derived from the sale of tickets or chances and allotting those proceeds or parts thereof by chance to one or more chance takers or ticket purchasers. "Lottery" does not include the placing or accepting of bets or wagers on sporting events or contests. (Added Pub. L. 93-583, § 1, Jan. 2, 1975, 88 Stat. 1916.)

Chapter 63.—MAIL FRAUD

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 29 section 1111.

Chapter 73.—OBSTRUCTION OF JUSTICE

§§ 1503, 1505, 1506, 1510.

SECTIONS REFERRED TO IN OTHER SECTIONS

These sections are referred to in title 29 section 1111.

Chapter 75.—PASSPORTS AND VISAS

§ 1546. Fraud and misuse of visas, permits, and other entry documents.

Whoever knowingly forges, counterfeits, alters, or falsely makes any immigrant or nonimmigrant visa, permit, or other document required for entry into the United States, or utters, uses, attempts to use,