

ment of Transportation. See section 108 of Title 49, Transportation.

Functions of all officers of Department of the Treasury and functions of all agencies and employees of such Department transferred, with certain exceptions, to Secretary of the Treasury, with power vested in him to authorize their performance or performance of any of his functions, by any of such officers, agencies, and employees, by Reorg. Plan No. 26, of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5, Government Organization and Employees. Such plan excepted from transfer functions of Coast Guard and Commandant thereof when Coast Guard is operating as a part of the Navy under section 1 and 3 of Title 14, Coast Guard.

#### § 2388. Activities affecting armed forces during war

(a) Whoever, when the United States is at war, willfully makes or conveys false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies; or

Whoever, when the United States is at war, willfully causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or willfully obstructs the recruiting or enlistment service of the United States, to the injury of the service or the United States, or attempts to do so—

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

(b) If two or more persons conspire to violate subsection (a) of this section and one or more such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in said subsection (a).

(c) Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this section, shall be fined under this title or imprisoned not more than ten years, or both.

(d) This section shall apply within the admiralty and maritime jurisdiction of the United States, and on the high seas, as well as within the United States.

(June 25, 1948, ch. 645, 62 Stat. 811; Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

##### HISTORICAL AND REVISION NOTES

Based on sections 33, 34, 35, 37 of title 50, U.S.C., 1940 ed., War and National Defense (June 15, 1917, ch. 30, title I, §§3, 4, 5, 8, 40 Stat. 219; Mar. 3, 1921, ch. 136, 41 Stat. 1359; Mar. 28, 1940, ch. 72, §2, 54 Stat. 79).

Sections 33, 34, 35, and 37 of title 50, U.S.C., 1940 ed., War and National Defense, were consolidated. Sections 34, 35, and 37 of title 50, U.S.C., 1940 ed., War and National Defense, are also incorporated in sections 791, 792, and 794 of this title, to which they relate.

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. of subsec. (a) and in subsec. (c).

##### REPEALS

Section 7 of act June 30, 1953, ch. 175, 67 Stat. 134, repealed Joint Res. July 3, 1952, ch. 570, §1(a)(29), 66 Stat.

333; Joint Res. Mar. 31, 1953, ch. 13, §1, 67 Stat. 18, which had provided that this section should continue in force until six months after the termination of the National emergency proclaimed by 1950 Proc. No. 2914 which is set out as a note preceding section 1 of Appendix to Title 50, War and National Defense.

##### REPEAL OF EXTENSIONS OF WAR-TIME PROVISIONS

Section 6 of Joint Res. July 3, 1952, repealed Joint Res. Apr. 14, 1952, ch. 204, 66 Stat. 54, as amended by Joint Res. May 28, 1952, ch. 339, 66 Stat. 96. Intermediate extensions by Joint Res. June 14, 1952, ch. 437, 66 Stat. 137, and Joint Res. June 30, 1952, ch. 526, 66 Stat. 296, which continued provisions until July 3, 1952, expired by their own terms.

#### § 2389. Recruiting for service against United States

Whoever recruits soldiers or sailors within the United States, or in any place subject to the jurisdiction thereof, to engage in armed hostility against the same; or

Whoever opens within the United States, or in any place subject to the jurisdiction thereof, a recruiting station for the enlistment of such soldiers or sailors to serve in any manner in armed hostility against the United States—

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

(June 25, 1948, ch. 645, 62 Stat. 811; Pub. L. 103-322, title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

##### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §7 (Mar. 4, 1909, ch. 321, §7, 35 Stat. 1089).

Mandatory punishment provision was rephrased in the alternative.

Minor changes were made in phraseology.

##### AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000” in last par.

#### § 2390. Enlistment to serve against United States

Whoever enlists or is engaged within the United States or in any place subject to the jurisdiction thereof, with intent to serve in armed hostility against the United States, shall be fined under this title<sup>1</sup> or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 812; Pub. L. 103-322, title XXXIII, §330016(1)(B), Sept. 13, 1994, 108 Stat. 2146.)

##### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §8 (Mar. 4, 1909, ch. 321, §8, 35 Stat. 1089).

Mandatory punishment provision was rephrased in the alternative.

Minor changes were made in phraseology.

##### AMENDMENTS

1994—Pub. L. 103-322, which directed the amendment of this section by striking “fined not more than \$100” and inserting “fined under this title”, was executed by substituting “fined under this title” for “fined \$100”, to reflect the probable intent of Congress.

<sup>1</sup> See 1994 Amendment note below.

**[§ 2391. Repealed. Pub. L. 103-322, title XXXIII, § 330004(13), Sept. 13, 1994, 108 Stat. 2142]**

Section, added June 30, 1953, ch. 175, § 6, 67 Stat. 134, related to temporary extension of section 2388 of this title.

**CHAPTER 117—TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES**

Sec.	
2421.	Transportation generally.
2422.	Coercion and enticement.
2423.	Transportation of minors.
2424.	Filing factual statement about alien individual.
2425.	Use of interstate facilities to transmit information about a minor.
2426.	Repeat offenders.
2427.	Inclusion of offenses relating to child pornography in definition of sexual activity for which any person can be charged with a criminal offense.
2428.	Forfeitures.

AMENDMENTS

2006—Pub. L. 109-164, title I, § 103(d)(2), Jan. 10, 2006, 119 Stat. 3563, added item 2428.

1998—Pub. L. 105-314, title I, §§ 101(b), 104(b), 105(b), Oct. 30, 1998, 112 Stat. 2975-2977, added items 2425, 2426, and 2427.

1988—Pub. L. 100-690, title VII, § 7071, Nov. 18, 1988, 102 Stat. 4405, substituted “individual” for “female” in item 2424.

1986—Pub. L. 99-628, § 5(a)(1), (b)(2), Nov. 7, 1986, 100 Stat. 3511, substituted “TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES” for “WHITE SLAVE TRAFFIC” as chapter heading and substituted “and enticement” for “or enticement of female” in item 2422.

1978—Pub. L. 95-225, § 3(b), Feb. 6, 1978, 92 Stat. 9, substituted “Transportation of minors” for “Coercion or enticement of minor female” in item 2423.

**§ 2421. Transportation generally**

Whoever knowingly transports any individual in interstate or foreign commerce, or in any Territory or Possession of the United States, with intent that such individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 812; May 24, 1949, ch. 139, § 47, 63 Stat. 96; Pub. L. 99-628, § 5(b)(1), Nov. 7, 1986, 100 Stat. 3511; Pub. L. 105-314, title I, § 106, Oct. 30, 1998, 112 Stat. 2977.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on title 18, U.S.C., 1940 ed., §§ 397, 398, 401, 404 (June 25, 1910, ch. 395, §§ 1, 2, 5, 8, 36 Stat. 825-827).

Section consolidates sections 397, 398, 401, and 404 of title 18, U.S.C., 1940 ed.

Section 397 of title 18, U.S.C., 1940 ed., containing a definition of the terms “interstate commerce” and “foreign commerce” was omitted as unnecessary in view of the definition of those terms in section 10 of this title.

Section 401 of title 18, U.S.C., 1940 ed., prescribing venue was omitted as unnecessary in view of section 3237 of this title.

Section 403 of title 18, U.S.C., 1940 ed., was omitted. No definition of “Territory” is necessary to the revised

section as it is phrased. Construction therein of “person” is covered by section 1 of title 1, U.S.C., 1940 ed., General Provisions, as amended. Last paragraph of said section relating to construction of this chapter was omitted as surplusage.

Words “Possession of the United States” were inserted in three places in view of mission of said section 403 of title 18, U.S.C., 1940 ed., and, reference in that section to the Canal Zone is covered by those words. This chapter applies to the Territory of Hawaii. (See *Sun Chong Lee v. United States*, C.C.A. Hawaii, 1942, 125 F. 2d 95.)

Section 404 of title 18, U.S.C., 1940 ed., containing the short title was omitted as not appropriate in a revision.

Reference to persons causing, procuring, aiding or assisting was deleted as unnecessary because such persons are made principals by section 2 of this title.

Words “and upon conviction thereof” were also deleted as surplusage since punishment cannot be imposed until a conviction is secured.

Words “deemed guilty of a felony” were deleted as unnecessary in view of the definition of a felony in section 1 of this title. (See reviser’s note under section 550 of this title.)

Minor changes were also made in translations and phraseology.

1949 ACT

This section [section 47] corrects a typographical error in section 2421 of title 18, U.S.C.

AMENDMENTS

1998—Pub. L. 105-314 inserted “or attempts to do so,” before “shall be fined” and substituted “10 years” for “five years”.

1986—Pub. L. 99-628 amended section generally. Prior to amendment, section read as follows:

“Whoever knowingly transports in interstate or foreign commerce, or in the District of Columbia or in any Territory or Possession of the United States, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or

“Whoever knowingly procures or obtains any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in the District of Columbia or any Territory or Possession of the United States, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in the District of Columbia or any Territory or Possession of the United States—

“Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.”

1949—Act May 24, 1949, corrected spelling of “induce”.

**§ 2422. Coercion and enticement**

(a) Whoever knowingly persuades, induces, entices, or coerces any individual to travel in interstate or foreign commerce, or in any Territory or Possession of the United States, to engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(b) Whoever, using the mail or any facility or means of interstate or foreign commerce, or