

1990—Subsec. (a). Pub. L. 101-647, §3550, as amended by Pub. L. 103-322, §330011(p), substituted “Shall be fined under this title” for “Shall be fined in accordance with this title” in concluding par.

1988—Pub. L. 100-525 amended Pub. L. 99-603. See 1986 Amendment note below.

1986—Pub. L. 99-603, as amended by Pub. L. 100-525, substituted “other documents” for “other entry documents” in section catchline, designated existing provisions as subsec. (a), substituted “permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States” for “or other document required for entry into the United States” and for “or document” in first par., substituted “in accordance with this title” for “not more than \$2,000” in concluding par., and added subsecs. (b) and (c).

1976—Pub. L. 94-550 inserted “, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, knowingly subscribes as true,” after “Whoever knowingly makes under oath” in fourth par.

1952—Act June 27, 1952, made section applicable to entry documents other than visas and permits.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 211(a)(2) of Pub. L. 104-208 applicable with respect to offenses occurring on or after Sept. 30, 1996, see section 211(c) of Pub. L. 104-208, set out as a note under section 1028 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-322, title XXXIII, §330011(p), Sept. 13, 1994, 108 Stat. 2145, provided that the amendment made by that section is effective as of the date on which section 3550 of Pub. L. 101-647 took effect.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-525 effective as if included in enactment of Immigration Reform and Control Act of 1986, Pub. L. 99-603, see section 2(s) of Pub. L. 100-525, set out as a note under section 1101 of Title 8, Aliens and Nationality.

TRANSFER OF FUNCTIONS

Functions vested by law in Attorney General, Department of Justice, or any other officer or any agency of that Department, with respect to the inspection at regular inspection locations at ports of entry of persons, and documents of persons, entering or leaving the United States, were to have been transferred to Secretary of the Treasury by 1973 Reorg. Plan No. 2, §2, eff. July 1, 1973, 38 F.R. 15932, 87 Stat. 1091, set out in the Appendix to Title 5, Government Organization and Employees. The transfer was negated by section 1(a)(1), (b) of Pub. L. 93-253, Mar. 16, 1974, 88 Stat. 50, which repealed section 2 of 1973 Reorg. Plan No. 2, eff. July 1, 1973.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

§ 1547. Alternative imprisonment maximum for certain offenses

Notwithstanding any other provision of this title, the maximum term of imprisonment that may be imposed for an offense under this chapter (other than an offense under section 1545)—

- (1) if committed to facilitate a drug trafficking crime (as defined in 929(a)) is 15 years; and
- (2) if committed to facilitate an act of international terrorism (as defined in section 2331) is 20 years.

(Added Pub. L. 103-322, title XIII, §130009(a)(6), Sept. 13, 1994, 108 Stat. 2030.)

CHAPTER 77—PEONAGE, SLAVERY, AND TRAFFICKING IN PERSONS

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| Sec. | |
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| 1593. | Mandatory restitution. |
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| 1597. | Unlawful conduct with respect to immigration documents. |

HISTORICAL AND REVISION NOTES

It was felt that further revision of this chapter should be considered at an opportune time for the same reasons stated with respect to chapter 81, “Piracy and Privateering”.

AMENDMENTS

2013—Pub. L. 113-4, title XII, §1211(c)(2), Mar. 7, 2013, 127 Stat. 143, added item 1597.

2008—Pub. L. 110-457, title II, §§222(d)(2), 223(b), Dec. 23, 2008, 122 Stat. 5070, 5072, added items 1593A and 1596.

2003—Pub. L. 108-193, §§4(a)(4)(B), 5(c)(1), Dec. 19, 2003, 117 Stat. 2878, 2879, substituted “PEONAGE, SLAVERY, AND TRAFFICKING IN PERSONS” for “PEONAGE AND SLAVERY” as chapter heading and added item 1595.

2000—Pub. L. 106-386, div. A, §112(a)(3), Oct. 28, 2000, 114 Stat. 1489, added items 1589 to 1594.

1949—Act May 24, 1949, ch. 139, §36, 63 Stat. 95, substituted a semicolon for comma after “Peonage” in item 1581.

§ 1581. Peonage; obstructing enforcement

(a) Whoever holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

(b) Whoever obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be liable to the penalties prescribed in subsection (a).

(June 25, 1948, ch. 645, 62 Stat. 772; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-208, div. C, title II,

§ 218(a), Sept. 30, 1996, 110 Stat. 3009-573; Pub. L. 106-386, div. A, § 112(a)(1), Oct. 28, 2000, 114 Stat. 1486.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 444, 445 (Mar. 4, 1909, ch. 321, §§ 269, 270, 35 Stat. 1142).

Section consolidates sections 444 and 445 of said title 18, U.S.C., 1940 ed., with changes in phraseology to amplify and clarify their provisions.

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

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-386 substituted "20 years" for "10 years" and inserted at end "If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both."

1996—Subsec. (a). Pub. L. 104-208 substituted "10 years" for "five years".

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000".

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-208, div. C, title II, § 218(d), Sept. 30, 1996, 110 Stat. 3009-574, provided that: "This section [amending this section and sections 1583, 1584, and 1588 of this title and enacting provisions set out as notes under section 994 of Title 28, Judiciary and Judicial Procedure] and the amendments made by this section shall apply with respect to offenses occurring on or after the date of the enactment of this Act [Sept. 30, 1996]."

§ 1582. Vessels for slave trade

Whoever, whether as master, factor, or owner, builds, fits out, equips, loads, or otherwise prepares or sends away any vessel, in any port or place within the United States, or causes such vessel to sail from any such port or place, for the purpose of procuring any person from any foreign kingdom or country to be transported and held, sold, or otherwise disposed of as a slave, or held to service or labor, shall be fined under this title or imprisoned not more than seven years, or both.

(June 25, 1948, ch. 645, 62 Stat. 772; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 424 (Mar. 4, 1909, ch. 321, § 249, 35 Stat. 1139).

Words "within the United States" were substituted for "within the jurisdiction of the United States". See section 5 of this title defining "United States".

Provision for division of the fine and its recovery by private person was omitted. (See reviser's note under section 1585 of this title.)

Mandatory-punishment provisions were 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 \$5,000".

§ 1583. Enticement into slavery

(a) Whoever—

(1) kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave;

(2) entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he or she may be made or held as a slave, or sent out of the country to be so made or held; or

(3) obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section,

shall be fined under this title, imprisoned not more than 20 years, or both.

(b) Whoever violates this section shall be fined under this title, imprisoned for any term of years or for life, or both if—

(1) the violation results in the death of the victim; or

(2) the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, an attempt to commit aggravated sexual abuse, or an attempt to kill.

(June 25, 1948, ch. 645, 62 Stat. 772; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-208, div. C, title II, § 218(a), Sept. 30, 1996, 110 Stat. 3009-573; Pub. L. 106-386, div. A, § 112(a)(1), Oct. 28, 2000, 114 Stat. 1486; Pub. L. 110-457, title II, § 222(b)(1), Dec. 23, 2008, 122 Stat. 5067.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 443 (Mar. 4, 1909, ch. 321, § 268, 35 Stat. 1141).

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

Minor changes were made in paragraphing of section.

AMENDMENTS

2008—Pub. L. 110-457 amended section generally. Prior to amendment, section provided penalties for kidnaping or enticement of a person with intent to sell or hold such person as a slave.

2000—Pub. L. 106-386, in last par., substituted "20 years" for "10 years" and inserted at end "If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both."

1996—Pub. L. 104-208 substituted "10 years" for "five years" in last par.

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000" in last par.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-208 applicable with respect to offenses occurring on or after Sept. 30, 1996, see section 218(d) of Pub. L. 104-208, set out as a note under section 1581 of this title.

§ 1584. Sale into involuntary servitude

(a) Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.