

covered by rule 42(b) of the Federal Rules of Criminal Procedure, set out in Appendix to this title.

Section 164 of Title 45, included within the reference in subsec. (c) to sections 151-188 of Title 45, was repealed by act Oct. 10, 1940, ch. 851, § 4, 54 Stat. 1111.

Section 186 of Title 45, included within the reference in subsec. (c) to sections 151-188 of Title 45, was omitted from the Code.

#### AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000”.

#### SHORT TITLE

This section is popularly known as the “Hobbs Act”.

### § 1952. Interstate and foreign travel or transportation in aid of racketeering enterprises

(a) Whoever travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to—

(1) distribute the proceeds of any unlawful activity; or

(2) commit any crime of violence to further any unlawful activity; or

(3) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity,

and thereafter performs or attempts to perform—

(A) an act described in paragraph (1) or (3) shall be fined under this title, imprisoned not more than 5 years, or both; or

(B) an act described in paragraph (2) shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be imprisoned for any term of years or for life.

(b) As used in this section (i) “unlawful activity” means (1) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or controlled substances (as defined in section 102(6) of the Controlled Substances Act), or prostitution offenses in violation of the laws of the State in which they are committed or of the United States, (2) extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States, or (3) any act which is indictable under subchapter II of chapter 53 of title 31, United States Code, or under section 1956 or 1957 of this title and (ii) the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(c) Investigations of violations under this section involving liquor shall be conducted under the supervision of the Attorney General.

(d) If the offense under this section involves an act described in paragraph (1) or (3) of subsection (a) and also involves a pre-retail medical product (as defined in section 670), the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under subsection (a) is greater.

(Added Pub. L. 87-228, §1(a), Sept. 13, 1961, 75 Stat. 498; amended Pub. L. 89-68, July 7, 1965, 79 Stat. 212; Pub. L. 91-513, title II, §701(i)(2), Oct. 27, 1970, 84 Stat. 1282; Pub. L. 99-570, title I,

§1365(a), Oct. 27, 1986, 100 Stat. 3207-35; Pub. L. 101-647, title XII, §1205(i), title XVI, §1604, Nov. 29, 1990, 104 Stat. 4831, 4843; Pub. L. 103-322, title XIV, §140007(a), title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2033, 2147; Pub. L. 107-296, title XI, §1112(h), Nov. 25, 2002, 116 Stat. 2277; Pub. L. 112-186, §4(b)(1), Oct. 5, 2012, 126 Stat. 1429.)

#### REFERENCES IN TEXT

Section 102(6) of the Controlled Substances Act, referred to in subsec. (b)(i)(1), is classified to section 802(6) of Title 21, Food and Drugs.

#### AMENDMENTS

2012—Subsec. (d). Pub. L. 112-186 added subsec. (d).

2002—Subsec. (c). Pub. L. 107-296 substituted “Attorney General” for “Secretary of the Treasury”.

1994—Pub. L. 103-322, §330016(1)(L), which directed the amendment of this section by substituting “under this title” for “not more than \$10,000”, could not be executed because the phrase “not more than \$10,000” did not appear in text subsequent to amendment of subsec. (a) by Pub. L. 103-322, §140007(a). See below.

Subsec. (a). Pub. L. 103-322, §140007(a), substituted “and thereafter performs or attempts to perform—” and subpars. (A) and (B) for former concluding provisions which read as follows: “and thereafter performs or attempts to perform any of the acts specified in subparagraphs (1), (2), and (3), shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.”

1990—Subsec. (a). Pub. L. 101-647, §1604, inserted “the mail or” after “uses” and struck out “including the mail,” before “with intent” in introductory provisions.

Subsec. (b). Pub. L. 101-647, §1205(i), inserted “(i)” after “As used in this section” and added cl. (ii).

1986—Subsec. (b)(3). Pub. L. 99-570 added cl. (3).

1970—Subsec. (b)(1). Pub. L. 91-513, §701(i)(2)(A), inserted “or controlled substances (as defined in section 102(6) of the Controlled Substances Act)”.

Subsec. (c). Pub. L. 91-513, §701(i)(2)(B), struck out reference to investigations involving narcotics.

1965—Subsec. (b)(2). Pub. L. 89-68 made section applicable to travel in aid of arson.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-513 effective on first day of seventh calendar month that begins after Oct. 26, 1970, see section 704 of Pub. L. 91-513, set out as an Effective Date note under section 801 of Title 21, Food and Drugs.

#### SAVINGS PROVISION

Amendment by Pub. L. 91-513 not to affect or abate any prosecutions for any violation of law or any civil seizures or forfeitures and injunctive proceedings commenced prior to the effective date of such amendment, and all administrative proceedings pending before the former Bureau of Narcotics and Dangerous Drugs on Oct. 27, 1970, were to be continued and brought to final determination in accord with laws and regulations in effect prior to Oct. 27, 1970, see section 702 of Pub. L. 91-513, set out as a Savings Provision note under section 321 of Title 21, Food and Drugs.

#### [§ 1952A. Renumbered § 1958]

#### [§ 1952B. Renumbered § 1959]

### § 1953. Interstate transportation of wagering paraphernalia

(a) Whoever, except a common carrier in the usual course of its business, knowingly carries