

Pub. L. 103-322, §320102(3), substituted “six years” for “three years” in last par.

Pub. L. 103-322, §320102(2), which provided for amendment identical to Pub. L. 103-322, §330016(1)(H), above, was repealed by Pub. L. 104-294, §604(b)(13).

Pub. L. 103-322, §320102(1)(B), which directed the amendment of subsec. (b) by inserting “, or both” after “years”, was executed by inserting the material after “years” in second par., which was the first place the word appeared in text, to reflect the probable intent of Congress.

Pub. L. 103-322, §320102(1)(A), inserted “fined under this title or” after “shall be” in second par.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

§ 1113. Attempt to commit murder or manslaughter

Except as provided in section 113 of this title, whoever, within the special maritime and territorial jurisdiction of the United States, attempts to commit murder or manslaughter, shall, for an attempt to commit murder be imprisoned not more than twenty years or fined under this title, or both, and for an attempt to commit manslaughter be imprisoned not more than seven years or fined under this title, or both.

(June 25, 1948, ch. 645, 62 Stat. 756; Pub. L. 100-690, title VII, §7058(c), Nov. 18, 1988, 102 Stat. 4403; Pub. L. 101-647, title XXXV, §3534, Nov. 29, 1990, 104 Stat. 4925; Pub. L. 104-132, title VII, §705(a)(5), Apr. 24, 1996, 110 Stat. 1295.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §456 (Mar. 4, 1909, ch. 321, §277, 35 Stat. 1143).

Words “within the special maritime and territorial jurisdiction of the United States” were added in view of definitive section 7 of this title, and section was rearranged to more clearly express intent of existing law.

Mandatory punishment provision was rephrased in the alternative.

AMENDMENTS

1996—Pub. L. 104-132 substituted “seven years” for “three years”.

1990—Pub. L. 101-647 struck out final period at end.

1988—Pub. L. 100-690 substituted “shall, for an attempt to commit murder be imprisoned not more than twenty years or fined under this title, or both, and for an attempt to commit manslaughter be imprisoned not more than three years or fined under this title, or both.” for “shall be fined not more than \$1,000 or imprisoned not more than three years, or both”.

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

Whoever kills or attempts to kill any officer or employee of the United States or of any agency in any branch of the United States Government (including any member of the uniformed services) while such officer or employee is engaged in or on account of the performance of official duties, or any person assisting such an officer or employee in the performance of such duties or on account of that assistance, shall be punished—

(1) in the case of murder, as provided under section 1111;

(2) in the case of manslaughter, as provided under section 1112; or

(3) in the case of attempted murder or manslaughter, as provided in section 1113.

(June 25, 1948, ch. 645, 62 Stat. 756; May 24, 1949, ch. 139, §24, 63 Stat. 93; Oct. 31, 1951, ch. 655, §28, 65 Stat. 721; June 27, 1952, ch. 477, title IV, §402(c), 66 Stat. 276; Pub. L. 85-568, title III, §304(d), July 29, 1958, 72 Stat. 434; Pub. L. 87-518, §10, July 2, 1962, 76 Stat. 132; Pub. L. 88-493, §3, Aug. 27, 1964, 78 Stat. 610; Pub. L. 89-74, §8(b), July 15, 1965, 79 Stat. 234; Pub. L. 90-449, §2, Aug. 2, 1968, 82 Stat. 611; Pub. L. 91-375, §6(j)(9), Aug. 12, 1970, 84 Stat. 777; Pub. L. 91-513, title II, §701(i)(1), Oct. 27, 1970, 84 Stat. 1282; Pub. L. 91-596, §17(h)(1), Dec. 29, 1970, 84 Stat. 1607; Pub. L. 93-481, §5, Oct. 26, 1974, 88 Stat. 1456; Pub. L. 94-284, §18, May 11, 1976, 90 Stat. 514; Pub. L. 94-582, §16, Oct. 21, 1976, 90 Stat. 2883; Pub. L. 95-87, title VII, §704, Aug. 3, 1977, 91 Stat. 520; Pub. L. 95-616, §3(j)(2), Nov. 8, 1978, 92 Stat. 3112; Pub. L. 95-630, title III, §307, Nov. 10, 1978, 92 Stat. 3677; Pub. L. 96-296, §26(c), July 1, 1980, 94 Stat. 819; Pub. L. 96-466, title VII, §704, Oct. 17, 1980, 94 Stat. 2216; Pub. L. 97-143, §1(b), Dec. 29, 1981, 95 Stat. 1724; Pub. L. 97-259, title I, §128, Sept. 13, 1982, 96 Stat. 1099; Pub. L. 97-365, §6, Oct. 25, 1982, 96 Stat. 1752; Pub. L. 97-452, §2(b), Jan. 12, 1983, 96 Stat. 2478; Pub. L. 98-63, title I, July 30, 1983, 97 Stat. 313; Pub. L. 98-473, title II, §1012, Oct. 12, 1984, 98 Stat. 2142; Pub. L. 98-557, §17(c), Oct. 30, 1984, 98 Stat. 2868; Pub. L. 100-690, title VII, §7026, Nov. 18, 1988, 102 Stat. 4397; Pub. L. 101-73, title IX, §962(a)(6), Aug. 9, 1989, 103 Stat. 502; Pub. L. 101-647, title XII, §1205(h), title XVI, §1606, title XXXV, §3535, Nov. 29, 1990, 104 Stat. 4831, 4843, 4925; Pub. L. 102-54, §13(f)(2), June 13, 1991, 105 Stat. 275; Pub. L. 102-365, §2, Sept. 3, 1992, 106 Stat. 975; Pub. L. 103-322, title VI, §60007, title XXXIII, §§330009(c), 330011(g), Sept. 13, 1994, 108 Stat. 1971, 2143, 2145; Pub. L. 104-132, title VII, §727(a), Apr. 24, 1996, 110 Stat. 1302; Pub. L. 104-294, title VI, §601(f)(2), Oct. 11, 1996, 110 Stat. 3499; Pub. L. 107-273, div. B, title IV, §4002(c)(1), Nov. 2, 2002, 116 Stat. 1808.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on title 18, U.S.C., 1940 ed., §253 (May 18, 1934, ch. 299, §1, 48 Stat. 780; Feb. 8, 1936, ch. 40, 49 Stat. 1105; June 26, 1936, ch. 830, title I, §3, 49 Stat. 1940; Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; June 13, 1940, ch. 359, 54 Stat. 391).

The section was extended to include United States judges, attorneys and their assistants, and officers of Federal, penal and correctional institutions in view of the obvious desirability of such protective legislation.

Employees of the Bureau of Animal Industry have been included in this section to complete the revision of section 118 of title 18, U.S.C., 1940 ed., which was consolidated with the assault provisions of section 254 of said title 18 and is now section 111 of this title. There seemed no sound reason for including such officers in the protection against assaults but excluding them from the homicide sections.

For like reasons the section was broadened to include officers or employees of the Secret Service or of the Bureau of Narcotics.

Changes in phraseology were made.

1949 ACT

This section [section 24] amends section 1114 of title 18, U.S.C., to conform more closely with the original statute from which it was derived.