

HISTORICAL AND REVISION NOTES

Based on section 804a of title 31, U.S.C., 1940 ed., Money and Finance (Apr. 13, 1934, ch. 112, §§1, 2, 48 Stat. 574).

Words “within the United States” were substituted for “within the jurisdiction” etc., in view of the definition of United States in section 5 of this title.

Words “upon conviction thereof” were omitted from first paragraph as surplusage since punishment cannot be imposed until a conviction is secured.

Minor changes were made in phraseology.

SENATE REVISION AMENDMENT

An additional paragraph was added to the text of this section by Senate amendment, which was taken from section 804b of Title 31, U.S.C., Money and Finance. Therefore, as finally enacted, such section 804b and the Acts from which it was derived (Act Apr. 13, 1934, ch. 112, §3, as added July 31, 1945, ch. 339, §9, 59 Stat. 516), were an additional source of this section. See Senate Report No. 1620, amendment No. 9, 80th Cong.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000” in first par.

APPLICABILITY OF SECTION

Pub. L. 102-511, title IX, §902, Oct. 24, 1992, 106 Stat. 3355, provided that: “Section 955 of title 18, United States Code, shall not apply with respect to any obligations of the former Soviet Union, or any of the independent states of the former Soviet Union, or any political subdivision, organization, or association thereof.”

§ 956. Conspiracy to kill, kidnap, maim, or injure persons or damage property in a foreign country

(a)(1) Whoever, within the jurisdiction of the United States, conspires with one or more other persons, regardless of where such other person or persons are located, to commit at any place outside the United States an act that would constitute the offense of murder, kidnapping, or maiming if committed in the special maritime and territorial jurisdiction of the United States shall, if any of the conspirators commits an act within the jurisdiction of the United States to effect any object of the conspiracy, be punished as provided in subsection (a)(2).

(2) The punishment for an offense under subsection (a)(1) of this section is—

(A) imprisonment for any term of years or for life if the offense is conspiracy to murder or kidnap; and

(B) imprisonment for not more than 35 years if the offense is conspiracy to maim.

(b) Whoever, within the jurisdiction of the United States, conspires with one or more persons, regardless of where such other person or persons are located, to damage or destroy specific property situated within a foreign country and belonging to a foreign government or to any political subdivision thereof with which the United States is at peace, or any railroad, canal, bridge, airport, airfield, or other public utility, public conveyance, or public structure, or any religious, educational, or cultural property so situated, shall, if any of the conspirators commits an act within the jurisdiction of the United States to effect any object of the conspiracy, be imprisoned not more than 25 years.

(June 25, 1948, ch. 645, 62 Stat. 744; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994,

108 Stat. 2147; Pub. L. 104-132, title VII, §704(a), Apr. 24, 1996, 110 Stat. 1294.)

HISTORICAL AND REVISION NOTES

Based on section 234 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title VIII, §5, 40 Stat. 226).

AMENDMENTS

1996—Pub. L. 104-132 substituted “Conspiracy to kill, kidnap, maim, or injure persons or damage property in a foreign country” for “Conspiracy to injure property of foreign government” as section catchline and amended text generally. Prior to amendment, text read as follows:

“(a) If two or more persons within the jurisdiction of the United States conspire to injure or destroy specific property situated within a foreign country and belonging to a foreign government or to any political subdivision thereof with which the United States is at peace, or any railroad, canal, bridge, or other public utility so situated, and if one or more such persons commits an act within the jurisdiction of the United States to effect the object of the conspiracy, each of the parties to the conspiracy shall be fined under this title or imprisoned not more than three years, or both.

“(b) Any indictment or information under this section shall describe the specific property which it was the object of the conspiracy to injure or destroy.”

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

§ 957. Possession of property in aid of foreign government

Whoever, in aid of any foreign government, knowingly and willfully possesses or controls any property or papers used or designed or intended for use in violating any penal statute, or any of the rights or obligations of the United States under any treaty or the law of nations, shall be fined under this title or imprisoned not more than ten years, or both.

(June 25, 1948, ch. 645, 62 Stat. 745; 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. §98 (June 15, 1917, ch. 30, title XI, §22, 40 Stat. 230; Mar. 28, 1940, ch. 72, §8, 54 Stat. 80).

Definition of “foreign government” was omitted and is incorporated in section 11 of this title.

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”.

§ 958. Commission to serve against friendly nation

Any citizen of the United States who, within the jurisdiction thereof, accepts and exercises a commission to serve a foreign prince, state, colony, district, or people, in war, against any prince, state, colony, district, or people, with whom the United States is at peace, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 745; Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)