

## HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 774(b).	Sept. 13, 1960, Pub. L. 86-767, § 206, 74 Stat. 908.

The words “the reports of the immediate superior specified in section 8120 of title 5” are substituted for “the reports specified in subsection (a) of this section” to reflect the codification of that subsection in title 5, United States Code.

The words “subchapter I of chapter 81 of title 5” and “that subchapter” are substituted for “sections 751-756, 757-781, 783-791, and 793 of this title” and “said sections”, respectively, to reflect the codification of the sections in title 5, United States Code.

The words “shall be guilty of a misdemeanor” are omitted as unnecessary in view of the definitive section 1 of this title. (See reviser’s note under 18 U.S.C. 212, 1964 ed.)

The words “and upon conviction thereof” are omitted as unnecessary because punishment can be imposed only after conviction.

## AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$500”.

**§ 1923. Fraudulent receipt of payments of missing persons**

Whoever obtains or receives any money, check, or allotment under—

- (1) subchapter VII of chapter 55 of title 5; or
- (2) chapter 10 of title 37;

without being entitled thereto, with intent to defraud, shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89-554, § 3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103-322, title XXXIII, § 330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

## HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	50A U.S.C. 1008.	Mar. 7, 1942, ch. 166, § 8, 56 Stat. 145.

Clauses (1) and (2) are substituted for the words “under this Act” to reflect the codification of the Act. The portion of the Act which is applicable to civilian officers and employees and their dependents is codified in subchapter VII of chapter 55 of title 5, United States Code. The portion of the Act which is applicable to members of the uniformed services and their dependents is codified in chapter 10 of title 37, United States Code.

## AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$2,000”.

**§ 1924. Unauthorized removal and retention of classified documents or material**

(a) Whoever, being an officer, employee, contractor, or consultant of the United States, and, by virtue of his office, employment, position, or contract, becomes possessed of documents or materials containing classified information of the United States, knowingly removes such documents or materials without authority and with the intent to retain such documents or materials at an unauthorized location shall be fined under this title or imprisoned for not more than one year, or both.

(b) For purposes of this section, the provision of documents and materials to the Congress shall not constitute an offense under subsection (a).

(c) In this section, the term “classified information of the United States” means information originated, owned, or possessed by the United States Government concerning the national defense or foreign relations of the United States that has been determined pursuant to law or Executive order to require protection against unauthorized disclosure in the interests of national security.

(Added Pub. L. 103-359, title VIII, § 808(a), Oct. 14, 1994, 108 Stat. 3453; amended Pub. L. 107-273, div. B, title IV, § 4002(d)(1)(C)(i), Nov. 2, 2002, 116 Stat. 1809.)

## AMENDMENTS

2002—Subsec. (a). Pub. L. 107-273 substituted “under this title” for “not more than \$1,000”.

**CHAPTER 95—RACKETEERING**

## Sec.

1951. Interference with commerce by threats or violence.
1952. Interstate and foreign travel or transportation in aid of racketeering enterprises.
1953. Interstate transportation of wagering paraphernalia.
1954. Offer, acceptance, or solicitation to influence operations of employee benefit plan.
1955. Prohibition of illegal gambling businesses.
1956. Laundering of monetary instruments.
1957. Engaging in monetary transactions in property derived from specified unlawful activity.
1958. Use of interstate commerce facilities in the commission of murder-for-hire.
1959. Violent crimes in aid of racketeering activity.
1960. Prohibition of unlicensed money transmitting businesses.

## AMENDMENTS

2001—Pub. L. 107-56, title III, § 373(c), Oct. 26, 2001, 115 Stat. 340, substituted “unlicensed” for “illegal” in item 1960.

1992—Pub. L. 102-550, title XV, § 1512(b), Oct. 28, 1992, 106 Stat. 4058, added item 1960.

1988—Pub. L. 100-690, title VII, § 7053(c), Nov. 18, 1988, 102 Stat. 4402, redesignated items 1952A and 1952B as 1958 and 1959, respectively, and transferred them to the end of the table of sections.

1986—Pub. L. 99-570, title I, § 1352(b), Oct. 27, 1986, 100 Stat. 3207-21, added items 1956 and 1957.

1984—Pub. L. 98-473, title II, § 1002(b), Oct. 12, 1984, 98 Stat. 2137, added items 1952A and 1952B.

1970—Pub. L. 91-452, title VIII, § 803(b), Oct. 15, 1970, 84 Stat. 938, added item 1955.

1962—Pub. L. 87-420, § 17(f), Mar. 20, 1962, 76 Stat. 43, added item 1954.

1961—Pub. L. 87-228, § 1(b), Sept. 13, 1961, 75 Stat. 499, added item 1952.

Pub. L. 87-218, § 1, Sept. 13, 1961, 75 Stat. 492, added item 1953.

**§ 1951. Interference with commerce by threats or violence**

(a) Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan

or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

(b) As used in this section—

(1) The term “robbery” means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2) The term “extortion” means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3) The term “commerce” means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101–115, 151–166 of Title 29 or sections 151–188 of Title 45.

(June 25, 1948, ch. 645, 62 Stat. 793; Pub. L. 103–322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

#### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 420a–420e–1 (June 18, 1934, ch. 569, §§ 1–6, 48 Stat. 979, 980; July 3, 1946, ch. 537, 60 Stat. 420).

Section consolidates sections 420a to 420e–1 of Title 18, U.S.C., 1940 ed., with changes in phraseology and arrangement necessary to effect consolidation.

Provisions designating offense as felony were omitted as unnecessary in view of definitive section 1 of this title. (See reviser’s note under section 550 of this title.)

Subsection (c) of the revised section is derived from title II of the 1946 amendment. It substitutes references to specific sections of the United States Code, 1940 ed., in place of references to numerous acts of Congress, in conformity to the style of the revision bill. Subsection (c) as rephrased will preclude any construction of implied repeal of the specified acts of Congress codified in the sections enumerated.

The words “attempts or conspires so to do” were substituted for sections 3 and 4 of the 1946 act, omitting as unnecessary the words “participates in an attempt” and the words “or acts in concert with another or with others”, in view of section 2 of this title which makes any person who participates in an unlawful enterprise or aids or assists the principal offender, or does anything towards the accomplishment of the crime, a principal himself.

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

#### REFERENCES IN TEXT

Sections 101–115 of Title 29, referred to in subsec. (c), is a reference to act Mar. 23, 1932, ch. 90, 47 Stat. 70, popularly known as the Norris-LaGuardia Act. For complete classification of this Act to the Code, see Short Title note set out under section 101 of Title 29, Labor, and Tables.

Section 11 of that act, formerly classified to section 111 of Title 29, was repealed and reenacted as section 3692 of this title by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948.

Section 12 of that act, formerly classified to section 112 of Title 29, was repealed by act June 25, 1948, and is 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.