

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §120 (Mar. 4, 1909, ch. 321, §64, 35 Stat. 1100).

Minor changes were made in phraseology.

AMENDMENTS

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

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise in Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than Dec. 31, 1966, by Reorg. Plan No. 1 of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. All functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 552. Officers aiding importation of obscene or treasonous books and articles

Whoever, being an officer, agent, or employee of the United States, knowingly aids or abets any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or books, pamphlets, papers, writings, advertisements, circulars, prints, pictures, or drawings containing any matter advocating or urging treason or insurrection against the United States or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon any person in the United States, or means for procuring abortion, or other articles of indecent or immoral use or tendency, shall be fined under this title or imprisoned not more than ten years, or both.

(June 25, 1948, ch. 645, 62 Stat. 718; Pub. L. 91-662, §2, Jan. 8, 1971, 84 Stat. 1973; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 1305(b) of title 19, U.S.C., 1940 ed., Customs Duties (June 17, 1930, ch. 497, title III, §305(b), 46 Stat. 688).

In view of definition of misdemeanor in section 1 of this title words “shall be deemed guilty of a misdemeanor, and” were omitted.

Words “at hard labor” after “imprisonment” were omitted. (See reviser’s note under section 1 of this title.)

Changes were made in phraseology.

AMENDMENTS

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

1971—Pub. L. 91-662 struck out “preventing conception or” before “procuring abortion”.

EFFECTIVE DATE OF 1971 AMENDMENT

Pub. L. 91-662, §7, Jan. 8, 1971, 84 Stat. 1974, provided that: “The amendments made by this Act (other than by section 6) [amending this section, sections 1461 and 1462 of this title, and section 1305 of Title 19, Customs Duties] shall take effect on the day after the date of the enactment of this Act [Jan. 8, 1971].”

§ 553. Importation or exportation of stolen motor vehicles, off-highway mobile equipment, vessels, or aircraft

(a) Whoever knowingly imports, exports, or attempts to import or export—

(1) any motor vehicle, off-highway mobile equipment, vessel, aircraft, or part of any motor vehicle, off-highway mobile equipment, vessel, or aircraft, knowing the same to have been stolen; or

(2) any motor vehicle or off-highway mobile equipment or part of any motor vehicle or off-highway mobile equipment, knowing that the identification number of such motor vehicle, equipment, or part has been removed, obliterated, tampered with, or altered;

shall be fined under this title or imprisoned not more than 10 years, or both.

(b) Subsection (a)(2) shall not apply if the removal, obliteration, tampering, or alteration—

(1) is caused by collision or fire; or

(2)(A) in the case of a motor vehicle, is not a violation of section 511 of this title (relating to altering or removing motor vehicle identification numbers); or

(B) in the case of off-highway mobile equipment, would not be a violation of section 511 of this title if such equipment were a motor vehicle.

(c) As used in this section, the term—

(1) “motor vehicle” has the meaning given that term in section 32101 of title 49;

(2) “off-highway mobile equipment” means any self-propelled agricultural equipment, self-propelled construction equipment, and self-propelled special use equipment, used or designed for running on land but not on rail or highway;

(3) “vessel” has the meaning given that term in section 401 of the Tariff Act of 1930 (19 U.S.C. 1401);

(4) “aircraft” has the meaning given that term in section 40102(a) of title 49; and

(5) “identification number”—

(A) in the case of a motor vehicle, has the meaning given that term in section 511 of this title; and

(B) in the case of any other vehicle or equipment covered by this section, means a number or symbol assigned to the vehicle or equipment, or part thereof, by the manufacturer primarily for the purpose of identifying such vehicle, equipment, or part.

(Added Pub. L. 98-547, title III, §301(a), Oct. 25, 1984, 98 Stat. 2771; amended Pub. L. 100-690, title VII, §7021, Nov. 18, 1988, 102 Stat. 4396; Pub. L. 102-519, title I, §102, Oct. 25, 1992, 106 Stat. 3385; Pub. L. 103-272, §5(e)(5), July 5, 1994, 108 Stat. 1374.)

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-272, §5(e)(5)(A), substituted “section 32101 of title 49” for “section 2 of the Motor Vehicle Information and Cost Savings Act”.

Subsec. (c)(4). Pub. L. 103-272, §5(e)(5)(B), substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1301)”.

1992—Subsec. (a). Pub. L. 102-519 substituted “fined under this title or imprisoned not more than 10 years” for “fined not more than \$15,000 or imprisoned not more than five years” in concluding provisions.

1988—Subsec. (b)(2). Pub. L. 100-690 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “is not a violation of section 511 of this title.”

§ 554. Smuggling goods from the United States

(a) IN GENERAL.—Whoever fraudulently or knowingly exports or sends from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, shall be fined under this title, imprisoned not more than 10 years, or both.

(b) DEFINITION.—In this section, the term “United States” has the meaning given that term in section 545.

(Added Pub. L. 109-177, title III, §311(a), Mar. 9, 2006, 120 Stat. 242.)

CODIFICATION

Another section 554 was renumbered section 555 of this title.

§ 555. Border tunnels and passages

(a) Any person who knowingly constructs or finances the construction of a tunnel or subterranean passage that crosses the international border between the United States and another country, other than a lawfully authorized tunnel or passage known to the Secretary of Homeland Security and subject to inspection by Immigration and Customs Enforcement, shall be fined under this title and imprisoned for not more than 20 years.

(b) Any person who knows or recklessly disregards the construction or use of a tunnel or passage described in subsection (a) on land that the person owns or controls shall be fined under this title and imprisoned for not more than 10 years.

(c) Any person who uses a tunnel or passage described in subsection (a) to unlawfully smuggle an alien, goods (in violation of section 545), controlled substances, weapons of mass destruction (including biological weapons), or a member of a terrorist organization (as defined in section 2339B(g)(6)) shall be subject to a maximum term of imprisonment that is twice the maximum term of imprisonment that would have otherwise been applicable had the unlawful activity not made use of such a tunnel or passage.

(d) Any person who attempts or conspires to commit any offense under subsection (a) or subsection (c) of this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

(Added Pub. L. 109-295, title V, §551(a), Oct. 4, 2006, 120 Stat. 1389, §554; renumbered §555, Pub. L. 110-161, div. E, title V, §553(a)(1), Dec. 26, 2007, 121 Stat. 2082; amended Pub. L. 112-127, §3, June 5, 2012, 126 Stat. 371.)

AMENDMENTS

2012—Pub. L. 112-127 added subsec. (d).

2007—Pub. L. 110-161 renumbered section 554, relating to border tunnels and passages, as this section.

FINDINGS

Pub. L. 112-127, §2, June 5, 2012, 126 Stat. 370, provided that: “Congress finds the following:

“(1) Trafficking and smuggling organizations are intensifying their efforts to enter the United States through tunnels and other subterranean passages between Mexico and the United States.

“(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

“(3) From Fiscal Year 1990 to Fiscal Year 2011, law enforcement authorities discovered 149 cross-border tunnels along the border between Mexico and the United States, 139 of which have been discovered since Fiscal Year 2001. There has been a dramatic increase in the number of cross-border tunnels discovered in Arizona and California since Fiscal Year 2006, with 40 tunnels discovered in California and 74 tunnels discovered in Arizona.

“(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

“(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

“(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person’s land.

“(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options.”

CHAPTER 29—ELECTIONS AND POLITICAL ACTIVITIES

Sec.	
[591.	Repealed.]
592.	Troops at polls.
593.	Interference by armed forces.
594.	Intimidation of voters.
595.	Interference by administrative employees of Federal, State, or Territorial Governments.
596.	Polling armed forces.
597.	Expenditures to influence voting.
598.	Coercion by means of relief appropriations.
599.	Promise of appointment by candidate.
600.	Promise of employment or other benefit for political activity.
601.	Deprivation of employment or other benefit for political contribution.
602.	Solicitation of political contributions.
603.	Making political contributions.
604.	Solicitation from persons on relief.
605.	Disclosure of names of persons on relief.
606.	Intimidation to secure political contributions.
607.	Place of solicitation.
608.	Absent uniformed services voters and overseas voters.
609.	Use of military authority to influence vote of member of Armed Forces.
610.	Coercion of political activity.
611.	Voting by aliens.
[612 to 617.	Repealed.]

SENATE REVISION AMENDMENT

By Senate amendment, item 610 was changed to read, “610. Contributions or expenditures by national banks, corporations, or labor organizations”. See Senate Report No. 1620, amendment Nos. 4 and 5, 80th Cong.