

subsec. (c) by substituting “ten years” for “five years” and the amendment of subsec. (e) by substituting “six months” for “three months”, were executed by making the substitutions in subssecs. (a)(3) and (a)(5), respectively, to reflect the probable intent of Congress and the redesignation of subssecs. (c) and (e) as subssecs. (a)(3) and (a)(5), respectively. See below.

Pub. L. 103-322, § 170201(a)-(d), as amended by Pub. L. 104-294, § 604(b)(7), designated existing provisions as subsec. (a), redesignated former subssecs. (a) to (f) as pars. (1) to (6), respectively of subsec. (a) and realigned margins, inserted before period at end of par. (5) “, or if the victim of the assault is an individual who has not attained the age of 16 years, by fine under this title or imprisonment for not more than 1 year, or both”, and added subssecs. (a)(7) and (b).

1986—Subsec. (a). Pub. L. 99-646, § 87(c)(2), and Pub. L. 99-654, § 3(a)(2), amended subsec. (a) identically, striking out “or rape” after “murder”.

Subsec. (b). Pub. L. 99-646, § 87(c)(3), and Pub. L. 99-654, § 3(a)(3), amended subsec. (b) identically, substituting “a felony under chapter 109A” for “rape”.

1976—Subsec. (f). Pub. L. 94-297 added subsec. (f).

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.

EFFECTIVE DATE OF 1986 AMENDMENTS

Amendments by Pub. L. 99-646 and Pub. L. 99-654 effective respectively 30 days after Nov. 10, 1986, and 30 days after Nov. 14, 1986, see section 87(e) of Pub. L. 99-646 and section 4 of Pub. L. 99-654, set out as an Effective Date note under section 2241 of this title.

§ 114. Maiming within maritime and territorial jurisdiction

Whoever, within the special maritime and territorial jurisdiction of the United States, and with intent to torture (as defined in section 2340), maim, or disfigure, cuts, bites, or slits the nose, ear, or lip, or cuts out or disables the tongue, or puts out or destroys an eye, or cuts off or disables a limb or any member of another person; or

Whoever, within the special maritime and territorial jurisdiction of the United States, and with like intent, throws or pours upon another person, any scalding water, corrosive acid, or caustic substance—

Shall be fined under this title or imprisoned not more than twenty years, or both.

(June 25, 1948, ch. 645, 62 Stat. 689; May 24, 1949, ch. 139, § 3, 63 Stat. 90; Pub. L. 98-473, title II, § 1009A, Oct. 12, 1984, 98 Stat. 2141; Pub. L. 101-647, title XXXV, § 3507, Nov. 29, 1990, 104 Stat. 4922; Pub. L. 103-322, title XXXIII, § 330016(1)(O), Sept. 13, 1994, 108 Stat. 2148; Pub. L. 104-132, title VII, § 705(a)(1), Apr. 24, 1996, 110 Stat. 1295.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on title 18, U.S.C., 1940 ed., § 462 (Mar. 4, 1909, ch. 321, § 283, 35 Stat. 1144).

The words “within the special maritime and territorial jurisdiction of the United States, and” were added to preserve jurisdictional limitation provided for by section 451 of title 18, U.S.C., 1940 ed., now section 7 of this title. (See reviser’s note thereunder.)

Changes in phraseology were made.

1949 ACT

This section [section 3] corrects a typographical error in section 114 of title 18, U.S.C.

AMENDMENTS

1996—Pub. L. 104-132 substituted “torture (as defined in section 2340), maim, or disfigure” for “maim or disfigure”.

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$25,000”.

1990—Pub. L. 101-647 substituted “or imprisoned” for “and imprisoned”.

1984—Pub. L. 98-473 substituted “and imprisoned” for “or imprisoned” and provisions raising maximum fine from \$1,000 to \$25,000 and raising maximum term of imprisonment from seven years to twenty years.

1949—Act May 24, 1949, corrected spelling of “maim”.

§ 115. Influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member

(a)(1) Whoever—

(A) assaults, kidnaps, or murders, or attempts or conspires to kidnap or murder, or threatens to assault, kidnap or murder a member of the immediate family of a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under section 1114 of this title; or

(B) threatens to assault, kidnap, or murder, a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under such section,

with intent to impede, intimidate, or interfere with such official, judge, or law enforcement officer while engaged in the performance of official duties, or with intent to retaliate against such official, judge, or law enforcement officer on account of the performance of official duties, shall be punished as provided in subsection (b).

(2) Whoever assaults, kidnaps, or murders, or attempts or conspires to kidnap or murder, or threatens to assault, kidnap, or murder, any person who formerly served as a person designated in paragraph (1), or a member of the immediate family of any person who formerly served as a person designated in paragraph (1), with intent to retaliate against such person on account of the performance of official duties during the term of service of such person, shall be punished as provided in subsection (b).

(b)(1) The punishment for an assault in violation of this section is—

(A) a fine under this title; and

(B)(i) if the assault consists of a simple assault, a term of imprisonment for not more than 1 year;

(ii) if the assault involved physical contact with the victim of that assault or the intent to commit another felony, a term of imprisonment for not more than 10 years;

(iii) if the assault resulted in bodily injury, a term of imprisonment for not more than 20 years; or

(iv) if the assault resulted in serious bodily injury (as that term is defined in section 1365 of this title, and including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242 of this title) or a dangerous weapon was used during and in relation to the offense, a term of imprisonment for not more than 30 years.