

A, title I, § 101(f) [title VI, § 654(a)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369; Pub. L. 107-296, title XI, § 1112(e)(2), (3), Nov. 25, 2002, 116 Stat. 2276.)

AMENDMENTS

2002—Pub. L. 107-296, § 1112(e)(3), substituted “Attorney General” for “Secretary” in section catchline.

Subsec. (a). Pub. L. 107-296, § 1112(e)(3), substituted “Attorney General” for “Secretary” in two places.

Pub. L. 107-296, § 1112(e)(2), substituted “the Federal Bureau of Investigation, together with the Bureau of Alcohol, Tobacco, Firearms, and Explosives” for “the Attorney General and the Federal Bureau of Investigation, together with the Secretary”.

Subsec. (b). Pub. L. 107-296, § 1112(e)(3), substituted “Attorney General” for “Secretary” wherever appearing.

1996—Pub. L. 104-208 designated existing provisions as subsec. (a) and added subsec. (b).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 104-208, div. A, title I, § 101(f) [title VI, § 654(b)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369, provided that: “There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection [probably means “this section” which amended this section].”

CERTIFICATION OF EXPLOSIVES DETECTION CANINES

Pub. L. 106-554, § 1(a)(3) [title VI, § 626], Dec. 21, 2000, 114 Stat. 2763, 2763A-162, provided that: “Hereafter, the Secretary of the Treasury is authorized to establish scientific certification standards for explosives detection canines, and shall provide, on a reimbursable basis, for the certification of explosives detection canines employed by Federal agencies, or other agencies providing explosives detection services at airports in the United States.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106-58, title VI, § 630, Sept. 29, 1999, 113 Stat. 473.

Pub. L. 105-277, div. A, § 101(h) [title VI, § 640], Oct. 21, 1998, 112 Stat. 2681-480, 2681-526.

Pub. L. 105-61, title VI, § 627, Oct. 10, 1997, 111 Stat. 1315.

Pub. L. 104-208, div. A, title I, § 101(f) [title VI, § 653(a)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369.

§ 847. Rules and regulations

The administration of this chapter shall be vested in the Attorney General. The Attorney General may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Attorney General shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

(Added Pub. L. 91-452, title XI, § 1102(a), Oct. 15, 1970, 84 Stat. 959; amended Pub. L. 107-296, title XI, § 1112(e)(3), Nov. 25, 2002, 116 Stat. 2276.)

AMENDMENTS

2002—Pub. L. 107-296 substituted “Attorney General” for “Secretary” wherever appearing.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as

an Effective Date note under section 101 of Title 6, Domestic Security.

§ 848. Effect on State law

No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State so that the two cannot be reconciled or consistently stand together.

(Added Pub. L. 91-452, title XI, § 1102(a), Oct. 15, 1970, 84 Stat. 959.)

CHAPTER 41—EXTORTION AND THREATS

Sec.

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| 880. | Receiving the proceeds of extortion. |

AMENDMENTS

2000—Pub. L. 106-544, § 2(b)(2), Dec. 19, 2000, 114 Stat. 2715, struck out “protected by the Secret Service” after “other persons” in item 879.

1994—Pub. L. 103-322, title XXXII, § 320601(a)(2), Sept. 13, 1994, 108 Stat. 2115, added item 880.

1982—Pub. L. 97-297, § 1(b), Oct. 12, 1982, 96 Stat. 1317, added item 879.

1976—Pub. L. 94-467, § 9, Oct. 8, 1976, 90 Stat. 2001, added item 878.

1962—Pub. L. 87-829, § 2, Oct. 15, 1962, 76 Stat. 956, substituted “and successors to the Presidency” for “President-elect, and Vice President” in item 871.

1955—Act June 1, 1955, ch. 115, § 2, 69 Stat. 80, inserted “President-elect, and Vice President” in item 871.

§ 871. Threats against President and successors to the Presidency

(a) Whoever knowingly and willfully deposits for conveyance in the mail or for a delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of, to kidnap, or to inflict bodily harm upon the President of the United States, the President-elect, the Vice President or other officer next in the order of succession to the office of President of the United States, or the Vice President-elect, or knowingly and willfully otherwise makes any such threat against the President, President-elect, Vice President or other officer next in the order of succession to the office of President, or Vice President-elect, shall be fined under this title or imprisoned not more than five years, or both.

(b) The terms “President-elect” and “Vice President-elect” as used in this section shall mean such persons as are the apparent success-

ful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2. The phrase “other officer next in the order of succession to the office of President” as used in this section shall mean the person next in the order of succession to act as President in accordance with title 3, United States Code, sections 19 and 20.

(June 25, 1948, ch. 645, 62 Stat. 740; June 1, 1955, ch. 115, §1, 69 Stat. 80; Pub. L. 87-829, §1, Oct. 15, 1962, 76 Stat. 956; Pub. L. 97-297, §2, Oct. 12, 1982, 96 Stat. 1318; 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., §89 (Feb. 14, 1917, ch. 64, 39 Stat. 919).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of “principal” in section 2 of this title.

Minor changes were made in phraseology.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

1982—Subsec. (a). Pub. L. 97-297 inserted “, to kidnap,” after “containing any threat to take the life of”.

1962—Pub. L. 87-829 designated existing provisions as subsec. (a), extended the provisions of such subsection to include any other officer next on the order of succession to the office of President and the Vice-President-elect, added subsec. (b), and substituted “and successors to the Presidency” for “, President-elect, and Vice President” in section catchline.

1955—Act June 1, 1955, included in section catchline and in text, provision for penalties for threats against the President-elect and the Vice President.

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-544, §1, Dec. 19, 2000, 114 Stat. 2715, provided that: “This Act [amending sections 879, 3056 and 3486 of this title, repealing section 3486A of this title, and enacting provisions set out as notes under section 3056 of this title, section 551 of Title 5, Government Organization and Employees, and section 566 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘Presidential Threat Protection Act of 2000.’”

§ 872. Extortion by officers or employees of the United States

Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years, or both; but if the amount so extorted or demanded does not exceed \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 740; Oct. 31, 1951, ch. 655, §24(b), 65 Stat. 720; Pub. L. 103-322, title XXXIII, §330016(1)(G), (K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, §606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §171 (Mar. 4, 1909, ch. 321, §85, 35 Stat. 1104).

Words “or any department or agency” were inserted to eliminate any possible ambiguity as to scope of section. (See definitive section 6 of this title.)

The punishment provided by section 171 of title 18, U.S.C., 1940 ed., of fine of not more than \$500 or imprisonment of not more than 1 year, or both, was increased for offenses involving more than \$100 to conform to Congressional policy reflected in later Acts. See section 4047(e)(1) of title 26, U.S.C., 1940 ed., Internal Revenue Code, and the punishment provision following paragraph (10) of said subsection.

AMENDMENTS

1996—Pub. L. 104-294 substituted “\$1,000” for “\$100”.

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000” after “extortion, shall be” and for “fined not more than \$500” after “he shall be”.

1951—Act Oct. 31, 1951, changed punctuation to make section applicable not only to persons falsely representing themselves as Federal officers or employees at the time of extortion or the attempt thereof, but also to Federal officers and employees who attempt or commit extortion under color of office or employment.

§ 873. Blackmail

Whoever, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demands or receives any money or other valuable thing, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 740; Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based upon title 18, U.S.C., 1940 ed., §250 (Mar. 4, 1909, ch. 321, §145, 35 Stat. 1114).

Only minor changes were made in phraseology.

AMENDMENTS

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

§ 874. Kickbacks from public works employees

Whoever, by force, intimidation, or threat of procuring dismissal from employment, or by any other manner whatsoever induces any person employed in the construction, prosecution, completion or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he is entitled under his contract of employment, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, 62 Stat. 740; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 276b of title 40, U.S.C., 1940 ed., Public Buildings, Property, and Works (June 13, 1934, ch. 482, §1, 48 Stat. 948).

Slight changes of phraseology were made.

AMENDMENTS

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

§ 875. Interstate communications

(a) Whoever transmits in interstate or foreign commerce any communication containing any