

the addressee or of another, shall be fined under this title or imprisoned not more than twenty years, or both.

Whoever knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined under this title or imprisoned not more than five years, or both.

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 741; Pub. L. 91-375, §6(j)(8), Aug. 12, 1970, 84 Stat. 777; Pub. L. 103-322, title XXXIII, §§330016(1)(G), (H), (K), 330021(2), Sept. 13, 1994, 108 Stat. 2147, 2150.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §338b (July 8, 1932, ch. 464, §2, 47 Stat. 649; May 15, 1939, ch. 133, §1, 53 Stat. 742).

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

Provisions as to district of trial were omitted as covered by sections 3237 and 3239 of this title.

AMENDMENTS

1994—Pub. L. 103-322, §330021(2), substituted "kidnapped" for "kidnaped" in first par.

Pub. L. 103-322, §330016(1)(K), substituted "fined under this title" for "fined not more than \$5,000" in first and second pars.

Pub. L. 103-322, §330016(1)(H), substituted "fined under this title" for "fined not more than \$1,000" in third par.

Pub. L. 103-322, §330016(1)(G), substituted "fined under this title" for "fined not more than \$500" in fourth par.

1970—Pub. L. 91-375 substituted "Postal Service" for "Post Office Department of the United States" in two places in first par.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

§ 878. Threats and extortion against foreign officials, official guests, or internationally protected persons

(a) Whoever knowingly and willfully threatens to violate section 112, 1116, or 1201 shall be fined under this title or imprisoned not more than five years, or both, except that imprisonment for a threatened assault shall not exceed three years.

(b) Whoever in connection with any violation of subsection (a) or actual violation of section 112, 1116, or 1201 makes any extortionate demand shall be fined under this title or imprisoned not more than twenty years, or both.

(c) For the purpose of this section "foreign official", "internationally protected person", "national of the United States", and "official

guest" shall have the same meanings as those provided in section 1116(a) of this title.

(d) If the victim of an offense under subsection (a) is an internationally protected person outside the United States, the United States may exercise jurisdiction over the offense if (1) the victim is a representative, officer, employee, or agent of the United States, (2) an offender is a national of the United States, or (3) an offender is afterwards found in the United States. As used in this subsection, the United States includes all areas under the jurisdiction of the United States including any of the places within the provisions of sections 5 and 7 of this title and section 46501(2) of title 49.

(Added Pub. L. 94-467, §8, Oct. 8, 1976, 90 Stat. 2000; amended Pub. L. 95-163, §17(b)(1), Nov. 9, 1977, 91 Stat. 1286; Pub. L. 95-504, §2(b), Oct. 24, 1978, 92 Stat. 1705; Pub. L. 103-272, §5(e)(2), July 5, 1994, 108 Stat. 1373; Pub. L. 103-322, title XXXIII, §330016(1)(K), (N), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104-132, title VII, §§705(a)(4), 721(e), Apr. 24, 1996, 110 Stat. 1295, 1299.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-132, §705(a)(4), struck out "by killing, kidnapping, or assaulting a foreign official, official guest, or internationally protected person" before "shall be fined".

Subsec. (c). Pub. L. 104-132, §721(e)(1), inserted "'national of the United States,'" before "and 'official guest'".

Subsec. (d). Pub. L. 104-132, §721(e)(2), inserted first sentence and struck out former first sentence which read as follows: "If the victim of an offense under subsection (a) is an internationally protected person, the United States may exercise jurisdiction over the offense if the alleged offender is present within the United States, irrespective of the place where the offense was committed or the nationality of the victim or the alleged offender."

1994—Subsec. (a). Pub. L. 103-322, §330016(1)(K), substituted "fined under this title" for "fined not more than \$5,000".

Subsec. (b). Pub. L. 103-322, §330016(1)(N), substituted "fined under this title" for "fined not more than \$20,000".

Subsec. (d). Pub. L. 103-272 substituted "section 46501(2) of title 49" for "section 101(38) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301(38))".

1978—Subsec. (d). Pub. L. 95-504 substituted reference to section 101(38) of the Federal Aviation Act of 1958 for reference to section 101(35) of such Act.

1977—Subsec. (d). Pub. L. 95-163 substituted reference to section 101(35) of the Federal Aviation Act of 1958 for reference to section 101(34) of such Act.

§ 879. Threats against former Presidents and certain other persons

(a) Whoever knowingly and willfully threatens to kill, kidnap, or inflict bodily harm upon—

(1) a former President or a member of the immediate family of a former President;

(2) a member of the immediate family of the President, the President-elect, the Vice President, or the Vice President-elect;

(3) a major candidate for the office of President or Vice President, or a member of the immediate family of such candidate; or

(4) a person protected by the Secret Service under section 3056(a)(6);

shall be fined under this title or imprisoned not more than 5 years, or both.