

SENATE REVISION AMENDMENT

The “corrective legislation”, referred to in this paragraph, became Act April 16, 1947, ch. 39, 61 Stat. 52, and, as it amended section 411 of title 18, U.S.C., such act was an additional source of this section.

Editorial Notes

AMENDMENTS

2012—Pub. L. 112-186 inserted at end of fifth par. “If the offense involves a pre-retail medical product (as defined in section 670), it shall be punished under section 670 unless the penalties provided for under this section are greater.”

2006—Pub. L. 109-177, in first par., inserted “trailer,” after “motortruck,”; “air cargo container,” after “aircraft,”; and “, or from any intermodal container, trailer, container freight station, warehouse, or freight consolidation facility,” after “air navigation facility”, in fifth par., substituted “be fined under this title or imprisoned not more than 10 years, or both, but if the amount or value of such money, baggage, goods, or chattels is less than \$1,000, shall be fined under this title or imprisoned for not more than 3 years, or both” for “in each case be fined under this title or imprisoned not more than ten years, or both; but if the amount or value of such money, baggage, goods or chattels does not exceed \$1,000, he shall be fined under this title or imprisoned not more than one year, or both”, and, in eighth par., inserted “For purposes of this section, goods and chattel shall be construed to be moving as an interstate or foreign shipment at all points between the point of origin and the final destination (as evidenced by the waybill or other shipping document of the shipment), regardless of any temporary stop while awaiting transshipment or otherwise.” after first sentence.

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

1994—Pub. L. 103-322, in fifth par., substituted “fined under this title” for “fined not more than \$5,000” after “Shall in each case be” and for “fined not more than \$1,000” after “he shall be”.

1966—Pub. L. 89-654 substituted “shipments by carrier” for “baggage, express, or freight” in section catchline, inserted “pipeline system” and “tank or storage facility” and substituted “freight, express, or other property” for “freight or express” in first par., provided in eighth par. that the removal of property from a pipeline system which extends interstate shall be prima facie evidence of the interstate character of the shipment of the property, and, in ninth par., prohibited any construction which indicated an intent on the part of Congress to occupy the field to the exclusion of State laws or to invalidate inconsistent State provisions.

1949—Act May 24, 1949, inserted “embezzled or” before “stolen” in second par., and substituted “whoever” for “who” before “buys” in fourth par.

Statutory Notes and Related Subsidiaries

ANNUAL REPORT OF LAW ENFORCEMENT ACTIVITIES

Pub. L. 109-177, title III, §307(d), Mar. 9, 2006, 120 Stat. 240, provided that: “The Attorney General shall annually submit to Congress a report, which shall include an evaluation of law enforcement activities relating to the investigation and prosecution of offenses under section 659 of title 18, United States Code, as amended by this title.”

§ 660. Carrier’s funds derived from commerce; State prosecutions

Whoever, being a president, director, officer, or manager of any firm, association, or corporation engaged in commerce as a common carrier, or whoever, being an employee of such common carrier riding in or upon any railroad car,

motortruck, steamboat, vessel, aircraft or other vehicle of such carrier moving in interstate commerce, embezzles, steals, abstracts, or willfully misapplies, or willfully permits to be misapplied, any of the moneys, funds, credits, securities, property, or assets of such firm, association, or corporation arising or accruing from, or used in, such commerce, in whole or in part, or willfully or knowingly converts the same to his own use or to the use of another, shall be fined under this title or imprisoned not more than ten years, or both.

The offense shall be deemed to have been committed not only in the district where the violation first occurred but also in any district in which the defendant may have taken or had possession of such moneys, funds, credits, securities, property or assets.

A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

(June 25, 1948, ch. 645, 62 Stat. 730; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§409, 412 (Feb. 13, 1913, ch. 50, §1, 37 Stat. 670; Oct. 15, 1914, ch. 323, §9, 38 Stat. 733; Jan. 28, 1925, ch. 102, 43 Stat. 793; Jan. 21, 1933, ch. 16, 47 Stat. 773; July 24, 1946, ch. 606, 60 Stat. 656).

Section consolidates a portion of section 409 with section 412, both of title 18, U.S.C., 1940 ed. Other provisions of said section 409 are incorporated in sections 659 and 2117 of this title.

Definitive language in section 412 of title 18, U.S.C., 1940 ed., as to offense being a felony was deleted to conform with section 1 of this title. (See reviser’s note under section 550 of this title.)

Words “imprisoned” was substituted for “confined in the penitentiary” in section 412 of title 18, U.S.C., 1940 ed., in view of power of Attorney General under section 4082 of this title.

Minimum punishment provision “less than one year nor” in section 412 of title 18, U.S.C., 1940 ed., was omitted for reasons in reviser’s note under section 203 of this title.

Maximum fine of \$5,000 was substituted for minimum fine of \$500 in section 412 of title 18, U.S.C., 1940 ed., as being more consonant with the scheme of penalties and offenses provided by Congress for most sections in this chapter.

Sentence in section 412 of title 18, U.S.C., 1940 ed., “Nothing in this section shall be held to take away or impair the jurisdiction of the several courts under the laws thereof;”, was omitted in view of section 3231 of this title.

Changes were made in phraseology.

Editorial Notes

AMENDMENTS

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

§ 661. Within special maritime and territorial jurisdiction

Whoever, within the special maritime and territorial jurisdiction of the United States, takes and carries away, with intent to steal or purloin, any personal property of another shall be punished as follows:

If the property taken is of a value exceeding \$1,000, or is taken from the person of another, by