§ 11. Foreign government defined

The term “foreign government”, as used in this title except in sections 112, 878, 970, 1116, and 1201, includes any government, faction, or body of insurgents within a country with which the United States is at peace, irrespective of the character of the persons or bodies therein, whether or not such officer or employee has taken the oath of office.


The United States Postal Service was inserted in two places to make the definition more precise, including the term “Postal Service” in section catchline and substituted in text as definition of “Postal Service” the United States Postal Service established under title 39, and every officer and employee of that Service, whether he has taken the oath of office, for prior definition which included the Post Office Department and every employee, thereof, whether or not he has taken the oath of office.

Statutory Notes and Related Subsidiaries

Effective Date of 1970 Amendment

Amendment by Pub. L. 91–375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the 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.

§ 12. United States Postal Service defined

As used in this title, the term “Postal Service” means the United States Postal Service established under title 39, and every officer and employee of that Service, whether or not such officer or employee has taken the oath of office.


Editorial Notes

Amendments

1970—Pub. L. 91–375 substituted “whether or not such officer or employee has taken the oath of office” for “whether he has taken the oath of office”.

1979—Pub. L. 91–375 inserted “United States” before “Postal Service” in section catchline and substituted in text as definition of “Postal Service” the United States Postal Service established under title 39, and every officer and employee of that Service, whether he has taken the oath of office, for prior definition which included the Post Office Department and every employee, thereof, whether or not he has taken the oath of office.

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Historical and Revision Notes


This section consolidates into one section identical definitions contained in sections 408, 408b, 414(a), and 418(a)(b) of title 18, U.S.C., 1940 ed.

In addition to slight improvements in style, the word “commerce” was substituted for “transportation” in order to avoid the narrower connotation of the word “transportation” since “commerce” obviously includes more than “transportation.” The word “Possession” was inserted in two places to make the definition more accurate and comprehensive since the place included in it would normally be within the term defined and a narrower construction should be handled by express statutory exclusion in those crimes which Congress intends to restrict to commerce within the continental United States.

Editorial Notes

Amendments

1990—Pub. L. 101–647 substituted “whether or not such officer or employee has taken the oath of office” for “whether he has taken the oath of office”.

1979—Pub. L. 91–375 inserted “United States” before “Postal Service” in section catchline and substituted in text as definition of “Postal Service” the United States Postal Service established under title 39, and every officer and employee of that Service, whether he has taken the oath of office, for prior definition which included the Post Office Department and every employee, thereof, whether or not he has taken the oath of office.

Historical and Revision Notes