

Public Law 97-285
97th Congress

An Act

To amend sections 351 and 1751 of title 18 of the United States Code to provide penalties for crimes against Cabinet officers, Supreme Court Justices, and Presidential staff members, and for other purposes.

Oct. 6, 1982

[S. 907]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 351 of title 18 of the United States Code is amended to read as follows:

Penalties for crimes against governmental officials.

“(a) Whoever kills any individual who is a Member of Congress or a Member-of-Congress-elect, a member of the executive branch of the Government who is the head, or a person nominated to be head during the pendency of such nomination, of a department listed in section 101 of title 5 or the second ranking official in such department, the Director (or a person nominated to be Director during the pendency of such nomination) or Deputy Director of Central Intelligence, or a Justice of the United States, as defined in section 451 of title 28, or a person nominated to be a Justice of the United States, during the pendency of such nomination, shall be punished as provided by sections 1111 and 1112 of this title.”

5 USC 101.

28 USC 451.

18 USC 1111,
1112.

(b) Section 351 of title 18 of the United States Code is amended by adding at the end the following:

“(h) In a prosecution for an offense under this section the Government need not prove that the defendant knew that the victim of the offense was an official protected by this section.

“(i) There is extraterritorial jurisdiction over the conduct prohibited by this section.”

SEC. 2. (a) The section heading of section 351 of title 18 of the United States Code is amended to read as follows:

“§ 351. Congressional, Cabinet, and Supreme Court assassination, kidnaping, and assault; penalties”.

(b) In the table of sections at the beginning of chapter 18 of title 18 of the United States Code, the item relating to section 351 is amended to read as follows:

“351. Congressional, Cabinet, and Supreme Court assassination, kidnaping, and assault; penalties.”

(c) The chapter heading of chapter 18 of title 18 of the United States Code is amended to read as follows:

“CHAPTER 18—CONGRESSIONAL, CABINET, AND SUPREME COURT ASSASSINATION, KIDNAPING, AND ASSAULT”.

(d) The table of chapters at the beginning of part I of title 18 of the United States Code is amended so that the item relating to chapter 18 reads as follows:

“18. Congressional, Cabinet, and Supreme Court assassination, kidnaping, and assault..... 351”.

(e) Subsection (c) of section 2516 of title 18 of the United States Code is amended by striking out "(violations with respect to congressional" and all that follows through "assault)" and inserting in lieu thereof the following: "(violations with respect to congressional, Cabinet, or Supreme Court assassinations, kidnaping, and assault)".

SEC. 3. (a) Subsection (a) of section 1751 of title 18 of the United States Code is amended to read as follows:

"(a) Whoever kills (1) any individual who is the President of the United States, the President-elect, the Vice President, or, if there is no Vice President, the officer next in the order of succession to the Office of the President of the United States, the Vice President-elect, or any person who is acting as President under the Constitution and laws of the United States, or (2) any person appointed under section 105(a)(2)(A) of title 3 employed in the Executive Office of the President or appointed under section 106(a)(1)(A) of title 3 employed in the Office of the Vice President, shall be punished as provided by sections 1111 and 1112 of this title."

(b) Subsection (e) of section 1751 of title 18 of the United States Code is amended to read as follows:

"(e) Whoever assaults any person designated in subsection (a)(1) shall be fined not more than \$10,000, or imprisoned not more than ten years, or both. Whoever assaults any person designated in subsection (a)(2) shall be fined not more than \$5,000, or imprisoned not more than one year, or both; and if personal injury results, shall be fined not more than \$10,000, or imprisoned not more than ten years, or both."

(c) Subsection (g) of section 1751 of title 18 of the United States Code is amended by striking out "this section" and inserting in lieu thereof "subsection (a)(1)".

(d) Section 1751 of title 18 of the United States Code is amended by adding at the end the following:

"(j) In a prosecution for an offense under this section the Government need not prove that the defendant knew that the victim of the offense was an official protected by this section.

"(k) There is extraterritorial jurisdiction over the conduct prohibited by this section."

SEC. 4. (a) The section heading of section 1751 of title 18 of the United States Code is amended to read as follows:

"§ 1751. Presidential and Presidential staff assassination, kidnaping, and assault; penalties".

(b) In the table of sections at the beginning of chapter 84 of title 18 of the United States Code the item relating to section 1751 is amended to read as follows:

"1751. Presidential and Presidential staff assassination, kidnaping, and assault; penalties."

(c) The heading of chapter 84 of title 18 of the United States Code is amended to read as follows:

"CHAPTER 84—PRESIDENTIAL AND PRESIDENTIAL STAFF ASSASSINATION, KIDNAPING, AND ASSAULT".

(d) The table of chapters at the beginning of part I of title 18 of the United States Code is amended so that the item relating to chapter 84 reads as follows:

3 USC 105.

3 USC 106.

18 USC 1111,
1112.

Fines or
imprisonment.

"84. Presidential and Presidential staff assassination, kidnaping, and assault..... 1751".

(e) Subsection (c) of section 2516 of title 18 of the United States Code is amended by striking out "(Presidential assassinations, kidnaping, and assault)" and inserting in lieu thereof "(Presidential and Presidential staff assassination, kidnaping, and assault)".

Approved October 6, 1982.

LEGISLATIVE HISTORY—S. 907:

HOUSE REPORT No. 97-803 (Comm. on the Judiciary).
 SENATE REPORT No. 97-320 (Comm. on the Judiciary).
 CONGRESSIONAL RECORD, Vol. 128 (1982):
 May 5, considered and passed Senate.
 Sept. 14, considered and passed House, amended.
 Sept. 22, Senate concurred in House amendment.