

91-375, set out as a note preceding section 101 of Title 39, Postal Service.

[§ 1738. Repealed. Pub. L. 106-578, § 4, Dec. 28, 2000, 114 Stat. 3076]

Section, added Pub. L. 97-398, § 4(a), Dec. 31, 1982, 96 Stat. 2011; amended Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147, related to mailing private identification documents without a disclaimer.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective 90 days after Dec. 28, 2000, see section 5 of Pub. L. 106-578, set out as an Effective Date of 2000 Amendment note under section 1028 of this title.

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

Sec.

- 1751. Presidential and Presidential staff assassination, kidnapping, and assault; penalties.
- 1752. Restricted building or grounds.

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-177, title VI, § 602(b)(2), Mar. 9, 2006, 120 Stat. 252, substituted “Restricted building or grounds” for “Temporary residences and offices of the President and others” in item 1752.

1994—Pub. L. 103-322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150, which directed the amendment of this title “by striking ‘kidnaping’ each place it appears and inserting ‘kidnapping’”, was executed by substituting “KIDNAPPING” for “KIDNAPING” in chapter heading, to reflect the probable intent of Congress.

Pub. L. 103-322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150, substituted “kidnapping” for “kidnaping” in item 1751.

1990—Pub. L. 101-647, title XXXV, § 3553, Nov. 29, 1990, 104 Stat. 4926, added item 1752.

1982—Pub. L. 97-285, § 4(b), (c), Oct. 6, 1982, 96 Stat. 1220, inserted “and Presidential staff” after “Presidential” in chapter heading and in item 1751.

§ 1751. Presidential and Presidential staff assassination, kidnapping, and assault; penalties

(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) Whoever kidnaps any individual designated in subsection (a) of this section shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(c) Whoever attempts to kill or kidnap any individual designated in subsection (a) of this section shall be punished by imprisonment for any term of years or for life.

(d) If two or more persons conspire to kill or kidnap any individual designated in subsection (a) of this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(e) Whoever assaults any person designated in subsection (a)(1) shall be fined under this title, or imprisoned not more than ten years, or both. Whoever assaults any person designated in subsection (a)(2) shall be fined under this title, or imprisoned not more than one year, or both; and if the assault involved the use of a dangerous weapon, or personal injury results, shall be fined under this title, or imprisoned not more than ten years, or both.

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

(g) The Attorney General of the United States, in his discretion is authorized to pay an amount not to exceed \$100,000 for information and services concerning a violation of subsection (a)(1). Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this subsection.

(h) If Federal investigative or prosecutive jurisdiction is asserted for a violation of this section, such assertion shall suspend the exercise of jurisdiction by a State or local authority, under any applicable State or local law, until Federal action is terminated.

(i) Violations of this section shall be investigated by the Federal Bureau of Investigation. Assistance may be requested from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding.

(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.

(Added Pub. L. 89-141, § 1, Aug. 28, 1965, 79 Stat. 580; amended Pub. L. 97-285, §§ 3, 4(a), Oct. 6, 1982, 96 Stat. 1220; Pub. L. 103-322, title XXXII, § 320101(e), title XXXIII, §§ 330016(1)(K), (L), 330021(1), Sept. 13, 1994, 108 Stat. 2108, 2147, 2150; Pub. L. 104-294, title VI, § 604(b)(12)(D), Oct. 11, 1996, 110 Stat. 3507.)

Editorial Notes

AMENDMENTS

1996—Subsec. (e). Pub. L. 104-294, § 604(b)(12)(D), repealed Pub. L. 103-322, § 320101(e)(1), (2). See 1994 Amendment notes below.

1994—Pub. L. 103-322, § 330021(1), substituted “kidnaping” for “kidnaping” in section catchline.

Subsec. (e). Pub. L. 103-322, § 330016(1)(K), substituted “fined under this title” for “fined not more than \$5,000” after “subsection (a)(2) shall be”.