

**CHAPTER 95—RACKETEERING**

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**Editorial Notes****AMENDMENTS**

2001—Pub. L. 107-56, title III, §373(c), Oct. 26, 2001, 115 Stat. 340, substituted “unlicensed” for “illegal” in item 1960.

1992—Pub. L. 102-550, title XV, §1512(b), Oct. 28, 1992, 106 Stat. 4058, added item 1960.

1988—Pub. L. 100-690, title VII, §7053(c), Nov. 18, 1988, 102 Stat. 4402, redesignated items 1952A and 1952B as 1958 and 1959, respectively, and transferred them to the end of the table of sections.

1986—Pub. L. 99-570, title I, §1352(b), Oct. 27, 1986, 100 Stat. 3207-21, added items 1956 and 1957.

1984—Pub. L. 98-473, title II, §1002(b), Oct. 12, 1984, 98 Stat. 2137, added items 1952A and 1952B.

1970—Pub. L. 91-452, title VIII, §803(b), Oct. 15, 1970, 84 Stat. 938, added item 1955.

1962—Pub. L. 87-420, §17(f), Mar. 20, 1962, 76 Stat. 43, added item 1954.

1961—Pub. L. 87-228, §1(b), Sept. 13, 1961, 75 Stat. 499, added item 1952.

Pub. L. 87-218, §1, Sept. 13, 1961, 75 Stat. 492, added item 1953.

**§ 1951. Interference with commerce by threats or violence**

(a) Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

(b) As used in this section—

(1) The term “robbery” means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2) The term “extortion” means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3) The term “commerce” means commerce within the District of Columbia, or any Terri-

tory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101-115, 151-166 of Title 29 or sections 151-188 of Title 45.

(June 25, 1948, ch. 645, 62 Stat. 793; Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

**HISTORICAL AND REVISION NOTES**

Based on title 18, U.S.C., 1940 ed., §§420a-420e-1 (June 18, 1934, ch. 569, §§1-6, 48 Stat. 979, 980; July 3, 1946, ch. 537, 60 Stat. 420).

Section consolidates sections 420a to 420e-1 of Title 18, U.S.C., 1940 ed., with changes in phraseology and arrangement necessary to effect consolidation.

Provisions designating offense as felony were omitted as unnecessary in view of definitive section 1 of this title. (See reviser's note under section 550 of this title.)

Subsection (c) of the revised section is derived from title II of the 1946 amendment. It substitutes references to specific sections of the United States Code, 1940 ed., in place of references to numerous acts of Congress, in conformity to the style of the revision bill. Subsection (c) as rephrased will preclude any construction of implied repeal of the specified acts of Congress codified in the sections enumerated.

The words “attempts or conspires so to do” were substituted for sections 3 and 4 of the 1946 act, omitting as unnecessary the words “participates in an attempt” and the words “or acts in concert with another or with others”, in view of section 2 of this title which makes any person who participates in an unlawful enterprise or aids or assists the principal offender, or does anything towards the accomplishment of the crime, a principal himself.

Words “shall, upon conviction thereof,” were omitted as surplusage, since punishment cannot be imposed until a conviction is secured.

**Editorial Notes****REFERENCES IN TEXT**

Sections 101-115 of Title 29, referred to in subsec. (c), is a reference to act Mar. 23, 1932, ch. 90, 47 Stat. 70, popularly known as the Norris-LaGuardia Act. For complete classification of this Act to the Code, see Short Title note set out under section 101 of Title 29, Labor, and Tables.

Section 11 of that act, formerly classified to section 111 of Title 29, was repealed and reenacted as section 3692 of this title by act June 25, 1948, ch. 645, §21, 62 Stat. 862, eff. Sept. 1, 1948.

Section 12 of that act, formerly classified to section 112 of Title 29, was repealed by act June 25, 1948, and is covered by rule 42(b) of the Federal Rules of Criminal Procedure, set out in Appendix to this title.

Section 164 of Title 45, included within the reference in subsec. (c) to sections 151-188 of Title 45, was repealed by act Oct. 10, 1940, ch. 851, §4, 54 Stat. 1111.

Section 186 of Title 45, included within the reference in subsec. (c) to sections 151-188 of Title 45, was omitted from the Code.

**AMENDMENTS**

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000”.

**Statutory Notes and Related Subsidiaries****SHORT TITLE**

This section is popularly known as the “Hobbs Act”.

**§ 1952. Interstate and foreign travel or transportation in aid of racketeering enterprises**

(a) Whoever travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to—

(1) distribute the proceeds of any unlawful activity; or

(2) commit any crime of violence to further any unlawful activity; or

(3) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity,

and thereafter performs or attempts to perform—

(A) an act described in paragraph (1) or (3) shall be fined under this title, imprisoned not more than 5 years, or both; or

(B) an act described in paragraph (2) shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be imprisoned for any term of years or for life.

(b) As used in this section (i) “unlawful activity” means (1) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or controlled substances (as defined in section 102(6) of the Controlled Substances Act), or prostitution offenses in violation of the laws of the State in which they are committed or of the United States, (2) extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States, or (3) any act which is indictable under subchapter II of chapter 53 of title 31, United States Code, or under section 1956 or 1957 of this title and (ii) the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(c) Investigations of violations under this section involving liquor shall be conducted under the supervision of the Attorney General.

(d) If the offense under this section involves an act described in paragraph (1) or (3) of subsection (a) and also involves a pre-retail medical product (as defined in section 670), the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under subsection (a) is greater.

(e)(1) This section shall not apply to a savings promotion raffle conducted by an insured depository institution or an insured credit union.

(2) In this subsection—

(A) the term “insured credit union” shall have the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

(B) the term “insured depository institution” shall have the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(C) the term “savings promotion raffle” means a contest in which the sole consider-

ation required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).

(Added Pub. L. 87-228, §1(a), Sept. 13, 1961, 75 Stat. 498; amended Pub. L. 89-68, July 7, 1965, 79 Stat. 212; Pub. L. 91-513, title II, §701(i)(2), Oct. 27, 1970, 84 Stat. 1282; Pub. L. 99-570, title I, §1365(a), Oct. 27, 1986, 100 Stat. 3207-35; Pub. L. 101-647, title XII, §1205(i), title XVI, §1604, Nov. 29, 1990, 104 Stat. 4831, 4843; Pub. L. 103-322, title XIV, §140007(a), title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2033, 2147; Pub. L. 107-296, title XI, §1112(h), Nov. 25, 2002, 116 Stat. 2277; Pub. L. 112-186, §4(b)(1), Oct. 5, 2012, 126 Stat. 1429; Pub. L. 113-251, §5(1), Dec. 18, 2014, 128 Stat. 2890.)

**Editorial Notes****REFERENCES IN TEXT**

Section 102(6) of the Controlled Substances Act, referred to in subsec. (b)(i)(1), is classified to section 802(6) of Title 21, Food and Drugs.

**AMENDMENTS**

2014—Subsec. (e). Pub. L. 113-251 added subsec. (e).

2012—Subsec. (d). Pub. L. 112-186 added subsec. (d).

2002—Subsec. (c). Pub. L. 107-296 substituted “Attorney General” for “Secretary of the Treasury”.

1994—Pub. L. 103-322, §330016(1)(L), which directed the amendment of this section by substituting “under this title” for “not more than \$10,000”, could not be executed because the phrase “not more than \$10,000” did not appear in text subsequent to amendment of subsec. (a) by Pub. L. 103-322, §140007(a). See below.

Subsec. (a). Pub. L. 103-322, §140007(a), substituted “and thereafter performs or attempts to perform—” and subpars. (A) and (B) for former concluding provisions which read as follows: “and thereafter performs or attempts to perform any of the acts specified in subparagraphs (1), (2), and (3), shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.”

1990—Subsec. (a). Pub. L. 101-647, §1604, inserted “the mail or” after “uses” and struck out “including the mail,” before “with intent” in introductory provisions.

Subsec. (b). Pub. L. 101-647, §1205(i), inserted “(i)” after “As used in this section” and added cl. (ii).

1986—Subsec. (b)(3). Pub. L. 99-570 added cl. (3).

1970—Subsec. (b)(1). Pub. L. 91-513, §701(i)(2)(A), inserted “or controlled substances (as defined in section 102(6) of the Controlled Substances Act)”.

Subsec. (c). Pub. L. 91-513, §701(i)(2)(B), struck out reference to investigations involving narcotics.

1965—Subsec. (b)(2). Pub. L. 89-68 made section applicable to travel in aid of arson.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2002 AMENDMENT**

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

**EFFECTIVE DATE OF 1970 AMENDMENT**

Amendment by Pub. L. 91-513 effective on first day of seventh calendar month that begins after Oct. 26, 1970, see section 704 of Pub. L. 91-513, set out as an Effective Date note under section 801 of Title 21, Food and Drugs.