

Subsec. (e). Pub. L. 100–690, §469(a)(1), substituted ‘‘and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Postal Service, and the Attorney General.’’ for ‘‘. Such authority of the Secretary of the Treasury shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.’’

Effective Date of 2008 Amendment


Effective Date of 1996 Amendment

Effective Date of 1994 Amendments

§1957. Engaging in monetary transactions in property derived from specified unlawful activity

(a) Whoever, in any of the circumstances set forth in subsection (d), knowingly engages or attempts to engage in a monetary transaction in criminally derived property of a value greater than $10,000 and is derived from specified unlawful activity, shall be punished as provided in subsection (b).

(b)(1) Except as provided in paragraph (2), the punishment for an offense under this section is a fine under title 18, United States Code, or imprisonment for not more than ten years or both. If the offense 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 this subsection is greater.

(2) The court may impose an alternate fine to that imposable under paragraph (1) of not more than twice the amount of the criminally derived property involved in the transaction.

(c) In a prosecution for an offense under this section, the Government is not required to prove the defendant knew that the offense from which the criminally derived property was derived was specified unlawful activity.

(d) The circumstances referred to in subsection (a) are—

(1) that the offense under this section takes place in the United States or in the special maritime and territorial jurisdiction of the United States; or

(2) that the offense under this section takes place outside the United States and such special jurisdiction, but the defendant is a United States person (as defined in section 3077 of this title, but excluding the class described in paragraph (2)(D) of such section).

(e) Violations of this section may be investigated by such components of the Department of Justice as the Attorney General may direct, and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General.

(f) As used in this section—

(1) the term ‘‘monetary transaction’’ means the deposit, withdrawal, transfer, or exchange, in or affecting interstate or foreign commerce, of funds or a monetary instrument (as defined in section 1956(c)(5) of this title) by, through, or to a financial institution (as defined in section 1956 of this title), including any transaction that would be a financial transaction under section 1956(c)(4)(B) of this title, but such term does not include any transaction necessary to preserve a person’s right to representation as guaranteed by the sixth amendment to the Constitution;

(2) the term ‘‘criminally derived property’’ means any property constituting, or derived from, proceeds obtained from a criminal offense; and
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(3) the terms “specified unlawful activity” and “proceeds” shall have the meaning given those terms in section 1956 of this title.


AMENDMENTS

2012—Subsec. (b)(1). Pub. L. 112–186 inserted at end “If the offense 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 this subsection is greater.”

2009—Subsec. (f)(3). Pub. L. 111–21 added par. (3) and struck out former par. (3) which read as follows: “the term ‘specified unlawful activity’ has the meaning given that term in section 1956 of this title.”

2006—Subsec. (e). Pub. L. 109–177 amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “Violations of this section may be investigated and the Attorney General may direct, and by such procedure, proceed against any person who violates this section.”

1994—Subsec. (f)(1). Pub. L. 103–322, §§140007(b), 320105, each amended subsec. (a) by inserting “or who conspires to do so” after “or who conspires to do so” and inserted “fined not more than $10,000” before “or imprisoned for more than ten years”.

(a) Whoever travels in or causes another (including the intended victim) to travel in interstate or foreign commerce, or uses or causes another (including the intended victim) to use the mail or any facility of interstate or foreign commerce, with intent that a murder be committed in violation of the laws of any State or the United States as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value, or who conspires to do so, shall be fined under this title or imprisoned for not more than ten years, or both; and if personal injury results, shall be fined under this title or imprisoned for not more than twenty years, or both; and if death results, shall be punished by death or life imprisonment, or shall be fined not more than $250,000, or both.

(b) As used in this section and section 1959—
(1) “anything of pecuniary value” means anything of value in the form of money, a negotiable instrument, a commercial interest, or anything else the primary significance of which is economic advantage;
(2) “facility of interstate or foreign commerce” includes means of transportation and communication; and
(3) “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.


AMENDMENTS


Subsec. (b)(2). Pub. L. 108–458, §7074(2), inserted “or foreign” after “interstate”.

1996—Subsec. (a). Pub. L. 104–294 substituted comma for “or who conspires to do so” after “or who conspires to do so” and substituted “this title or imprisoned” for “this title and imprisoned” before “for not more than twenty years”.

1994—Pub. L. 103–322, §300106(L), substituted “fined under this title” for “fined not more than $20,000” after “injury results, shall be”.

Subsec. (a). Pub. L. 103–322, §300106(L), substituted “fined under this title for ‘fined not more than $10,000’ before ‘or imprisoned for more than ten years’”.

Pub. L. 103–322, §140007(b), 320105, each amended subsec. (a) by inserting “or who conspires to do so” after “‘anything of pecuniary value’.”

Pub. L. 103–322, §60003(a)(11), substituted “and if death results, shall be punished by death or life imprisonment, or shall be fined not more than $250,000, or both” for “and if death results, shall be subject to imprisonment for any term of years or for life, or shall be fined not more than $50,000, or both” before period at end.


§ 1958  Use of interstate commerce facilities in the commission of murder-for-hire

(a) Whoever travels in or causes another (including the intended victim) to travel in interstate or foreign commerce, or uses or causes another (including the intended victim) to use the