

**18 USC 1708: Theft or receipt of stolen mail matter generally**

Text contains those laws in effect on March 25, 2025

**From Title 18-CRIMES AND CRIMINAL PROCEDURE**

PART I-CRIMES

CHAPTER 83-POSTAL SERVICE

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**§1708. Theft or receipt of stolen mail matter generally**

Whoever steals, takes, or abstracts, or by fraud or deception obtains, or attempts so to obtain, from or out of any mail, post office, or station thereof, letter box, mail receptacle, or any mail route or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or abstracts or removes from any such letter, package, bag, or mail, any article or thing contained therein, or secretes, embezzles, or destroys any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or

Whoever steals, takes, or abstracts, or by fraud or deception obtains any letter, postal card, package, bag, or mail, or any article or thing contained therein which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or

Whoever buys, receives, or conceals, or unlawfully has in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted-

Shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, 62 Stat. 779 ; May 24, 1949, ch. 139, §39, 63 Stat. 95 ; July 1, 1952, ch. 535, 66 Stat. 314 ; Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147 .)

**HISTORICAL AND REVISION NOTES**

**1948 Act**

Based on title 18, U.S.C., 1940 ed., §§317, 321 (Mar. 4, 1909, ch. 321, §§194, 198, 35 Stat. 1125 , 1126; May 18, 1916, ch. 126, §10, 39 Stat. 162 ; July 28, 1916, ch. 261, §1, 39 Stat. 418 ; Feb. 25, 1925, ch. 318, 43 Stat. 977 ; May 7, 1934, ch. 220, §1, 48 Stat. 667 ; Aug. 26, 1935, ch. 693, 49 Stat. 867 ; Aug. 7, 1939, ch. 557, 53 Stat. 1256 ).

Each of these two sections has been divided. Provisions relating to theft or larceny of mail were placed in this section.

Words "letter box, mail receptacle, or any mail route" are from section 321 of title 18, U.S.C., 1940 ed. Such receptacles are authorized depositories. (See *Rosen v. United States*, N.Y. 1917, 38 S.Ct. 148, 245 U.S. 467, 62 L.Ed. 406, and *Foster v. Biddle*, C.C.A. Kan. 1926, 14 F.2d 280, involving indictment under section 317 of title 18, U.S.C., 1940 ed.) No cases are reported of prosecutions for mail theft under section 321 of title 18, U.S.C., 1940 ed., which relates primarily to malicious mischief respecting letter boxes.

Language omitted from section 317 of title 18, U.S.C., 1940 ed., and all of section 321 of title 18, U.S.C., 1940 ed., except that above quoted, was incorporated in sections 1702 and 1705 of this title.

Words "or aids in buying, receiving, or concealing" were omitted as unnecessary in view of the definition of principal in section 2 of this title.

The smaller penalty for an offense involving \$100 or less was added. (See sections 641 and 645 of this title.)

Minor changes were made in phraseology.

**1949 Act**

This section [section 39] corrects a typographical error in section 1708 of title 18, U.S.C.

**EDITORIAL NOTES**

**AMENDMENTS**

1994-Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$2,000" in last par.

1952-Act July 1, 1952, made any thefts or receipt of stolen mail a felony regardless of the monetary value of the thing stolen.

1949-Act May 24, 1949, substituted "buys" for "buy" in third par.