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government personnel, as well as conduct by private citizens having no relation to the U.S. government. In addition, subsection (a), dealing with conspiracies within the United States, applies to "any other person," whether or not a United States citizen. Noncitizens who conspire within the United States to assassinate a foreign official clearly come within the jurisdiction of U.S. law. Subsections (b) through (d), which deal with conduct outside the United States, apply to U.S. citizens, and to officers or employees of the United States, whether or not they are citizens. Criminal liability for conduct outside the United States of persons who are not U.S. citizens or who do not hold a position as an officer or employee of the United States are matters for the law of the place where such conduct takes place.

The term "foreign official" is defined in subsection

(d) (2). The definition makes it clear that the offense may be committed even though the official belongs to an insurgent force, an unrecognized government, or a non-governmental political party. Our investigation -- as well as the reality of international politics -- has shown that officials in such organizations are potential targets for assassination.\*/

The offenses are limited to conduct aimed at such persons because of their official duties or status, or their political views, actions, or statements. Thus, for example, a conspiracy to kill or the killing of a foreign official, which is not politically motivated would not be punishable under this statute.

The definition of official in section (d) (2) also provides that such person must be an official of a foreign government or movement "with which the United States is not at war or against which the

United States Armed Forces have

\*/For example, Lumumba was not an official of the Congolese government at the

time of the plots against his life, and Trujillo, though the dictator, held no

official governmental position in the latter period of his regime.

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