**UNITED STATES CODES (Federal Laws):**

The Foreign Sovereign Immunities Act of 1976 is a United States law, codified at Title 28, §§ 1330, 1332, 1391, 1441, and 1602–1611 of the United States Code, that establishes the limitations as to whether a foreign sovereign nation may be sued in U.S. courts—federal or state.

5 U.S. Code § 3331. Oath of office.

5 U.S. Code § 7311 - Loyalty and striking.

7 U.S. Code § 1928 Full faith and credit.

8 U.S. Code § 1101 – Definitions.

8 U.S. Code § 1481 - Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions.

12 U.S. Code § 1431 - Powers and duties of banks.

15 U.S. Code § 1 - Trusts, etc., in restraint of trade illegal; penalty.

15 U.S. Code § 2 - Monopolizing trade a felony; penalty.

15 U.S. Code § 3 - Trusts in Territories or District of Columbia illegal; combination a felony.

15 U.S. Code § 4 - Jurisdiction of courts; duty of United States attorneys; procedure.

15 U.S. Code **§** 1602 g - Definitions and rules of construction

15 U.S. Code § 1611 - Criminal liability for willful and knowing violation.

Underwriter code. Listing of all of the factors involved in this consumer transaction because I wanted to access a portion of my unlimited credit.

18 U.S. Code § 229 - Prohibited activities.

18 U.S. Code § 229B.Criminal forfeitures; destruction of weapons.

18 U.S. Code § 229D. Injunctions.

18 U.S. Code § 241 - Conspiracy against rights.

18 U.S. Code § 242 - Deprivation of rights under color of law.

18 U.S. Code § 245 - Federally protected activities.

18 U.S. Code § 371 - Conspiracy to commit offense or to defraud United States.

18 U.S. Code § 373 - Solicitation to commit a crime of violence.

18 U.S. Code § 402 - Contempts constituting crimes.

18 U.S. Code § 505 - Seals of courts; signatures of judges or court officers.

18 U.S. Code § 521 - Criminal street gangs.

18 U.S. Code § 641 - Public money, property or records.

18 U.S. Code § 654 - Officer or employee of United States converting property of another.

18 U.S. Code § 667 - Theft of livestock.

18 U.S. Code § 702 - Uniform of armed forces and Public Health Service.

18 U.S. Code § 872 - Extortion by officers or employees of the United States.

18 U.S. Code § 878 - Threats and extortion against foreign officials, official guests, or internationally protected persons.

18 U.S. Code § 912 Impersonating Officer of the United States.

18 U.S. Code § 913 - Impersonator making arrest or search.

18 U.S. Code § 1001 - Statements or entries generally.

18 U.S. Code § 1002 - Possession of false papers to defraud United States.

18 U.S. Code § 1017 - Government seals wrongfully used and instruments wrongfully sealed.

18 U.S. Code § 1018 - Official certificates or writings.

18 U.S. Code § 1028 - Fraud and related activity in connection with identification documents, authentication features, and information.

18 U.S. Code § 1032 - Concealment of assets from conservator, receiver, or liquidating agent.

18 U.S. Code § 1036 - Entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport or seaport.

18 U.S. Code § 1038. False information and hoaxes.

18 U.S. Code § 1201 – Kidnapping.

18 U.S. Code § 1202 - Ransom money.

18 U.S. Code § 1203 - Hostage taking.

18 U.S. Code § 1341 - Frauds and swindles.

18 U.S. Code § 1342 - Fictitious name or address.

18 U.S. Code § 1344 - Bank fraud.

18 U.S. Code § 1346. Definition of “scheme or artifice to defraud”.

18 U.S. Code § 1348 - Securities and commodities fraud.

18 U.S. Code § 1349. Attempt and conspiracy.

18 U.S. Code § 1361 - Government property or contracts.

18 U.S. Code § 1364 - Interference with foreign commerce by violence.

18 U.S. Code § 1385 - Use of Army and Air Force as posse Comitatus.

18 U.S. Code § 1509 - Obstruction of court orders.

18 U.S. Code § 1510 - Obstruction of criminal investigations.

18 U.S. Code § 1511 - Obstruction of State or local law enforcement.

18 U.S. Code § 1513 - Retaliating against a witness, victim, or an informant.

18 U.S. Code § 1519. Destruction, alteration, or falsification of records in Federal investigations and bankruptcy.

18 U.S. Code § 1581 - Peonage; obstructing enforcement.

18 U.S. Code 1583 – Enticement into slavery.

18 U.S. Code § 1584 - Sale into involuntary servitude.

18 U.S. Code § 1585 - Seizure, detention, transportation or sale of slaves.

18 U.S. Code § 1589 - Forced labor.

18 U.S. Code § 1590 - Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor.

18 U.S. Code § 1593 - Mandatory restitution.

18 U.S. Code § 1593A - Benefitting financially from peonage, slavery, and trafficking in persons.

18 U.S. Code § 1593A - Benefitting financially from peonage, slavery, and trafficking in persons.

18 U.S. Code § 1596. Additional jurisdiction in certain trafficking offenses.

18 U.S. Code § 1621 - Perjury generally.

18 U.S. Code § 1622 - Subornation of perjury.

18 U.S. Code § 1623 - False declarations before grand jury or court.

18 U.S. Code § 1651. Piracy under law of nations.

18 U.S. Code § 1726 - Postage collected unlawfully [letters only]

18 U.S. Code § 1951 - Interference with commerce by threats or violence.

18 U.S. Code § 1961 – Definitions.

18 U.S. Code § 1962 - Prohibited activities.

18 U.S. Code § 1967. Evidence.

18 U.S. Code § 2076 **Clerk of United States District Court** Whoever, being a clerk of a district court of the United States, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.

18 U.S. Code § 2236 - Searches without warrant.

18 U.S. Code § 2331 – Definitions.

18 U.S. Code § 2333 - Civil remedies.

18 U.S. Code § 2334 - Jurisdiction and venue.

18 U.S. Code § 2335 - Limitation of actions.

18 U.S. Code § 2336 - Other limitations.

18 U.S. Code § 2337 - Suits against Government officials.

18 U.S. Code § 2338 - Exclusive Federal jurisdiction.

18 U.S. Code § 2381 – Treason.

18 U.S. Code § 2382 - Misprision of treason.

18 U.S. Code § 2383 - Rebellion or insurrection.

18 U.S. Code § 2384 - Seditious conspiracy.

18 U.S. Code § 2385 - Advocating overthrow of Government.

18 U.S. Code § 2441 - War crimes.

18 U.S. Code § 2701 - Unlawful access to stored communications.

18 U.S. Code § 2712 - Civil actions against the United States.

18 U.S. Code § 2708 - Exclusivity of remedies.

18 U.S. Code § 2713.Required preservation and disclosure of communications and records.

18 U.S. Code § 3571 - Sentence of fine.

18 U.S. Code § 3771 - Crime victims’ rights.

26 U.S. Code § 7701 (a), (31) Definitions. Use I.R.S. Form 56 with this to be tax exempt. Then fill out I.R.S. Form W-8 BEN for employer.

28 U.S. Code § 1361 - Action to compel an officer of the United States to perform his duty.

28 U.S. Code § 2007 - Imprisonment for debt

31 U.S. Code § 5118 - Gold clauses and consent to sue

42 U.S. Code **§** 408 - Penalties

42 U.S. Code § 1983 - Civil action for deprivation of rights.

42 U.S.C. § 1986 : US Code - Section 1986: Action for neglect to prevent. VERY IMPORTANT ONE. SAVED THE BEST FOR LAST.

**5 U.S. Code § 3331. Oath of office.** An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: “I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.” This section does not affect other oaths required by law. ([Pub. L. 89–554](https://www.law.cornell.edu/rio/citation/Pub._L._89-554), Sept. 6, 1966, [80 Stat. 424](https://www.law.cornell.edu/rio/citation/80_Stat._424).)

**5 U.S. Code § 7311 - Loyalty and striking****.** An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

**(1)** advocates the overthrow of our constitutional form of government;

**(2)** is a [member](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1077769574-938696970&term_occur=328&term_src=title:5:part:III:subpart:F:chapter:73:subchapter:II:section:7311) of an organization that he knows advocates the overthrow of our constitutional form of government;

**(3)** participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

**(4)** is a [member](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1077769574-938696970&term_occur=329&term_src=title:5:part:III:subpart:F:chapter:73:subchapter:II:section:7311) of an organization of [employees](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1193469614-994079400&term_occur=164&term_src=title:5:part:III:subpart:F:chapter:73:subchapter:II:section:7311) of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia.

([Pub. L. 89–554](https://www.congress.gov/public-laws/), Sept. 6, 1966, [80 Stat. 524](https://www.law.cornell.edu/rio/citation/80_Stat._524).).

**7 U.S. Code § 1928 - Full faith and credit**

(a) In general A [contract of insurance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=7-USC-1123435551-1448385013&term_occur=999&term_src=) or guarantee executed by the Secretary under this chapter shall be an obligation supported by the full faith and credit of the[United States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=7-USC-2032517217-1448385014&term_occur=999&term_src=)

(b) Contestability A [contract of insurance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=7-USC-1123435551-1448385013&term_occur=999&term_src=) or guarantee executed by the Secretary under this chapter shall be incontestable except for fraud or misrepresentation that the lender or any holder—

(1) has actual knowledge of at the time the contract or guarantee is executed; or

(2) participates in or condones

# 8 U.S. Code § 1101 - Definitions

**(a)** As used in this chapter—

**(1)** The term “[administrator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-652229939-1485256783&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means the official designated by the Secretary of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)pursuant to [section 1104(b) of this title](https://www.law.cornell.edu/uscode/text/8/1104#b).

**(2)** The term “advocates” includes, but is not limited to, advises, recommends, furthers by overt act, and admits belief in.

**(3)** The term “[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)” means any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) not a citizen or[national of the United States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-503460309-1201680064&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)

**(4)** The term “application for admission” has reference to the application for admission into the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) and not to the application for the issuance of an [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) or[nonimmigrant visa.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-857198958-1201680068&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)

**(5)** The term “[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=)” means the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) of the[United States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)

**(6)** The term “[border crossing identification card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-715675512-1485256778&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means a document of identity bearing that designation issued to an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is [lawfully admitted for permanent residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124716147-1201680062&term_occur=999&term_src=), or to an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is a resident in foreign contiguous territory, by a[consular officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-293344305-1485256775&term_occur=999&term_src=)or an[immigration officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-717612480-1201680039&term_occur=999&term_src=)for the purpose of crossing over the borders between the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)and foreign contiguous territory in accordance with such conditions for its issuance and use as may be prescribed by regulations. Such regulations shall provide that (A) each such document include a biometric identifier (such as the fingerprint or handprint of the[alien)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) that is machine readable and (B) an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)presenting a[border crossing identification card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-715675512-1485256778&term_occur=999&term_src=)is not permitted to cross over the border into the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)unless the biometric identifier contained on the card matches the appropriate biometric characteristic of the[alien.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(7)** The term “[clerk of court](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1289366893-1485256777&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means a clerk of a[naturalization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1203952667-1201680065&term_occur=999&term_src=)court.

**(8)** The terms “[Commissioner](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-535736584-1485256776&term_occur=999&term_src=)” and “[Deputy Commissioner](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1166129779-1485256776&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” mean the[Commissioner](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-535736584-1485256776&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)of Immigration and[Naturalization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1203952667-1201680065&term_occur=999&term_src=)and a [Deputy Commissioner](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1166129779-1485256776&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) of Immigration and[Naturalization,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1203952667-1201680065&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) respectively.

**(9)** The term “[consular officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-293344305-1485256775&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means any consular, diplomatic, or other officer or employee of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)designated under regulations prescribed under authority contained in this chapter, for the purpose of issuing [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) or[nonimmigrant visas](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-857198958-1201680068&term_occur=999&term_src=)or, when used in subchapter III, for the purpose of adjudicating nationality.

**(10)** The term “[crewman](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1029203033-1201680031&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) serving in any capacity on board a vessel or aircraft.

**(11)** The term “[diplomatic visa](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2052120587-1201680032&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means a [nonimmigrant visa](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-857198958-1201680068&term_occur=999&term_src=) bearing that title and issued to a nonimmigrant in accordance with such regulations as the Secretary of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)may prescribe.

**(12)** The term “doctrine” includes, but is not limited to, policies, practices, purposes, aims, or procedures.

**(13)** **(A)** The terms “admission” and “admitted” mean, with respect to an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=), the lawful entry of the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) into the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) after inspection and authorization by an [immigration officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-717612480-1201680039&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101).

**(B)** An [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) who is paroled under [section 1182(d)(5) of this title](https://www.law.cornell.edu/uscode/text/8/1182#d_5) or permitted to land temporarily as an alien[crewman](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1029203033-1201680031&term_occur=999&term_src=)shall not be considered to have been admitted.

**(C)** An [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) [lawfully admitted for permanent residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124716147-1201680062&term_occur=999&term_src=) in the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)shall not be regarded as seeking an admission into the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)for purposes of the[immigration laws](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-879607367-1201680038&term_occur=999&term_src=)unless the[alien—](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(i)** has abandoned or relinquished that status,

**(ii)** has been absent from the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) for a continuous period in excess of 180 days,

**(iii)** has engaged in illegal activity after having departed the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=),

**(iv)** has departed from the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) while under legal process seeking removal of the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)from the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=), including removal proceedings under this chapter and extradition proceedings,

**(v)** has committed an offense identified in [section 1182(a)(2) of this title](https://www.law.cornell.edu/uscode/text/8/1182#a_2), unless since such offense the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)has been granted relief under section 1182(h) or 1229b(a) of this title, or

**(vi)** is attempting to enter at a time or place other than as designated by [immigration officers](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-717612480-1201680039&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) or has not been admitted to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)after inspection and authorization by an [immigration officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-717612480-1201680039&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101).

**(14)** The term “[foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=)” includes outlying possessions of a [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=), but self-governing dominions or territories under mandate or trusteeship shall be regarded as separate [foreign states](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=).

**(15)** The term “[immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=)” means every[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)except an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is within one of the following classes of nonimmigrant[aliens—](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)

**(A)** **(i)** an ambassador, public minister, or career diplomatic or [consular officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-293344305-1485256775&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) who has been accredited by a foreign government, recognized de jure by the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)and who is accepted by the President or by the Secretary of[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) and the members of the[alien’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)s immediate family;

**(ii)** upon a basis of reciprocity, other officials and employees who have been accredited by a foreign government recognized de jure by the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=), who are accepted by the Secretary of[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) and the members of their immediate families; and

**(iii)** upon a basis of reciprocity, attendants, servants, personal employees, and members of their immediate families, of the officials and employees who have a nonimmigrant status under (i) and (ii) above;

**(B)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) (other than one coming for the purpose of study or of performing skilled or unskilled labor or as a [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=) of foreign press, radio, film, or other foreign information media coming to engage in such vocation) having a[residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=)in a foreign country which he has no intention of abandoning and who is visiting the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)temporarily for business or temporarily for pleasure;

**(C)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) in immediate and continuous transit through the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=), or an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who qualifies as a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) entitled to pass in transit to and from the United Nations Headquarters District and foreign countries, under the provisions of paragraphs (3), (4), and (5) of section 11 of the Headquarters Agreement with the United Nations ([61 Stat. 758](https://www.law.cornell.edu/rio/citation/61_Stat._758));

**(D)** **(i)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) [crewman](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1029203033-1201680031&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) serving in good faith as such in a capacity required for normal operation and [service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=) on board a vessel, as defined in [section 1288(a) of this title](https://www.law.cornell.edu/uscode/text/8/1288#a) (other than a fishing vessel having its home port or an operating base in the[United States)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101), or aircraft, who intends to land temporarily and solely in pursuit of his calling as a[crewman](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1029203033-1201680031&term_occur=999&term_src=)and to depart from the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)with the vessel or aircraft on which he arrived or some other vessel or aircraft;

**(ii)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) [crewman](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1029203033-1201680031&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) serving in good faith as such in any capacity required for normal operations and [service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=) aboard a fishing vessel having its home port or an operating base in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) who intends to land temporarily in Guam or the Commonwealth of the Northern Mariana Islands and solely in pursuit of his calling as a[crewman](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1029203033-1201680031&term_occur=999&term_src=)and to depart from Guam or the Commonwealth of the Northern Mariana Islands with the vessel on which he arrived;

**(E)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) entitled to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) under and in pursuance of the provisions of a treaty of commerce and navigation between the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) and the [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=) of which he is a[national,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) and the spouse and children of any such[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)if accompanying or following to join him; (i) solely to carry on[substantial](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1731985682-1201680129&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)trade, including trade in[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)or trade in technology, principally between the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)and the [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=) of which he is a[national;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) (ii) solely to develop and direct the operations of an enterprise in which he has invested, or of an enterprise in which he is actively in the process of investing, a[substantial](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1731985682-1201680129&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)amount of capital; or (iii) solely to perform[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)in a specialty occupation in the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)if the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)is a[national](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=)of the Commonwealth of Australia and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)that the intending employer has filed with the Secretary of Labor an attestation under [section 1182(t)(1) of this title](https://www.law.cornell.edu/uscode/text/8/1182#t_1);

**(F)** **(i)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) having a [residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=) in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) temporarily and solely for the purpose of pursuing such a course of study consistent with [section 1184(l)](https://www.law.cornell.edu/uscode/text/8/1184#l) [[1]](https://www.law.cornell.edu/uscode/text/8/1101" \l "fn002000) of this title at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in an[accredited language training program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1147807776-1201680157&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)in the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) particularly designated by him and approved by the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=)after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=)the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn, (ii) the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)spouse and minor children of any[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in clause (i) if accompanying or following to join such an[alien,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) and (iii) an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is a[national](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=)of Canada or Mexico, who maintains actual[residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=)and place of abode in the country of nationality, who is described in clause (i) except that the[alien’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)s qualifications for and actual course of study may be full or part-time, and who commutes to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)institution or place of study from Canada or Mexico;

**(G)** **(i)** a designated principal resident [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=) of a foreign government recognized de jure by the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) which foreign government is a member of an international[organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)entitled to enjoy privileges, exemptions, and immunities as an international[organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)under the [International Organizations Immunities Act](https://www.law.cornell.edu/topn/international_organizations_immunities_act) ([59 Stat. 669](https://www.law.cornell.edu/rio/citation/59_Stat._669)) [[22 U.S.C. 288](https://www.law.cornell.edu/uscode/text/22/288) et seq.], accredited resident members of the staff of such[representatives,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) and members of his or their immediate family;

**(ii)** other accredited [representatives](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) of such a foreign government to such international[organizations,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) and the members of their immediate families;

**(iii)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) able to qualify under (i) or (ii) above except for the fact that the government of which such [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) is an accredited [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=) is not recognized de jure by the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) or that the government of which he is an accredited [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=) is not a member of such international[organization;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) and the members of his immediate family;

**(iv)** officers, or employees of such international [organizations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=), and the members of their immediate families;

**(v)** attendants, servants, and personal employees of any such [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=), officer, or employee, and the members of the immediate families of such attendants, servants, and personal employees;

**(H)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) (i) [(a) Repealed. [Pub. L. 106–95, § 2(c)](https://www.law.cornell.edu/rio/citation/Pub._L._106-95), Nov. 12, 1999, [113 Stat. 1316](https://www.law.cornell.edu/rio/citation/113_Stat._1316)] (b) subject to [section 1182(j)(2) of this title](https://www.law.cornell.edu/uscode/text/8/1182#j_2), who is coming temporarily to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to perform[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)(other than[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)described in subclause (a) during the period in which such subclause applies and other than[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)described in subclause (ii)(a) or in subparagraph (O) or (P)) in a specialty occupation described in [section 1184(i)(1) of this title](https://www.law.cornell.edu/uscode/text/8/1184#i_1) or as a fashion model, who meets the requirements for the occupation specified in [section 1184(i)(2) of this title](https://www.law.cornell.edu/uscode/text/8/1184#i_2) or, in the case of a fashion model, is of distinguished merit and ability, and with respect to whom the Secretary of Labor determines and certifies to the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=)that the intending employer has filed with the Secretary an application under [section 1182(n)(1) of this title](https://www.law.cornell.edu/uscode/text/8/1182#n_1), or (b1) who is entitled to enter the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)under and in pursuance of the provisions of an agreement listed in [section 1184(g)(8)(A) of this title](https://www.law.cornell.edu/uscode/text/8/1184#g_8_A), who is engaged in a specialty occupation described in [section 1184(i)(3) of this title](https://www.law.cornell.edu/uscode/text/8/1184#i_3), and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)that the intending employer has filed with the Secretary of Labor an attestation under [section 1182(t)(1) of this title](https://www.law.cornell.edu/uscode/text/8/1182#t_1), or (c) who is coming temporarily to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to perform[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)as a registered nurse, who meets the qualifications described in [section 1182(m)(1) of this title](https://www.law.cornell.edu/uscode/text/8/1182#m_1), and with respect to whom the Secretary of Labor determines and certifies to the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=)that an unexpired attestation is on file and in effect under [section 1182(m)(2) of this title](https://www.law.cornell.edu/uscode/text/8/1182#m_2) for the facility (as defined in [section 1182(m)(6) of this title](https://www.law.cornell.edu/uscode/text/8/1182#m_6)) for which the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)will perform the[services;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) or (ii)(a) having a[residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=)in a foreign country which he has no intention of abandoning who is coming temporarily to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to perform agricultural labor or[services,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=) as defined by the Secretary of Labor in regulations and including agricultural labor defined in [section 3121(g) of title 26](https://www.law.cornell.edu/uscode/text/26/3121#g), agriculture as defined in [section 203(f) of title 29](https://www.law.cornell.edu/uscode/text/29/203#f), and the pressing of apples for cider on a farm, of a temporary or seasonal nature, or (b) having a[residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=)in a foreign country which he has no intention of abandoning who is coming temporarily to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to perform other temporary[service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)or labor if unemployed[persons](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=)capable of performing such[service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)or labor cannot be found in this country, but this clause shall not apply to graduates of medical schools coming to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to perform[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)as members of the medical[profession;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1210261252-1201680095&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) or (iii) having a[residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=)in a foreign country which he has no intention of abandoning who is coming temporarily to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)as a trainee, other than to receive graduate medical education or training, in a training program that is not designed primarily to provide productive employment; and the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)spouse and minor children of any such[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)specified in this paragraph if accompanying him or following to join him;

**(I)** upon a basis of reciprocity, an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) who is a bona fide [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=) of foreign press, radio, film, or other foreign information media, who seeks to enter the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)solely to engage in such vocation, and the spouse and children of such a [representative](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-671065699-1255300052&term_occur=999&term_src=), if accompanying or following to join him;

**(J)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) having a [residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=) in a foreign country which he has no intention of abandoning who is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialized knowledge or skill, or other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) of similar description, who is coming temporarily to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)as a participant in a program designated by the Director of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)Information Agency, for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training and who, if he is coming to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to participate in a program under which he will receive graduate medical education or training, also meets the requirements of [section 1182(j) of this title](https://www.law.cornell.edu/uscode/text/8/1182#j), and the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)spouse and minor children of any such[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)if accompanying him or following to join him;

**(K)** subject to subsections (d) and (p) 1 of [section 1184 of this title](https://www.law.cornell.edu/uscode/text/8/1184), an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who—

**(i)** is the fiancée or fiancé of a citizen of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) (other than a citizen described in [section 1154(a)(1)(A)(viii)(I) of this title](https://www.law.cornell.edu/uscode/text/8/1154#a_1_A_viii_I)) and who seeks to enter the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)solely to conclude a valid marriage with the petitioner within ninety days after admission;

**(ii)** has concluded a valid marriage with a citizen of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) (other than a citizen described in [section 1154(a)(1)(A)(viii)(I) of this title](https://www.law.cornell.edu/uscode/text/8/1154#a_1_A_viii_I)) who is the petitioner, is the beneficiary of a petition to accord a status under [section 1151(b)(2)(A)(i) of this title](https://www.law.cornell.edu/uscode/text/8/1151#b_2_A_i) that was filed under [section 1154 of this title](https://www.law.cornell.edu/uscode/text/8/1154) by the petitioner, and seeks to enter the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to await the approval of such petition and the availability to the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)of an[immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=)visa; or

**(iii)** is the minor [child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) of an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in clause (i) or (ii) and is accompanying, or following to join, the[alien;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(L)** subject to [section 1184(c)(2) of this title](https://www.law.cornell.edu/uscode/text/8/1184#c_2), an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who, within 3 years preceding the time of his application for admission into the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) has been employed continuously for one year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and who seeks to enter the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)temporarily in order to continue to render his[services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)to the same employer or a subsidiary or affiliate thereof in a capacity that is managerial, executive, or involves specialized knowledge, and the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)spouse and minor children of any such[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)if accompanying him or following to join him;

**(M)** **(i)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) having a [residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=) in a foreign country which he has no intention of abandoning who seeks to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) temporarily and solely for the purpose of pursuing a full course of study at an established vocational or other recognized nonacademic institution (other than in a language training program) in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) particularly designated by him and approved by the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=), after consultation with the Secretary of Education, which institution shall have agreed to report to the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) the termination of attendance of each nonimmigrant nonacademic student and if any such institution fails to make reports promptly the approval shall be withdrawn, (ii) the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)spouse and minor children of any[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in clause (i) if accompanying or following to join such an[alien,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) and (iii) an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is a[national](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=)of Canada or Mexico, who maintains actual[residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=)and place of abode in the country of nationality, who is described in clause (i) except that the[alien’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)s course of study may be full or part-time, and who commutes to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)institution or place of study from Canada or Mexico;

**(N)** **(i)** the parent of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) accorded the status of special [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) under paragraph (27)(I)(i) (or under analogous authority under paragraph (27)(L)), but only if and while the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)is a[child,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) or

**(ii)** a [child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) of such parent or of an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)accorded the status of a special [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) under clause (ii), (iii), or (iv) of paragraph (27)(I) (or under analogous authority under paragraph (27)(L));

**(O)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) who—

**(i)** has [extraordinary ability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-28530684-1201680130&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) in the sciences, arts, education, business, or athletics which has been demonstrated by sustained[national](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=)or international acclaim or, with regard to motion picture and television productions a demonstrated record of extraordinary achievement, and whose achievements have been recognized in the field through extensive documentation, and seeks to enter the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to continue work in the area of [extraordinary ability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-28530684-1201680130&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101); or

**(ii)** **(I)** seeks to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) temporarily and solely for the purpose of accompanying and assisting in the artistic or athletic performance by an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is admitted under clause (i) for a specific event or events,

**(II)** is an integral part of such actual performance,

**(III) (a)** has critical skills and experience with such [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) which are not of a general nature and which cannot be performed by other individuals, or (b) in the case of a motion picture or television production, has skills and experience with such [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) which are not of a general nature and which are critical either based on a pre-existing longstanding working relationship or, with respect to the specific production, because significant production (including pre- and post-production work) will take place both inside and outside the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) and the continuing participation of the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)is essential to the successful completion of the production, and

**(IV)** has a foreign [residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=) which the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)has no intention of abandoning; or

**(iii)** is the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) spouse or [child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) of an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in clause (i) or (ii) and is accompanying, or following to join, the[alien;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(P)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) having a foreign [residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=) which the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)has no intention of abandoning who—

**(i) (a)** is described in [section 1184(c)(4)(A) of this title](https://www.law.cornell.edu/uscode/text/8/1184#c_4_A) (relating to athletes), or (b) is described in [section 1184(c)(4)(B) of this title](https://www.law.cornell.edu/uscode/text/8/1184#c_4_B) (relating to entertainment groups);

**(ii)** **(I)** performs as an artist or entertainer, individually or as part of a group, or is an integral part of the performance of such a group, and

**(II)** seeks to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) temporarily and solely for the purpose of performing as such an artist or entertainer or with such a group under a reciprocal exchange program which is between an[organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)or[organizations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) and an[organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)or[organizations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)in one or more [foreign states](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=) and which provides for the temporary exchange of artists and entertainers, or groups of artists and entertainers;

**(iii)** **(I)** performs as an artist or entertainer, individually or as part of a group, or is an integral part of the performance of such a group, and

**(II)** seeks to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) temporarily and solely to perform, teach, or coach as such an artist or entertainer or with such a group under a commercial or noncommercial program that is culturally unique; or

**(iv)** is the spouse or [child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) of an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in clause (i), (ii), or (iii) and is accompanying, or following to join, the[alien;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(Q)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) having a [residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124045062-1201680096&term_occur=999&term_src=) in a foreign country which he has no intention of abandoning who is coming temporarily (for a period not to exceed 15 months) to the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) as a participant in an international cultural exchange program approved by the Secretary of Homeland Security for the purpose of providing practical training, employment, and the sharing of the history, culture, and traditions of the country of the[alien’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)s nationality and who will be employed under the same wages and working conditions as domestic workers;

**(R)** an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=), and the spouse and children of the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) if accompanying or following to join the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=), who—

**(i)** for the 2 years immediately preceding the time of application for admission, has been a member of a religious denomination having a bona fide nonprofit, religious [organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=) in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=); and

**(ii)** seeks to enter the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) for a period not to exceed 5 years to perform the work described in subclause (I), (II), or (III) of paragraph (27)(C)(ii);

**(S)** subject to [section 1184(k) of this title](https://www.law.cornell.edu/uscode/text/8/1184#k), an[alien—](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(i)** who the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) determines—

**(I)** is in possession of critical reliable information concerning a criminal [organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=) or enterprise;

**(II)** is willing to supply or has supplied such information to Federal or [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) law enforcement authorities or a Federal or [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) court; and

**(III)** whose presence in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) determines is essential to the success of an authorized criminal investigation or the successful prosecution of an individual involved in the criminal[organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1178922291-1201680070&term_occur=999&term_src=)or enterprise; or

**(ii)** who the Secretary of [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) and the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) jointly determine—

**(I)** is in possession of critical reliable information concerning a [terrorist organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-559032093-1255300052&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101), enterprise, or operation;

**(II)** is willing to supply or has supplied such information to Federal law enforcement authorities or a Federal court;

**(III)** will be or has been placed in danger as a result of providing such information; and

**(IV)** is eligible to receive a reward under [section 2708(a) of title 22](https://www.law.cornell.edu/uscode/text/22/2708#a),

and, if the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) (or with respect to clause (ii), the Secretary of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)and the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) jointly) considers it to be appropriate, the spouse, married and[unmarried](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1743703365-1201680102&term_occur=999&term_src=)sons and daughters, and parents of an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in clause (i) or (ii) if accompanying, or following to join, the[alien;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(T)** **(i)**subject to section 1184(o) of this title, an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who the Secretary of Homeland Security, or in the case of subclause (III)(aa) the Secretary of Homeland Security, in consultation with the[Attorney General,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) determines—

**(I)** is or has been a victim of a severe form of trafficking in [persons](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=), as defined in [section 7102 of title 22](https://www.law.cornell.edu/uscode/text/22/7102);

**(II)** is physically present in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=), American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry thereto, on account of such trafficking, including physical presence on account of the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)having been allowed entry into the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) for participation in investigative or judicial processes associated with an act or a perpetrator of trafficking;

**(III)** **(aa)** has complied with any reasonable request for assistance in the Federal, [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=), or local investigation or prosecution of acts of trafficking or the investigation of crime where acts of trafficking are at least one central reason for the commission of that crime;

**(bb)** in consultation with the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=), as appropriate, is unable to cooperate with a request described in item (aa) due to physical or psychological trauma; or

**(cc)** has not attained 18 years of age; and

**(IV)** the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) [[2]](https://www.law.cornell.edu/uscode/text/8/1101" \l "fn002001) would suffer extreme hardship involving unusual and severe harm upon removal; and

**(ii)** if accompanying, or following to join, the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) described in clause (i)—

**(I)** in the case of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) described in clause (i) who is under 21 years of age, the spouse, children, [unmarried](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1743703365-1201680102&term_occur=999&term_src=) siblings under 18 years of age on the date on which such[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)applied for status under such clause, and parents of such[alien;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(II)** in the case of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) described in clause (i) who is 21 years of age or older, the spouse and children of such [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=); or

**(III)** any parent or [unmarried](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1743703365-1201680102&term_occur=999&term_src=) sibling under 18 years of age, or any adult or minor children of a derivative beneficiary of the[alien,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) as of an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)described in subclause (I) or (II) who the Secretary of Homeland Security, in consultation with the law enforcement officer investigating a severe form of trafficking, determines faces a present danger of retaliation as a result of the[alien’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)s escape from the severe form of trafficking or cooperation with law enforcement.

**(U)** **(i)**subject to [section 1184(p) of this title](https://www.law.cornell.edu/uscode/text/8/1184#p), an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who files a petition for status under this subparagraph, if the Secretary of Homeland Security determines that—

**(I)** the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) has suffered [substantial](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1731985682-1201680129&term_occur=999&term_src=) physical or mental abuse as a result of having been a victim of criminal activity described in clause (iii);

**(II)** the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) (or in the case of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) [child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) under the age of 16, the parent, guardian, or next friend of the[alien)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) possesses information concerning criminal activity described in clause (iii);

**(III)** the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) (or in the case of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) [child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=) under the age of 16, the parent, guardian, or next friend of the[alien)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) has been helpful, is being helpful, or is likely to be helpful to a Federal,[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) or local law enforcement official, to a Federal,[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) or local prosecutor, to a Federal or[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)judge, to the[Service,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=) or to other Federal,[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=) or local authorities investigating or prosecuting criminal activity described in clause (iii); and

**(IV)**

the criminal activity described in clause (iii) violated the laws of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) or occurred in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) (including in Indian country and military installations) or the territories and possessions of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=);

**(ii)** if accompanying, or following to join, the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) described in clause (i)—

**(I)** in the case of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) described in clause (i) who is under 21 years of age, the spouse, children, [unmarried](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1743703365-1201680102&term_occur=999&term_src=) siblings under 18 years of age on the date on which such[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)applied for status under such clause, and parents of such[alien;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) or

**(II)** in the case of an [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) described in clause (i) who is 21 years of age or older, the spouse and children of such [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=); and

**(iii)** the criminal activity referred to in this clause is that involving one or more of the following or any similar activity in violation of Federal, [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=), or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in [section 1351 of title 18](https://www.law.cornell.edu/uscode/text/18/1351)); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes; or

**(V)** subject to [section 1184(q) of this title](https://www.law.cornell.edu/uscode/text/8/1184#q), an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)who is the beneficiary (including a[child](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-94631196-1485255822&term_occur=999&term_src=)of the principal[alien,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=) if eligible to receive a visa under [section 1153(d) of this title](https://www.law.cornell.edu/uscode/text/8/1153#d)) of a petition to accord a status under [section 1153(a)(2)(A) of this title](https://www.law.cornell.edu/uscode/text/8/1153#a_2_A) that was filed with the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=)under [section 1154 of this title](https://www.law.cornell.edu/uscode/text/8/1154) on or before December 21, 2000, if—

**(i)** such petition has been pending for 3 years or more; or

**(ii)** such petition has been approved, 3 years or more have elapsed since such filing date, and—

**(I)** an [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) visa is not immediately available to the[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)because of a waiting list of applicants for visas under [section 1153(a)(2)(A) of this title](https://www.law.cornell.edu/uscode/text/8/1153#a_2_A); or

**(II)** the [alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)’s application for an [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) visa, or the[alien’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)s application for adjustment of status under [section 1255 of this title](https://www.law.cornell.edu/uscode/text/8/1255), pursuant to the approval of such petition, remains pending.

**(16)** The term “[immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) visa” means an [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) visa required by this chapter and properly issued by a[consular officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-293344305-1485256775&term_occur=999&term_src=)at his office outside of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)to an eligible [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) under the provisions of this chapter.

**(17)** The term “[immigration laws](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-879607367-1201680038&term_occur=999&term_src=)” includes this chapter and all laws, conventions, and treaties of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)relating to the immigration, exclusion, deportation, expulsion, or removal of[aliens.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)

**(18)** The term “[immigration officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-717612480-1201680039&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means any employee or class of employees of the[Service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)or of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)designated by the[Attorney General,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=) individually or by regulation, to perform the functions of an [immigration officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-717612480-1201680039&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) specified by this chapter or any section of this title.

**(19)** The term “[ineligible to citizenship](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1550338665-1201680040&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101),” when used in reference to any individual, means, notwithstanding the provisions of any treaty relating to military[service,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) an individual who is, or was at any time permanently debarred from becoming a citizen of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)under section 3(a) of the [Selective Training and Service Act of 1940](https://www.law.cornell.edu/topn/burke-wadsworth_act), as amended ([54 Stat. 885](https://www.law.cornell.edu/rio/citation/54_Stat._885); [55 Stat. 844](https://www.law.cornell.edu/rio/citation/55_Stat._844)), or under section 4(a) of the [Selective Service Act of 1948](https://www.law.cornell.edu/topn/military_selective_service_act), as amended ([62 Stat. 605](https://www.law.cornell.edu/rio/citation/62_Stat._605); [65 Stat. 76](https://www.law.cornell.edu/rio/citation/65_Stat._76)) [[50 U.S.C. 3803(a)](https://www.law.cornell.edu/uscode/text/50/3803#a)], or under any section of this chapter, or any other Act, or under any law amendatory of, supplementary to, or in substitution for, any of such sections or Acts.

**(20)** The term “[lawfully admitted for permanent residence](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2124716147-1201680062&term_occur=999&term_src=)” means the status of having been lawfully accorded the privilege of residing permanently in the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)as an [immigrant](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1241937756-1201680036&term_occur=999&term_src=) in accordance with the[immigration laws,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-879607367-1201680038&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101) such status not having changed.

**(21)** The term “[national](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=)” means a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) owing[permanent](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-668488878-1201680094&term_occur=999&term_src=)allegiance to a[state.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)

**(22)** The term “[national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-503460309-1201680064&term_occur=999&term_src=title:8:chapter:12:subchapter:I:section:1101)” means (A) a citizen of the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) or (B) a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) who, though not a citizen of the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) owes[permanent](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-668488878-1201680094&term_occur=999&term_src=)allegiance to the[United States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)

**(23)** The term “[naturalization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1203952667-1201680065&term_occur=999&term_src=)” means the conferring of nationality of a[state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)upon a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-991716523-1485255820&term_occur=999&term_src=) after birth, by any means whatsoever.

**(24)** Repealed. [Pub. L. 102–232, title III, § 305(m)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._102-232), Dec. 12, 1991, [105 Stat. 1750](https://www.law.cornell.edu/rio/citation/105_Stat._1750).

**(25)** The term “noncombatant [service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=)” shall not include [service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-646160747-1201680097&term_occur=999&term_src=) in which the individual is not subject to military discipline, court martial, or does not wear the uniform of any branch of the armed forces.

**(26)** The term “[nonimmigrant visa](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-857198958-1201680068&term_occur=999&term_src=)” means a visa properly issued to an[alien](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-92903111-1485256781&term_occur=999&term_src=)as an eligible nonimmigrant by a competent officer as provided in this chapter.

# 8 U.S. Code § 1481 - Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions

**(a)** A person who is a [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-503460309-1201680064&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) whether by birth or[naturalization,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1203952667-1201680065&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) shall lose his nationality by voluntarily performing any of the following acts with the intention of relinquishing[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)nationality—

**(1)** obtaining [naturalization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1203952667-1201680065&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) in a[foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=)upon his own application or upon an application filed by a duly authorized agent, after having attained the age of eighteen years; or

**(2)** taking an oath or making an affirmation or other formal declaration of allegiance to a [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) or a political subdivision thereof, after having attained the age of eighteen years; or

**(3)** entering, or serving in, the armed forces of a [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) if (A) such armed forces are engaged in hostilities against the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) or (B) such persons serve as a commissioned or non-commissioned officer; or

**(4)** **(A)** accepting, serving in, or performing the duties of any office, post, or employment under the government of a [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) or a political subdivision thereof, after attaining the age of eighteen years if he has or acquires the nationality of such [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481); or (B) accepting, serving in, or performing the duties of any office, post, or employment under the government of a [foreign state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) or a political subdivision thereof, after attaining the age of eighteen years for which office, post, or employment an oath, affirmation, or declaration of allegiance is required; or

**(5)** making a formal renunciation of nationality before a diplomatic or [consular officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-293344305-1485256775&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)in a[foreign state,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-1597347259-1201680035&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) in such form as may be prescribed by the Secretary of[State;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) or

**(6)** making in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) a formal written renunciation of nationality in such form as may be prescribed by, and before such officer as may be designated by, the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481), whenever the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=)shall be in a[state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-80204913-1201680099&term_occur=999&term_src=)of war and the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-133271130-1485256779&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) shall approve such renunciation as not contrary to the interests of[national](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2045486514-1201680063&term_occur=999&term_src=)defense; or

**(7)** committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481), violating or conspiring to violate any of the provisions of [section 2383 of title 18](https://www.law.cornell.edu/uscode/text/18/2383), or willfully performing any act in violation of [section 2385 of title 18](https://www.law.cornell.edu/uscode/text/18/2385), or violating [section 2384 of title 18](https://www.law.cornell.edu/uscode/text/18/2384) by engaging in a conspiracy to overthrow, put down, or to destroy by force the Government of the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=) or to levy war against them, if and when he is convicted thereof by a court martial or by a court of competent jurisdiction.

**(b)** Whenever the loss of [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=8-USC-2032517217-1201680101&term_occur=999&term_src=title:8:chapter:12:subchapter:III:part:III:section:1481) nationality is put in issue in any action or proceeding commenced on or after September 26, 1961 under, or by virtue of, the provisions of this chapter or any other Act, the burden shall be upon the person or party claiming that such loss occurred, to establish such claim by a preponderance of the evidence. Any person who commits or performs, or who has committed or performed, any act of expatriation under the provisions of this chapter or any other Act shall be presumed to have done so voluntarily, but such presumption may be rebutted upon a showing, by a preponderance of the evidence, that the act or acts committed or performed were not done voluntarily.

(June 27, 1952, ch. 477, title III, ch. 3, § 349, [66 Stat. 267](https://www.law.cornell.edu/rio/citation/66_Stat._267); Sept. 3, 1954, ch. 1256, § 2, [68 Stat. 1146](https://www.law.cornell.edu/rio/citation/68_Stat._1146); [Pub. L. 87–301, § 19](https://www.law.cornell.edu/rio/citation/Pub._L._87-301), Sept. 26, 1961, [75 Stat. 656](https://www.law.cornell.edu/rio/citation/75_Stat._656); [Pub. L. 94–412, title V, § 501(a)](https://www.law.cornell.edu/rio/citation/Pub._L._94-412), Sept. 14, 1976, [90 Stat. 1258](https://www.law.cornell.edu/rio/citation/90_Stat._1258); [Pub. L. 95–432](https://www.law.cornell.edu/rio/citation/Pub._L._95-432), §§ 2, 4, Oct. 10, 1978, [92 Stat. 1046](https://www.law.cornell.edu/rio/citation/92_Stat._1046); [Pub. L. 97–116, § 18(k)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._97-116), (q), Dec. 29, 1981, [95 Stat. 1620](https://www.law.cornell.edu/rio/citation/95_Stat._1620), 1621; [Pub. L. 99–653](https://www.law.cornell.edu/rio/citation/Pub._L._99-653), §§ 18, 19, Nov. 14, 1986, [100 Stat. 3658](https://www.law.cornell.edu/rio/citation/100_Stat._3658); [Pub. L. 100–525](https://www.law.cornell.edu/rio/citation/Pub._L._100-525), §§ 8(m), (n), 9 (hh), Oct. 24, 1988, [102 Stat. 2618](https://www.law.cornell.edu/rio/citation/102_Stat._2618), 2622.).

**12 U.S. Code § 1431 - Powers and duties of banks**

(a) Borrowing money; issuing bonds and debentures; general powers

Each [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) shall have power, subject to rules and regulations prescribed by the[Director,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) to borrow and give security therefor and to pay interest thereon, to issue debentures, bonds, or other obligations upon such terms and conditions as the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)may approve, and to do all things necessary for carrying out the provisions of this chapter and all things incident thereto.

(b) Issuance of consolidated Federal Home Loan Bank debentures; restrictions

The Office of Finance, as agent for the [Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), may issue consolidated [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) debentures which shall be the joint and several obligations of all [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) organized and existing under this chapter, in order to provide funds for any such[bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)or[banks,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) and such debentures shall be issued upon such terms and conditions as such Office may prescribe. No such debentures shall be issued at any time if any of the assets of any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) are pledged to secure any debts or subject to any lien, and neither the Office of Finance nor any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) shall have power to pledge any of the assets of any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), or voluntarily to permit any lien to attach to the same while any of such debentures so issued are outstanding. The debentures issued under this section and outstanding shall at no time exceed five times the total paid-in capital of all the [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) as of the time of the issue of such debentures. It shall be the duty of the Office of Finance not to issue debentures under this section in excess of the notes or obligations of[member](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=title:12:chapter:11:section:1431)institutions held and secured under [section 1430(a) of this title](https://www.law.cornell.edu/uscode/text/12/1430#a) by all the[Federal Home Loan Banks.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)

(c) Issuance of Federal Home Loan Bank bonds

At any time that no debentures are outstanding under this chapter, or in order to refund all outstanding consolidated debentures issued under this section, the Office of Finance, as agent for the [Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), may issue consolidated [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) bonds which shall be the joint and several obligations of all the [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), and shall be secured and be issued upon such terms and conditions as such Office may prescribe.

(d) Additional or substituted collateral on adjustment of equities

The [Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) shall have full power to require any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) to deposit additional collateral or to make substitutions of collateral or to adjust equities between the [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431).

(e) Acceptance of deposits; restrictions on transaction of banking business; collection and settlement of checks, drafts, etc.; charges; rules and regulations

(1) Each [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) shall have power to accept deposits made by[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)of such[bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)or by any other [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) or other instrumentality of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-80204913-264575086&term_occur=999&term_src=title:12:chapter:11:section:1431) upon such terms and conditions as the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)may prescribe, but no [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) shall transact any banking or other business not incidental to activities authorized by this chapter.

(2)

(A) The [Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) may, subject to such rules and regulations, including definitions of terms used in this paragraph, as the [Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) shall from time to time prescribe, authorize [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) to be drawees of, and to engage in, or be agents or intermediaries for, or otherwise participate or assist in, the collection and settlement of (including presentment, clearing, and payment of, and remitting for), checks, drafts, or any other negotiable or nonnegotiable items or instruments of payment drawn on or issued by[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)of any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) or by institutions which are eligible to make application to become[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)pursuant to [section 1424 of this title](https://www.law.cornell.edu/uscode/text/12/1424), and to have such incidental powers as the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)shall find necessary for the exercise of any such authorization.

(B) A [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) shall make charges, to be determined and regulated by the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)consistent with the principles set forth in [section 248a(c) of this title](https://www.law.cornell.edu/uscode/text/12/248a#c), or utilize the services of, or act as agent for, or be a[member](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=title:12:chapter:11:section:1431)of, a Federal Reserve[bank,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) clearinghouse, or any other public or private financial institution or other[agency,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1959135269-388106945&term_occur=999&term_src=title:12:chapter:11:section:1431) in the exercise of any powers or functions pursuant to this paragraph.

(C) The [Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) is authorized, with respect to participation in the collection and settlement of any items by [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), and with respect to the collection and settlement (including payment by the payor institution) of items payable by Federal savings and loan associations and Federal mutual savings[banks,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) to prescribe rules and regulations regarding the rights, powers, responsibilities, duties, and liabilities, including standards relating thereto, of such [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), associations, or[banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)and other parties to any such items or their collection and settlement. In prescribing such rules and regulations, the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)may adopt or apply, in whole or in part, general banking usage and practices, and, in instances or respects in which they would otherwise not be applicable, Federal Reserve regulations and operating letters, the Uniform Commercial Code, and clearinghouse rules.

(f) Rediscount of notes held by other banks; purchase of bonds of other banks

The [Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) is authorized and empowered to permit or to require [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), upon such terms and conditions as the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)may prescribe, to rediscount the discounted notes of[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)held by other [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), or to make loans to, or make deposits with, such other [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), or to purchase any bonds or debentures issued under this section.

(g) Reserves

Each [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) shall at all times have at least an amount equal to the current deposits received from its[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)invested in (1) obligations of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-80204913-264575086&term_occur=999&term_src=title:12:chapter:11:section:1431) (2) deposits in[banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)or trust companies, (3) advances with a maturity of not to exceed five years which are made to[members,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=title:12:chapter:11:section:1431) upon such terms and conditions as the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)may prescribe, and (4) advances with a maturity of not to exceed five years which are made to[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)whose creditor liabilities (not including advances from the [Federal home loan bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)) do not exceed 5 per centum of their net assets, and which may be made without the security of[home mortgages](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2113415869-264575083&term_occur=999&term_src=title:12:chapter:11:section:1431)or other security, upon such terms and conditions as the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)may prescribe.

(h) Investment of surplus funds

Such part of the assets of each [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) (except reserves and amounts provided for in subsection (g)) as are not required for advances to[members,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=title:12:chapter:11:section:1431) may be invested, to such extent as the[bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)may deem desirable and subject to such regulations, restrictions, and limitations as may be prescribed by the[Director,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) in obligations of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-80204913-264575086&term_occur=999&term_src=title:12:chapter:11:section:1431) in obligations, participations, or other instruments of or issued by the Federal National Mortgage Association or the Government National Mortgage Association, in mortgages, obligations, or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to section 1454 or [section 1455 of this title](https://www.law.cornell.edu/uscode/text/12/1455), in the stock of the Federal National Mortgage Association, in stock, obligations, or other securities of any small business investment company formed pursuant to [section 681 of title 15](https://www.law.cornell.edu/uscode/text/15/681), for the purpose of aiding[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)of the[Federal Home Loan Bank System,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1284550945-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) and in such securities as fiduciary and trust funds may be invested in under the laws of the[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-80204913-264575086&term_occur=999&term_src=title:12:chapter:11:section:1431)in which the[Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=)is located.

(i) Treasury purchase of banks’ obligations; exercise of authority

The Secretary of the Treasury is authorized in his discretion to purchase any obligations issued pursuant to this section, as heretofore, now, or hereafter in force and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under chapter 31 of title 31, as now or hereafter in force, and the purposes for which securities may be issued under chapter 31 of title 31, as now or hereafter in force, are extended to include such purchases. The Secretary of the Treasury may, at any time, sell, upon such terms and conditions and at such price or prices as he shall determine, any of the obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such obligations under this subsection shall be treated as public-debt transactions of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-80204913-264575086&term_occur=999&term_src=title:12:chapter:11:section:1431). The Secretary of the Treasury shall not at any time purchase any obligations under this paragraph if such purchase would increase the aggregate principal amount of his then outstanding holdings of such obligations under this paragraph to an amount greater than $4,000,000,000. Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon terms and conditions as shall be determined by the Secretary of the Treasury and shall bear such rate of interest as may be determined by the Secretary of the Treasury taking into consideration the current average market yield for the month preceding the month of such purchase on outstanding marketable obligations of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-80204913-264575086&term_occur=999&term_src=title:12:chapter:11:section:1431).

In addition to obligations authorized to be purchased by the preceding paragraph, the Secretary of the Treasury is authorized to purchase any obligations issued pursuant to this section in amounts not to exceed $2,000,000,000. The authority provided in this paragraph shall expire August 10, 1975.

Notwithstanding the foregoing, the authority provided in this subsection may be exercised during any calendar quarter beginning after October 28, 1974, only if the Secretary of the Treasury and the Chairperson of the[Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431)[[1]](https://www.law.cornell.edu/uscode/text/12/1431" \l "fn002070) certify to the Congress that (1) alternative means cannot be effectively employed to permit[members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1077769574-264575085&term_occur=999&term_src=)of the[Federal Home Loan Bank System](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-1284550945-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)to continue to supply reasonable amounts of funds to the mortgage market, and (2) the ability to supply such funds is substantially impaired because of monetary stringency and a high level of interest rates. Any funds borrowed under this subsection shall be repaid by the Home Loan[Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)at the earliest practicable date.

(j) Audits

Notwithstanding the provisions of section 9105(a)(1)(B) [[2]](https://www.law.cornell.edu/uscode/text/12/1431" \l "fn002071) of title 31, audits by the Government Accountability Office of the financial transactions of a[Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=)shall not be limited to periods during which Government capital has been invested therein. The provisions of sections 9107(c)(2) and 9108(d)(1) of title 31 shall not apply to any[Federal Home Loan Bank.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)

(k) Bank loans to the Deposit Insurance Fund

(1) Loans authorized

Subject to paragraph (3), the [Federal Home Loan Banks](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) may, upon the request of the Federal Deposit Insurance Corporation, make loans to such Corporation for the use of the Deposit Insurance Fund.

(2) Liability of the Fund

Any loan by a [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) pursuant to paragraph (1) shall be a direct liability of the Deposit Insurance Fund.

(3) Interest on and security for such loansAny loan by a [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) pursuant to paragraph (1) shall—

(A) bear a rate of interest not less than such [Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-2062940-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)’s current marginal cost of funds, taking into account the maturities involved; and

(B) be adequately secured.

(l) Temporary authority of Treasury to purchase obligations; conditions

(1) Authority to purchase

(A) General authority

In addition to the authority under subsection (i) of this section, the Secretary of the Treasury is authorized to purchase any obligations issued by any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) under any section of this chapter, on such terms and conditions as the Secretary may determine and in such amounts as the Secretary may determine. Nothing in this subsection requires a [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) to issue obligations or securities to the Secretary without mutual agreement between the Secretary and the [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431). Nothing in this subsection permits or authorizes the Secretary, without the agreement of the [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), to engage in open market purchases of the common securities of any [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431).

(B) Emergency determination requiredIn connection with any use of this authority, the Secretary must determine that such actions are necessary to—

(i) provide stability to the financial markets;

(ii) prevent disruptions in the availability of mortgage finance; and

(iii) protect the taxpayer.

(C) Considerations To protect the taxpayers, the Secretary of the Treasury shall take into consideration the following in connection with exercising the authority contained in this paragraph:

(i) The need for preferences or priorities regarding payments to the Government.

(ii) Limits on maturity or disposition of obligations or securities to be purchased.

(iii) The [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)’s plan for the orderly resumption of private market funding or capital market access.

(iv) The probability of the [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) fulfilling the terms of any such obligation or other security, including repayment.

(v) The need to maintain the [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431)’s status as a private shareholder-owned company.

(vi) Restrictions on the use of [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431) resources, including limitations on the payment of dividends and executive compensation and any such other terms and conditions as appropriate for those purposes.

(D) Reports to Congress

Upon exercise of this authority, the Secretary shall report to the Committees on the Budget, Financial Services, and Ways and Means of the House of Representatives and the Committees on the Budget, Finance, and Banking, Housing, and Urban Affairs of the Senate as to the necessity for the purchase and the determinations made by the Secretary under subparagraph (B) and with respect to the considerations required under subparagraph (C), and the size, terms, and probability of repayment or fulfillment of other terms of such purchase.

(2) Rights; sale of obligations and securities

(A) Exercise of rights

The Secretary of the Treasury may, at any time, exercise any rights received in connection with such purchases.

(B) Sale of obligations

The Secretary of the Treasury may, at any time, subject to the terms of the security or otherwise upon terms and conditions and at prices determined by the Secretary, sell any obligation acquired by the Secretary under this subsection.

(C) Deficit reduction The Secretary of the Treasury shall deposit in the General Fund of the Treasury any amounts received by the Secretary from the sale of any obligation acquired by the Secretary under this subsection, where such amounts shall be—

(i) dedicated for the sole purpose of deficit reduction; and

(ii) prohibited from use as an offset for other spending increases or revenue reductions.

(D) Application of sunset to purchased obligations

The authority of the Secretary of the Treasury to hold, exercise any rights received in connection with, or sell, any obligations purchased is not subject to the provisions of paragraph (4).

(3) Funding

For the purpose of the authorities granted in this subsection, the Secretary of the Treasury may use the proceeds of the sale of any securities issued under chapter 31 of title 31, and the purposes for which securities may be issued under chapter 31 of title 31 are extended to include such purchases and the exercise of any rights in connection with such purchases. Any funds expended for the purchase of, or modifications to, obligations and securities, or the exercise of any rights received in connection with such purchases under this subsection shall be deemed appropriated at the time of such purchase, modification, or exercise.

(4) Termination of authority

The authority under this subsection (l), with the exception of paragraphs (2) and (3) of this subsection, shall expire December 31, 2009.

(5)Authority of the Director with respect to executive compensation

The [Director](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-310687660-388106944&term_occur=999&term_src=title:12:chapter:11:section:1431) shall have the power to approve, disapprove, or modify the executive compensation of the [Federal Home Loan Bank](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=12-USC-900258190-264575087&term_occur=999&term_src=title:12:chapter:11:section:1431), as defined under Regulation S-K, [17](https://www.law.cornell.edu/cfr/text/17) C.F.R. 229.

**15 U.S. Code § 1 - Trusts, etc., in restraint of trade illegal; penalty.**

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-509055121-1913737444&term_occur=999&term_src=title:15:chapter:1:section:1) among the several[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:1) or with foreign nations, is declared to be illegal. Every[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913513574&term_occur=999&term_src=title:15:chapter:1:section:1)who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $100,000,000 if a corporation, or, if any other[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913513574&term_occur=999&term_src=) $1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

(July 2, 1890, ch. 647, § 1, [26 Stat. 209](https://www.law.cornell.edu/rio/citation/26_Stat._209); Aug. 17, 1937, ch. 690, title VIII, [50 Stat. 693](https://www.law.cornell.edu/rio/citation/50_Stat._693); July 7, 1955, ch. 281, [69 Stat. 282](https://www.law.cornell.edu/rio/citation/69_Stat._282); [Pub. L. 93–528, § 3](https://www.law.cornell.edu/rio/citation/Pub._L._93-528), Dec. 21, 1974, [88 Stat. 1708](https://www.law.cornell.edu/rio/citation/88_Stat._1708); [Pub. L. 94–145, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._94-145), Dec. 12, 1975, [89 Stat. 801](https://www.law.cornell.edu/rio/citation/89_Stat._801); [Pub. L. 101–588, § 4(a)](https://www.law.cornell.edu/rio/citation/Pub._L._101-588), Nov. 16, 1990, [104 Stat. 2880](https://www.law.cornell.edu/rio/citation/104_Stat._2880); [Pub. L. 108–237, title II, § 215(a)](https://www.law.cornell.edu/rio/citation/Pub._L._108-237), June 22, 2004, [118 Stat. 668](https://www.law.cornell.edu/rio/citation/118_Stat._668).).

**15 U.S. Code § 2 - Monopolizing trade a felony; penalty.**

Every [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913513574&term_occur=999&term_src=title:15:chapter:1:section:2) who shall monopolize, or attempt to monopolize, or combine or conspire with any other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913513574&term_occur=999&term_src=title:15:chapter:1:section:2) or [persons](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913513574&term_occur=999&term_src=title:15:chapter:1:section:2), to monopolize any part of the trade or [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-509055121-1913737444&term_occur=999&term_src=title:15:chapter:1:section:2) among the several[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-803812839&term_occur=999&term_src=title:15:chapter:1:section:2) or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $100,000,000 if a corporation, or, if any other[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913513574&term_occur=999&term_src=) $1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

(July 2, 1890, ch. 647, § 2, [26 Stat. 209](https://www.law.cornell.edu/rio/citation/26_Stat._209); July 7, 1955, ch. 281, [69 Stat. 282](https://www.law.cornell.edu/rio/citation/69_Stat._282); [Pub. L. 93–528, § 3](https://www.law.cornell.edu/rio/citation/Pub._L._93-528), Dec. 21, 1974, [88 Stat. 1708](https://www.law.cornell.edu/rio/citation/88_Stat._1708); [Pub. L. 101–588, § 4(b)](https://www.law.cornell.edu/rio/citation/Pub._L._101-588), Nov. 16, 1990, [104 Stat. 2880](https://www.law.cornell.edu/rio/citation/104_Stat._2880); [Pub. L. 108–237, title II, § 215(b)](https://www.law.cornell.edu/rio/citation/Pub._L._108-237), June 22, 2004, [118 Stat. 668](https://www.law.cornell.edu/rio/citation/118_Stat._668).).

**15 U.S. Code § 3 - Trusts in Territories or District of Columbia illegal; combination a felony.**

(a) Every contract, combination in form of trust or otherwise, or conspiracy, in restraint of trade or [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-509055121-1913737444&term_occur=999&term_src=title:15:chapter:1:section:3) in any Territory of the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or of the District of Columbia, or in restraint of trade or [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-509055121-1913737444&term_occur=999&term_src=title:15:chapter:1:section:3) between any such Territory and another, or between any such Territory or Territories and any[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or the District of Columbia, or with foreign nations, or between the District of Columbia and any[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or foreign nations, is declared illegal. Every[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913675987&term_occur=999&term_src=title:15:chapter:1:section:3)who shall make any such contract or engage in any such combination or conspiracy, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $100,000,000 if a corporation, or, if any other[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913675987&term_occur=999&term_src=) $1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

(b) Every [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913675987&term_occur=999&term_src=title:15:chapter:1:section:3) who shall monopolize, or attempt to monopolize, or combine or conspire with any other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913675987&term_occur=999&term_src=title:15:chapter:1:section:3) or [persons](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913675987&term_occur=999&term_src=title:15:chapter:1:section:3), to monopolize any part of the trade or [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-509055121-1913737444&term_occur=999&term_src=title:15:chapter:1:section:3) in any Territory of the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or of the District of Columbia, or between any such Territory and another, or between any such Territory or Territories and any[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or the District of Columbia, or with foreign nations, or between the District of Columbia, and any[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:3)or foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $100,000,000 if a corporation, or, if any other[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-1913675987&term_occur=999&term_src=) $1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

(July 2, 1890, ch. 647, § 3, [26 Stat. 209](https://www.law.cornell.edu/rio/citation/26_Stat._209); July 7, 1955, ch. 281, [69 Stat. 282](https://www.law.cornell.edu/rio/citation/69_Stat._282); [Pub. L. 93–528, § 3](https://www.law.cornell.edu/rio/citation/Pub._L._93-528), Dec. 21, 1974, [88 Stat. 1708](https://www.law.cornell.edu/rio/citation/88_Stat._1708); [Pub. L. 101–588, § 4(c)](https://www.law.cornell.edu/rio/citation/Pub._L._101-588), Nov. 16, 1990, [104 Stat. 2880](https://www.law.cornell.edu/rio/citation/104_Stat._2880); [Pub. L. 107–273, div. C, title IV, § 14102(b)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), Nov. 2, 2002, [116 Stat. 1921](https://www.law.cornell.edu/rio/citation/116_Stat._1921); [Pub. L. 108–237, title II, § 215(c)](https://www.law.cornell.edu/rio/citation/Pub._L._108-237), June 22, 2004, [118 Stat. 668](https://www.law.cornell.edu/rio/citation/118_Stat._668).).

**15 U.S. Code § 4 - Jurisdiction of courts; duty of United States attorneys; procedure.**

The several district courts of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=title:15:chapter:1:section:4) are invested with jurisdiction to prevent and restrain violations of sections [1](https://www.law.cornell.edu/uscode/text/15/1) to [7](https://www.law.cornell.edu/uscode/text/15/7) of this title; and it shall be the duty of the several United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-1913675986&term_occur=999&term_src=)attorneys, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

(July 2, 1890, ch. 647, § 4, [26 Stat. 209](https://www.law.cornell.edu/rio/citation/26_Stat._209); Mar. 3, 1911, ch. 231, § 291, [36 Stat. 1167](https://www.law.cornell.edu/rio/citation/36_Stat._1167); June 25, 1948, ch. 646, § 1, [62 Stat. 909](https://www.law.cornell.edu/rio/citation/62_Stat._909).).

**15 U.S. Code § 1602 - Definitions and rules of construction**

(a) The definitions and rules of construction set forth in this section are applicable for the purposes of this subchapter.

(b) Bureau.—

The term “[Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means the [Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) of Consumer Financial Protection.

(c) The term “[Board](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-64356038-852328092&term_occur=999&term_src=)” refers to the [Board](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-64356038-852328092&term_occur=999&term_src=) of Governors of the Federal Reserve System.

(d) The term “[organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1178922291-852328091&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

(e) The term “[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means a natural [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) or an [organization](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1178922291-852328091&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602).

(f) The term “[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)” means the right granted by a[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)to a debtor to defer payment of debt or to incur debt and defer its payment.

(g) The term “[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)” refers only to a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) who both (1) regularly extends, whether in connection with loans, sales of property or services, or otherwise, consumer [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) which is payable by agreement in more than four installments or for which the payment of a[finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=)is or may be required, and (2) is the[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)to whom the debt arising from the consumer [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) transaction is initially payable on the face of the evidence of indebtedness or, if there is no such evidence of indebtedness, by agreement. Notwithstanding the preceding sentence, in the case of an open-end [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) plan involving a [credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), the[card issuer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-355651017-852328080&term_occur=999&term_src=)and any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)who honors the [credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) and offers a [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) which is a[finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=)are[creditors.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) For the purpose of the requirements imposed under part D of this subchapter and sections [1637(a)(5)](https://www.law.cornell.edu/uscode/text/15/1637#a_5), [1637(a)(6)](https://www.law.cornell.edu/uscode/text/15/1637#a_6), [1637(a)(7)](https://www.law.cornell.edu/uscode/text/15/1637#a_7), [1637(b)(1)](https://www.law.cornell.edu/uscode/text/15/1637#b_1), [1637(b)(2)](https://www.law.cornell.edu/uscode/text/15/1637#b_2), [1637(b)(3)](https://www.law.cornell.edu/uscode/text/15/1637#b_3), [1637(b)(8)](https://www.law.cornell.edu/uscode/text/15/1637#b_8), and [1637(b)(10)](https://www.law.cornell.edu/uscode/text/15/1637#b_10) of this title, the term [“creditor”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) shall also include[card issuers](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-355651017-852328080&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)whether or not the amount due is payable by agreement in more than four installments or the payment of a[finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=)is or may be required, and the[Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)shall, by regulation, apply these requirements to such[card issuers,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-355651017-852328080&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) to the extent appropriate, even though the requirements are by their terms applicable only to[creditors](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)offering open-end[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)plans. Any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)who originates 2 or more mortgages referred to in subsection (aa) in any 12-month period or any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)who originates 1 or more such mortgages through a mortgage broker shall be considered to be a[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)for purposes of this subchapter. The term [“creditor”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) includes a private educational lender (as that term is defined in [section 1650 of this title](https://www.law.cornell.edu/uscode/text/15/1650)) for purposes of this subchapter.

(h) The term “[credit sale](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361498354-852328087&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” refers to any sale in which the seller is a[creditor.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) The term includes any contract in the form of a bailment or lease if the bailee or lessee contracts to pay as compensation for use a sum substantially equivalent to or in excess of the aggregate value of the property and services involved and it is agreed that the bailee or lessee will become, or for no other or a nominal consideration has the option to become, the owner of the property upon full compliance with his obligations under the contract.

(i) The adjective “consumer”, used with reference to a [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) transaction, characterizes the transaction as one in which the party to whom [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) is offered or extended is a natural[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) and the money, property, or services which are the subject of the transaction are primarily for personal, family, or household purposes.

(j) The terms “[open end credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1597085269-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” and “[open end consumer credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1580023295-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” mean a plan under which the[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)reasonably contemplates repeated transactions, which prescribes the terms of such transactions, and which provides for a[finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=)which may be computed from time to time on the outstanding unpaid balance. A[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)plan or [open end consumer credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1580023295-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) which is an[open end credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1597085269-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)or [open end consumer credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1580023295-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) within the meaning of the preceding sentence is an[open end credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1597085269-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)or [open end consumer credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1580023295-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) even if[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)information is verified from time to time.

(k) The term “[adequate notice](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1870579008-852328084&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602),” as used in [section 1643 of this title](https://www.law.cornell.edu/uscode/text/15/1643), means a printed notice to a[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)which sets forth the pertinent facts clearly and conspicuously so that a[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)against whom it is to operate could reasonably be expected to have noticed it and understood its meaning. Such notice may be given to a[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)by printing the notice on any[credit card,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=) or on each periodic statement of account, issued to the[cardholder,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) or by any other means reasonably assuring the receipt thereof by the[cardholder.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(l) The term “[credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means any card, plate, coupon book or other[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)device existing for the purpose of obtaining money, property, labor, or services on[credit.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(m) The term “[accepted credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1271743266-852328082&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means any[credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)which the[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)has requested and received or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor, or services on[credit.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(n) The term “[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)to whom a [credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) is issued or any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)who has agreed with the[card issuer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-355651017-852328080&term_occur=999&term_src=)to pay obligations arising from the issuance of a [credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) to another[person.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(o) The term “[card issuer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-355651017-852328080&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)who issues a [credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), or the agent of such[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)with respect to such card.

(p) The term “[unauthorized use](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2030893873-852328079&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602),” as used in [section 1643 of this title](https://www.law.cornell.edu/uscode/text/15/1643), means a use of a[credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)by a[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)other than the[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)who does not have actual, implied, or apparent authority for such use and from which the[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)receives no benefit.

(q) The term “[discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” as used in [section 1666f of this title](https://www.law.cornell.edu/uscode/text/15/1666f) means a reduction made from the[regular price.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2118795323-852328070&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) The term [“discount”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) as used in [section 1666f of this title](https://www.law.cornell.edu/uscode/text/15/1666f) shall not mean a[surcharge.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1376052484-852328077&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(r) The term “[surcharge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1376052484-852328077&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” as used in this section and [section 1666f of this title](https://www.law.cornell.edu/uscode/text/15/1666f) means any means of increasing the[regular price](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2118795323-852328070&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)to a[cardholder](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)which is not imposed upon customers paying by cash, check, or similar means.”

(s) The term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-652366522&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” refers to any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-652366522&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), the Commonwealth of Puerto [Rico](https://www.law.cornell.edu/topn/racketeer_influenced_and_corrupt_organizations_act_rico), the District of Columbia, and any territory or possession of the United[States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-652366522&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(t) The term “[agricultural purposes](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1845127626-652366491&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” includes the production, harvest, exhibition, marketing, transportation, processing, or manufacture of[agricultural products](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-309477243-852328074&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)by a natural[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)who cultivates, plants, propagates, or nurtures those[agricultural products,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-309477243-852328074&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) including but not limited to the acquisition of farmland, real property with a farm residence, and personal property and services used primarily in farming.

(u) The term “[agricultural products](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-309477243-852328074&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” includes agricultural, horticultural, viticultural, and dairy products, livestock, wildlife, poultry, bees, forest products, fish and shellfish, and any products thereof, including processed and manufactured products, and any and all products raised or produced on farms and any processed or manufactured products thereof.

(v) The term “[material disclosures](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-577528493-852328073&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means the disclosure, as required by this subchapter, of the[annual percentage rate,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1922427493-852238721&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) the method of determining the[finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=)and the balance upon which a[finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=)will be imposed, the amount of the[finance charge,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) the amount to be financed, the total of payments, the number and amount of payments, the due dates or periods of payments scheduled to repay the indebtedness, and the disclosures required by [section 1639(a) of this title](https://www.law.cornell.edu/uscode/text/15/1639#a).

(w) The term “[dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means a residential structure or mobile home which contains one to four family housing units, or individual units of condominiums or cooperatives.

(x) The term “[residential mortgage transaction](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1909923062-852328071&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means a transaction in which a mortgage, deed of trust, purchase money security interest arising under an installment sales contract, or equivalent consensual security interest is created or retained against the consumer’s[dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)to finance the acquisition or initial construction of such[dwelling.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(y) As used in this section and [section 1666f of this title](https://www.law.cornell.edu/uscode/text/15/1666f), the term [“regular price”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2118795323-852328070&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) means the tag or posted price charged for the property or service if a single price is tagged or posted, or the price charged for the property or service when payment is made by use of an open-end[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)plan or a[credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)if either (1) no price is tagged or posted, or (2) two prices are tagged or posted, one of which is charged when payment is made by use of an open-end[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)plan or a[credit card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-361974825-852328083&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)and the other when payment is made by use of cash, check, or similar means. For purposes of this definition, payment by check, draft, or other negotiable instrument which may result in the debiting of an open-end[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)plan or a credit[cardholder’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1246805180-852328081&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)s open-end account shall not be considered payment made by use of the plan or the account.

(z) Any reference to any requirement imposed under this subchapter or any provision thereof includes reference to the regulations of the [Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) under this subchapter or the provision thereof in question.

(aa) The disclosure of an amount or percentage which is greater than the amount or percentage required to be disclosed under this subchapter does not in itself constitute a violation of this subchapter.

(bb) High-cost Mortgage.—

(1) Definition.—

(A) In general.—The term “[high-cost mortgage](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1965906268-140531414&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)”, and a mortgage referred to in this subsection, means a consumer[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)transaction that is secured by the consumer’s principal[dwelling,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=) other than a[reverse mortgage transaction,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-779421656-652366977&term_occur=999&term_src=) if—

(i) in the case of a [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) transaction secured—

(I) by a first mortgage on the consumer’s principal [dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), the[annual percentage rate](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1922427493-852238721&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)at consummation of the transaction will exceed by more than 6.5 percentage points (8.5 percentage points, if the [dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) is personal property and the transaction is for less than $50,000) the average prime offer rate, as defined in [section 1639c(b)(2)(B) of this title](https://www.law.cornell.edu/uscode/text/15/1639c#b_2_B), for a comparable transaction; or

(II) by a subordinate or junior mortgage on the consumer’s principal [dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), the[annual percentage rate](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1922427493-852238721&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)at consummation of the transaction will exceed by more than 8.5 percentage points the average prime offer rate, as defined in [section 1639c(b)(2)(B) of this title](https://www.law.cornell.edu/uscode/text/15/1639c#b_2_B), for a comparable transaction;

(ii) the total points and fees payable in connection with the transaction, other than bona fide third party charges not retained by the [mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602),[creditor,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) or an affiliate of the[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)or [mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), exceed—

(I) in the case of a transaction for $20,000 or more, 5 percent of the total transaction amount; or

(II) in the case of a transaction for less than $20,000, the lesser of 8 percent of the total transaction amount or $1,000 (or such other dollar amount as the [Board](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-64356038-852328092&term_occur=999&term_src=) shall prescribe by regulation); or

(iii) the [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) transaction documents permit the[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)to charge or collect prepayment fees or penalties more than 36 months after the transaction closing or such fees or penalties exceed, in the aggregate, more than 2 percent of the amount prepaid.

(B) Introductory rates taken into account.—For purposes of subparagraph (A)(i), the [annual percentage rate](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1922427493-852238721&term_occur=999&term_src=) of interest shall be determined based on the following interest rate:

(i) In the case of a fixed-rate transaction in which the [annual percentage rate](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1922427493-852238721&term_occur=999&term_src=) will not vary during the term of the loan, the interest rate in effect on the date of consummation of the transaction.

(ii) In the case of a transaction in which the rate of interest varies solely in accordance with an index, the interest rate determined by adding the index rate in effect on the date of consummation of the transaction to the maximum margin permitted at any time during the loan agreement.

(iii) In the case of any other transaction in which the rate may vary at any time during the term of the loan for any reason, the interest charged on the transaction at the maximum rate that may be charged during the term of the loan.

(C) Mortgage insurance.—For the purposes of computing the total points and fees under paragraph (4), the total points and fees shall exclude—

(i) any premium provided by an agency of the Federal Government or an agency of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-652366522&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602);

(ii) any amount that is not in excess of the amount payable under policies in effect at the time of origination under section 203(c)(2)(A) of the [National Housing Act](https://www.law.cornell.edu/topn/federal_housing_act) ([12 U.S.C. 1709(c)(2)(A)](https://www.law.cornell.edu/uscode/text/12/1709#c_2_A)), provided that the premium, charge, or fee is required to be refundable on a pro-rated basis and the refund is automatically issued upon notification of the satisfaction of the underlying mortgage loan; and

(iii) any premium paid by the consumer after closing.

(2) (A)After the 2-year period beginning on the effective date of the regulations promulgated under section 155 of the Riegle Community Development and Regulatory Improvement Act of 1994, and no more frequently than biennially after the first increase or decrease under this subparagraph, the [Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) may by regulation increase or decrease the number of percentage points specified in paragraph (1)(A), if the [Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) determines that the increase or decrease is—

(i) consistent with the consumer protections against abusive lending provided by the amendments made by subtitle B of title I of the Riegle Community Development and Regulatory Improvement Act of 1994; and

(ii) warranted by the need for [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=).

(B)An increase or decrease under subparagraph (A)—

(i) may not result in the number of percentage points referred to in paragraph (1)(A)(i)(I) being less than 6 percentage points or greater than 10 percentage points; and

(ii) may not result in the number of percentage points referred to in paragraph (1)(A)(i)(II) being less than 8 percentage points or greater than 12 percentage points.

(C) In determining whether to increase or decrease the number of percentage points referred to in subparagraph (A), the [Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) shall consult with representatives of consumers, including low-income consumers, and lenders.

(3) The amount specified in paragraph (1)(B)(ii) shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index, as reported on June 1 of the year preceding such adjustment.

(4) For purposes of paragraph (1)(B), points and fees shall include—

(A) all items included in the [finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), except interest or the time-price differential;

(B) all compensation paid directly or indirectly by a consumer or [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) to a [mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) from any source, including a [mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) that is also the[creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)in a table-funded transaction;

(C) each of the charges listed in [section 1605(e) of this title](https://www.law.cornell.edu/uscode/text/15/1605#e) (except an escrow for future payment of taxes), unless—

(i) the charge is reasonable;

(ii) the [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) receives no direct or indirect compensation; and

(iii) the charge is paid to a third party unaffiliated with the [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=); and

(D) premiums or other charges payable at or before closing for any [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) life, [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) disability, [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) unemployment, or [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) property insurance, or any other accident, loss-of-income, life or health insurance, or any payments directly or indirectly for any debt cancellation or suspension agreement or contract, except that insurance premiums or debt cancellation or suspension fees calculated and paid in full on a monthly basis shall not be considered financed by the[creditor;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=)

(E) the maximum prepayment fees and penalties which may be charged or collected under the terms of the [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) transaction;

(F) all prepayment fees or penalties that are incurred by the consumer if the loan refinances a previous loan made or currently held by the same [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) or an affiliate of the [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=); and

(G) such other charges as the [Bureau](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-2001072282-852328093&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) determines to be appropriate.

(5) Calculation of points and fees for open-end consumer credit plans.—

In the case of open-end consumer [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=) plans, points and fees shall be calculated, for purposes of this section and [section 1639 of this title](https://www.law.cornell.edu/uscode/text/15/1639), by adding the total points and fees known at or before closing, including the maximum prepayment penalties which may be charged or collected under the terms of the[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)transaction, plus the minimum additional fees the consumer would be required to pay to draw down an amount equal to the total[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)line.

(6) This subsection shall not be construed to limit the rate of interest or the [finance charge](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-546542010-852238721&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) that a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) may charge a consumer for any extension of [credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=).

(cc)The term “[reverse mortgage transaction](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-779421656-652366977&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means a nonrecourse transaction in which a mortgage, deed of trust, or equivalent consensual security interest is created against the consumer’s principal[dwelling—](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)

(1) securing one or more advances; and

(2) with respect to which the payment of any principal, interest, and shared appreciation or equity is due and payable (other than in the case of default) only after—

(A) the transfer of the [dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602);

(B) the consumer ceases to occupy the [dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) as a principal [dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602); or

(C) the death of the consumer.

(dd) Definitions Relating to Mortgage Origination and Residential Mortgage Loans.—

(1) Commission.—

Unless otherwise specified, the term “[Commission](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1283237621-140592918&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means the Federal Trade Commission.

(2) Mortgage originator.—The term “[mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)”—

(A) means any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) who, for direct or indirect compensation or gain, or in the expectation of direct or indirect compensation or gain—

(i) takes a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) application;

(ii) assists a consumer in obtaining or applying to obtain a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602); or

(iii) offers or negotiates terms of a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602);

(B) includes any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) who represents to the public, through advertising or other means of communicating or providing information (including the use of business cards, stationery, brochures, signs, rate lists, or other promotional items), that such [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) can or will provide any of the services or perform any of the activities described in subparagraph (A);

(C) does not include any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) who is—

(i) not otherwise described in subparagraph (A) or (B) and who performs purely administrative or clerical tasks on behalf of a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) who is described in any such subparagraph; or

(ii) a retailer of manufactured or modular homes or an employee of the retailer if the retailer or employee, as applicable—

(I) does not receive compensation or gain for engaging in activities described in subparagraph (A) that is in excess of any compensation or gain received in a comparable cash transaction;

(II) discloses to the consumer—

(aa) in writing any corporate affiliation with any [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=); and

(bb) if the retailer has a corporate affiliation with any [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=), at least 1 unaffiliated [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=); and

(III) does not directly negotiate with the consumer or lender on loan terms (including rates, fees, and other costs).

(D) does not include a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) or entity that only performs real estate brokerage activities and is licensed or registered in accordance with applicable[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-80204913-652366522&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)law, unless such [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) or entity is compensated by a lender, a mortgage broker, or other [mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) or by any agent of such lender, mortgage broker, or other [mortgage originator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-688459904-140592919&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602);

(E) does not include, with respect to a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), a[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) estate, or trust that provides mortgage financing for the sale of 3 properties in any 12-month period to purchasers of such properties, each of which is owned by such[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) estate, or trust and serves as security for the loan, provided that such loan—

(i) is not made by a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), estate, or trust that has constructed, or acted as a contractor for the construction of, a residence on the property in the ordinary course of business of such [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), estate, or trust;

(ii) is fully amortizing;

(iii) is with respect to a sale for which the seller determines in good faith and documents that the buyer has a reasonable ability to repay the loan;

(iv) has a fixed rate or an adjustable rate that is adjustable after 5 or more years, subject to reasonable annual and lifetime limitations on interest rate increases; and

(v) meets any other criteria the [Board](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-64356038-852328092&term_occur=999&term_src=) may prescribe;

(F) does not include the [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) (except the [creditor](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1822875292-852328088&term_occur=999&term_src=) in a table-funded transaction) under paragraph (1), (2), or (4) of [section 1639b(c) of this title](https://www.law.cornell.edu/uscode/text/15/1639b#c); and

(G) does not include a [servicer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1379209309-140592924&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) or [servicer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1379209309-140592924&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) employees, agents and contractors, including but not limited to those who offer or negotiate terms of a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) for purposes of renegotiating, modifying, replacing and subordinating principal of existing mortgages where borrowers are behind in their payments, in default or have a reasonable likelihood of being in default or falling behind.

(3) Nationwide mortgage licensing system and registry.—

The term “[Nationwide Mortgage Licensing System and Registry](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-734333961-140592920&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” has the same meaning as in the [Secure and Fair Enforcement for Mortgage Licensing Act of 2008](https://www.law.cornell.edu/topn/secure_and_fair_enforcement_for_mortgage_licensing_act_of_2008) [[12 U.S.C. 5101](https://www.law.cornell.edu/uscode/text/12/5101) et seq.].

(4) Other definitions relating to mortgage originator.—

For purposes of this subsection, a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) “assists a consumer in obtaining or applying to obtain a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” by, among other things, advising on [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) terms (including rates, fees, and other costs), preparing [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) packages, or collecting information on behalf of the consumer with regard to a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602).

(5) Residential mortgage loan.—

The term “[residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” means any consumer[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)transaction that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a[dwelling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)or on residential real property that includes a[dwelling,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-579263632-852328072&term_occur=999&term_src=) other than a consumer[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)transaction under an[open end credit plan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1597085269-852328085&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)or, for purposes of sections [1639b](https://www.law.cornell.edu/uscode/text/15/1639b) and [1639c](https://www.law.cornell.edu/uscode/text/15/1639c) of this title and section 1638(a) (16), (17), (18), and (19) of this title, and sections [1638(f)](https://www.law.cornell.edu/uscode/text/15/1638#f) and [1640(k)](https://www.law.cornell.edu/uscode/text/15/1640#k) of this title, and any regulations promulgated thereunder, an extension of[credit](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1352291591-852328089&term_occur=999&term_src=)relating to a plan described in section 101(53D) of title 11.

(6) Secretary.—

The term “[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1264422296-140592923&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)”, when used in connection with any transaction or[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-991716523-852328090&term_occur=999&term_src=)involved with a [residential mortgage loan](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-455157208-140592922&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602), means the[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1264422296-140592923&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)of Housing and Urban Development.

(7) Servicer.—

The term “[servicer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1379209309-140592924&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602)” has the same meaning as in [section 2605(i)(2) of title 12](https://www.law.cornell.edu/uscode/text/12/2605#i_2).

(ee) Bona Fide Discount Points and Prepayment Penalties.—For the purposes of determining the amount of points and fees for purposes of subsection (aa), either the amounts described in paragraph (1) or (2) of the following paragraphs, but not both, shall be excluded:

(1) Up to and including 2 bona fide [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) points payable by the consumer in connection with the mortgage, but only if the interest rate from which the mortgage’s interest rate will be discounted does not exceed by more than 1 percentage point—

(A) the average prime offer rate, as defined in [section 1639c of this title](https://www.law.cornell.edu/uscode/text/15/1639c); or

(B) if secured by a personal property loan, the average rate on a loan in connection with which insurance is provided under title I of the [National Housing Act](https://www.law.cornell.edu/topn/federal_housing_act) ([12 U.S.C. 1702](https://www.law.cornell.edu/uscode/text/12/1702) et seq.).

(2) Unless 2 bona fide [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) points have been excluded under paragraph (1), up to and including 1 bona fide [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) point payable by the consumer in connection with the mortgage, but only if the interest rate from which the mortgage’s interest rate will be discounted does not exceed by more than 2 percentage points—

(A) the average prime offer rate, as defined in [section 1639c of this title](https://www.law.cornell.edu/uscode/text/15/1639c); or

(B) if secured by a personal property loan, the average rate on a loan in connection with which insurance is provided under title I of the [National Housing Act](https://www.law.cornell.edu/topn/federal_housing_act) ([12 U.S.C. 1702](https://www.law.cornell.edu/uscode/text/12/1702) et seq.).

(3) For purposes of paragraph (1), the term “bona fide [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) points” means loan [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) points which are knowingly paid by the consumer for the purpose of reducing, and which in fact result in a bona fide reduction of, the interest rate or time-price differential applicable to the mortgage.

(4) Paragraphs (1) and (2) shall not apply to [discount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-273184065-852328078&term_occur=999&term_src=title:15:chapter:41:subchapter:I:part:A:section:1602) points used to purchase an interest rate reduction unless the amount of the interest rate reduction purchased is reasonably consistent with established industry norms and practices for secondary mortgage market transactions.

**15 U.S. Code § 1692f - Unfair practices.**

A [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) collector may not use unfair or unconscionable means to collect or attempt to collect any [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f). Without limiting the general application of the foregoing, the following conduct is a violation of this section:

(1) The collection of any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) or permitted by law.

(2) The acceptance by a [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) collector from any person of a check or other payment instrument postdated by more than five days unless such person is notified in writing of the [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) collector’s intent to deposit such check or instrument not more than ten nor less than three business days prior to such deposit.

(3) The solicitation by a [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) collector of any postdated check or other postdated payment instrument for the purpose of threatening or instituting criminal prosecution.

(4) Depositing or threatening to deposit any postdated check or other postdated payment instrument prior to the date on such check or instrument.

(5) Causing charges to be made to any person for [communications](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1035284522-644019129&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) by concealment of the true purpose of the [communication](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-1035284522-644019129&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f). Such charges include, but are not limited to, collect telephone calls and telegram fees.

(6) Taking or threatening to take any nonjudicial action to effect dispossession or disablement of property if—

(A) there is no present right to possession of the property claimed as collateral through an enforceable security interest;

(B) there is no present intention to take possession of the property; or

(C) the property is exempt by law from such dispossession or disablement.

(7) Communicating with a [consumer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-567770122-644019128&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) regarding a[debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f)by post card.

(8) Using any language or symbol, other than the [debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) collector’s address, on any envelope when communicating with a [consumer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-567770122-644019128&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f) by use of the mails or by telegram, except that a[debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f)collector may use his business name if such name does not indicate that he is in the[debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=15-USC-3079315-644019126&term_occur=999&term_src=title:15:chapter:41:subchapter:V:section:1692f)collection business. ([Pub. L. 90–321, title VIII, § 808](https://www.law.cornell.edu/rio/citation/Pub._L._90-321), as added [Pub. L. 95–109](https://www.law.cornell.edu/rio/citation/Pub._L._95-109), Sept. 20, 1977, [91 Stat. 879](https://www.law.cornell.edu/rio/citation/91_Stat._879).).

**18 U.S. Code § 229 - Prohibited activities.**

**(a) Unlawful Conduct.—**Except as provided in subsection (b), it shall be unlawful for any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) knowingly—

**(1)** to develop, produce, otherwise acquire, transfer directly or indirectly, receive, stockpile, retain, own, possess, or use, or threaten to use, any [chemical weapon](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-620809750-1416646251&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229); or

**(2)** to assist or induce, in any way, any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) to violate paragraph (1), or to attempt or conspire to violate paragraph (1).

**(b) Exempted Agencies and Persons.—**

**(1) In general.—**Subsection (a) does not apply to the retention, ownership, possession, transfer, or receipt of a [chemical weapon](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-620809750-1416646251&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) by a department, agency, or other entity of the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=) or by a[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=)described in paragraph (2), pending destruction of the weapon.

**(2) Exempted persons.—**A [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) referred to in paragraph (1) is—

**(A)** any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229), including a member of the Armed Forces of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229), who is authorized by law or by an appropriate officer of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) to retain, own, possess, transfer, or receive the [chemical weapon](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-620809750-1416646251&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229); or

**(B)** in an emergency situation, any otherwise nonculpable [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) if the [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) is attempting to destroy or seize the weapon.

**(c) Jurisdiction.—**Conduct prohibited by [subsection (a](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1934652395-103940473&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229)) is within the jurisdiction of the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=)if the prohibited conduct—

**(1)** takes place in the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229);

**(2)** takes place outside of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) and is committed by a [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1416646248&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229);

**(3)** is committed against a [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1416646248&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) while the national is outside the[United States;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) or

**(4)** is committed against any property that is owned, leased, or used by the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229) or by any department or agency of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229), whether the property is within or outside the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229).

(Added [Pub. L. 105–277, div. I, title II, § 201(a)](https://www.law.cornell.edu/rio/citation/Pub._L._105-277), Oct. 21, 1998, [112 Stat. 2681–866](https://www.law.cornell.edu/rio/citation/112_Stat._2681-866).)

**18 U.S. Code § 229B. Criminal forfeitures; destruction of weapons.**

**(a) Property Subject to Criminal Forfeiture.—**Any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) convicted under [section 229A(a)](https://www.law.cornell.edu/uscode/text/18/229A#a) shall forfeit to the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B)irrespective of any provision of State law—

**(1)** any property, real or personal, owned, possessed, or used by a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) involved in the offense;

**(2)** any property constituting, or derived from, and proceeds the [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) obtained, directly or indirectly, as the result of such violation; and

**(3)** any of the property used in any manner or part, to commit, or to facilitate the commission of, such violation.

The court, in imposing sentence on such [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B), shall order, in addition to any other sentence imposed pursuant to section 229A(a), that the [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) forfeit to the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) all property described in this subsection. In lieu of a fine otherwise authorized by section 229A(a), a defendant who derived profits or other proceeds from an offense may be fined not more than twice the gross profits or other proceeds.

**(b) Procedures.—**

**(1) General.—** Property subject to forfeiture under this section, any seizure and disposition thereof, and any administrative or judicial proceeding in relation thereto, shall be governed by subsections (b) through (p) of section 413 of the [Comprehensive Drug Abuse Prevention and Control Act of 1970](https://www.law.cornell.edu/topn/comprehensive_drug_abuse_prevention_and_control_act_of_1970) ([21 U.S.C. 853](https://www.law.cornell.edu/uscode/text/21/853)), except that any reference under those subsections to—

**(A)** “[this subchapter or subchapter II](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-640404537-103940473&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B)” shall be deemed to be a reference to section 229A(a); and

**(B)** “[subsection (a](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1934652395-103940473&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B))” shall be deemed to be a reference to [subsection (a](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1934652395-103940473&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B)) of this section.

**(2) Temporary restraining orders.—**

**(A)** In general.— For the purposes of forfeiture proceedings under this section, a temporary restraining order may be entered upon application of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) without notice or opportunity for a hearing when an information or indictment has not yet been filed with respect to the property, if, in addition to the circumstances described in section 413(e)(2) of the [Comprehensive Drug Abuse Prevention and Control Act of 1970](https://www.law.cornell.edu/topn/comprehensive_drug_abuse_prevention_and_control_act_of_1970) ([21 U.S.C. 853(e)(2)](https://www.law.cornell.edu/uscode/text/21/853#e_2)), the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B)demonstrates that there is probable cause to believe that the property with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under this section and exigent circumstances exist that place the life or health of any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1416646247&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B)in danger.

**(B)**Warrant of seizure.— If the court enters a temporary restraining order under this paragraph, it shall also issue a warrant authorizing the seizure of such property.

**(C)**Applicable procedures.— The procedures and time limits applicable to temporary restraining orders under section 413(e)(2) and (3) of the [Comprehensive Drug Abuse Prevention and Control Act of 1970](https://www.law.cornell.edu/topn/comprehensive_drug_abuse_prevention_and_control_act_of_1970) ([21 U.S.C. 853(e)(2)](https://www.law.cornell.edu/uscode/text/21/853#e_2) and (3)) shall apply to temporary restraining orders under this paragraph.

**(c) Affirmative Defense.—**It is an affirmative defense against a forfeiture under subsection (b) that the property—

**(1)** is for a purpose not prohibited under the [Chemical Weapons Convention](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1310056376-1416646250&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B); and

**(2)** is of a type and quantity that under the circumstances is consistent with that purpose.

**(d) Destruction or Other Disposition.—**

The Attorney General shall provide for the destruction or other appropriate disposition of any [chemical weapon](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-620809750-1416646251&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) seized and forfeited pursuant to this section.

**(e) Assistance.—** The Attorney General may request the head of any agency of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) to assist in the handling, storage, transportation, or destruction of property seized under this section.

**(f) Owner Liability.—** The owner or possessor of any property seized under this section shall be liable to the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229B) for any expenses incurred incident to the seizure, including any expenses relating to the handling, storage, transportation, and destruction or other disposition of the seized property.

(Added [Pub. L. 105–277, div. I, title II, § 201(a)](https://www.law.cornell.edu/rio/citation/Pub._L._105-277), Oct. 21, 1998, [112 Stat. 2681–868](https://www.law.cornell.edu/rio/citation/112_Stat._2681-868).)

# 18 U.S. Code § 229D.Injunctions.

The [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2032517217-1416646243&term_occur=999&term_src=title:18:part:I:chapter:11B:section:229D) may obtain in a civil action an injunction against—

**(1)** the conduct prohibited under section [229](https://www.law.cornell.edu/uscode/text/18/229) or [229C](https://www.law.cornell.edu/uscode/text/18/229C) of this title; or

**(2)** the preparation or solicitation to engage in conduct prohibited under section [229](https://www.law.cornell.edu/uscode/text/18/229) or [229D](https://www.law.cornell.edu/uscode/text/18/229D) [[1]](https://www.law.cornell.edu/uscode/text/18/229D" \l "fn002031) of this title.

(Added [Pub. L. 105–277, div. I, title II, § 201(a)](https://www.law.cornell.edu/rio/citation/Pub._L._105-277), Oct. 21, 1998, [112 Stat. 2681–869](https://www.law.cornell.edu/rio/citation/112_Stat._2681-869).)

# 18 U.S. Code § 241 - Conspiracy against rights.

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, [62 Stat. 696](https://www.law.cornell.edu/rio/citation/62_Stat._696); [Pub. L. 90–284, title I, § 103(a)](https://www.law.cornell.edu/rio/citation/Pub._L._90-284), Apr. 11, 1968, [82 Stat. 75](https://www.law.cornell.edu/rio/citation/82_Stat._75); [Pub. L. 100–690, title VII, § 7018(a)](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), (b)(1), Nov. 18, 1988, [102 Stat. 4396](https://www.law.cornell.edu/rio/citation/102_Stat._4396); [Pub. L. 103–322, title VI, § 60006(a)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXII, §§ 320103(a), 320201(a), title XXXIII, § 330016(1)(L), Sept. 13, 1994, [108 Stat. 1970](https://www.law.cornell.edu/rio/citation/108_Stat._1970), 2109, 2113, 2147; [Pub. L. 104–294, title VI](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), §§ 604(b)(14)(A), 607(a), Oct. 11, 1996, [110 Stat. 3507](https://www.law.cornell.edu/rio/citation/110_Stat._3507), 3511.)

# 18 U.S. Code § 242 - Deprivation of rights under color of law.

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, [62 Stat. 696](https://www.law.cornell.edu/rio/citation/62_Stat._696); [Pub. L. 90–284, title I, § 103(b)](https://www.law.cornell.edu/rio/citation/Pub._L._90-284), Apr. 11, 1968, [82 Stat. 75](https://www.law.cornell.edu/rio/citation/82_Stat._75); [Pub. L. 100–690, title VII, § 7019](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4396](https://www.law.cornell.edu/rio/citation/102_Stat._4396); [Pub. L. 103–322, title VI, § 60006(b)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXII, §§ 320103(b), 320201(b), title XXXIII, § 330016(1)(H), Sept. 13, 1994, [108 Stat. 1970](https://www.law.cornell.edu/rio/citation/108_Stat._1970), 2109, 2113, 2147; [Pub. L. 104–294, title VI](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), §§ 604(b)(14)(B), 607(a), Oct. 11, 1996, [110 Stat. 3507](https://www.law.cornell.edu/rio/citation/110_Stat._3507), 3511.)

# 18 U.S. Code § 245 - Federally protected activities.

**(a)**

**(1)** Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) any possession or Commonwealth of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=) or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section, nor shall anything in this section be construed as depriving[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=)and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=)and local law. No prosecution of any offense described in this section shall be undertaken by the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=)except upon the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that in his judgment a prosecution by the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=)is in the public interest and necessary to secure substantial justice, which function of certification may not be delegated.

**(2)** Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

**(b)** Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with—

**(1)** any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

**(A)** voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;

**(B)** participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245);

**(C)** applying for or enjoying employment, or any perquisite thereof, by any agency of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245);

**(D)** serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245);

**(E)** participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or

**(2)** any person because of his race, color, religion or national origin and because he is or has been—

**(A)** enrolling in or attending any public school or public college;

**(B)** participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) or subdivision thereof;

**(C)** applying for or enjoying employment, or any perquisite thereof, by any private employer or any agency of any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) or subdivision thereof, or joining or using the services or advantages of any labor organization, hiring hall, or employment agency;

**(D)** serving, or attending upon any court of any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) in connection with possible service, as a grand or petit juror;

**(E)** traveling in or using any facility of interstate commerce, or using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

**(F)** enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food or beverages for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and (i) which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments, and (ii) which holds itself out as serving patrons of such establishments; or

**(3)** during or incident to a riot or civil disorder, any person engaged in a business in commerce or affecting commerce, including, but not limited to, any person engaged in a business which sells or offers for sale to interstate travelers a substantial portion of the articles, commodities, or services which it sells or where a substantial portion of the articles or commodities which it sells or offers for sale have moved in commerce; or

**(4)** any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

**(A)** participating, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1)(A) through (1)(E) or subparagraphs (2)(A) through (2)(F); or

**(B)** affording another person or class of persons opportunity or protection to so participate; or

**(5)** any citizen because he is or has been, or in order to intimidate such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1)(A) through (1)(E) or subparagraphs (2)(A) through (2)(F), or [participating lawfully in speech or peaceful assembly](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-83553456-322737526&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) opposing any denial of the opportunity to so participate—

shall be fined under this title, or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire shall be fined under this title, or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death. As used in this section, the term “[participating lawfully in speech or peaceful assembly](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-83553456-322737526&term_occur=999&term_src=title:18:part:I:chapter:13:section:245)” shall not mean the aiding, abetting, or inciting of other persons to riot or to commit any act of physical violence upon any individual or against any real or personal property in furtherance of a riot. Nothing in subparagraph (2)(F) or (4)(A) of this subsection shall apply to the proprietor of any establishment which provides lodging to transient guests, or to any employee acting on behalf of such proprietor, with respect to the enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of such establishment if such establishment is located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor as his residence.

**(c)** Nothing in this section shall be construed so as to deter any [law enforcement officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-483159592-322737525&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) from lawfully carrying out the duties of his office; and no [law enforcement officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-483159592-322737525&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) shall be considered to be in violation of this section for lawfully carrying out the duties of his office or lawfully enforcing ordinances and laws of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=) the District of Columbia, any of the several[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=) or any political subdivision of a[State.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) For purposes of the preceding sentence, the term “[law enforcement officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-483159592-322737525&term_occur=999&term_src=title:18:part:I:chapter:13:section:245)” means any officer of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=) the District of Columbia, a[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) or political subdivision of a[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=) the District of Columbia, a[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) or a political subdivision of a[State.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245)

**(d)** For purposes of this section, the term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245)” includes a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245), the District of Columbia, and any commonwealth, territory, or possession of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-322737524&term_occur=999&term_src=title:18:part:I:chapter:13:section:245).

(Added [Pub. L. 90–284, title I, § 101(a)](https://www.law.cornell.edu/rio/citation/Pub._L._90-284), Apr. 11, 1968, [82 Stat. 73](https://www.law.cornell.edu/rio/citation/82_Stat._73); amended [Pub. L. 100–690, title VII, § 7020(a)](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4396](https://www.law.cornell.edu/rio/citation/102_Stat._4396); [Pub. L. 101–647, title XII, § 1205(b)](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4830](https://www.law.cornell.edu/rio/citation/104_Stat._4830); [Pub. L. 103–322, title VI, § 60006(c)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXII, § 320103(c), title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, [108 Stat. 1971](https://www.law.cornell.edu/rio/citation/108_Stat._1971), 2109, 2147; [Pub. L. 104–294, title VI, § 604(b)(14)(C)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), (37), Oct. 11, 1996, [110 Stat. 3507](https://www.law.cornell.edu/rio/citation/110_Stat._3507), 3509.)

# 18 U.S. Code § 371 - Conspiracy to commit offense or to defraud United States.

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor.

(June 25, 1948, ch. 645, [62 Stat. 701](https://www.law.cornell.edu/rio/citation/62_Stat._701); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).)

# 18 U.S. Code § 373 - Solicitation to commit a crime of violence.

**(a)** Whoever, with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against property or against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, solicits, commands, induces, or otherwise endeavors to persuade such other person to engage in such conduct, shall be imprisoned not more than one-half the maximum term of imprisonment or (notwithstanding section 3571) fined not more than one-half of the maximum fine prescribed for the punishment of the crime solicited, or both; or if the crime solicited is punishable by life imprisonment or death, shall be imprisoned for not more than twenty years.

**(b)** It is an affirmative defense to a prosecution under this section that, under circumstances manifesting a voluntary and complete renunciation of his criminal intent, the defendant prevented the commission of the crime solicited. A renunciation is not “voluntary and complete” if it is motivated in whole or in part by a decision to postpone the commission of the crime until another time or to substitute another victim or another but similar objective. If the defendant raises the affirmative defense at trial, the defendant has the burden of proving the defense by a preponderance of the evidence.

**(c)** It is not a defense to a prosecution under this section that the person solicited could not be convicted of the crime because he lacked the state of mind required for its commission, because he was incompetent or irresponsible, or because he is immune from prosecution or is not subject to prosecution.

(Added [Pub. L. 98–473, title II, § 1003(a)](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2138](https://www.law.cornell.edu/rio/citation/98_Stat._2138); amended [Pub. L. 99–646, § 26](https://www.law.cornell.edu/rio/citation/Pub._L._99-646), Nov. 10, 1986, [100 Stat. 3597](https://www.law.cornell.edu/rio/citation/100_Stat._3597); [Pub. L. 103–322, title XXXIII, § 330016(2)(A)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2148](https://www.law.cornell.edu/rio/citation/108_Stat._2148).)

# 18 U.S. Code § 402 - Contempts constituting crimes.

Any person, corporation or association willfully disobeying any lawful writ, process, order, rule, decree, or command of any district court of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402) or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, if the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402) or under the laws of any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402) in which the act was committed, shall be prosecuted for such contempt as provided in [section 3691 of this title](https://www.law.cornell.edu/uscode/text/18/3691) and shall be punished by a fine under this title or imprisonment, or both.

Such fine shall be paid to the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402) or to the complainant or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402) exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of six months.

This section shall not be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402), but the same, and all other cases of contempt not specifically embraced in this section may be punished in conformity to the prevailing usages at law.

For purposes of this section, the term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402)” includes a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402), the District of Columbia, and any commonwealth, territory, or possession of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-522570405&term_occur=999&term_src=title:18:part:I:chapter:21:section:402).

(June 25, 1948, ch. 645, [62 Stat. 701](https://www.law.cornell.edu/rio/citation/62_Stat._701); May 24, 1949, ch. 139, § 8(c), [63 Stat. 90](https://www.law.cornell.edu/rio/citation/63_Stat._90); [Pub. L. 101–647, title XII, § 1205(c)](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4830](https://www.law.cornell.edu/rio/citation/104_Stat._4830); [Pub. L. 103–322, title XXXIII](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), §§ 330011(f), 330016(2)(E), Sept. 13, 1994, [108 Stat. 2145](https://www.law.cornell.edu/rio/citation/108_Stat._2145), 2148.)

# 18 U.S. Code § 505 - Seals of courts; signatures of judges or court officers.

Whoever forges the signature of any judge, register, or other officer of any court of the United States, or of any Territory thereof, or forges or counterfeits the seal of any such court, or knowingly concurs in using any such forged or counterfeit signature or seal, for the purpose of authenticating any proceeding or document, or tenders in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, [62 Stat. 714](https://www.law.cornell.edu/rio/citation/62_Stat._714); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).)

# 18 U.S. Code § 521 - Criminal street gangs.

**(a)Definitions.—**“[conviction](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2143927138-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521)” includes a finding, under[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521)or Federal law, that a person has committed an act of juvenile delinquency involving a violent or controlled substances felony.“[criminal street gang](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1437752877-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521)” means an ongoing group, club, organization, or association of 5 or more persons—

**(A)** that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subsection (c);

**(B)** the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subsection (c); and

**(C)** the activities of which affect interstate or foreign commerce.

“[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521)” means a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521), the District of Columbia, and any commonwealth, territory, or possession of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521).

**(b)Penalty.—** The sentence of a person convicted of an offense described in subsection (c) shall be increased by up to 10 years if the offense is committed under the circumstances described in subsection (d).

**(c) Offenses.—**The offenses described in this section are—

**(1)** a Federal felony involving a controlled substance (as defined in section 102 of the [Controlled Substances Act](https://www.law.cornell.edu/topn/controlled_substances_act) ([21 U.S.C. 802](https://www.law.cornell.edu/uscode/text/21/802))) for which the maximum penalty is not less than 5 years;

**(2)** a Federal felony crime of violence that has as an element the use or attempted use of physical force against the person of another;

**(3)** a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and

**(4)** a conspiracy to commit an offense described in paragraph (1), (2), or (3).

**(d)Circumstances.—**The circumstances described in this section are that the offense described in subsection (c) was committed by a person who—

**(1)** participates in a [criminal street gang](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1437752877-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521) with knowledge that its members engage in or have engaged in a continuing series of offenses described in subsection (c);

**(2)** intends to promote or further the felonious activities of the [criminal street gang](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1437752877-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521) or maintain or increase his or her position in the gang; and

**(3)**has been convicted within the past 5 years for—

**(A)** an offense described in subsection (c);

**(B)**a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521) offense—

**(i)** involving a controlled substance (as defined in section 102 of the [Controlled Substances Act](https://www.law.cornell.edu/topn/controlled_substances_act) ([21 U.S.C. 802](https://www.law.cornell.edu/uscode/text/21/802))) for which the maximum penalty is not less than 5 years’ imprisonment; or

**(ii)** that is a felony crime of violence that has as an element the use or attempted use of physical force against the person of another;

**(C)** any Federal or [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-320030390&term_occur=999&term_src=title:18:part:I:chapter:26:section:521) felony offense that by its nature involves a substantial risk that physical force against the person of another may be used in the course of committing the offense; or

**(D)** a conspiracy to commit an offense described in subparagraph (A), (B), or (C).

(Added [Pub. L. 103–322, title XV, § 150001(a)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2034](https://www.law.cornell.edu/rio/citation/108_Stat._2034); amended [Pub. L. 104–294, title VI, § 607(q)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3513](https://www.law.cornell.edu/rio/citation/110_Stat._3513); [Pub. L. 107–273, div. B, title IV, § 4002(b)(3)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), Nov. 2, 2002, [116 Stat. 1807](https://www.law.cornell.edu/rio/citation/116_Stat._1807); [Pub. L. 115–392, § 12](https://www.law.cornell.edu/rio/citation/Pub._L._115-392), Dec. 21, 2018, [132 Stat. 5255](https://www.law.cornell.edu/rio/citation/132_Stat._5255).)

# 18 U.S. Code § 641 - Public money, property or records.

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of [value](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-111972721-522572450&term_occur=999&term_src=) of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined under this title or imprisoned not more than ten years, or both; but if the [value](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-111972721-522572450&term_occur=999&term_src=) of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

The word “[value](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-111972721-522572450&term_occur=999&term_src=)” means face, par, or market [value](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-111972721-522572450&term_occur=999&term_src=), or cost price, either wholesale or retail, whichever is greater.

(June 25, 1948, ch. 645, [62 Stat. 725](https://www.law.cornell.edu/rio/citation/62_Stat._725); [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), (L), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147); [Pub. L. 104–294, title VI, § 606(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3511](https://www.law.cornell.edu/rio/citation/110_Stat._3511); [Pub. L. 108–275, § 4](https://www.law.cornell.edu/rio/citation/Pub._L._108-275), July 15, 2004, [118 Stat. 833](https://www.law.cornell.edu/rio/citation/118_Stat._833).)

# 18 U.S. Code § 654 - Officer or employee of United States converting property of another.

Whoever, being an officer or employee of the United States or of any department or agency thereof, embezzles or wrongfully converts to his own use the money or property of another which comes into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or employee, shall be fined under this title or not more than the [value](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-111972721-522572450&term_occur=999&term_src=title:18:part:I:chapter:31:section:654) of the money and property thus embezzled or converted, whichever is greater, or imprisoned not more than ten years, or both; but if the sum embezzled is $1,000 or less, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, [62 Stat. 728](https://www.law.cornell.edu/rio/citation/62_Stat._728); [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), (2)(H), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147), 2148; [Pub. L. 104–294, title VI, § 606(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3511](https://www.law.cornell.edu/rio/citation/110_Stat._3511).)

# 18 U.S. Code § 667 - Theft of livestock.

Whoever obtains or uses the property of another which has a [value](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-111972721-522572450&term_occur=999&term_src=title:18:part:I:chapter:31:section:667) of $10,000 or more in connection with the marketing of [livestock](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1027471786-522572518&term_occur=999&term_src=title:18:part:I:chapter:31:section:667) in interstate or foreign commerce with intent to deprive the other of a right to the property or a benefit of the property or to appropriate the property to his own use or the use of another shall be fined under this title or imprisoned not more than five years, or both. The term “[livestock](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1027471786-522572518&term_occur=999&term_src=title:18:part:I:chapter:31:section:667)” has the meaning set forth in [section 2311 of this title](https://www.law.cornell.edu/uscode/text/18/2311).

(Added [Pub. L. 98–473, title II, § 1111](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2149](https://www.law.cornell.edu/rio/citation/98_Stat._2149); amended [Pub. L. 103–322, title XXXIII](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), §§ 330009(b), 330016(1)(L), Sept. 13, 1994, [108 Stat. 2143](https://www.law.cornell.edu/rio/citation/108_Stat._2143), 2147.)

# 18 U.S. Code § 702 - Uniform of armed forces and Public Health Service.

Whoever, in any place within the jurisdiction of the United States or in the Canal Zone, without authority, wears the uniform or a distinctive part thereof or anything similar to a distinctive part of the uniform of any of the armed forces of the United States, Public Health Service or any auxiliary of such, shall be fined under this title or imprisoned not more than six months, or both.

(June 25, 1948, ch. 645, [62 Stat. 732](https://www.law.cornell.edu/rio/citation/62_Stat._732); May 24, 1949, ch. 139, § 15(a), [63 Stat. 91](https://www.law.cornell.edu/rio/citation/63_Stat._91); [Pub. L. 103–322, title XXXIII, § 330016(1)(E)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2146](https://www.law.cornell.edu/rio/citation/108_Stat._2146).)

# 18 U.S. Code § 872 - Extortion by officers or employees of the United States.

Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years, or both; but if the amount so extorted or demanded does not exceed $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, [62 Stat. 740](https://www.law.cornell.edu/rio/citation/62_Stat._740); Oct. 31, 1951, ch. 655, § 24(b), [65 Stat. 720](https://www.law.cornell.edu/rio/citation/65_Stat._720); [Pub. L. 103–322, title XXXIII, § 330016(1)(G)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), (K), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147); [Pub. L. 104–294, title VI, § 606(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3511](https://www.law.cornell.edu/rio/citation/110_Stat._3511).)

# 18 U.S. Code § 878 - Threats and extortion against foreign officials, official guests, or internationally protected persons.

**(a)** Whoever knowingly and willfully threatens to violate section [112](https://www.law.cornell.edu/uscode/text/18/112), [1116](https://www.law.cornell.edu/uscode/text/18/1116), or [1201](https://www.law.cornell.edu/uscode/text/18/1201) shall be fined under this title or imprisoned not more than five years, or both, except that imprisonment for a threatened assault shall not exceed three years.

**(b)** Whoever in connection with any violation of subsection (a) or actual violation of section [112](https://www.law.cornell.edu/uscode/text/18/112), [1116](https://www.law.cornell.edu/uscode/text/18/1116), or [1201](https://www.law.cornell.edu/uscode/text/18/1201) makes any extortionate demand shall be fined under this title or imprisoned not more than twenty years, or both.

**(c)** For the purpose of this section “[foreign official](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-417945417-317104143&term_occur=999&term_src=title:18:part:I:chapter:41:section:878)”, “[internationally protected person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-115388180-317104143&term_occur=999&term_src=title:18:part:I:chapter:41:section:878)”, [“national of the United States”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-317104143&term_occur=999&term_src=title:18:part:I:chapter:41:section:878), and [“official guest”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1281146979-317104143&term_occur=999&term_src=title:18:part:I:chapter:41:section:878) shall have the same meanings as those provided in [section 1116(a) of this title](https://www.law.cornell.edu/uscode/text/18/1116#a).

**(d)** If the victim of an offense under subsection (a) is an [internationally protected person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-115388180-317104143&term_occur=999&term_src=title:18:part:I:chapter:41:section:878) outside the United States, the United States may exercise jurisdiction over the offense if (1) the victim is a representative, officer, employee, or agent of the United States, (2) an offender is a[national of the United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-317104143&term_occur=999&term_src=title:18:part:I:chapter:41:section:878) or (3) an offender is afterwards found in the United States. As used in this subsection, the United States includes all areas under the jurisdiction of the United States including any of the places within the provisions of sections [5](https://www.law.cornell.edu/uscode/text/18/5) and [7](https://www.law.cornell.edu/uscode/text/18/7) of this title and [section 46501(2) of title 49](https://www.law.cornell.edu/uscode/text/49/46501#2).

(Added [Pub. L. 94–467, § 8](https://www.law.cornell.edu/rio/citation/Pub._L._94-467), Oct. 8, 1976, [90 Stat. 2000](https://www.law.cornell.edu/rio/citation/90_Stat._2000); amended [Pub. L. 95–163, § 17(b)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._95-163), Nov. 9, 1977, [91 Stat. 1286](https://www.law.cornell.edu/rio/citation/91_Stat._1286); [Pub. L. 95–504, § 2(b)](https://www.law.cornell.edu/rio/citation/Pub._L._95-504), Oct. 24, 1978, [92 Stat. 1705](https://www.law.cornell.edu/rio/citation/92_Stat._1705); [Pub. L. 103–272, § 5(e)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._103-272), July 5, 1994, [108 Stat. 1373](https://www.law.cornell.edu/rio/citation/108_Stat._1373); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), (N), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147), 2148; [Pub. L. 104–132, title VII](https://www.law.cornell.edu/rio/citation/Pub._L._104-132), §§ 705(a)(4), 721(e), Apr. 24, 1996, [110 Stat. 1295](https://www.law.cornell.edu/rio/citation/110_Stat._1295), 1299.)

# 18 U.S. Code § 912 - Officer or employee of the United States. Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency or officer thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined under this title or imprisoned not more than three years, or both. (June 25, 1948, ch. 645, [62 Stat. 742](https://www.law.cornell.edu/rio/citation/62_Stat._742); [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

# 18 U.S. Code § 913 - Impersonator making arrest or search.

Whoever falsely represents himself to be an officer, agent, or employee of the United States, and in such assumed character arrests or detains any person or in any manner searches the person, buildings, or other property of any person, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, [62 Stat. 742](https://www.law.cornell.edu/rio/citation/62_Stat._742); [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

# 18 U.S. Code § 951 - Agents of foreign governments.

**(a)** Whoever, other than a diplomatic or consular officer or attaché, acts in the United States as an [agent of a foreign government](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1919638-316246930&term_occur=999&term_src=title:18:part:I:chapter:45:section:951) without prior notification to the Attorney General if required in subsection (b), shall be fined under this title or imprisoned not more than ten years, or both.

**(b)** The Attorney General shall promulgate rules and regulations establishing requirements for notification.

**(c)** The Attorney General shall, upon receipt, promptly transmit one copy of each notification statement filed under this section to the Secretary of State for such comment and use as the Secretary of State may determine to be appropriate from the point of view of the foreign relations of the United States. Failure of the Attorney General to do so shall not be a bar to prosecution under this section.

**(d)** For purposes of this section, the term “[agent of a foreign government](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1919638-316246930&term_occur=999&term_src=title:18:part:I:chapter:45:section:951)” means an individual who agrees to operate within the United States subject to the direction or control of a foreign government or official, except that such term does not include—

**(1)** a duly accredited diplomatic or consular officer of a foreign government, who is so recognized by the Department of State;

**(2)** any officially and publicly acknowledged and sponsored official or representative of a foreign government;

**(3)** any officially and publicly acknowledged and sponsored member of the staff of, or employee of, an officer, official, or representative described in paragraph (1) or (2), who is not a United States citizen; or

**(4)** any person engaged in a legal commercial transaction.

**(e)** Notwithstanding paragraph (d)(4), any person engaged in a legal commercial transaction shall be considered to be an [agent of a foreign government](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1919638-316246930&term_occur=999&term_src=title:18:part:I:chapter:45:section:951) for purposes of this section if—

**(1)** such person agrees to operate within the United States subject to the direction or control of a foreign government or official; and

**(2)** such person—

**(A)** is an agent of Cuba or any other country that the President determines (and so reports to the Congress) poses a threat to the national security interest of the United States for purposes of this section, unless the Attorney General, after consultation with the Secretary of State, determines and so reports to the Congress that the national security or foreign policy interests of the United States require that the provisions of this section do not apply in specific circumstances to agents of such country; or

**(B)** has been convicted of, or has entered a plea of nolo contendere with respect to, any offense under section 792 through 799, 831, or 2381 of this title or under section 11 [[1]](https://www.law.cornell.edu/uscode/text/18/951" \l "fn002077) of the [Export Administration Act of 1979](https://www.law.cornell.edu/topn/export_administration_act_of_1979), except that the provisions of this subsection shall not apply to a person described in this clause for a period of more than five years beginning on the date of the conviction or the date of entry of the plea of nolo contendere, as the case may be. (June 25, 1948, ch. 645, [62 Stat. 743](https://www.law.cornell.edu/rio/citation/62_Stat._743); [Pub. L. 97–462, § 6](https://www.law.cornell.edu/rio/citation/Pub._L._97-462), Jan. 12, 1983, [96 Stat. 2530](https://www.law.cornell.edu/rio/citation/96_Stat._2530); [Pub. L. 98–473, title II, § 1209](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2164](https://www.law.cornell.edu/rio/citation/98_Stat._2164); [Pub. L. 99–569, title VII, § 703](https://www.law.cornell.edu/rio/citation/Pub._L._99-569), Oct. 27, 1986, [100 Stat. 3205](https://www.law.cornell.edu/rio/citation/100_Stat._3205); [Pub. L. 103–199, title II, § 202](https://www.law.cornell.edu/rio/citation/Pub._L._103-199), Dec. 17, 1993, [107 Stat. 2321](https://www.law.cornell.edu/rio/citation/107_Stat._2321); [Pub. L. 103–322, title XXXIII, § 330016(1)(R)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2148](https://www.law.cornell.edu/rio/citation/108_Stat._2148).).

# 18 U.S. Code § 1001 - Statements or entries generally.

**(a)** Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

**(1)** falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

**(2)** makes any materially false, fictitious, or fraudulent statement or representation; or

**(3)** makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in [section 2331](https://www.law.cornell.edu/uscode/text/18/2331)), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

**(b)** Subsection (a) does not apply to a party to a judicial proceeding, or that party’s counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

**(c)**With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

**(1)** administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

**(2)** any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.

(June 25, 1948, ch. 645, [62 Stat. 749](https://www.law.cornell.edu/rio/citation/62_Stat._749); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147); [Pub. L. 104–292, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._104-292), Oct. 11, 1996, [110 Stat. 3459](https://www.law.cornell.edu/rio/citation/110_Stat._3459); [Pub. L. 108–458, title VI, § 6703(a)](https://www.law.cornell.edu/rio/citation/Pub._L._108-458), Dec. 17, 2004, [118 Stat. 3766](https://www.law.cornell.edu/rio/citation/118_Stat._3766); [Pub. L. 109–248, title I, § 141(c)](https://www.law.cornell.edu/rio/citation/Pub._L._109-248), July 27, 2006, [120 Stat. 603](https://www.law.cornell.edu/rio/citation/120_Stat._603).).

# 18 U.S. Code § 1002 - Possession of false papers to defraud United States.

Whoever, knowingly and with intent to defraud the United States, or any agency thereof, possesses any false, altered, forged, or counterfeited writing or document for the purpose of enabling another to obtain from the United States, or from any agency, officer or agent thereof, any sum of money, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, [62 Stat. 749](https://www.law.cornell.edu/rio/citation/62_Stat._749); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).)

# 18 U.S. Code § 1017 - Government seals wrongfully used and instruments wrongfully sealed.

Whoever fraudulently or wrongfully affixes or impresses the seal of any department or agency of the United States, to or upon any certificate, instrument, commission, document, or paper or with knowledge of its fraudulent character, with wrongful or fraudulent intent, uses, buys, procures, sells, or transfers to another any such certificate, instrument, commission, document, or paper, to which or upon which said seal has been so fraudulently affixed or impressed, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, [62 Stat. 753](https://www.law.cornell.edu/rio/citation/62_Stat._753); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).)

# 18 U.S. Code § 1018 - Official certificates or writings.

Whoever, being a public officer or other person authorized by any law of the United States to make or give a certificate or other writing, knowingly makes and delivers as true such a certificate or writing, containing any statement which he knows to be false, in a case where the punishment thereof is not elsewhere expressly provided by law, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, [62 Stat. 753](https://www.law.cornell.edu/rio/citation/62_Stat._753); [Pub. L. 103–322, title XXXIII, § 330016(1)(G)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).)

# 18 U.S. Code § 1028 - Fraud and related activity in connection with identification documents, authentication features, and information.

**(a)**Whoever, in a circumstance described in subsection (c) of this section—

**(1)** knowingly and without lawful authority [produces](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-309474080-671452735&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028),[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or a [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028);

**(2)** knowingly [transfers](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028),[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or a [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) knowing that such document or feature was stolen or produced without lawful authority;

**(3)** knowingly possesses with intent to use unlawfully or [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=) unlawfully five or more [identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=) (other than those issued lawfully for the use of the possessor),[authentication features,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or [false identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=);

**(4)** knowingly possesses an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) (other than one issued lawfully for the use of the possessor),[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or a [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), with the intent such document or feature be used to defraud the United[States;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)

**(5)** knowingly [produces](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-309474080-671452735&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), [transfers](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or possesses a [document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)with the intent such [document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)will be used in the production of a [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or another[document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=)or[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)which will be so used;

**(6)** knowingly possesses an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)that is or appears to be an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)of the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=)or a sponsoring entity of an event designated as a special event of national significance which is stolen or produced without lawful authority knowing that such document or feature was stolen or produced without such authority;

**(7)** knowingly [transfers](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), possesses, or uses, without lawful authority, a [means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=) of another person with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, or that constitutes a felony under any applicable[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)or local law; or

**(8)** knowingly [traffics](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1067310595-659801893&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) in false or actual [authentication features](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) for use in [false identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=),[document-making implements,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or[means of identification;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)

shall be punished as provided in subsection (b) of this section.

**(b)** The punishment for an offense under subsection (a) of this section is—

**(1)** except as provided in paragraphs (3) and (4), a fine under this title or imprisonment for not more than 15 years, or both, if the offense is—

**(A)** the production or [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=) of an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028),[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) that is or appears to be—

**(i)** an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)issued by or under the authority of the United[States;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or

**(ii)** a birth certificate, or a driver’s license or [personal identification card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1686777950-671452734&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028);

**(B)** the production or [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=) of more than five [identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=),[authentication features,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or [false identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=);

**(C)** an offense under paragraph (5) of such subsection; or

**(D)** an offense under paragraph (7) of such subsection that involves the [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=), possession, or use of 1 or more [means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=) if, as a result of the offense, any individual committing the offense obtains anything of value aggregating $1,000 or more during any 1-year period;

**(2)** except as provided in paragraphs (3) and (4), a fine under this title or imprisonment for not more than 5 years, or both, if the offense is—

**(A)** any other production, [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=), or use of a [means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=), an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028),,[[1]](https://www.law.cornell.edu/uscode/text/18/1028" \l "fn002097)[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or a[false identification document;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or

**(B)** an offense under paragraph (3) or (7) of such subsection;

**(3)** a fine under this title or imprisonment for not more than 20 years, or both, if the offense is committed—

**(A)** to facilitate a drug trafficking crime (as defined in [section 929(a)(2)](https://www.law.cornell.edu/uscode/text/18/929#a_2));

**(B)** in connection with a crime of violence (as defined in [section 924(c)(3)](https://www.law.cornell.edu/uscode/text/18/924#c_3)); or

**(C)** after a prior conviction under this section becomes final;

**(4)** a fine under this title or imprisonment for not more than 30 years, or both, if the offense is committed to facilitate an act of domestic terrorism (as defined under [section 2331(5) of this title](https://www.law.cornell.edu/uscode/text/18/2331#5)) or an act of international terrorism (as defined in [section 2331(1) of this title](https://www.law.cornell.edu/uscode/text/18/2331#1));

**(5)** in the case of any offense under subsection (a), forfeiture to the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) of any personal property used or intended to be used to commit the offense; and

**(6)** a fine under this title or imprisonment for not more than one year, or both, in any other case.

**(c)** The circumstance referred to in subsection (a) of this section is that—

**(1)** the [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028),[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) is or appears to be issued by or under the authority of the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=)or a sponsoring entity of an event designated as a special event of national significance or the[document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=)is designed or suited for making such an[identification document,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=)[authentication feature,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028);

**(2)** the offense is an offense under subsection (a)(4) of this section; or

**(3)** either—

**(A)** the production, [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=), possession, or use prohibited by this section is in or affects interstate or foreign commerce, including the [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=) of a document by electronic means; or

**(B)** the [means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=), [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or[document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=)is transported in the mail in the course of the production,[transfer,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=) possession, or use prohibited by this section.

**(d)** In this section and [section 1028A](https://www.law.cornell.edu/uscode/text/18/1028A)—

**(1)** the term “[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means any hologram, watermark, certification, symbol, code, image, sequence of numbers or letters, or other feature that either individually or in combination with another feature is used by the[issuing authority](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-312907015-671452732&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)on an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), [document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or[means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)to determine if the document is counterfeit, altered, or otherwise falsified;

**(2)** the term “[document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means any implement, impression, template, computer file, computer disc, electronic device, or computer hardware or software, that is specifically configured or primarily used for making an[identification document,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=) a [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or another[document-making implement;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)

**(3)** the term “[identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means a document made or issued by or under the authority of the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=)Government, a[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) political subdivision of a[State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) a sponsoring entity of an event designated as a special event of national significance, a foreign government, political subdivision of a foreign government, an international governmental or an international quasi-governmental organization which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals;

**(4)** the term “[false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means a document of a type intended or commonly accepted for the purposes of identification of individuals that—

**(A)** is not issued by or under the authority of a governmental entity or was issued under the authority of a governmental entity but was subsequently altered for purposes of deceit; and

**(B)** appears to be issued by or under the authority of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) Government, a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), a political subdivision of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), a sponsoring entity of an event designated by the President as a special event of national significance, a foreign government, a political subdivision of a foreign government, or an international governmental or quasi-governmental organization;

**(5)** the term “[false authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1246463765-671452731&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means an[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)that—

**(A)** is genuine in origin, but, without the authorization of the [issuing authority](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-312907015-671452732&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), has been tampered with or altered for purposes of deceit;

**(B)** is genuine, but has been distributed, or is intended for distribution, without the authorization of the [issuing authority](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-312907015-671452732&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) and not in connection with a lawfully made [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), [document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or[means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)to which such[authentication feature](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)is intended to be affixed or embedded by the respective[issuing authority;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-312907015-671452732&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or

**(C)** appears to be genuine, but is not;

**(6)** the term “[issuing authority](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-312907015-671452732&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)”—

**(A)** means any governmental entity or agency that is authorized to issue [identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=),[means of identification,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=) or[authentication features;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) and

**(B)** includes the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) Government, a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), a political subdivision of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), a sponsoring entity of an event designated by the President as a special event of national significance, a foreign government, a political subdivision of a foreign government, or an international government or quasi-governmental organization;

**(7)** the term “[means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=)” means any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including any—

**(A)** name, social security number, date of birth, official [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) or government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number;

**(B)** unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;

**(C)** unique electronic identification number, address, or routing code; or

**(D)** telecommunication identifying information or access device (as defined in [section 1029(e)](https://www.law.cornell.edu/uscode/text/18/1029#e));

**(8)** the term “[personal identification card](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1686777950-671452734&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means an[identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=)issued by a[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)or local government solely for the purpose of identification;

**(9)** the term “[produce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-309474080-671452735&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” includes alter, authenticate, or assemble;

**(10)** the term “[transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=)” includes selecting an [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or[document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=)and placing or directing the placement of such[identification document,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=) [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or[document-making implement](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=)on an online location where it is available to others;

**(11)** the term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=)” includes any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), the District of Columbia, the Commonwealth of Puerto [Rico](https://www.law.cornell.edu/topn/racketeer_influenced_and_corrupt_organizations_act_rico), and any other commonwealth, possession, or territory of the United[States;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) and

**(12)** the term “[traffic](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1067310595-659801893&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)” means—

**(A)** to transport, [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=), or otherwise dispose of, to another, as consideration for anything of value; or

**(B)** to make or obtain control of with intent to so transport, [transfer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1280882667-659801895&term_occur=999&term_src=), or otherwise dispose of.

**(e)** This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), or a political subdivision of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), or of an intelligence agency of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-659801894&term_occur=999&term_src=), or any activity authorized under [chapter 224 of this title](https://www.law.cornell.edu/uscode/text/18/chapter-224).

**(f) Attempt and Conspiracy.—**

Any person who attempts or conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

**(g) Forfeiture Procedures.—**

The forfeiture of property under this section, including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the provisions of section 413 (other than subsection (d) of that section) of the [Comprehensive Drug Abuse Prevention and Control Act of 1970](https://www.law.cornell.edu/topn/comprehensive_drug_abuse_prevention_and_control_act_of_1970) ([21 U.S.C. 853](https://www.law.cornell.edu/uscode/text/21/853)).

**(h) Forfeiture; Disposition.—**

In the circumstance in which any person is convicted of a violation of subsection (a), the court shall order, in addition to the penalty prescribed, the forfeiture and destruction or other disposition of all illicit [authentication features](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-780271950-671452727&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), [identification documents](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=), [document-making implements](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1928217824-671452728&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028), or[means of identification.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)

**(i) Rule of Construction.—**

For purpose of subsection (a)(7), a single [identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-960083315-671452729&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) or [false identification document](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-635618960-671452730&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028) that contains 1 or more[means of identification](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)shall be construed to be 1[means of identification.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-450258309-671452733&term_occur=999&term_src=title:18:part:I:chapter:47:section:1028)

(Added [Pub. L. 97–398, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._97-398), Dec. 31, 1982, [96 Stat. 2009](https://www.law.cornell.edu/rio/citation/96_Stat._2009); amended [Pub. L. 99–646, § 44(a)](https://www.law.cornell.edu/rio/citation/Pub._L._99-646), Nov. 10, 1986, [100 Stat. 3601](https://www.law.cornell.edu/rio/citation/100_Stat._3601); [Pub. L. 100–690, title VII, § 7023](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4397](https://www.law.cornell.edu/rio/citation/102_Stat._4397); [Pub. L. 101–647, title XII, § 1205(e)](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4831](https://www.law.cornell.edu/rio/citation/104_Stat._4831); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), (M), (O), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147), 2148; [Pub. L. 104–208, div. C, title II, § 211(a)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._104-208), Sept. 30, 1996, [110 Stat. 3009–569](https://www.law.cornell.edu/rio/citation/110_Stat._3009-569); [Pub. L. 104–294, title VI, § 601(a)(3)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), (p), Oct. 11, 1996, [110 Stat. 3498](https://www.law.cornell.edu/rio/citation/110_Stat._3498), 3502; [Pub. L. 105–318, § 3(a)](https://www.law.cornell.edu/rio/citation/Pub._L._105-318)–(h)(1), Oct. 30, 1998, [112 Stat. 3007–3009](https://www.law.cornell.edu/rio/citation/112_Stat._3007-3009); [Pub. L. 106–578, § 3](https://www.law.cornell.edu/rio/citation/Pub._L._106-578), Dec. 28, 2000, [114 Stat. 3076](https://www.law.cornell.edu/rio/citation/114_Stat._3076); [Pub. L. 108–21, title VI, § 607(b)](https://www.law.cornell.edu/rio/citation/Pub._L._108-21), Apr. 30, 2003, [117 Stat. 689](https://www.law.cornell.edu/rio/citation/117_Stat._689); [Pub. L. 108–275](https://www.law.cornell.edu/rio/citation/Pub._L._108-275), §§ 2(c), 3, July 15, 2004, [118 Stat. 832](https://www.law.cornell.edu/rio/citation/118_Stat._832); [Pub. L. 108–458, title VII, § 7216](https://www.law.cornell.edu/rio/citation/Pub._L._108-458), Dec. 17, 2004, [118 Stat. 3833](https://www.law.cornell.edu/rio/citation/118_Stat._3833); [Pub. L. 109–13, div. B, title II, § 203(a)](https://www.law.cornell.edu/rio/citation/Pub._L._109-13), May 11, 2005, [119 Stat. 315](https://www.law.cornell.edu/rio/citation/119_Stat._315); [Pub. L. 109–177, title VI, § 603](https://www.law.cornell.edu/rio/citation/Pub._L._109-177), Mar. 9, 2006, [120 Stat. 253](https://www.law.cornell.edu/rio/citation/120_Stat._253).).

# 18 U.S. Code § 1032 - Concealment of assets from conservator, receiver, or liquidating agent.

Whoever—

**(1)** knowingly conceals or endeavors to conceal an asset or property from the Federal Deposit Insurance Corporation, acting as conservator or receiver or in the Corporation’s corporate capacity with respect to any asset acquired or liability assumed by the Corporation under section 11, 12, or 13 of the [Federal Deposit Insurance Act](https://www.law.cornell.edu/topn/bank_deposit_insurance_act), any conservator appointed by the Comptroller of the Currency, the Federal Deposit Insurance Corporation acting as receiver for a covered financial company, in accordance with title II of the [Dodd-Frank Wall Street Reform and Consumer Protection Act](https://www.law.cornell.edu/topn/dodd-frank_wall_street_reform_and_consumer_protection_act), or the National Credit Union Administration Board, acting as conservator or liquidating agent;

**(2)** corruptly impedes or endeavors to impede the functions of such Corporation, Board, or conservator; or

**(3)** corruptly places or endeavors to place an asset or property beyond the reach of such Corporation, Board, or conservator,

shall be fined under this title or imprisoned not more than 5 years, or both.

(Added [Pub. L. 101–647, title XXV, § 2501(a)](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4859](https://www.law.cornell.edu/rio/citation/104_Stat._4859); amended [Pub. L. 107–273, div. B, title IV, § 4002(b)(13)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), Nov. 2, 2002, [116 Stat. 1808](https://www.law.cornell.edu/rio/citation/116_Stat._1808); [Pub. L. 111–203, title II, § 211(a)](https://www.law.cornell.edu/rio/citation/Pub._L._111-203), (b), title III, § 377(7), July 21, 2010, [124 Stat. 1514](https://www.law.cornell.edu/rio/citation/124_Stat._1514), 1569.).

# 18 U.S. Code § 1036 - Entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport or seaport.

**(a)** Whoever, by any fraud or false pretense, enters or attempts to enter—

**(1)** any real property belonging in whole or in part to, or leased by, the United States;

**(2)** any vessel or aircraft belonging in whole or in part to, or leased by, the United States;

**(3)** any secure or restricted area of any seaport, designated as secure in an approved security plan, as required under [section 70103 of title 46](https://www.law.cornell.edu/uscode/text/46/70103), United States Code, and the rules and regulations promulgated under that section; or

**(4)** any [secure area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1357313942-698233875&term_occur=999&term_src=title:18:part:I:chapter:47:section:1036) of any[airport,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991666997-698233876&term_occur=999&term_src=title:18:part:I:chapter:47:section:1036)

shall be punished as provided in subsection (b) of this section.

**(b)** The punishment for an offense under subsection (a) of this section is—

**(1)** a fine under this title or imprisonment for not more than 10 years, or both, if the offense is committed with the intent to commit a felony; or

**(2)** a fine under this title or imprisonment for not more than 6 months, or both, in any other case.

**(c)** As used in this section—

**(1)** the term “[secure area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1357313942-698233875&term_occur=999&term_src=title:18:part:I:chapter:47:section:1036)” means an area access to which is restricted by the[airport](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991666997-698233876&term_occur=999&term_src=)authority, captain of the seaport, or a public agency; and

**(2)** the term “[airport](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991666997-698233876&term_occur=999&term_src=title:18:part:I:chapter:47:section:1036)” has the meaning given such term in [section 47102 of title 49](https://www.law.cornell.edu/uscode/text/49/47102).

(Added [Pub. L. 106–547, § 2(a)](https://www.law.cornell.edu/rio/citation/Pub._L._106-547), Dec. 19, 2000, [114 Stat. 2738](https://www.law.cornell.edu/rio/citation/114_Stat._2738); amended [Pub. L. 109–177, title III, § 302(a)](https://www.law.cornell.edu/rio/citation/Pub._L._109-177), Mar. 9, 2006, [120 Stat. 233](https://www.law.cornell.edu/rio/citation/120_Stat._233).).

# 18 U.S. Code § 1038. False information and hoaxes.

**(a) Criminal Violation.—**

**(1) In general.—**Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter [2](https://www.law.cornell.edu/uscode/text/18/chapter-2), [10](https://www.law.cornell.edu/uscode/text/18/chapter-10), [11B](https://www.law.cornell.edu/uscode/text/18/chapter-11B), [39](https://www.law.cornell.edu/uscode/text/18/chapter-39), [40](https://www.law.cornell.edu/uscode/text/18/chapter-40), [44](https://www.law.cornell.edu/uscode/text/18/chapter-44), [111](https://www.law.cornell.edu/uscode/text/18/chapter-111), or [113B](https://www.law.cornell.edu/uscode/text/18/chapter-113B) of this title, section 236 of the [Atomic Energy Act of 1954](https://www.law.cornell.edu/topn/atomic_energy_act_of_1946) ([42 U.S.C. 2284](https://www.law.cornell.edu/uscode/text/42/2284)), or section 46502, the second sentence of section 46504, section 46505(b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or [section 60123(b) of title 49](https://www.law.cornell.edu/uscode/text/49/60123#b), shall—

**(A)** be fined under this title or imprisoned not more than 5 years, or both;

**(B)** if serious bodily injury results, be fined under this title or imprisoned not more than 20 years, or both; and

**(C)** if death results, be fined under this title or imprisoned for any number of years up to life, or both.

**(2) Armed forces.—**Any person who makes a false statement, with intent to convey false or misleading information, about the death, injury, capture, or disappearance of a member of the Armed Forces of the United States during a war or armed conflict in which the United States is engaged—

**(A)** shall be fined under this title, imprisoned not more than 5 years, or both;

**(B)** if serious bodily injury results, shall be fined under this title, imprisoned not more than 20 years, or both; and

**(C)** if death results, shall be fined under this title, imprisoned for any number of years or for life, or both.

**(b) Civil Action.—** Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter [2](https://www.law.cornell.edu/uscode/text/18/chapter-2), [10](https://www.law.cornell.edu/uscode/text/18/chapter-10), [11B](https://www.law.cornell.edu/uscode/text/18/chapter-11B), [39](https://www.law.cornell.edu/uscode/text/18/chapter-39), [40](https://www.law.cornell.edu/uscode/text/18/chapter-40), [44](https://www.law.cornell.edu/uscode/text/18/chapter-44), [111](https://www.law.cornell.edu/uscode/text/18/chapter-111), or [113B](https://www.law.cornell.edu/uscode/text/18/chapter-113B) of this title, section 236 of the [Atomic Energy Act of 1954](https://www.law.cornell.edu/topn/atomic_energy_act_of_1946) ([42 U.S.C. 2284](https://www.law.cornell.edu/uscode/text/42/2284)), or section 46502, the second sentence of section 46504, section 46505 (b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or [section 60123(b) of title 49](https://www.law.cornell.edu/uscode/text/49/60123#b) is liable in a civil action to any party incurring expenses incident to any emergency or investigative response to that conduct, for those expenses.

**(c) Reimbursement.—**

**(1) In general.—** The court, in imposing a sentence on a defendant who has been convicted of an offense under subsection (a), shall order the defendant to reimburse any state or local government, or private not-for-profit organization that provides fire or rescue service incurring expenses incident to any emergency or investigative response to that conduct, for those expenses.

**(2) Liability.—** A person ordered to make reimbursement under this subsection shall be jointly and severally liable for such expenses with each other person, if any, who is ordered to make reimbursement under this subsection for the same expenses.

**(3) Civil judgment.—** An order of reimbursement under this subsection shall, for the purposes of enforcement, be treated as a civil judgment.

**(d) Activities of Law Enforcement.—** This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or political subdivision of a State, or of an intelligence agency of the United States.

(Added [Pub. L. 108–458, title VI, § 6702(a)](https://www.law.cornell.edu/rio/citation/Pub._L._108-458), Dec. 17, 2004, [118 Stat. 3764](https://www.law.cornell.edu/rio/citation/118_Stat._3764).).

# 18 U.S. Code § 1201 – Kidnapping.

**(a)** Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when—

**(1)** the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported across a State boundary, or the offender travels in interstate or foreign commerce or uses the mail or any means, facility, or instrumentality of interstate or foreign commerce in committing or in furtherance of the commission of the offense;

**(2)** any such act against the person is done within the special maritime and territorial jurisdiction of the United States;

**(3)** any such act against the person is done within the special aircraft jurisdiction of the United States as defined in [section 46501 of title 49](https://www.law.cornell.edu/uscode/text/49/46501);

**(4)** the person is a foreign official, an internationally protected person, or an official guest as those terms are defined in [section 1116(b) of this title](https://www.law.cornell.edu/uscode/text/18/1116#b); or

**(5)** the person is among those officers and employees described in [section 1114 of this title](https://www.law.cornell.edu/uscode/text/18/1114) and any such act against the person is done while the person is engaged in, or on account of, the performance of official duties,

shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or life imprisonment.

**(b)** With respect to subsection (a)(1), above, the failure to release the victim within twenty-four hours after he shall have been unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, or carried away shall create a rebuttable presumption that such person has been transported in interstate or foreign commerce. Notwithstanding the preceding sentence, the fact that the presumption under this section has not yet taken effect does not preclude a Federal investigation of a possible violation of this section before the 24-hour period has ended.

**(c)** If two or more persons conspire to violate this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be punished by imprisonment for any term of years or for life.

**(d)** Whoever attempts to violate subsection (a) shall be punished by imprisonment for not more than twenty years.

**(e)** If the victim of an offense under subsection (a) is an internationally protected person outside the United States, the United States may exercise jurisdiction over the offense if (1) the victim is a representative, officer, employee, or agent of the United States, (2) an offender is a [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1445563650&term_occur=999&term_src=title:18:part:I:chapter:55:section:1201), or (3) an offender is afterwards found in the United States. As used in this subsection, the United States includes all areas under the jurisdiction of the United States including any of the places within the provisions of sections [5](https://www.law.cornell.edu/uscode/text/18/5) and [7](https://www.law.cornell.edu/uscode/text/18/7) of this title and [section 46501(2) of title 49](https://www.law.cornell.edu/uscode/text/49/46501#2). For purposes of this subsection, the term [“national of the United States”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1445563650&term_occur=999&term_src=title:18:part:I:chapter:55:section:1201) has the meaning prescribed in section 101(a)(22) of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act) ([8 U.S.C. 1101(a)(22)](https://www.law.cornell.edu/uscode/text/8/1101#a_22)).

**(f)** In the course of enforcement of subsection (a)(4) and any other sections prohibiting a conspiracy or attempt to violate subsection (a)(4), the Attorney General may request assistance from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding.

**(g) Special Rule for Certain Offenses Involving Children.—**

**(1) To whom applicable.—**If—

**(A)** the victim of an offense under this section has not attained the age of eighteen years; and

**(B)** the offender—

**(i)** has attained such age; and

**(ii)** is not—

**(I)** a parent;

**(II)** a grandparent;

**(III)** a brother;

**(IV)** a sister;

**(V)** an aunt;

**(VI)** an uncle; or

**(VII)** an individual having legal custody of the victim;

the sentence under this section for such offense shall include imprisonment for not less than 20 years.

**[(2)** Repealed. [Pub. L. 108–21, title I, § 104(b)](https://www.law.cornell.edu/rio/citation/Pub._L._108-21), Apr. 30, 2003, [117 Stat. 653](https://www.law.cornell.edu/rio/citation/117_Stat._653).]

**(h)** As used in this section, the term “parent” does not include a person whose parental rights with respect to the victim of an offense under this section have been terminated by a final court order.

(June 25, 1948, ch. 645, [62 Stat. 760](https://www.law.cornell.edu/rio/citation/62_Stat._760); Aug. 6, 1956, ch. 971, [70 Stat. 1043](https://www.law.cornell.edu/rio/citation/70_Stat._1043); [Pub. L. 92–539, title II, § 201](https://www.law.cornell.edu/rio/citation/Pub._L._92-539), Oct. 24, 1972, [86 Stat. 1072](https://www.law.cornell.edu/rio/citation/86_Stat._1072); [Pub. L. 94–467, § 4](https://www.law.cornell.edu/rio/citation/Pub._L._94-467), Oct. 8, 1976, [90 Stat. 1998](https://www.law.cornell.edu/rio/citation/90_Stat._1998); [Pub. L. 95–163, § 17(b)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._95-163), Nov. 9, 1977, [91 Stat. 1286](https://www.law.cornell.edu/rio/citation/91_Stat._1286); [Pub. L. 95–504, § 2(b)](https://www.law.cornell.edu/rio/citation/Pub._L._95-504), Oct. 24, 1978, [92 Stat. 1705](https://www.law.cornell.edu/rio/citation/92_Stat._1705); [Pub. L. 98–473, title II, § 1007](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2139](https://www.law.cornell.edu/rio/citation/98_Stat._2139); [Pub. L. 99–646](https://www.law.cornell.edu/rio/citation/Pub._L._99-646), §§ 36, 37(b), Nov. 10, 1986, [100 Stat. 3599](https://www.law.cornell.edu/rio/citation/100_Stat._3599); [Pub. L. 101–647, title IV, § 401](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), title XXXV, § 3538, Nov. 29, 1990, [104 Stat. 4819](https://www.law.cornell.edu/rio/citation/104_Stat._4819), 4925; [Pub. L. 103–272, § 5(e)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._103-272), (8), July 5, 1994, [108 Stat. 1373](https://www.law.cornell.edu/rio/citation/108_Stat._1373), 1374; [Pub. L. 103–322, title VI, § 60003(a)(6)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXII, §§ 320903(b), 320924, title XXXIII, § 330021, Sept. 13, 1994, [108 Stat. 1969](https://www.law.cornell.edu/rio/citation/108_Stat._1969), 2124, 2131, 2150; [Pub. L. 104–132, title VII, § 721(f)](https://www.law.cornell.edu/rio/citation/Pub._L._104-132), Apr. 24, 1996, [110 Stat. 1299](https://www.law.cornell.edu/rio/citation/110_Stat._1299); [Pub. L. 105–314, title VII, § 702](https://www.law.cornell.edu/rio/citation/Pub._L._105-314), Oct. 30, 1998, [112 Stat. 2987](https://www.law.cornell.edu/rio/citation/112_Stat._2987); [Pub. L. 108–21, title I, § 104(b)](https://www.law.cornell.edu/rio/citation/Pub._L._108-21), Apr. 30, 2003, [117 Stat. 653](https://www.law.cornell.edu/rio/citation/117_Stat._653); [Pub. L. 109–248, title II, § 213](https://www.law.cornell.edu/rio/citation/Pub._L._109-248), July 27, 2006, [120 Stat. 616](https://www.law.cornell.edu/rio/citation/120_Stat._616).).

# 18 U.S. Code § 1202 - Ransom money.

**(a)** Whoever receives, possesses, or disposes of any money or other property, or any portion thereof, which has at any time been delivered as ransom or reward in connection with a violation of [section 1201 of this title](https://www.law.cornell.edu/uscode/text/18/1201), knowing the same to be money or property which has been at any time delivered as such ransom or reward, shall be fined under this title or imprisoned not more than ten years, or both.

**(b)** A person who transports, transmits, or transfers in interstate or foreign commerce any proceeds of a kidnapping punishable under [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1445562691&term_occur=999&term_src=title:18:part:I:chapter:55:section:1202) law by imprisonment for more than 1 year, or receives, possesses, conceals, or disposes of any such proceeds after they have crossed a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1445562691&term_occur=999&term_src=title:18:part:I:chapter:55:section:1202) or United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1445562691&term_occur=999&term_src=title:18:part:I:chapter:55:section:1202) boundary, knowing the proceeds to have been unlawfully obtained, shall be imprisoned not more than 10 years, fined under this title, or both.

**(c)** For purposes of this section, the term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1445562691&term_occur=999&term_src=title:18:part:I:chapter:55:section:1202)” has the meaning set forth in [section 245(d) of this title](https://www.law.cornell.edu/uscode/text/18/245#d).

(June 25, 1948, ch. 645, [62 Stat. 760](https://www.law.cornell.edu/rio/citation/62_Stat._760); [Pub. L. 103–322, title XXXII, § 320601(b)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXIII, § 330016(1)(L), Sept. 13, 1994, [108 Stat. 2115](https://www.law.cornell.edu/rio/citation/108_Stat._2115), 2147.).

# 18 U.S. Code § 1203 - Hostage taking.

**(a)** Except as provided in subsection (b) of this section, whoever, whether inside or outside the United States, seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third person or a governmental organization to do or abstain from doing any act as an explicit or implicit condition for the release of the person detained, or attempts or conspires to do so, shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or life imprisonment.

**(b) (1)**It is not an offense under this section if the conduct required for the offense occurred outside the United States unless—

**(A)** the offender or the person seized or detained is a [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1445561730&term_occur=999&term_src=title:18:part:I:chapter:55:section:1203);

**(B)** the offender is found in the United States; or

**(C)** the governmental organization sought to be compelled is the Government of the United States.

**(2)** It is not an offense under this section if the conduct required for the offense occurred inside the United States, each alleged offender and each person seized or detained are nationals of the United States, and each alleged offender is found in the United States, unless the governmental organization sought to be compelled is the Government of the United States.

**(c)** As used in this section, the term “[national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1445561730&term_occur=999&term_src=title:18:part:I:chapter:55:section:1203)” has the meaning given such term in section 101(a)(22) of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act) ([8 U.S.C. 1101(a)(22)](https://www.law.cornell.edu/uscode/text/8/1101#a_22)).

(Added [Pub. L. 98–473, title II, § 2002(a)](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2186](https://www.law.cornell.edu/rio/citation/98_Stat._2186); amended [Pub. L. 100–690, title VII, § 7028](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4397](https://www.law.cornell.edu/rio/citation/102_Stat._4397); [Pub. L. 103–322, title VI, § 60003(a)(10)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 1969](https://www.law.cornell.edu/rio/citation/108_Stat._1969); [Pub. L. 104–132, title VII, § 723(a)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._104-132), Apr. 24, 1996, [110 Stat. 1300](https://www.law.cornell.edu/rio/citation/110_Stat._1300).).

# 18 U.S. Code § 1341 - Frauds and swindles.

Whoever, having devised or intending to devise any [scheme or artifice to defraud](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1034014607-980273003&term_occur=999&term_src=title:18:part:I:chapter:63:section:1341), or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the [Robert T. Stafford Disaster Relief and Emergency Assistance Act](https://www.law.cornell.edu/topn/disaster_relief_act_of_1974) ([42 U.S.C. 5122](https://www.law.cornell.edu/uscode/text/42/5122))), or affects a financial institution, such person shall be fined not more than $1,000,000 or imprisoned not more than 30 years, or both.

(June 25, 1948, ch. 645, [62 Stat. 763](https://www.law.cornell.edu/rio/citation/62_Stat._763); May 24, 1949, ch. 139, § 34, [63 Stat. 94](https://www.law.cornell.edu/rio/citation/63_Stat._94); [Pub. L. 91–375](https://www.law.cornell.edu/rio/citation/Pub._L._91-375), § (6)(j)(11), Aug. 12, 1970, [84 Stat. 778](https://www.law.cornell.edu/rio/citation/84_Stat._778); [Pub. L. 101–73, title IX, § 961(i)](https://www.law.cornell.edu/rio/citation/Pub._L._101-73), Aug. 9, 1989, [103 Stat. 500](https://www.law.cornell.edu/rio/citation/103_Stat._500); [Pub. L. 101–647, title XXV, § 2504(h)](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4861](https://www.law.cornell.edu/rio/citation/104_Stat._4861); [Pub. L. 103–322, title XXV, § 250006](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXIII, § 330016(1)(H), Sept. 13, 1994, [108 Stat. 2087](https://www.law.cornell.edu/rio/citation/108_Stat._2087), 2147; [Pub. L. 107–204, title IX, § 903(a)](https://www.law.cornell.edu/rio/citation/Pub._L._107-204), July 30, 2002, [116 Stat. 805](https://www.law.cornell.edu/rio/citation/116_Stat._805); [Pub. L. 110–179, § 4](https://www.law.cornell.edu/rio/citation/Pub._L._110-179), Jan. 7, 2008, [121 Stat. 2557](https://www.law.cornell.edu/rio/citation/121_Stat._2557).).

# 18 U.S. Code § 1342 - Fictitious name or address.

Whoever, for the purpose of conducting, promoting, or carrying on by means of the Postal Service, any scheme or device mentioned in [section 1341 of this title](https://www.law.cornell.edu/uscode/text/18/1341) or any other unlawful business, uses or assumes, or requests to be addressed by, any fictitious, false, or assumed title, name, or address or name other than his own proper name, or takes or receives from any post office or authorized depository of mail matter, any letter, postal card, package, or other mail matter addressed to any such fictitious, false, or assumed title, name, or address, or name other than his own proper name, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, [62 Stat. 763](https://www.law.cornell.edu/rio/citation/62_Stat._763); [Pub. L. 91–375, § 6(j)(12)](https://www.law.cornell.edu/rio/citation/Pub._L._91-375), Aug. 12, 1970, [84 Stat. 778](https://www.law.cornell.edu/rio/citation/84_Stat._778); [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

# 18 U.S. Code § 1344 - Bank fraud.

Whoever knowingly executes, or attempts to execute, a scheme or artifice—

**(1)** to defraud a financial institution; or

**(2)** to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises;

shall be fined not more than $1,000,000 or imprisoned not more than 30 years, or both.

(Added [Pub. L. 98–473, title II, § 1108(a)](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2147](https://www.law.cornell.edu/rio/citation/98_Stat._2147); amended [Pub. L. 101–73, title IX, § 961(k)](https://www.law.cornell.edu/rio/citation/Pub._L._101-73), Aug. 9, 1989, [103 Stat. 500](https://www.law.cornell.edu/rio/citation/103_Stat._500); [Pub. L. 101–647, title XXV, § 2504(j)](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4861](https://www.law.cornell.edu/rio/citation/104_Stat._4861).).

# 18 U.S. Code § 1346.Definition of “scheme or artifice to defraud”.

For the purposes of this chapter, the term “[scheme or artifice to defraud](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1034014607-980273003&term_occur=999&term_src=title:18:part:I:chapter:63:section:1346)” includes a scheme or artifice to deprive another of the intangible right of honest services.

(Added [Pub. L. 100–690, title VII, § 7603(a)](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4508](https://www.law.cornell.edu/rio/citation/102_Stat._4508).)

# 18 U.S. Code § 1348 - Securities and commodities fraud.

Whoever knowingly executes, or attempts to execute, a scheme or artifice—

**(1)** to defraud any person in connection with any commodity for future delivery, or any option on a commodity for future delivery, or any security of an issuer with a class of securities registered under section 12 of the [Securities Exchange Act of 1934](https://www.law.cornell.edu/topn/securities_exchange_act_of_1934) ([15 U.S.C. 78](https://www.law.cornell.edu/uscode/text/15/78)l) or that is required to file reports under section 15(d) of the [Securities Exchange Act of 1934](https://www.law.cornell.edu/topn/securities_exchange_act_of_1934) ([15 U.S.C. 78](https://www.law.cornell.edu/uscode/text/15/78)o(d)); or

**(2)** to obtain, by means of false or fraudulent pretenses, representations, or promises, any money or property in connection with the purchase or sale of any commodity for future delivery, or any option on a commodity for future delivery, or any security of an issuer with a class of securities registered under section 12 of the [Securities Exchange Act of 1934](https://www.law.cornell.edu/topn/securities_exchange_act_of_1934) ([15 U.S.C. 78](https://www.law.cornell.edu/uscode/text/15/78)l) or that is required to file reports under section 15(d) of the [Securities Exchange Act of 1934](https://www.law.cornell.edu/topn/securities_exchange_act_of_1934) ([15 U.S.C. 78](https://www.law.cornell.edu/uscode/text/15/78)o(d));

shall be fined under this title, or imprisoned not more than 25 years, or both.

(Added [Pub. L. 107–204, title VIII, § 807(a)](https://www.law.cornell.edu/rio/citation/Pub._L._107-204), July 30, 2002, [116 Stat. 804](https://www.law.cornell.edu/rio/citation/116_Stat._804); amended [Pub. L. 111–21, § 2(e)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._111-21), May 20, 2009, [123 Stat. 1618](https://www.law.cornell.edu/rio/citation/123_Stat._1618).).

# 18 U.S. Code § 1349. Attempt and conspiracy.

Any person who attempts or conspires to commit any offense under this chapter shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

(Added [Pub. L. 107–204, title IX, § 902(a)](https://www.law.cornell.edu/rio/citation/Pub._L._107-204), July 30, 2002, [116 Stat. 805](https://www.law.cornell.edu/rio/citation/116_Stat._805).).

**18 U.S. Code § 1361 - Government property or contracts.**

Whoever willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, or attempts to commit any of the foregoing offenses, shall be punished as follows:

If the damage or attempted damage to such property exceeds the sum of $1,000, by a fine under this title or imprisonment for not more than ten years, or both; if the damage or attempted damage to such property does not exceed the sum of $1,000, by a fine under this title or by imprisonment for not more than one year, or both.

(June 25, 1948, ch. 645, [62 Stat. 764](https://www.law.cornell.edu/rio/citation/62_Stat._764); [Pub. L. 103–322, title XXXII, § 320903(d)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, [108 Stat. 2125](https://www.law.cornell.edu/rio/citation/108_Stat._2125), 2147; [Pub. L. 104–294, title VI](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), §§ 601(a)(3), 605(e), 606(a), Oct. 11, 1996, [110 Stat. 3498](https://www.law.cornell.edu/rio/citation/110_Stat._3498), 3510, 3511.).

**18 U.S. Code § 1364 - Interference with foreign commerce by violence.**

Whoever, with intent to prevent, interfere with, or obstruct or attempt to prevent, interfere with, or obstruct the exportation to foreign countries of articles from the United States, injures or destroys, by fire or explosives, such articles or the places where they may be while in such foreign commerce, shall be fined under this title or imprisoned not more than twenty years, or both.

(June 25, 1948, ch. 645, [62 Stat. 764](https://www.law.cornell.edu/rio/citation/62_Stat._764); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

# 18 U.S. Code § 1385 - Use of Army and Air Force as posse Comitatus.

Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both.

(Added Aug. 10, 1956, ch. 1041, § 18(a), [70A Stat. 626](https://www.law.cornell.edu/rio/citation/70A_Stat._626); amended [Pub. L. 86–70, § 17(d)](https://www.law.cornell.edu/rio/citation/Pub._L._86-70), June 25, 1959, [73 Stat. 144](https://www.law.cornell.edu/rio/citation/73_Stat._144); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

# 18 U.S. Code § 1509 - Obstruction of court orders.

Whoever, by threats or force, willfully prevents, obstructs, impedes, or interferes with, or willfully attempts to prevent, obstruct, impede, or interfere with, the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States, shall be fined under this title or imprisoned not more than one year, or both.

No injunctive or other civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime.

(Added [Pub. L. 86–449, title I, § 101](https://www.law.cornell.edu/rio/citation/Pub._L._86-449), May 6, 1960, [74 Stat. 86](https://www.law.cornell.edu/rio/citation/74_Stat._86); amended [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

# 18 U.S. Code § 1510 - Obstruction of criminal investigations.

**(a)** Whoever willfully endeavors by means of bribery to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a [criminal investigator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-786298810-1442764259&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510) shall be fined under this title, or imprisoned not more than five years, or both.

**(b)**

**(1)** Whoever, being [an officer of a financial institution](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1730452266-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510), with the intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a[subpoena for records](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1110442876-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510)of that financial institution, or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than 5 years, or both.

**(2)** Whoever, being [an officer of a financial institution](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1730452266-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510), directly or indirectly notifies—

**(A)** a customer of that financial institution whose records are sought by a [subpoena for records](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1110442876-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510); or

**(B)** any other person named in that subpoena;

about the existence or contents of that subpoena or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than one year, or both.

**(3)** As used in this subsection—

**(A)** the term “[an officer of a financial institution](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1730452266-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510)” means an officer, director, partner, employee, agent, or attorney of or for a financial institution; and

**(B)** the term “[subpoena for records](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1110442876-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510)” means a Federal grand jury subpoena or a Department of Justice subpoena (issued under [section 3486 of title 18](https://www.law.cornell.edu/uscode/text/18/3486)), for customer records that has been served relating to a violation of, or a conspiracy to violate—

**(i)** section 215, 656, 657, 1005, 1006, 1007, 1014, 1344, 1956, 1957, or chapter 53 of title 31; or

**(ii)** section [1341](https://www.law.cornell.edu/uscode/text/18/1341) or [1343](https://www.law.cornell.edu/uscode/text/18/1343) affecting a financial institution.

**(c)** As used in this section, the term “[criminal investigator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-786298810-1442764259&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510)” means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States.

**(d)**

**(1)**Whoever—

**(A)** acting as, or being, an officer, director, agent or employee of a person engaged in the business of insurance whose activities affect interstate commerce, or

**(B)** is engaged in the business of insurance whose activities affect interstate commerce or is involved (other than as an insured or beneficiary under a policy of insurance) in a transaction relating to the conduct of affairs of such a business,

with intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a [subpoena for records](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1110442876-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510) of that person engaged in such business or information that has been furnished to a Federal grand jury in response to that subpoena, shall be fined as provided by this title or imprisoned not more than 5 years, or both.

**(2)** As used in paragraph (1), the term “[subpoena for records](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1110442876-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510)” means a Federal grand jury [subpoena for records](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1110442876-777984597&term_occur=999&term_src=title:18:part:I:chapter:73:section:1510) that has been served relating to a violation of, or a conspiracy to violate, [section 1033 of this title](https://www.law.cornell.edu/uscode/text/18/1033).

**(e)** Whoever, having been notified of the applicable disclosure prohibitions or confidentiality requirements of [section 2709(c)(1) of this title](https://www.law.cornell.edu/uscode/text/18/2709#c_1), section 626(d)(1) or 627(c)(1) of the [Fair Credit Reporting Act](https://www.law.cornell.edu/topn/fair_credit_reporting_act) ([15 U.S.C. 1681u(d)(1)](https://www.law.cornell.edu/uscode/text/15/1681u#d_1) or 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial [Privacy Act](https://www.law.cornell.edu/topn/privacy_act) [[1]](https://www.law.cornell.edu/uscode/text/18/1510" \l "fn002115) ([12 U.S.C. 3414(a)(3)(A)](https://www.law.cornell.edu/uscode/text/12/3414#a_3_A) or 3414(a)(5)(D)(i)), or section 802(b)(1) of the [National Security Act of 1947](https://www.law.cornell.edu/topn/army-navy_unification_act) ([50 U.S.C. 436(b)(1)](https://www.law.cornell.edu/uscode/text/50/436#b_1)),[[2]](https://www.law.cornell.edu/uscode/text/18/1510" \l "fn002116) knowingly and with the intent to obstruct an investigation or judicial proceeding violates such prohibitions or requirements applicable by law to such person shall be imprisoned for not more than five years, fined under this title, or both.

(Added [Pub. L. 90–123, § 1(a)](https://www.law.cornell.edu/rio/citation/Pub._L._90-123), Nov. 3, 1967, [81 Stat. 362](https://www.law.cornell.edu/rio/citation/81_Stat._362); amended [Pub. L. 97–291, § 4(e)](https://www.law.cornell.edu/rio/citation/Pub._L._97-291), Oct. 12, 1982, [96 Stat. 1253](https://www.law.cornell.edu/rio/citation/96_Stat._1253); [Pub. L. 101–73, title IX, § 962(c)](https://www.law.cornell.edu/rio/citation/Pub._L._101-73), Aug. 9, 1989, [103 Stat. 502](https://www.law.cornell.edu/rio/citation/103_Stat._502); [Pub. L. 102–550, title XV, § 1528](https://www.law.cornell.edu/rio/citation/Pub._L._102-550), Oct. 28, 1992, [106 Stat. 4065](https://www.law.cornell.edu/rio/citation/106_Stat._4065); [Pub. L. 103–322, title XXXII, § 320604(c)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXIII, § 330016(1)(K), Sept. 13, 1994, [108 Stat. 2119](https://www.law.cornell.edu/rio/citation/108_Stat._2119), 2147; [Pub. L. 104–191, title II, § 248(c)](https://www.law.cornell.edu/rio/citation/Pub._L._104-191), Aug. 21, 1996, [110 Stat. 2020](https://www.law.cornell.edu/rio/citation/110_Stat._2020); [Pub. L. 109–177, title I, § 117](https://www.law.cornell.edu/rio/citation/Pub._L._109-177), Mar. 9, 2006, [120 Stat. 217](https://www.law.cornell.edu/rio/citation/120_Stat._217); [Pub. L. 111–148, title X, § 10606(d)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._111-148), Mar. 23, 2010, [124 Stat. 1008](https://www.law.cornell.edu/rio/citation/124_Stat._1008).).

**18 U.S. Code § 1511 - Obstruction of State or local law enforcement.**

**(a)** It shall be unlawful for two or more persons to conspire to obstruct the enforcement of the criminal laws of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511) or political subdivision thereof, with the intent to facilitate an [illegal gambling business](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-154794737-778908116&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511) if—

**(1)** one or more of such persons does any act to effect the object of such a conspiracy;

**(2)** one or more of such persons is an official or employee, elected, appointed, or otherwise, of such [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511) or political subdivision; and

**(3)** one or more of such persons conducts, finances, manages, supervises, directs, or owns all or part of an [illegal gambling business](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-154794737-778908116&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511).

**(b)** As used in this section—

**(1)** “[illegal gambling business](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-154794737-778908116&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511)” means a[gambling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1771213723-778908117&term_occur=999&term_src=)business which—

**(i)** is a violation of the law of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511) or political subdivision in which it is conducted;

**(ii)** involves five or more persons who conduct, finance, manage, supervise, direct, or own all or part of such business; and

**(iii)** has been or remains in substantially continuous operation for a period in excess of thirty days or has a gross revenue of $2,000 in any single day.

**(2)** “[gambling](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1771213723-778908117&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511)” includes but is not limited to pool-selling, bookmaking, maintaining slot machines, roulette wheels, or dice tables, and conducting lotteries, policy, bolita or numbers games, or selling chances therein.

**(3)** “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511)” means any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511), the District of Columbia, the Commonwealth of Puerto [Rico](https://www.law.cornell.edu/topn/racketeer_influenced_and_corrupt_organizations_act_rico), and any territory or possession of the United[States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-778908118&term_occur=999&term_src=title:18:part:I:chapter:73:section:1511)

**(c)** This section shall not apply to any bingo game, lottery, or similar game of chance conducted by an organization exempt from tax under paragraph (3) of subsection (c) of section 501 of the [Internal Revenue Code of 1986](https://www.law.cornell.edu/topn/internal_revenue_code_of_1954), as amended, if no part of the gross receipts derived from such activity inures to the benefit of any private shareholder, member, or employee of such organization, except as compensation for actual expenses incurred by him in the conduct of such activity.

**(d)** Whoever violates this section shall be punished by a fine under this title or imprisonment for not more than five years, or both.

(Added [Pub. L. 91–452, title VIII, § 802(a)](https://www.law.cornell.edu/rio/citation/Pub._L._91-452), Oct. 15, 1970, [84 Stat. 936](https://www.law.cornell.edu/rio/citation/84_Stat._936); amended [Pub. L. 99–514, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._99-514), Oct. 22, 1986, [100 Stat. 2095](https://www.law.cornell.edu/rio/citation/100_Stat._2095); [Pub. L. 103–322, title XXXIII, § 330016(2)(C)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2148](https://www.law.cornell.edu/rio/citation/108_Stat._2148).).

**18 U.S. Code § 1513 - Retaliating against a witness, victim, or an informant.**

**(a)**

**(1)**Whoever kills or attempts to kill another person with intent to retaliate against any person for—

**(A)** the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

**(B)** providing to a law enforcement officer any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings,

shall be punished as provided in paragraph (2).

**(2)** The punishment for an offense under this subsection is—

**(A)** in the case of a killing, the punishment provided in sections 1111 and 1112; and

**(B)** in the case of an attempt, imprisonment for not more than 30 years.

**(b)** Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—

**(1)** the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

**(2)** any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings given by a person to a law enforcement officer;

or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

**(c)** If the retaliation occurred because of attendance at or testimony in a criminal case, the maximum term of imprisonment which may be imposed for the offense under this section shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

**(d)** There is extraterritorial Federal jurisdiction over an offense under this section.

**(e)** Whoever knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any Federal offense, shall be fined under this title or imprisoned not more than 10 years, or both.

**(f)** Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

**(g)** A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.

(Added [Pub. L. 97–291, § 4(a)](https://www.law.cornell.edu/rio/citation/Pub._L._97-291), Oct. 12, 1982, [96 Stat. 1250](https://www.law.cornell.edu/rio/citation/96_Stat._1250); amended [Pub. L. 103–322, title VI, § 60017](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XXXIII, § 330016(1)(U), Sept. 13, 1994, [108 Stat. 1975](https://www.law.cornell.edu/rio/citation/108_Stat._1975), 2148; [Pub. L. 104–214, § 1(1)](https://www.law.cornell.edu/rio/citation/Pub._L._104-214), Oct. 1, 1996, [110 Stat. 3017](https://www.law.cornell.edu/rio/citation/110_Stat._3017); [Pub. L. 107–204, title XI, § 1107(a)](https://www.law.cornell.edu/rio/citation/Pub._L._107-204), July 30, 2002, [116 Stat. 810](https://www.law.cornell.edu/rio/citation/116_Stat._810); [Pub. L. 107–273, div. B, title III, § 3001(b)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), (c)(2), title IV, § 4002(b)(4), Nov. 2, 2002, [116 Stat. 1804](https://www.law.cornell.edu/rio/citation/116_Stat._1804), 1807; [Pub. L. 110–177, title II](https://www.law.cornell.edu/rio/citation/Pub._L._110-177), §§ 204, 206, Jan. 7, 2008, [121 Stat. 2537](https://www.law.cornell.edu/rio/citation/121_Stat._2537).).

# 18 U.S. Code § 1519. Destruction, alteration, or falsification of records in Federal investigations and bankruptcy.

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

(Added [Pub. L. 107–204, title VIII, § 802(a)](https://www.law.cornell.edu/rio/citation/Pub._L._107-204), July 30, 2002, [116 Stat. 800](https://www.law.cornell.edu/rio/citation/116_Stat._800).)

**(a) (1)**Whoever kills or attempts to kill another person with intent to retaliate against any person for—

**(A)** the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

**(B)** providing to a law enforcement officer any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings,

shall be punished as provided in paragraph (2).

**(2)** The punishment for an offense under this subsection is—

# 18 U.S. Code § 1581 - Peonage; obstructing enforcement.

**(a)** Whoever holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

**(b)** Whoever obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be liable to the penalties prescribed in subsection (a). (June 25, 1948, ch. 645, [62 Stat. 772](https://www.law.cornell.edu/rio/citation/62_Stat._772); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147); [Pub. L. 104–208, div. C, title II, § 218(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-208), Sept. 30, 1996, [110 Stat. 3009–573](https://www.law.cornell.edu/rio/citation/110_Stat._3009-573); [Pub. L. 106–386, div. A, § 112(a)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1486](https://www.law.cornell.edu/rio/citation/114_Stat._1486).).

**18 U.S. Code § 1583 - Enticement into slavery**

(a) Whoever—

(1) kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave;

(2) entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he or she may be made or held as a slave, or sent out of the country to be so made or held; or

(3) obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section,

shall be fined under this title, imprisoned not more than 30 years, or both.

(b) Whoever violates this section shall be fined under this title, imprisoned for any term of years or for life, or both if—

(1) the violation results in the death of the victim; or

(2) the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, an attempt to commit aggravated sexual abuse, or an attempt to kill.

(June 25, 1948, ch. 645, [62 Stat. 772](https://www.law.cornell.edu/rio/citation/62_Stat._772); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147); [Pub. L. 104–208, div. C, title II, § 218(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-208), Sept. 30, 1996, [110 Stat. 3009–573](https://www.law.cornell.edu/rio/citation/110_Stat._3009-573); [Pub. L. 106–386, div. A, § 112(a)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1486](https://www.law.cornell.edu/rio/citation/114_Stat._1486); [Pub. L. 110–457, title II, § 222(b)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5067](https://www.law.cornell.edu/rio/citation/122_Stat._5067); [Pub. L. 115–392, § 11(1)(A)](https://www.law.cornell.edu/rio/citation/Pub._L._115-392), Dec. 21, 2018, [132 Stat. 5255](https://www.law.cornell.edu/rio/citation/132_Stat._5255).)

**18 U.S. Code § 1584 - Sale into involuntary servitude.**

**(a)** Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

**(b)** Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a).

(June 25, 1948, ch. 645, [62 Stat. 773](https://www.law.cornell.edu/rio/citation/62_Stat._773); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147); [Pub. L. 104–208, div. C, title II, § 218(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-208), Sept. 30, 1996, [110 Stat. 3009–573](https://www.law.cornell.edu/rio/citation/110_Stat._3009-573); [Pub. L. 106–386, div. A, § 112(a)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1486](https://www.law.cornell.edu/rio/citation/114_Stat._1486); [Pub. L. 110–457, title II, § 222(b)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5068](https://www.law.cornell.edu/rio/citation/122_Stat._5068).).

**18 U.S. Code § 1585 - Seizure, detention, transportation or sale of slaves.**

Whoever, being a citizen or resident of the United States and a member of the crew or ship’s company of any foreign vessel engaged in the slave trade, or whoever, being of the crew or ship’s company of any vessel owned in whole or in part, or navigated for, or in behalf of, any citizen of the United States, lands from such vessel, and on any foreign shore seizes any person with intent to make that person a slave, or decoys, or forcibly brings, carries, receives, confines, detains or transports any person as a slave on board such vessel, or, on board such vessel, offers or attempts to sell any such person as a slave, or on the high seas or anywhere on tide water, transfers or delivers to any other vessel any such person with intent to make such person a slave, or lands or delivers on shore from such vessel any person with intent to sell, or having previously sold, such person as a slave, shall be fined under this title or imprisoned not more than seven years, or both.

(June 25, 1948, ch. 645, [62 Stat. 773](https://www.law.cornell.edu/rio/citation/62_Stat._773); [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code § 1589 - Forced labor.**

**(a)** Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means—

**(1)** by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;

**(2)** by means of [serious harm](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-908443408-986701303&term_occur=999&term_src=title:18:part:I:chapter:77:section:1589) or threats of [serious harm](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-908443408-986701303&term_occur=999&term_src=title:18:part:I:chapter:77:section:1589) to that person or another person;

**(3)** by means of the [abuse or threatened abuse of law or legal process](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1108080733-986701302&term_occur=999&term_src=title:18:part:I:chapter:77:section:1589); or

**(4)** by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer [serious harm](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-908443408-986701303&term_occur=999&term_src=title:18:part:I:chapter:77:section:1589) or physical restraint,

shall be punished as provided under subsection (d).

**(b)** Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means, shall be punished as provided in subsection (d).

**(c)** In this section:

**(1)** The term “[abuse or threatened abuse of law or legal process](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1108080733-986701302&term_occur=999&term_src=title:18:part:I:chapter:77:section:1589)” means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

**(2)** The term “[serious harm](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-908443408-986701303&term_occur=999&term_src=title:18:part:I:chapter:77:section:1589)” means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

**(d)** Whoever violates this section shall be fined under this title, imprisoned not more than 20 years, or both. If death results from a violation of this section, or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title, imprisoned for any term of years or life, or both.

(Added [Pub. L. 106–386, div. A, § 112(a)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1486](https://www.law.cornell.edu/rio/citation/114_Stat._1486); amended [Pub. L. 110–457, title II, § 222(b)(3)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5068](https://www.law.cornell.edu/rio/citation/122_Stat._5068).).

**18 U.S. Code § 1590 - Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor.**

**(a)** Whoever knowingly recruits, harbors, transports, provides, or obtains by any means, any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

**(b)** Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties under subsection (a).

(Added [Pub. L. 106–386, div. A, § 112(a)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1487](https://www.law.cornell.edu/rio/citation/114_Stat._1487); amended [Pub. L. 110–457, title II, § 222(b)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5069](https://www.law.cornell.edu/rio/citation/122_Stat._5069).)

18 U.S. Code § 1593 - Mandatory restitution

**(a)** Notwithstanding [section 3663](https://www.law.cornell.edu/uscode/text/18/3663) or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

**(b)**

**(1)** The order of restitution under this section shall direct the defendant to pay the [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593) (through the appropriate court mechanism) the [full amount of the victim’s losses](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1423859090-1009788368&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593), as determined by the court under paragraph (3) of this subsection.

**(2)** An order of restitution under this section shall be issued and enforced in accordance with [section 3664](https://www.law.cornell.edu/uscode/text/18/3664) in the same manner as an order under section 3663A.

**(3)** As used in this subsection, the term “[full amount of the victim’s losses](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1423859090-1009788368&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)” has the same meaning as provided in section 2259(c)(2) and shall in addition include the greater of the gross income or value to the defendant of the[victim’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)s services or labor or the value of the[victim’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)s labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act ([29 U.S.C. 201](https://www.law.cornell.edu/uscode/text/29/201) et seq.).

**(4)** The forfeiture of property under this subsection shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the [Controlled Substances Act](https://www.law.cornell.edu/topn/controlled_substances_act) ([21 U.S.C. 853](https://www.law.cornell.edu/uscode/text/21/853)).

**(c)** As used in this section, the term “[victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)” means the individual harmed as a result of a crime under this chapter, including, in the case of a [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593) who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593) or a representative of the [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)’s estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

(Added [Pub. L. 106–386, div. A, § 112(a)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1488](https://www.law.cornell.edu/rio/citation/114_Stat._1488); amended [Pub. L. 110–457, title II, § 221(1)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5067](https://www.law.cornell.edu/rio/citation/122_Stat._5067); [Pub. L. 115–299, § 3(c)](https://www.law.cornell.edu/rio/citation/Pub._L._115-299), Dec. 7, 2018, [132 Stat. 4385](https://www.law.cornell.edu/rio/citation/132_Stat._4385).).

**18 U.S. Code § 1593 - Mandatory restitution.**

**(a)** Notwithstanding [section 3663](https://www.law.cornell.edu/uscode/text/18/3663) or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

**(b)**

**(1)** The order of restitution under this section shall direct the defendant to pay the [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593) (through the appropriate court mechanism) the [full amount of the victim’s losses](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1423859090-1009788368&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593), as determined by the court under paragraph (3) of this subsection.

**(2)** An order of restitution under this section shall be issued and enforced in accordance with [section 3664](https://www.law.cornell.edu/uscode/text/18/3664) in the same manner as an order under section 3663A.

**(3)** As used in this subsection, the term “[full amount of the victim’s losses](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1423859090-1009788368&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)” has the same meaning as provided in section 2259(c)(2) and shall in addition include the greater of the gross income or value to the defendant of the[victim’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)s services or labor or the value of the[victim’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)s labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act ([29 U.S.C. 201](https://www.law.cornell.edu/uscode/text/29/201) et seq.).

**(4)** The forfeiture of property under this subsection shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the [Controlled Substances Act](https://www.law.cornell.edu/topn/controlled_substances_act) ([21 U.S.C. 853](https://www.law.cornell.edu/uscode/text/21/853)).

**(c)** As used in this section, the term “[victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)” means the individual harmed as a result of a crime under this chapter, including, in the case of a [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593) who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593) or a representative of the [victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-816693624-1442523048&term_occur=999&term_src=title:18:part:I:chapter:77:section:1593)’s estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

(Added [Pub. L. 106–386, div. A, § 112(a)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._106-386), Oct. 28, 2000, [114 Stat. 1488](https://www.law.cornell.edu/rio/citation/114_Stat._1488); amended [Pub. L. 110–457, title II, § 221(1)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5067](https://www.law.cornell.edu/rio/citation/122_Stat._5067); [Pub. L. 115–299, § 3(c)](https://www.law.cornell.edu/rio/citation/Pub._L._115-299), Dec. 7, 2018, [132 Stat. 4385](https://www.law.cornell.edu/rio/citation/132_Stat._4385).).

**18 U.S. Code § 1593A - Benefitting financially from peonage, slavery, and trafficking in persons.**

Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in any act in violation of this chapter, knowing or in reckless disregard of the fact that the venture has engaged in such violation, shall be fined under this title or imprisoned in the same manner as a completed violation of such section.

(Added [Pub. L. 110–457, title II, § 222(d)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5070](https://www.law.cornell.edu/rio/citation/122_Stat._5070); amended [Pub. L. 115–393, title III, § 303(c)](https://www.law.cornell.edu/rio/citation/Pub._L._115-393), Dec. 21, 2018, [132 Stat. 5273](https://www.law.cornell.edu/rio/citation/132_Stat._5273).).

**18 U.S. Code § 1595 - Civil remedy.**

**(a)** An individual who is a victim of a violation of this chapter may bring a civil action against the perpetrator (or whoever knowingly benefits, financially or by receiving anything of value from participation in a venture which that person knew or should have known has engaged in an act in violation of this chapter) in an appropriate district court of the United States and may recover damages and reasonable attorneys fees.

**(b)**

**(1)** Any civil action filed under subsection (a) shall be stayed during the pendency of any [criminal action](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1052851053-1011635409&term_occur=999&term_src=title:18:part:I:chapter:77:section:1595) arising out of the same occurrence in which the claimant is the victim.

**(2)** In this subsection, a “[criminal action](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1052851053-1011635409&term_occur=999&term_src=title:18:part:I:chapter:77:section:1595)” includes investigation and prosecution and is pending until final adjudication in the trial court.

**(c)**No action may be maintained under subsection (a) unless it is commenced not later than the later of—

**(1)** 10 years after the cause of action arose; or

**(2)** 10 years after the victim reaches 18 years of age, if the victim was a minor at the time of the alleged offense.

**(d)** In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by any person who violates section 1591, the attorney general of the State, as parens patriae, may bring a civil action against such person on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(Added [Pub. L. 108–193, § 4(a)(4)(A)](https://www.law.cornell.edu/rio/citation/Pub._L._108-193), Dec. 19, 2003, [117 Stat. 2878](https://www.law.cornell.edu/rio/citation/117_Stat._2878); amended [Pub. L. 110–457, title II, § 221(2)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5067](https://www.law.cornell.edu/rio/citation/122_Stat._5067); [Pub. L. 114–22, title I, § 120](https://www.law.cornell.edu/rio/citation/Pub._L._114-22), May 29, 2015, [129 Stat. 247](https://www.law.cornell.edu/rio/citation/129_Stat._247); [Pub. L. 115–164, § 6](https://www.law.cornell.edu/rio/citation/Pub._L._115-164), Apr. 11, 2018, [132 Stat. 1255](https://www.law.cornell.edu/rio/citation/132_Stat._1255).).

**18 U.S. Code** **§ 1596. Additional jurisdiction in certain trafficking offenses.**

**(a) In General.** In addition to any domestic or extra-territorial jurisdiction otherwise provided by law, the courts of the United States have extra-territorial jurisdiction over any offense (or any attempt or conspiracy to commit an offense) under section [1581](https://www.law.cornell.edu/uscode/text/18/1581), [1583](https://www.law.cornell.edu/uscode/text/18/1583), [1584](https://www.law.cornell.edu/uscode/text/18/1584), [1589](https://www.law.cornell.edu/uscode/text/18/1589), [1590](https://www.law.cornell.edu/uscode/text/18/1590), or [1591](https://www.law.cornell.edu/uscode/text/18/1591) if—

**(1)** an alleged offender is a national of the United States or an alien lawfully admitted for permanent residence (as those terms are defined in section 101 of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act) ([8 U.S.C. 1101](https://www.law.cornell.edu/uscode/text/8/1101))); or

**(2)** an alleged offender is present in the United States, irrespective of the nationality of the alleged offender.

**(b) Limitation on Prosecutions of Offenses Prosecuted in Other Countries.—**

No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction recognized by the United States, has prosecuted or is prosecuting such person for the conduct constituting such offense, except upon the approval of the Attorney General or the Deputy Attorney General (or a person acting in either such capacity), which function of approval may not be delegated.

(Added [Pub. L. 110–457, title II, § 223(a)](https://www.law.cornell.edu/rio/citation/Pub._L._110-457), Dec. 23, 2008, [122 Stat. 5071](https://www.law.cornell.edu/rio/citation/122_Stat._5071).).

**18 U.S. Code § 1621 - Perjury generally.**

Whoever—

**(1)** having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

**(2)** in any declaration, certificate, verification, or statement under penalty of perjury as permitted under [section 1746 of title 28](https://www.law.cornell.edu/uscode/text/28/1746), United States Code, willfully subscribes as true any material matter which he does not believe to be true;

is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

(June 25, 1948, ch. 645, [62 Stat. 773](https://www.law.cornell.edu/rio/citation/62_Stat._773); [Pub. L. 88–619, § 1](https://www.law.cornell.edu/rio/citation/Pub._L._88-619), Oct. 3, 1964, [78 Stat. 995](https://www.law.cornell.edu/rio/citation/78_Stat._995); [Pub. L. 94–550, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._94-550), Oct. 18, 1976, [90 Stat. 2534](https://www.law.cornell.edu/rio/citation/90_Stat._2534); [Pub. L. 103–322, title XXXIII, § 330016(1)(I)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code § 1622 - Subornation of perjury.**

Whoever procures another to commit any perjury is guilty of subornation of perjury, and shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, [62 Stat. 774](https://www.law.cornell.edu/rio/citation/62_Stat._774); [Pub. L. 103–322, title XXXIII, § 330016(1)(I)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code § 1623 - False declarations before grand jury or court.**

**(a)** Whoever under oath (or in any declaration, certificate, verification, or statement under penalty of perjury as permitted under [section 1746 of title 28](https://www.law.cornell.edu/uscode/text/28/1746), United States Code) in any proceeding before or ancillary to any court or grand jury of the United States knowingly makes any false material declaration or makes or uses any other information, including any book, paper, document, record, recording, or other material, knowing the same to contain any false material declaration, shall be fined under this title or imprisoned not more than five years, or both.

**(b)** This section is applicable whether the conduct occurred within or without the United States.

**(c)**An indictment or information for violation of this section alleging that, in any proceedings before or ancillary to any court or grand jury of the United States, the defendant under oath has knowingly made two or more declarations, which are inconsistent to the degree that one of them is necessarily false, need not specify which declaration is false if—

**(1)** each declaration was material to the point in question, and

**(2)** each declaration was made within the period of the statute of limitations for the offense charged under this section.

In any prosecution under this section, the falsity of a declaration set forth in the indictment or information shall be established sufficient for conviction by proof that the defendant while under oath made irreconcilably contradictory declarations material to the point in question in any proceeding before or ancillary to any court or grand jury. It shall be a defense to an indictment or information made pursuant to the first sentence of this subsection that the defendant at the time he made each declaration believed the declaration was true.

**(d)** Where, in the same continuous court or grand jury proceeding in which a declaration is made, the person making the declaration admits such declaration to be false, such admission shall bar prosecution under this section if, at the time the admission is made, the declaration has not substantially affected the proceeding, or it has not become manifest that such falsity has been or will be exposed.

**(e)** Proof beyond a reasonable doubt under this section is sufficient for conviction. It shall not be necessary that such proof be made by any particular number of witnesses or by documentary or other type of evidence.

(Added [Pub. L. 91–452, title IV, § 401(a)](https://www.law.cornell.edu/rio/citation/Pub._L._91-452), Oct. 15, 1970, [84 Stat. 932](https://www.law.cornell.edu/rio/citation/84_Stat._932); amended [Pub. L. 94–550, § 6](https://www.law.cornell.edu/rio/citation/Pub._L._94-550), Oct. 18, 1976, [90 Stat. 2535](https://www.law.cornell.edu/rio/citation/90_Stat._2535); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code** **§ 1651. Piracy under law of nations.**

Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be imprisoned for life.

(June 25, 1948, ch. 645, [62 Stat. 774](https://www.law.cornell.edu/rio/citation/62_Stat._774).).

**18 U.S. Code § 1726 - Postage collected unlawfully [letters only]**

Whoever, being a postmaster or other person authorized to receive the postage of mail matter, fraudulently demands or receives any rate of postage or gratuity or reward other than is provided by law for the postage of such mail matter, shall be fined under this title or imprisoned not more than six months, or both. (June 25, 1948, ch. 645, [62 Stat. 784](https://www.law.cornell.edu/rio/citation/62_Stat._784); [Pub. L. 103–322, title XXXIII, § 330016(1)(B)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2146](https://www.law.cornell.edu/rio/citation/108_Stat._2146).)

First Class U.S. Mail NO POSTAGE

Statutory Non-Domestic Fully Prepaid NECESSARY

12 Stat. at Law Ch. 71 Sec. 23 IF MAILED

Federal Offense to collect additional postage IN THE

18 U.S.C. 1726 [“without the United States”] UNITED STATES

**18 U.S. Code § 1951 - Interference with commerce by threats or violence.**

**(a)** Whoever in any way or degree obstructs, delays, or affects [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951) or the movement of any article or commodity in [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951), by[robbery](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1367565583-148472148&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951)or [extortion](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-322542376-148472149&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1367565583-148472148&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951)” 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-322542376-148472149&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951)” 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951)” means [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951) within the District of Columbia, or any Territory or Possession of the United States; all [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951) between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951) between points within the same State through any place outside such State; and all other [commerce](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-602412325-148472150&term_occur=999&term_src=title:18:part:I:chapter:95:section:1951) over which the United States has jurisdiction.

**(c)** This section shall not be construed to repeal, modify or affect [section 17 of Title 15](https://www.law.cornell.edu/uscode/text/15/17), sections 52, 101–115, 151–166 of Title 29 or sections 151–188 of Title 45.

(June 25, 1948, ch. 645, [62 Stat. 793](https://www.law.cornell.edu/rio/citation/62_Stat._793); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code § 1961 – Definitions.**

As used in this chapter—

**(1)** “[racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the [Controlled Substances Act](https://www.law.cornell.edu/topn/controlled_substances_act)), which is chargeable under[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act indictable under section 659 is felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891–894 (relating to extortionate credit transactions), section 1028 (relating to fraud and related activity in connection with identification documents), section 1029 (relating to fraud and related activity in connection with access devices), section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), section 1351 (relating to fraud in foreign labor contracting), section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale of naturalization or citizenship papers), sections 1461–1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 1513 (relating to retaliating against a witness, victim, or an informant), section 1542 (relating to false statement in application and use of passport), section 1543 (relating to forgery or false use of passport), section 1544 (relating to misuse of passport), section 1546 (relating to fraud and misuse of visas, permits, and other documents), sections 1581–1592 (relating to peonage, slavery, and trafficking in[persons)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=).,[[1]](https://www.law.cornell.edu/uscode/text/18/1961" \l "fn002133) sections 1831 and 1832 (relating to economic espionage and theft of trade secrets), section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), section 1953 (relating to interstate transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), section 1960 (relating to illegal money transmitters), sections 2251, 2251A, 2252, and 2260 (relating to sexual exploitation of children), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property), section 2318 (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2319A (relating to unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances), section 2320 (relating to trafficking in goods or services bearing counterfeit marks), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341–2346 (relating to trafficking in contraband cigarettes), sections 2421–24 (relating to white slave traffic), sections 175–178 (relating to biological weapons), sections 229–229F (relating to chemical weapons), section 831 (relating to nuclear materials), (C) any act which is indictable under title 29, United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)Code, section 186 (dealing with restrictions on payments and loans to labor organizations) or section 501(c) (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11 (except a case under [section 157 of this title](https://www.law.cornell.edu/uscode/text/18/157)), fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the [Controlled Substances Act](https://www.law.cornell.edu/topn/controlled_substances_act)), punishable under any law of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) (E) any act which is indictable under the [Currency and Foreign Transactions Reporting Act](https://www.law.cornell.edu/topn/currency_and_foreign_transactions_reporting_act), (F) any act which is indictable under the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act), section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United[States)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961), or section 278 (relating to importation of alien for immoral purpose) if the act indictable under such section of such Act was committed for the purpose of financial gain, or (G) any act that is indictable under any provision listed in section 2332b(g)(5)(B);

**(2)** “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)” means any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=), the District of Columbia, the Commonwealth of Puerto [Rico](https://www.law.cornell.edu/topn/racketeer_influenced_and_corrupt_organizations_act_rico), any territory or possession of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) any political subdivision, or any department, agency, or instrumentality thereof;

**(3)** “[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=)” includes any individual or entity capable of holding a legal or beneficial interest in property;

**(4)** “[enterprise](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-802737311-1438920306&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity;

**(5)** “pattern of [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” requires at least two acts of [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961), one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961);

**(6)** “[unlawful debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-410768193-1438920304&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” means a debt (A) incurred or contracted in gambling activity which was in violation of the law of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) a[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)or political subdivision thereof, or which is unenforceable under[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)or Federal law in whole or in part as to principal or interest because of the laws relating to usury, and (B) which was incurred in connection with the business of gambling in violation of the law of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) a[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)or political subdivision thereof, or the business of lending money or a thing of value at a rate usurious under[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)or Federal law, where the usurious rate is at least twice the enforceable rate;

**(7)** “[racketeering investigator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-947562355-1438920303&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” means any attorney or investigator so designated by the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=)and charged with the duty of enforcing or carrying into effect this chapter;

**(8)** “[racketeering investigation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-690343816-1438920302&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” means any inquiry conducted by any[racketeering investigator](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-947562355-1438920303&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)for the purpose of ascertaining whether any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=)has been involved in any violation of this chapter or of any final order, judgment, or decree of any court of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) duly entered in any case or proceeding arising under this chapter;

**(9)** “[documentary material](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1924923514-1438920301&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” includes any book, paper, document, record, recording, or other material; and

**(10)** “[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961)” includes the [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961) of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) the Deputy [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961) of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) the Associate [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961) of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) any Assistant [Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=title:18:part:I:chapter:96:section:1961) of the United[States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=) or any employee of the Department of Justice or any employee of any department or agency of the United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=)so designated by the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=)to carry out the powers conferred on the[Attorney General](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-133271130-1656856571&term_occur=999&term_src=)by this chapter. Any department or agency so designated may use in investigations authorized by this chapter either the investigative provisions of this chapter or the investigative power of such department or agency otherwise conferred by law.

(Added [Pub. L. 91–452, title IX, § 901(a)](https://www.law.cornell.edu/rio/citation/Pub._L._91-452), Oct. 15, 1970, [84 Stat. 941](https://www.law.cornell.edu/rio/citation/84_Stat._941); amended [Pub. L. 95–575, § 3(c)](https://www.law.cornell.edu/rio/citation/Pub._L._95-575), Nov. 2, 1978, [92 Stat. 2465](https://www.law.cornell.edu/rio/citation/92_Stat._2465); [Pub. L. 95–598, title III, § 314(g)](https://www.law.cornell.edu/rio/citation/Pub._L._95-598), Nov. 6, 1978, [92 Stat. 2677](https://www.law.cornell.edu/rio/citation/92_Stat._2677); [Pub. L. 98–473, title II](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), §§ 901(g), 1020, Oct. 12, 1984, [98 Stat. 2136](https://www.law.cornell.edu/rio/citation/98_Stat._2136), 2143; [Pub. L. 98–547, title II, § 205](https://www.law.cornell.edu/rio/citation/Pub._L._98-547), Oct. 25, 1984, [98 Stat. 2770](https://www.law.cornell.edu/rio/citation/98_Stat._2770); [Pub. L. 99–570, title I, § 1365(b)](https://www.law.cornell.edu/rio/citation/Pub._L._99-570), Oct. 27, 1986, [100 Stat. 3207–35](https://www.law.cornell.edu/rio/citation/100_Stat._3207-35); [Pub. L. 99–646, § 50(a)](https://www.law.cornell.edu/rio/citation/Pub._L._99-646), Nov. 10, 1986, [100 Stat. 3605](https://www.law.cornell.edu/rio/citation/100_Stat._3605); [Pub. L. 100–690, title VII](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), §§ 7013, 7020(c), 7032, 7054, 7514, Nov. 18, 1988, [102 Stat. 4395](https://www.law.cornell.edu/rio/citation/102_Stat._4395), 4396, 4398, 4402, 4489; [Pub. L. 101–73, title IX, § 968](https://www.law.cornell.edu/rio/citation/Pub._L._101-73), Aug. 9, 1989, [103 Stat. 506](https://www.law.cornell.edu/rio/citation/103_Stat._506); [Pub. L. 101–647, title XXXV, § 3560](https://www.law.cornell.edu/rio/citation/Pub._L._101-647), Nov. 29, 1990, [104 Stat. 4927](https://www.law.cornell.edu/rio/citation/104_Stat._4927); [Pub. L. 103–322, title IX, § 90104](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), title XVI, § 160001(f), title XXXIII, § 330021(1), Sept. 13, 1994, [108 Stat. 1987](https://www.law.cornell.edu/rio/citation/108_Stat._1987), 2037, 2150; [Pub. L. 103–394, title III, § 312(b)](https://www.law.cornell.edu/rio/citation/Pub._L._103-394), Oct. 22, 1994, [108 Stat. 4140](https://www.law.cornell.edu/rio/citation/108_Stat._4140); [Pub. L. 104–132, title IV, § 433](https://www.law.cornell.edu/rio/citation/Pub._L._104-132), Apr. 24, 1996, [110 Stat. 1274](https://www.law.cornell.edu/rio/citation/110_Stat._1274); [Pub. L. 104–153, § 3](https://www.law.cornell.edu/rio/citation/Pub._L._104-153), July 2, 1996, [110 Stat. 1386](https://www.law.cornell.edu/rio/citation/110_Stat._1386); [Pub. L. 104–208, div. C, title II, § 202](https://www.law.cornell.edu/rio/citation/Pub._L._104-208), Sept. 30, 1996, [110 Stat. 3009–565](https://www.law.cornell.edu/rio/citation/110_Stat._3009-565); [Pub. L. 104–294, title VI](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), §§ 601(b)(3), (i)(3), 604(b)(6), Oct. 11, 1996, [110 Stat. 3499](https://www.law.cornell.edu/rio/citation/110_Stat._3499), 3501, 3506; [Pub. L. 107–56, title VIII, § 813](https://www.law.cornell.edu/rio/citation/Pub._L._107-56), Oct. 26, 2001, [115 Stat. 382](https://www.law.cornell.edu/rio/citation/115_Stat._382); [Pub. L. 107–273, div. B, title IV, § 4005(f)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), Nov. 2, 2002, [116 Stat. 1813](https://www.law.cornell.edu/rio/citation/116_Stat._1813); [Pub. L. 108–193, § 5(b)](https://www.law.cornell.edu/rio/citation/Pub._L._108-193), Dec. 19, 2003, [117 Stat. 2879](https://www.law.cornell.edu/rio/citation/117_Stat._2879); [Pub. L. 108–458, title VI, § 6802(e)](https://www.law.cornell.edu/rio/citation/Pub._L._108-458), Dec. 17, 2004, [118 Stat. 3767](https://www.law.cornell.edu/rio/citation/118_Stat._3767); [Pub. L. 109–164, title I, § 103(c)](https://www.law.cornell.edu/rio/citation/Pub._L._109-164), Jan. 10, 2006, [119 Stat. 3563](https://www.law.cornell.edu/rio/citation/119_Stat._3563); [Pub. L. 109–177, title IV, § 403(a)](https://www.law.cornell.edu/rio/citation/Pub._L._109-177), Mar. 9, 2006, [120 Stat. 243](https://www.law.cornell.edu/rio/citation/120_Stat._243); [Pub. L. 113–4, title XII, § 1211(a)](https://www.law.cornell.edu/rio/citation/Pub._L._113-4), Mar. 7, 2013, [127 Stat. 142](https://www.law.cornell.edu/rio/citation/127_Stat._142); [Pub. L. 114–153, § 3(b)](https://www.law.cornell.edu/rio/citation/Pub._L._114-153), May 11, 2016, [130 Stat. 382](https://www.law.cornell.edu/rio/citation/130_Stat._382).).

**18 U.S. Code § 1962 - Prohibited activities.**

(a) It shall be unlawful for any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) who has received any income derived, directly or indirectly, from a pattern of [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) or through collection of an[unlawful debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-410768193-1438920304&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)in which such[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)has participated as a principal within the meaning of section 2, title 18, United[States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any[enterprise](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-802737311-1438920306&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)which is engaged in, or the activities of which affect, interstate or foreign commerce. A purchase of securities on the open market for purposes of investment, and without the intention of controlling or participating in the control of the issuer, or of assisting another to do so, shall not be unlawful under this subsection if the securities of the issuer held by the purchaser, the members of his immediate family, and his or their accomplices in any pattern or [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) or the collection of an[unlawful debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-410768193-1438920304&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)after such purchase do not amount in the aggregate to one percent of the outstanding securities of any one class, and do not confer, either in law or in fact, the power to elect one or more directors of the issuer.

**(b)** It shall be unlawful for any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) through a pattern of [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) or through collection of an[unlawful debt](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-410768193-1438920304&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)to acquire or maintain, directly or indirectly, any interest in or control of any[enterprise](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-802737311-1438920306&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)which is engaged in, or the activities of which affect, interstate or foreign commerce.

**(c)** It shall be unlawful for any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) employed by or associated with any [enterprise](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-802737311-1438920306&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such [enterprise](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-802737311-1438920306&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)’s affairs through a pattern of [racketeering activity](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1935430617-1438920309&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) or collection of[unlawful debt.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-410768193-1438920304&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962)

**(d)** It shall be unlawful for any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=title:18:part:I:chapter:96:section:1962) to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.

(Added [Pub. L. 91–452, title IX, § 901(a)](https://www.law.cornell.edu/rio/citation/Pub._L._91-452), Oct. 15, 1970, [84 Stat. 942](https://www.law.cornell.edu/rio/citation/84_Stat._942); amended [Pub. L. 100–690, title VII, § 7033](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4398](https://www.law.cornell.edu/rio/citation/102_Stat._4398).).

**18 U.S. Code** **§ 1967. Evidence.**

In any proceeding ancillary to or in any civil action instituted by the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-80204913-1438920308&term_occur=999&term_src=title:18:part:I:chapter:96:section:1967) under this chapter the proceedings may be open or closed to the public at the discretion of the court after consideration of the rights of affected [persons](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1438920307&term_occur=999&term_src=title:18:part:I:chapter:96:section:1967).

(Added [Pub. L. 91–452, title IX, § 901(a)](https://www.law.cornell.edu/rio/citation/Pub._L._91-452), Oct. 15, 1970, [84 Stat. 944](https://www.law.cornell.edu/rio/citation/84_Stat._944).).

**18 U.S. Code § 2236 - Searches without warrant.**

Whoever, being an officer, agent, or employee of the United States or any department or agency thereof, engaged in the enforcement of any law of the United States, searches any private dwelling used and occupied as such dwelling without a warrant directing such search, or maliciously and without reasonable cause searches any other building or property without a search warrant, shall be fined under this title for a first offense; and, for a subsequent offense, shall be fined under this title or imprisoned not more than one year, or both.

This section shall not apply to any person—

(a) serving a warrant of arrest; or

(b) arresting or attempting to arrest a person committing or attempting to commit an offense in his presence, or who has committed or is suspected on reasonable grounds of having committed a felony; or

(c) making a search at the request or invitation or with the consent of the occupant of the premises.

(June 25, 1948, ch. 645, [62 Stat. 803](https://www.law.cornell.edu/rio/citation/62_Stat._803); [Pub. L. 104–294, title VI, § 601(a)(8)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3498](https://www.law.cornell.edu/rio/citation/110_Stat._3498); [Pub. L. 107–273, div. B, title IV, § 4002(d)(1)(C)(iii)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), Nov. 2, 2002, [116 Stat. 1809](https://www.law.cornell.edu/rio/citation/116_Stat._1809).).

**18 U.S. Code § 2331 – Definitions.**

As used in this chapter—

**(1)** the term “[international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331)” means activities that—

**(A)** involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State;

**(B)** appear to be intended—

**(i)** to intimidate or coerce a civilian population;

**(ii)** to influence the policy of a government by intimidation or coercion; or

**(iii)** to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

**(C)** occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the [persons](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1415921655&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331) they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum;

**(2)** the term “[national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1415921656&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331)” has the meaning given such term in section 101(a)(22) of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act);

**(3)** the term “[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1415921655&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331)” means any individual or entity capable of holding a legal or beneficial interest in property;

**(4)** the term “[act of war](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1479682157-1415921654&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331)” means any act occurring in the course of—

**(A)** declared war;

**(B)** armed conflict, whether or not war has been declared, between two or more nations; or

**(C)** armed conflict between military forces of any origin;

**(5)** the term “[domestic terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1828319891-1415921653&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331)” means activities that—

**(A)** involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;

**(B)** appear to be intended—

**(i)** to intimidate or coerce a civilian population;

**(ii)** to influence the policy of a government by intimidation or coercion; or

**(iii)** to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

**(C)** occur primarily within the territorial jurisdiction of the United States; and

**(6)** the term “military force” does not include any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-1415921655&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2331) that—

**(A)** has been designated as a—

**(i)** foreign terrorist organization by the Secretary of State under section 219 of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act) ([8 U.S.C. 1189](https://www.law.cornell.edu/uscode/text/8/1189)); or

**(ii)** specially designated global terrorist (as such term is defined in [section 594.310](https://www.law.cornell.edu/cfr/text/31/594.310) of title 31, Code of Federal Regulations) by the Secretary of State or the Secretary of the Treasury; or

**(B)** has been determined by the court to not be a “military force”.

(Added [Pub. L. 102–572, title X, § 1003(a)(3)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4521](https://www.law.cornell.edu/rio/citation/106_Stat._4521); amended [Pub. L. 107–56, title VIII, § 802(a)](https://www.law.cornell.edu/rio/citation/Pub._L._107-56), Oct. 26, 2001, [115 Stat. 376](https://www.law.cornell.edu/rio/citation/115_Stat._376); [Pub. L. 115–253, § 2(a)](https://www.law.cornell.edu/rio/citation/Pub._L._115-253), Oct. 3, 2018, [132 Stat. 3183](https://www.law.cornell.edu/rio/citation/132_Stat._3183).).

**18 U.S. Code § 2333 - Civil remedies.**

**(a) Action and Jurisdiction.—**

Any [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1415921656&term_occur=999&term_src=) injured in his or her [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=), property, or business by reason of an act of[international terrorism,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333) or his or her estate, survivors, or heirs, may sue therefor in any appropriate district court of the United States and shall recover threefold the damages he or she sustains and the cost of the suit, including attorney’s fees.

**(b) Estoppel Under United States Law.—**

A final judgment or decree rendered in favor of the United States in any criminal proceeding under section [1116](https://www.law.cornell.edu/uscode/text/18/1116), [1201](https://www.law.cornell.edu/uscode/text/18/1201), [1203](https://www.law.cornell.edu/uscode/text/18/1203), or [2332](https://www.law.cornell.edu/uscode/text/18/2332) of this title or section 46314, 46502, 46505, or 46506 of title 49 shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

**(c) Estoppel Under Foreign Law.—**

A final judgment or decree rendered in favor of any foreign state in any criminal proceeding shall, to the extent that such judgment or decree may be accorded full faith and credit under the law of the United States, estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

**(d) Liability.—**

**(1) Definition.—**

In this subsection, the term “[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=)” has the meaning given the term in [section 1 of title 1](https://www.law.cornell.edu/uscode/text/1/1). **(2)Liability.—**

In an action under subsection (a) for an injury arising from an act of [international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333) committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act) ([8 U.S.C. 1189](https://www.law.cornell.edu/uscode/text/8/1189)), as of the date on which such act of[international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=)was committed, planned, or authorized, liability may be asserted as to any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=)who aids and abets, by knowingly providing substantial assistance, or who conspires with the[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=)who committed such an act of[international terrorism.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333)

**(e) Use of Blocked Assets to Satisfy Judgments of U.S. Nationals.—**

For purposes of section 201 of the [Terrorism Risk Insurance Act of 2002](https://www.law.cornell.edu/topn/terrorism_risk_insurance_act_of_2002) ([28 U.S.C. 1610](https://www.law.cornell.edu/uscode/text/28/1610) note), in any action in which a[national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1415921656&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333)has obtained a judgment against a terrorist party pursuant to this section, the term [“blocked asset”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1865596860-1415919683&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333) shall include any asset of that terrorist party (including the[blocked assets](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1865596860-1415919683&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333)of any agency or instrumentality of that party) seized or frozen by the United States under section 805(b) of the [Foreign Narcotics Kingpin Designation Act](https://www.law.cornell.edu/topn/foreign_narcotics_kingpin_designation_act) ([21 U.S.C. 1904(b)](https://www.law.cornell.edu/uscode/text/21/1904#b)).

(Added [Pub. L. 102–572, title X, § 1003(a)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4522](https://www.law.cornell.edu/rio/citation/106_Stat._4522); amended [Pub. L. 103–429, § 2(1)](https://www.law.cornell.edu/rio/citation/Pub._L._103-429), Oct. 31, 1994, [108 Stat. 4377](https://www.law.cornell.edu/rio/citation/108_Stat._4377); [Pub. L. 114–222, § 4(a)](https://www.law.cornell.edu/rio/citation/Pub._L._114-222), Sept. 28, 2016, [130 Stat. 854](https://www.law.cornell.edu/rio/citation/130_Stat._854); [Pub. L. 115–253, § 3(a)](https://www.law.cornell.edu/rio/citation/Pub._L._115-253), Oct. 3, 2018, [132 Stat. 3183](https://www.law.cornell.edu/rio/citation/132_Stat._3183).).

**18 U.S. Code § 2334 - Jurisdiction and venue**.

**(a) Action and Jurisdiction.—**

Any [national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1415921656&term_occur=999&term_src=) injured in his or her [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=), property, or business by reason of an act of[international terrorism,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333) or his or her estate, survivors, or heirs, may sue therefor in any appropriate district court of the United States and shall recover threefold the damages he or she sustains and the cost of the suit, including attorney’s fees.

**(b) Estoppel Under United States Law.—**

A final judgment or decree rendered in favor of the United States in any criminal proceeding under section [1116](https://www.law.cornell.edu/uscode/text/18/1116), [1201](https://www.law.cornell.edu/uscode/text/18/1201), [1203](https://www.law.cornell.edu/uscode/text/18/1203), or [2332](https://www.law.cornell.edu/uscode/text/18/2332) of this title or section 46314, 46502, 46505, or 46506 of title 49 shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

**(c) Estoppel Under Foreign Law.—**

A final judgment or decree rendered in favor of any foreign state in any criminal proceeding shall, to the extent that such judgment or decree may be accorded full faith and credit under the law of the United States, estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

**(d) Liability.—**

**(1) Definition.—**

In this subsection, the term “[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=)” has the meaning given the term in [section 1 of title 1](https://www.law.cornell.edu/uscode/text/1/1).

**(2) Liability.—**

In an action under subsection (a) for an injury arising from an act of [international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333) committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act) ([8 U.S.C. 1189](https://www.law.cornell.edu/uscode/text/8/1189)), as of the date on which such act of[international terrorism](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=)was committed, planned, or authorized, liability may be asserted as to any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=)who aids and abets, by knowingly providing substantial assistance, or who conspires with the[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-991716523-805818355&term_occur=999&term_src=)who committed such an act of[international terrorism.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-866365149-1415921657&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333)

**(e) Use of Blocked Assets to Satisfy Judgments of U.S. Nationals.—**

For purposes of section 201 of the [Terrorism Risk Insurance Act of 2002](https://www.law.cornell.edu/topn/terrorism_risk_insurance_act_of_2002) ([28 U.S.C. 1610](https://www.law.cornell.edu/uscode/text/28/1610) note), in any action in which a[national of the United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-503460309-1415921656&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333)has obtained a judgment against a terrorist party pursuant to this section, the term [“blocked asset”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1865596860-1415919683&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333) shall include any asset of that terrorist party (including the[blocked assets](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1865596860-1415919683&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2333)of any agency or instrumentality of that party) seized or frozen by the United States under section 805(b) of the [Foreign Narcotics Kingpin Designation Act](https://www.law.cornell.edu/topn/foreign_narcotics_kingpin_designation_act) ([21 U.S.C. 1904(b)](https://www.law.cornell.edu/uscode/text/21/1904#b)).

(Added [Pub. L. 102–572, title X, § 1003(a)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4522](https://www.law.cornell.edu/rio/citation/106_Stat._4522); amended [Pub. L. 103–429, § 2(1)](https://www.law.cornell.edu/rio/citation/Pub._L._103-429), Oct. 31, 1994, [108 Stat. 4377](https://www.law.cornell.edu/rio/citation/108_Stat._4377); [Pub. L. 114–222, § 4(a)](https://www.law.cornell.edu/rio/citation/Pub._L._114-222), Sept. 28, 2016, [130 Stat. 854](https://www.law.cornell.edu/rio/citation/130_Stat._854); [Pub. L. 115–253, § 3(a)](https://www.law.cornell.edu/rio/citation/Pub._L._115-253), Oct. 3, 2018, [132 Stat. 3183](https://www.law.cornell.edu/rio/citation/132_Stat._3183).).

**18 U.S. Code § 2335 - Limitation of actions.**

**(a) In General.—**

Subject to subsection (b), a suit for recovery of damages under [section 2333 of this title](https://www.law.cornell.edu/uscode/text/18/2333) shall not be maintained unless commenced within 10 years after the date the cause of action accrued.

**(b) Calculation of Period.—**

The time of the absence of the defendant from the United States or from any jurisdiction in which the same or a similar action arising from the same facts may be maintained by the plaintiff, or of any concealment of the defendant’s whereabouts, shall not be included in the 10-year period set forth in subsection (a).

(Added [Pub. L. 102–572, title X, § 1003(a)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4523](https://www.law.cornell.edu/rio/citation/106_Stat._4523); amended [Pub. L. 112–239, div. A, title XII, § 1251(a)](https://www.law.cornell.edu/rio/citation/Pub._L._112-239), Jan. 2, 2013, [126 Stat. 2017](https://www.law.cornell.edu/rio/citation/126_Stat._2017).).

**18 U.S. Code § 2336 - Other limitations.**

**(a) Acts of War.—**

No action shall be maintained under [section 2333 of this title](https://www.law.cornell.edu/uscode/text/18/2333) for injury or loss by reason of an[act of war.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1479682157-1415921654&term_occur=999&term_src=title:18:part:I:chapter:113B:section:2336)

**(b) Limitation on Discovery.—**

If a party to an action under section 2333 seeks to discover the investigative files of the Department of Justice, the Assistant Attorney General, Deputy Attorney General, or Attorney General may object on the ground that compliance will interfere with a criminal investigation or prosecution of the incident, or a national security operation related to the incident, which is the subject of the civil litigation. The court shall evaluate any such objections in camera and shall stay the discovery if the court finds that granting the discovery request will substantially interfere with a criminal investigation or prosecution of the incident or a national security operation related to the incident. The court shall consider the likelihood of criminal prosecution by the Government and other factors it deems to be appropriate. A stay of discovery under this subsection shall constitute a bar to the granting of a motion to dismiss under rules 12(b)(6) and 56 of the Federal Rules of Civil Procedure. If the court grants a stay of discovery under this subsection, it may stay the action in the interests of justice.

**(c) Stay of Action for Civil Remedies.—**

**(1)** The Attorney General may intervene in any civil action brought under section 2333 for the purpose of seeking a stay of the civil action. A stay shall be granted if the court finds that the continuation of the civil action will substantially interfere with a criminal prosecution which involves the same subject matter and in which an indictment has been returned, or interfere with national security operations related to the terrorist incident that is the subject of the civil action. A stay may be granted for up to 6 months. The Attorney General may petition the court for an extension of the stay for additional 6-month periods until the criminal prosecution is completed or dismissed.

**(2)** In a proceeding under this subsection, the Attorney General may request that any order issued by the court for release to the parties and the public omit any reference to the basis on which the stay was sought.

(Added [Pub. L. 102–572, title X, § 1003(a)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4523](https://www.law.cornell.edu/rio/citation/106_Stat._4523).).

**18 U.S. Code § 2337 - Suits against Government officials.**

No action shall be maintained under [section 2333 of this title](https://www.law.cornell.edu/uscode/text/18/2333) against—

**(1)** the United States, an agency of the United States, or an officer or employee of the United States or any agency thereof acting within his or her official capacity or under color of legal authority; or

**(2)** a foreign state, an agency of a foreign state, or an officer or employee of a foreign state or an agency thereof acting within his or her official capacity or under color of legal authority.

(Added [Pub. L. 102–572, title X, § 1003(a)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4523](https://www.law.cornell.edu/rio/citation/106_Stat._4523).).

**18 U.S. Code § 2338 - Exclusive Federal jurisdiction.**

The district courts of the United States shall have exclusive jurisdiction over an action brought under this chapter.

(Added [Pub. L. 102–572, title X, § 1003(a)(4)](https://www.law.cornell.edu/rio/citation/Pub._L._102-572), Oct. 29, 1992, [106 Stat. 4524](https://www.law.cornell.edu/rio/citation/106_Stat._4524).).

**18 U.S. Code § 2381 – Treason.**

Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than $10,000; and shall be incapable of holding any office under the United States.

(June 25, 1948, ch. 645, [62 Stat. 807](https://www.law.cornell.edu/rio/citation/62_Stat._807); [Pub. L. 103–322, title XXXIII, § 330016(2)(J)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2148](https://www.law.cornell.edu/rio/citation/108_Stat._2148).).

**18 U.S. Code § 2382 - Misprision of treason.**

Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.

(June 25, 1948, ch. 645, [62 Stat. 807](https://www.law.cornell.edu/rio/citation/62_Stat._807); [Pub. L. 103–322, title XXXIII, § 330016(1)(H)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code § 2383 - Rebellion or insurrection.**

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined under this title or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

(June 25, 1948, ch. 645, [62 Stat. 808](https://www.law.cornell.edu/rio/citation/62_Stat._808); [Pub. L. 103–322, title XXXIII, § 330016(1)(L)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147).).

**18 U.S. Code § 2384 - Seditious conspiracy.**

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty years, or both.

(June 25, 1948, ch. 645, [62 Stat. 808](https://www.law.cornell.edu/rio/citation/62_Stat._808); July 24, 1956, ch. 678, § 1, [70 Stat. 623](https://www.law.cornell.edu/rio/citation/70_Stat._623); [Pub. L. 103–322, title XXXIII, § 330016(1)(N)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2148](https://www.law.cornell.edu/rio/citation/108_Stat._2148).).

**18 U.S. Code § 2385 - Advocating overthrow of Government.**

Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or

Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or

Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof—

Shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

If two or more persons conspire to commit any offense named in this section, each shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

As used in this section, the terms “organizes” and “organize”, with respect to any society, group, or assembly of persons, include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons.

(June 25, 1948, ch. 645, [62 Stat. 808](https://www.law.cornell.edu/rio/citation/62_Stat._808); July 24, 1956, ch. 678, § 2, [70 Stat. 623](https://www.law.cornell.edu/rio/citation/70_Stat._623); [Pub. L. 87–486](https://www.law.cornell.edu/rio/citation/Pub._L._87-486), June 19, 1962, [76 Stat. 103](https://www.law.cornell.edu/rio/citation/76_Stat._103); [Pub. L. 103–322, title XXXIII, § 330016(1)(N)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), Sept. 13, 1994, [108 Stat. 2148](https://www.law.cornell.edu/rio/citation/108_Stat._2148).).

**18 U.S. Code § 2441 - War crimes.**

**(a) Offense.—**

Whoever, whether inside or outside the United States, commits a [war crime](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-317428154-1414968295&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441), in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.

**(b) Circumstances.—**

The circumstances referred to in subsection (a) are that the person committing such [war crime](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-317428154-1414968295&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441) or the victim of such [war crime](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-317428154-1414968295&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441) is a member of the Armed Forces of the United States or a national of the United States (as defined in section 101 of the [Immigration and Nationality Act](https://www.law.cornell.edu/topn/immigration_and_nationality_act)).

**(c) Definition.—**As used in this section the term “[war crime](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-317428154-1414968295&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” means any conduct—

**(1)** defined as a grave breach in any of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party;

**(2)** prohibited by Article 23, 25, 27, or 28 of the Annex to the Hague Convention IV, Respecting the Laws and Customs of War on Land, signed 18 October 1907;

**(3)**which constitutes a [grave breach of common Article 3](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1184537271-1720104145&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441) (as defined in subsection (d)) when committed in the context of and in association with an armed conflict not of an international character; or

**(4)** of a person who, in relation to an armed conflict and contrary to the provisions of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended at Geneva on 3 May 1996 (Protocol II as amended on 3 May 1996), when the United States is a party to such Protocol, willfully kills or causes serious injury to civilians.

**(d) Common Article 3 Violations.—**

**(1) Prohibited conduct.—**In subsection (c)(3), the term “[grave breach of common Article 3](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1184537271-1720104145&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” means any conduct (such conduct constituting a [grave breach of common Article 3](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1184537271-1720104145&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441) of the international conventions done at Geneva August 12, 1949), as follows:

**(A)** Torture.—

The act of a person who commits, or conspires or attempts to commit, an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind.

**(B)** Cruel or inhuman treatment.—

The act of a person who commits, or conspires or attempts to commit, an act intended to inflict severe or serious physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions), including serious physical abuse, upon another within his custody or control.

**(C)** Performing biological experiments.—

The act of a person who subjects, or conspires or attempts to subject, one or more persons within his custody or physical control to biological experiments without a legitimate medical or dental purpose and in so doing endangers the body or health of such person or persons.

**(D)** Murder.—

The act of a person who intentionally kills, or conspires or attempts to kill, or kills whether intentionally or unintentionally in the course of committing any other offense under this subsection, one or more persons taking no active part in the hostilities, including those placed out of combat by sickness, wounds, detention, or any other cause.

**(E)** Mutilation or maiming.—

The act of a person who intentionally injures, or conspires or attempts to injure, or injures whether intentionally or unintentionally in the course of committing any other offense under this subsection, one or more persons taking no active part in the hostilities, including those placed out of combat by sickness, wounds, detention, or any other cause, by disfiguring the person or persons by any mutilation thereof or by permanently disabling any member, limb, or organ of his body, without any legitimate medical or dental purpose.

**(F)** Intentionally causing serious bodily injury.—

The act of a person who intentionally causes, or conspires or attempts to cause, [serious bodily injury](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-402227300-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441) to one or more persons, including lawful combatants, in violation of the law of war.

**(G)** Rape.—

The act of a person who forcibly or with coercion or threat of force wrongfully invades, or conspires or attempts to invade, the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object.

**(H)** Sexual assault or abuse.—

The act of a person who forcibly or with coercion or threat of force engages, or conspires or attempts to engage, in [sexual contact](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1985098950-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441) with one or more persons, or causes, or conspires or attempts to cause, one or more persons to engage in [sexual contact](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1985098950-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441).

**(I)** Taking hostages.—

The act of a person who, having knowingly seized or detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons.

**(2) Definitions.—**In the case of an offense under subsection (a) by reason of subsection (c)(3)—

**(A)** the term “[severe mental pain or suffering](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-819127189-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” shall be applied for purposes of paragraphs (1)(A) and (1)(B) in accordance with the meaning given that term in [section 2340(2) of this title](https://www.law.cornell.edu/uscode/text/18/2340#2);

**(B)** the term “[serious bodily injury](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-402227300-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” shall be applied for purposes of paragraph (1)(F) in accordance with the meaning given that term in [section 113(b)(2) of this title](https://www.law.cornell.edu/uscode/text/18/113#b_2);

**(C)** the term “[sexual contact](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1985098950-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” shall be applied for purposes of paragraph (1)(G) in accordance with the meaning given that term in [section 2246(3) of this title](https://www.law.cornell.edu/uscode/text/18/2246#3);

**(D)** the term “[serious physical pain or suffering](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2003828147-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” shall be applied for purposes of paragraph (1)(B) as meaning bodily injury that involves—

**(i)** a substantial risk of death;

**(ii)** extreme physical pain;

**(iii)** a burn or physical disfigurement of a serious nature (other than cuts, abrasions, or bruises); or

**(iv)** significant loss or impairment of the function of a bodily member, organ, or mental faculty; and

**(E)** the term “serious mental pain or suffering” shall be applied for purposes of paragraph (1)(B) in accordance with the meaning given the term “[severe mental pain or suffering](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-819127189-1720104146&term_occur=999&term_src=title:18:part:I:chapter:118:section:2441)” (as defined in [section 2340(2) of this title](https://www.law.cornell.edu/uscode/text/18/2340#2)), except that—

**(i)** the term “serious” shall replace the term “severe” where it appears; and

**(ii)** as to conduct occurring after the date of the enactment of the [Military Commissions Act of 2006](https://www.law.cornell.edu/topn/military_commissions_act_of_2006), the term “serious and non-transitory mental harm (which need not be prolonged)” shall replace the term “prolonged mental harm” where it appears.

**(3) Inapplicability of certain provisions with respect to collateral damage or incident of lawful attack.—**The intent specified for the conduct stated in subparagraphs (D), (E), and (F) or paragraph (1) precludes the applicability of those subparagraphs to an offense under subsection (a) by reasons of subsection (c)(3) with respect to—

**(A)** collateral damage; or

**(B)** death, damage, or injury incident to a lawful attack.

**(4) Inapplicability of taking hostages to prisoner exchange.—**

Paragraph (1)(I) does not apply to an offense under subsection (a) by reason of subsection (c)(3) in the case of a prisoner exchange during wartime.

**(5) Definition of grave breaches.—**

The definitions in this subsection are intended only to define the grave breaches of common Article 3 and not the full scope of United States obligations under that Article.

(Added [Pub. L. 104–192, § 2(a)](https://www.law.cornell.edu/rio/citation/Pub._L._104-192), Aug. 21, 1996, [110 Stat. 2104](https://www.law.cornell.edu/rio/citation/110_Stat._2104), § 2401; renumbered § 2441, [Pub. L. 104–294, title VI, § 605(p)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3510](https://www.law.cornell.edu/rio/citation/110_Stat._3510); amended [Pub. L. 105–118, title V, § 583](https://www.law.cornell.edu/rio/citation/Pub._L._105-118), Nov. 26, 1997, [111 Stat. 2436](https://www.law.cornell.edu/rio/citation/111_Stat._2436); [Pub. L. 107–273, div. B, title IV, § 4002(e)(7)](https://www.law.cornell.edu/rio/citation/Pub._L._107-273), Nov. 2, 2002, [116 Stat. 1810](https://www.law.cornell.edu/rio/citation/116_Stat._1810); [Pub. L. 109–366, § 6(b)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._109-366), Oct. 17, 2006, [120 Stat. 2633](https://www.law.cornell.edu/rio/citation/120_Stat._2633).).

**18 U.S. Code § 2701 - Unlawful access to stored communications.**

**(a)Offense.—**Except as provided in subsection (c) of this section whoever—

**(1)** intentionally accesses without authorization a facility through which an electronic communication service is provided; or

**(2)** intentionally exceeds an authorization to access that facility;

and thereby obtains, alters, or prevents authorized access to a wire or electronic communication while it is in electronic storage in such system shall be punished as provided in subsection (b) of this section.

**(b) Punishment.—**The punishment for an offense under subsection (a) of this section is—

**(1)** if the offense is committed for purposes of commercial advantage, malicious destruction or damage, or private commercial gain, or in furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States or any State—

**(A)** a fine under this title or imprisonment for not more than 5 years, or both, in the case of a first offense under this subparagraph; and

**(B)** a fine under this title or imprisonment for not more than 10 years, or both, for any subsequent offense under this subparagraph; and

**(2)** in any other case—

**(A)** a fine under this title or imprisonment for not more than 1 year or both, in the case of a first offense under this paragraph; and

**(B)** a fine under this title or imprisonment for not more than 5 years, or both, in the case of an offense under this subparagraph that occurs after a conviction of another offense under this section.

**(c) Exceptions.—**Subsection (a) of this section does not apply with respect to conduct authorized—

**(1)** by the person or entity providing a wire or electronic communications service;

**(2)** by a user of that service with respect to a communication of or intended for that user; or

**(3)** in section [2703](https://www.law.cornell.edu/uscode/text/18/2703), [2704](https://www.law.cornell.edu/uscode/text/18/2704) or [2518](https://www.law.cornell.edu/uscode/text/18/2518) of this title.

(Added [Pub. L. 99–508, title II, § 201[(a)]](https://www.law.cornell.edu/rio/citation/Pub._L._99-508), Oct. 21, 1986, [100 Stat. 1860](https://www.law.cornell.edu/rio/citation/100_Stat._1860); amended [Pub. L. 103–322, title XXXIII, § 330016(1)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._103-322), (U), Sept. 13, 1994, [108 Stat. 2147](https://www.law.cornell.edu/rio/citation/108_Stat._2147), 2148; [Pub. L. 104–294, title VI, § 601(a)(3)](https://www.law.cornell.edu/rio/citation/Pub._L._104-294), Oct. 11, 1996, [110 Stat. 3498](https://www.law.cornell.edu/rio/citation/110_Stat._3498); [Pub. L. 107–296, title XXII, § 2207(j)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._107-296), formerly title II, § 225(j)(2), Nov. 25, 2002, [116 Stat. 2158](https://www.law.cornell.edu/rio/citation/116_Stat._2158), renumbered § 2207(j)(2), [Pub. L. 115–278, § 2(g)(2)(I)](https://www.law.cornell.edu/rio/citation/Pub._L._115-278), Nov. 16, 2018, [132 Stat. 4178](https://www.law.cornell.edu/rio/citation/132_Stat._4178).).

**18 U.S. Code § 2712 - Civil actions against the United States.**

**(a) In General.—**Any person who is aggrieved by any willful violation of this chapter or of [chapter 119 of this title](https://www.law.cornell.edu/uscode/text/18/chapter-119) or of sections 106(a), 305(a), or 405(a) of the [Foreign Intelligence Surveillance Act of 1978](https://www.law.cornell.edu/topn/foreign_intelligence_surveillance_act_of_1978) ([50 U.S.C. 1801](https://www.law.cornell.edu/uscode/text/50/1801) et seq.) may commence an action in United States District Court against the United States to recover money damages. In any such action, if a person who is aggrieved successfully establishes such a violation of this chapter or of chapter 119 of this title or of the above specific provisions of title 50, the Court may assess as damages—

**(1)** actual damages, but not less than $10,000, whichever amount is greater; and

**(2)** litigation costs, reasonably incurred.

**(b) Procedures.—**

**(1)** Any action against the United States under this section may be commenced only after a claim is presented to the appropriate department or agency under the procedures of the [Federal Tort Claims Act](https://www.law.cornell.edu/topn/federal_tort_claims_act), as set forth in title 28, United States Code.

**(2)** Any action against the United States under this section shall be forever barred unless it is presented in writing to the appropriate Federal agency within 2 years after such claim accrues or unless action is begun within 6 months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented. The claim shall accrue on the date upon which the claimant first has a reasonable opportunity to discover the violation.

**(3)** Any action under this section shall be tried to the court without a jury.

**(4)** Notwithstanding any other provision of law, the procedures set forth in section 106(f), 305(g), or 405(f) of the [Foreign Intelligence Surveillance Act of 1978](https://www.law.cornell.edu/topn/foreign_intelligence_surveillance_act_of_1978) ([50 U.S.C. 1801](https://www.law.cornell.edu/uscode/text/50/1801) et seq.) shall be the exclusive means by which materials governed by those sections may be reviewed.

**(5)** An amount equal to any award against the United States under this section shall be reimbursed by the department or agency concerned to the fund described in [section 1304 of title 31](https://www.law.cornell.edu/uscode/text/31/1304), United States Code, out of any appropriation, fund, or other account (excluding any part of such appropriation, fund, or account that is available for the enforcement of any Federal law) that is available for the operating expenses of the department or agency concerned.

**(c) Administrative Discipline.—**

If a court or appropriate department or agency determines that the United States or any of its departments or agencies has violated any provision of this chapter, and the court or appropriate department or agency finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the violation, the department or agency shall, upon receipt of a true and correct copy of the decision and findings of the court or appropriate department or agency promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not warranted, he or she shall notify the Inspector General with jurisdiction over the department or agency concerned and shall provide the Inspector General with the reasons for such determination.

**(d) Exclusive Remedy.—**

Any action against the United States under this subsection shall be the exclusive remedy against the United States for any claims within the purview of this section.

**(e) Stay of Proceedings.—**

**(1)** Upon the motion of the United States, the court shall stay any action commenced under this section if the court determines that civil discovery will adversely affect the ability of the Government to conduct a [related investigation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1477331917-2684922&term_occur=999&term_src=title:18:part:I:chapter:121:section:2712) or the prosecution of a[related criminal case.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-372792728-2684922&term_occur=999&term_src=title:18:part:I:chapter:121:section:2712) Such a stay shall toll the limitations periods of paragraph (2) of subsection (b).

**(2)** In this subsection, the terms “[related criminal case](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-372792728-2684922&term_occur=999&term_src=title:18:part:I:chapter:121:section:2712)” and “[related investigation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1477331917-2684922&term_occur=999&term_src=title:18:part:I:chapter:121:section:2712)” mean an actual prosecution or investigation in progress at the time at which the request for the stay or any subsequent motion to lift the stay is made. In determining whether an investigation or a criminal case is related to an action commenced under this section, the court shall consider the degree of similarity between the parties, witnesses, facts, and circumstances involved in the 2 proceedings, without requiring that any one or more factors be identical.

**(3)** In requesting a stay under paragraph (1), the Government may, in appropriate cases, submit evidence ex parte in order to avoid disclosing any matter that may adversely affect a [related investigation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1477331917-2684922&term_occur=999&term_src=title:18:part:I:chapter:121:section:2712) or a[related criminal case.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-372792728-2684922&term_occur=999&term_src=title:18:part:I:chapter:121:section:2712) If the Government makes such an ex parte submission, the plaintiff shall be given an opportunity to make a submission to the court, not ex parte, and the court may, in its discretion, request further information from either party.

(Added [Pub. L. 107–56, title II, § 223(c)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._107-56), Oct. 26, 2001, [115 Stat. 294](https://www.law.cornell.edu/rio/citation/115_Stat._294).).

**18 U.S. Code § 2708 - Exclusivity of remedies.**

The remedies and sanctions described in this chapter are the only judicial remedies and sanctions for nonconstitutional violations of this chapter.

(Added [Pub. L. 99–508, title II, § 201[(a)]](https://www.law.cornell.edu/rio/citation/Pub._L._99-508), Oct. 21, 1986, [100 Stat. 1867](https://www.law.cornell.edu/rio/citation/100_Stat._1867).).

**18 U.S. Code** **§ 2713. Required preservation and disclosure of communications and records.**

A provider of electronic communication service or [remote computing service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1671210897-1412287154&term_occur=999&term_src=title:18:part:I:chapter:121:section:2713) shall comply with the obligations of this chapter to preserve, backup, or disclose the contents of a wire or electronic communication and any record or other information pertaining to a customer or subscriber within such provider’s possession, custody, or control, regardless of whether such communication, record, or other information is located within or outside of the United States.

(Added [Pub. L. 115–141, div. V, § 103(a)(1)](https://www.law.cornell.edu/rio/citation/Pub._L._115-141), Mar. 23, 2018, [132 Stat. 1214](https://www.law.cornell.edu/rio/citation/132_Stat._1214).).

**18 U.S. Code § 3161 - Time limits and exclusions**

(a) In any case involving a defendant charged with an [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161), the appropriate judicial officer, at the earliest practicable time, shall, after consultation with the counsel for the defendant and the attorney for the Government, set the case for trial on a day certain, or list it for trial on a weekly or other short-term trial calendar at a place within the judicial district, so as to assure a speedy trial.

(b) Any information or indictment charging an individual with the commission of an [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) shall be filed within thirty days from the date on which such individual was arrested or served with a summons in connection with such charges. If an individual has been charged with a felony in a district in which no grand jury has been in session during such thirty-day period, the period of time for filing of the indictment shall be extended an additional thirty days.

(c) (1) In any case in which a plea of not guilty is entered, the trial of a defendant charged in an information or indictment with the commission of an [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) shall commence within seventy days from the filing date (and making public) of the information or indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs. If a defendant consents in writing to be tried before a magistrate judge on a complaint, the trial shall commence within seventy days from the date of such consent.

(2) Unless the defendant consents in writing to the contrary, the trial shall not commence less than thirty days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.

(d) (1)

If any indictment or information is dismissed upon motion of the defendant, or any charge contained in a complaint filed against an individual is dismissed or otherwise dropped, and thereafter a complaint is filed against such defendant or individual charging him with the same [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) or an [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) based on the same conduct or arising from the same criminal episode, or an information or indictment is filed charging such defendant with the same [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) or an [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) based on the same conduct or arising from the same criminal episode, the provisions of subsections (b) and (c) of this section shall be applicable with respect to such subsequent complaint, indictment, or information, as the case may be.

(2) If the defendant is to be tried upon an indictment or information dismissed by a trial court and reinstated following an appeal, the trial shall commence within seventy days from the date the action occasioning the trial becomes final, except that the court retrying the case may extend the period for trial not to exceed one hundred and eighty days from the date the action occasioning the trial becomes final if the unavailability of witnesses or other factors resulting from the passage of time shall make trial within seventy days impractical. The periods of delay enumerated in [section 3161(h)](https://www.law.cornell.edu/uscode/text/18/3161#h) are excluded in computing the time limitations specified in this section. The sanctions of section 3162 apply to this subsection.

(e) If the defendant is to be tried again following a declaration by the trial judge of a mistrial or following an order of such judge for a new trial, the trial shall commence within seventy days from the date the action occasioning the retrial becomes final. If the defendant is to be tried again following an appeal or a collateral attack, the trial shall commence within seventy days from the date the action occasioning the retrial becomes final, except that the court retrying the case may extend the period for retrial not to exceed one hundred and eighty days from the date the action occasioning the retrial becomes final if unavailability of witnesses or other factors resulting from passage of time shall make trial within seventy days impractical. The periods of delay enumerated in [section 3161(h)](https://www.law.cornell.edu/uscode/text/18/3161#h) are excluded in computing the time limitations specified in this section. The sanctions of section 3162 apply to this subsection.

(f) Notwithstanding the provisions of subsection (b) of this section, for the first twelve-calendar-month period following the effective date of this section as set forth in [section 3163(a) of this chapter](https://www.law.cornell.edu/uscode/text/18/3163#a) the time limit imposed with respect to the period between arrest and indictment by subsection (b) of this section shall be sixty days, for the second such twelve-month period such time limit shall be forty-five days and for the third such period such time limit shall be thirty-five days.

(g) Notwithstanding the provisions of subsection (c) of this section, for the first twelve-calendar-month period following the effective date of this section as set forth in [section 3163(b) of this chapter](https://www.law.cornell.edu/uscode/text/18/3163#b), the time limit with respect to the period between arraignment and trial imposed by subsection (c) of this section shall be one hundred and eighty days, for the second such twelve-month period such time limit shall be one hundred and twenty days, and for the third such period such time limit with respect to the period between arraignment and trial shall be eighty days.

(h) The following periods of delay shall be excluded in computing the time within which an information or an indictment must be filed, or in computing the time within which the trial of any such [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) must commence:

(1) Any period of delay resulting from other proceedings concerning the defendant, including but not limited to—

(A) delay resulting from any proceeding, including any examinations, to determine the mental competency or physical capacity of the defendant;

(B) delay resulting from trial with respect to other charges against the defendant;

(C) delay resulting from any interlocutory appeal;

(D) delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion;

(E) delay resulting from any proceeding relating to the transfer of a case or the removal of any defendant from another district under the Federal Rules of Criminal Procedure;

(F) delay resulting from transportation of any defendant from another district, or to and from places of examination or hospitalization, except that any time consumed in excess of ten days from the date an order of removal or an order directing such transportation, and the defendant’s arrival at the destination shall be presumed to be unreasonable;

(G) delay resulting from consideration by the court of a proposed plea agreement to be entered into by the defendant and the attorney for the Government; and

(H) delay reasonably attributable to any period, not to exceed thirty days, during which any proceeding concerning the defendant is actually under advisement by the court.

(2) Any period of delay during which prosecution is deferred by the attorney for the Government pursuant to written agreement with the defendant, with the approval of the court, for the purpose of allowing the defendant to demonstrate his good conduct.

(3) (A) Any period of delay resulting from the absence or unavailability of the defendant or an essential witness.

(B) For purposes of subparagraph (A) of this paragraph, a defendant or an essential witness shall be considered absent when his whereabouts are unknown and, in addition, he is attempting to avoid apprehension or prosecution or his whereabouts cannot be determined by due diligence. For purposes of such subparagraph, a defendant or an essential witness shall be considered unavailable whenever his whereabouts are known but his presence for trial cannot be obtained by due diligence or he resists appearing at or being returned for trial.

(4) Any period of delay resulting from the fact that the defendant is mentally incompetent or physically unable to stand trial.

(5) If the information or indictment is dismissed upon motion of the attorney for the Government and thereafter a charge is filed against the defendant for the same [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161), or any [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) required to be joined with that [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161), any period of delay from the date the charge was dismissed to the date the time limitation would commence to run as to the subsequent charge had there been no previous charge.

(6) A reasonable period of delay when the defendant is joined for trial with a codefendant as to whom the time for trial has not run and no motion for severance has been granted.

(7) (A) Any period of delay resulting from a continuance granted by any judge on his own motion or at the request of the defendant or his counsel or at the request of the attorney for the Government, if the judge granted such continuance on the basis of his findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. No such period of delay resulting from a continuance granted by the court in accordance with this paragraph shall be excludable under this subsection unless the court sets forth, in the record of the case, either orally or in writing, its reasons for finding that the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial.

(B) The factors, among others, which a judge shall consider in determining whether to grant a continuance under subparagraph (A) of this paragraph in any case are as follows:

(i) Whether the failure to grant such a continuance in the proceeding would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice.

(ii) Whether the case is so unusual or so complex, due to the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section.

(iii) Whether, in a case in which arrest precedes indictment, delay in the filing of the indictment is caused because the arrest occurs at a time such that it is unreasonable to expect return and filing of the indictment within the period specified in section 3161(b), or because the facts upon which the grand jury must base its determination are unusual or complex.

(iv) Whether the failure to grant such a continuance in a case which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), would deny the defendant reasonable time to obtain counsel, would unreasonably deny the defendant or the Government continuity of counsel, or would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

(C) No continuance under subparagraph (A) of this paragraph shall be granted because of general congestion of the court’s calendar, or lack of diligent preparation or failure to obtain available witnesses on the part of the attorney for the Government.

(8) Any period of delay, not to exceed one year, ordered by a district court upon an application of a party and a finding by a preponderance of the evidence that an official request, as defined in [section 3292 of this title](https://www.law.cornell.edu/uscode/text/18/3292), has been made for evidence of any such[offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161)and that it reasonably appears, or reasonably appeared at the time the request was made, that such evidence is, or was, in such foreign country.

(i) If trial did not commence within the time limitation specified in section 3161 because the defendant had entered a plea of guilty or nolo contendere subsequently withdrawn to any or all charges in an indictment or information, the defendant shall be deemed indicted with respect to all charges therein contained within the meaning of section 3161, on the day the order permitting withdrawal of the plea becomes final.

(j) (1)If the attorney for the Government knows that a person charged with an [offense](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-1548815702-1389019422&term_occur=999&term_src=title:18:part:II:chapter:208:section:3161) is serving a term of imprisonment in any penal institution, he shall promptly—

(A) undertake to obtain the presence of the prisoner for trial; or

(B) cause a detainer to be filed with the person having custody of the prisoner and request him to so advise the prisoner and to advise the prisoner of his right to demand trial.

(2) If the person having custody of such prisoner receives a detainer, he shall promptly advise the prisoner of the charge and of the prisoner’s right to demand trial. If at any time thereafter the prisoner informs the person having custody that he does demand trial, such person shall cause notice to that effect to be sent promptly to the attorney for the Government who caused the detainer to be filed.

(3) Upon receipt of such notice, the attorney for the Government shall promptly seek to obtain the presence of the prisoner for trial.

(4) When the person having custody of the prisoner receives from the attorney for the Government a properly supported request for temporary custody of such prisoner for trial, the prisoner shall be made available to that attorney for the Government (subject, in cases of interjurisdictional transfer, to any right of the prisoner to contest the legality of his delivery).

(k) (1) If the defendant is absent (as defined by subsection (h)(3)) on the day set for trial, and the defendant’s subsequent appearance before the court on a bench warrant or other process or surrender to the court occurs more than 21 days after the day set for trial, the defendant shall be deemed to have first appeared before a judicial officer of the court in which the information or indictment is pending within the meaning of subsection (c) on the date of the defendant’s subsequent appearance before the court.

(2) If the defendant is absent (as defined by subsection (h)(3)) on the day set for trial, and the defendant’s subsequent appearance before the court on a bench warrant or other process or surrender to the court occurs not more than 21 days after the day set for trial, the time limit required by subsection (c), as extended by subsection (h), shall be further extended by 21 days.

(Added [Pub. L. 93–619, title I, § 101](https://www.law.cornell.edu/rio/citation/Pub._L._93-619), Jan. 3, 1975, [88 Stat. 2076](https://www.law.cornell.edu/rio/citation/88_Stat._2076); amended [Pub. L. 96–43](https://www.law.cornell.edu/rio/citation/Pub._L._96-43), §§ 2–5, Aug. 2, 1979, [93 Stat. 327](https://www.law.cornell.edu/rio/citation/93_Stat._327), 328; [Pub. L. 98–473, title II, § 1219](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 2167](https://www.law.cornell.edu/rio/citation/98_Stat._2167); [Pub. L. 100–690, title VI, § 6476](https://www.law.cornell.edu/rio/citation/Pub._L._100-690), Nov. 18, 1988, [102 Stat. 4380](https://www.law.cornell.edu/rio/citation/102_Stat._4380); [Pub. L. 101–650, title III, § 321](https://www.law.cornell.edu/rio/citation/Pub._L._101-650), Dec. 1, 1990, [104 Stat. 5117](https://www.law.cornell.edu/rio/citation/104_Stat._5117); [Pub. L. 110–406, § 13](https://www.law.cornell.edu/rio/citation/Pub._L._110-406), Oct. 13, 2008, [122 Stat. 4294](https://www.law.cornell.edu/rio/citation/122_Stat._4294).)

**18 U.S. Code § 3571 - Sentence of fine.**

**(a) In General.—**

A defendant who has been found guilty of an offense may be sentenced to pay a fine.

**(b) Fines for Individuals.—**Except as provided in subsection (e) of this section, an individual who has been found guilty of an offense may be fined not more than the greatest of—

**(1)** the amount specified in the law setting forth the offense;

**(2)** the applicable amount under subsection (d) of this section;

**(3)** for a felony, not more than $250,000;

**(4)** for a misdemeanor resulting in death, not more than $250,000;

**(5)** for a Class A misdemeanor that does not result in death, not more than $100,000;

**(6)** for a Class B or C misdemeanor that does not result in death, not more than $5,000; or

**(7)** for an infraction, not more than $5,000.

**(c) Fines for Organizations.—**Except as provided in subsection (e) of this section, an organization that has been found guilty of an offense may be fined not more than the greatest of—

**(1)** the amount specified in the law setting forth the offense;

**(2)** the applicable amount under subsection (d) of this section;

**(3)** for a felony, not more than $500,000;

**(4)** for a misdemeanor resulting in death, not more than $500,000;

**(5)** for a Class A misdemeanor that does not result in death, not more than $200,000;

**(6)** for a Class B or C misdemeanor that does not result in death, not more than $10,000; and

**(7)** for an infraction, not more than $10,000.

**(d) Alternative Fine Based on Gain or Loss.—**

If any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this subsection would unduly complicate or prolong the sentencing process.

**(e) Special Rule for Lower Fine Specified in Substantive Provision.—**

If a law setting forth an offense specifies no fine or a fine that is lower than the fine otherwise applicable under this section and such law, by specific reference, exempts the offense from the applicability of the fine otherwise applicable under this section, the defendant may not be fined more than the amount specified in the law setting forth the offense.

(Added [Pub. L. 98–473, title II, § 212(a)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._98-473), Oct. 12, 1984, [98 Stat. 1995](https://www.law.cornell.edu/rio/citation/98_Stat._1995); amended [Pub. L. 100–185, § 6](https://www.law.cornell.edu/rio/citation/Pub._L._100-185), Dec. 11, 1987, [101 Stat. 1280](https://www.law.cornell.edu/rio/citation/101_Stat._1280).).

**18 U.S. Code § 3771 - Crime victims’ rights.**

**(a) Rights of Crime Victims.—**A [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) has the following rights:

**(1)** The right to be reasonably protected from the accused.

**(2)** The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.

**(3)** The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.

**(4)** The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.

**(5)** The reasonable right to confer with the attorney for the Government in the case.

**(6)** The right to full and timely restitution as provided in law.

**(7)** The right to proceedings free from unreasonable delay.

**(8)** The right to be treated with fairness and with respect for the victim’s dignity and privacy.

**(9)** The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.

**(10)** The right to be informed of the rights under this section and the services described in section 503(c) of the Victims’ Rights and Restitution Act of 1990 ([42 U.S.C. 10607(c)](https://www.law.cornell.edu/uscode/text/42/10607#c)) [[1]](https://www.law.cornell.edu/uscode/text/18/3771" \l "fn002275) and provided contact information for the Office of the Victims’ Rights Ombudsman of the Department of Justice.

**(b) Rights Afforded.—**

**(1) In general.—**

In any court proceeding involving an offense against a [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771), the court shall ensure that the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) is afforded the rights described in subsection (a). Before making a determination described in subsection (a)(3), the court shall make every effort to permit the fullest attendance possible by the victim and shall consider reasonable alternatives to the exclusion of the victim from the criminal proceeding. The reasons for any decision denying relief under this chapter shall be clearly stated on the record.

**(2) Habeas corpus proceedings.—**

**(A)** In general.—

In a Federal habeas corpus proceeding arising out of a State conviction, the court shall ensure that a [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) is afforded the rights described in paragraphs (3), (4), (7), and (8) of subsection (a).

**(B)** Enforcement.—

**(i)** In general.—

These rights may be enforced by the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) or the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)’s lawful representative in the manner described in paragraphs (1) and (3) of subsection (d).

**(ii)** Multiple victims.—

In a case involving multiple victims, subsection (d)(2) shall also apply.

**(C)** Limitation.—

This paragraph relates to the duties of a court in relation to the rights of a [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) in Federal habeas corpus proceedings arising out of a State conviction, and does not give rise to any obligation or requirement applicable to personnel of any agency of the Executive Branch of the Federal Government.

**(D)** Definition.—

For purposes of this paragraph, the term “[crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)” means the person against whom the State offense is committed or, if that person is killed or incapacitated, that person’s family member or other lawful representative.

**(c) Best Efforts To Accord Rights.—**

**(1) Government.—**

Officers and employees of the Department of Justice and other departments and agencies of the United States engaged in the detection, investigation, or prosecution of crime shall make their best efforts to see that[crime victims](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)are notified of, and accorded, the rights described in subsection (a).

**(2) Advice of attorney.—**

The prosecutor shall advise the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) that the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) can seek the advice of an attorney with respect to the rights described in subsection (a).

**(3) Notice.—**

Notice of release otherwise required pursuant to this chapter shall not be given if such notice may endanger the safety of any person.

**(d) Enforcement and Limitations.—**

**(1) Rights.—**

The [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) or the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)’s lawful representative, and the attorney for the Government may assert the rights described in subsection (a). A person accused of the crime may not obtain any form of relief under this chapter.

**(2) Multiple crime victims.—**

In a case where the court finds that the number of [crime victims](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) makes it impracticable to accord all of the [crime victims](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) the rights described in subsection (a), the court shall fashion a reasonable procedure to give effect to this chapter that does not unduly complicate or prolong the proceedings.

**(3) Motion for relief and writ of mandamus.—**

The rights described in subsection (a) shall be asserted in the district court in which a defendant is being prosecuted for the crime or, if no prosecution is underway, in the district court in the district in which the crime occurred. The district court shall take up and decide any motion asserting a victim’s right forthwith. If the district court denies the relief sought, the movant may petition the [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) for a writ of mandamus. The [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) may issue the writ on the order of a single judge pursuant to circuit rule or the Federal Rules of Appellate Procedure. The [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) shall take up and decide such application forthwith within 72 hours after the petition has been filed, unless the litigants, with the approval of the court, have stipulated to a different time period for consideration. In deciding such application, the [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) shall apply ordinary standards of appellate review. In no event shall proceedings be stayed or subject to a continuance of more than five days for purposes of enforcing this chapter. If the [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) denies the relief sought, the reasons for the denial shall be clearly stated on the record in a written opinion.

**(4) Error.—**

In any appeal in a criminal case, the Government may assert as error the district court’s denial of any [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)’s right in the proceeding to which the appeal relates.

**(5) Limitation on relief.—**In no case shall a failure to afford a right under this chapter provide grounds for a new trial. A victim may make a motion to re-open a plea or sentence only if—

**(A)** the victim has asserted the right to be heard before or during the proceeding at issue and such right was denied;

**(B)** the victim petitions the [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) for a writ of mandamus within 14 days; and

**(C)** in the case of a plea, the accused has not pled to the highest offense charged.

This paragraph does not affect the victim’s right to restitution as provided in title 18, United States Code.

**(6) No cause of action.—**

Nothing in this chapter shall be construed to authorize a cause of action for damages or to create, to enlarge, or to imply any duty or obligation to any victim or other person for the breach of which the United States or any of its officers or employees could be held liable in damages. Nothing in this chapter shall be construed to impair the prosecutorial discretion of the Attorney General or any officer under his direction.

**(e) Definitions.—**For the purposes of this chapter:

**(1) Court of appeals.—**The term “[court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)” means—

**(A)** the United States [court of appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) for the judicial district in which a defendant is being prosecuted; or

**(B)** for a prosecution in the Superior Court of the District of Columbia, the District of Columbia [Court of Appeals](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-2024933072-1916346641&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771).

**(2) Crime victim.—**

**(A)** In general.—

The term “[crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)” means a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia.

**(B)** Minors and certain other victims.—

In the case of a [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) or the representatives of the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)’s estate, family members, or any other persons appointed as suitable by the court, may assume the [crime victim](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)’s rights under this chapter, but in no event shall the defendant be named as such guardian or representative.

**(3) District court; court.—**

The terms “district court” and “court” include the Superior Court of the District of Columbia.

**(f) Procedures To Promote Compliance.—**

**(1) Regulations.—**

Not later than 1 year after the date of enactment of this chapter, the Attorney General of the United States shall promulgate regulations to enforce the rights of [crime victims](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) and to ensure compliance by responsible officials with the obligations described in law respecting [crime victims](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771).

**(2) Contents.—**The regulations promulgated under paragraph (1) shall—

**(A)** designate an administrative authority within the Department of Justice to receive and investigate complaints relating to the provision or violation of the rights of a[crime victim;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)

**(B)** require a course of training for employees and offices of the Department of Justice that fail to comply with provisions of Federal law pertaining to the treatment of[crime victims,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) and otherwise assist such employees and offices in responding more effectively to the needs of[crime victims;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771)

**(C)** contain disciplinary sanctions, including suspension or termination from employment, for employees of the Department of Justice who willfully or wantonly fail to comply with provisions of Federal law pertaining to the treatment of[crime victims;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-45977974-1916343759&term_occur=999&term_src=title:18:part:II:chapter:237:section:3771) and

**(D)** provide that the Attorney General, or the designee of the Attorney General, shall be the final arbiter of the complaint, and that there shall be no judicial review of the final decision of the Attorney General by a complainant.

(Added [Pub. L. 108–405, title I, § 102(a)](https://www.law.cornell.edu/rio/citation/Pub._L._108-405), Oct. 30, 2004, [118 Stat. 2261](https://www.law.cornell.edu/rio/citation/118_Stat._2261); amended [Pub. L. 109–248, title II, § 212](https://www.law.cornell.edu/rio/citation/Pub._L._109-248), July 27, 2006, [120 Stat. 616](https://www.law.cornell.edu/rio/citation/120_Stat._616); [Pub. L. 111–16, § 3(12)](https://www.law.cornell.edu/rio/citation/Pub._L._111-16), May 7, 2009, [123 Stat. 1608](https://www.law.cornell.edu/rio/citation/123_Stat._1608); [Pub. L. 114–22, title I, § 113(a)](https://www.law.cornell.edu/rio/citation/Pub._L._114-22), (c)(1), May 29, 2015, [129 Stat. 240](https://www.law.cornell.edu/rio/citation/129_Stat._240), 241.).

**26 U.S. Code 7701 (a), (31). Definitions.**

(31) Foreign estate or trust

(A) Foreign estate

The term “[foreign estate](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1620659224-1199109668&term_occur=999&term_src=title:26:subtitle:F:chapter:79:section:7701)” means an estate the income of which, from sources without the[United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-454322949&term_occur=999&term_src=)which is not effectively connected with the conduct of a [trade or business](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-223729503-1199109694&term_occur=999&term_src=title:26:subtitle:F:chapter:79:section:7701) within the[United States,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-454322949&term_occur=999&term_src=) is not includible in gross income under subtitle A.

(B) Foreign trust

The term “[foreign trust](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1596464116-1199109668&term_occur=999&term_src=title:26:subtitle:F:chapter:79:section:7701)” means any trust other than a trust described in subparagraph (E) of paragraph (30).

28 U.S. Code § 1361 - Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff. (Added [Pub. L. 87–748, § 1(a)](https://www.law.cornell.edu/rio/citation/Pub._L._87-748), Oct. 5, 1962, [76 Stat. 744](https://www.law.cornell.edu/rio/citation/76_Stat._744).)

**28 U.S. Code § 2007 - Imprisonment for debt**

**(a)** A person shall not be imprisoned for debt on a writ of execution or other process issued from a court of the United States in any State wherein imprisonment for debt has been abolished. All modifications, conditions, and restrictions upon such imprisonment provided by State law shall apply to any writ of execution or process issued from a court of the United States in accordance with the procedure applicable in such State.

**(b)** Any person arrested or imprisoned in any State on a writ of execution or other process issued from any court of the United States in a civil action shall have the same jail privileges and be governed by the same regulations as persons confined in like cases on process issued from the courts of such State. The same requirements governing discharge as are applicable in such State shall apply. Any proceedings for discharge shall be conducted before a United States magistrate judge for the judicial district wherein the defendant is held. (June 25, 1948, ch. 646, [62 Stat. 960](https://www.law.cornell.edu/rio/citation/62_Stat._960); [Pub. L. 90–578, title IV, § 402(b)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._90-578), Oct. 17, 1968, [82 Stat. 1118](https://www.law.cornell.edu/rio/citation/82_Stat._1118); [Pub. L. 101–650, title III, § 321](https://www.law.cornell.edu/rio/citation/Pub._L._101-650), Dec. 1, 1990, [104 Stat. 5117](https://www.law.cornell.edu/rio/citation/104_Stat._5117).)

**31 U.S. Code § 5118 - Gold clauses and consent to sue.**

(a) In this section—

(1) “[gold clause](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1082607919-1578753925&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118)” means a provision in or related to an[obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=)alleging to give the obligee a right to require payment in—

(A) gold;

(B) a particular United States coin or currency; or

(C) United States money measured in gold or a particular United States coin or currency.

(2) “[public debt obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1774356620-1578753924&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118)” means a domestic[obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=)issued or guaranteed by the United States Government to repay money or interest.

(b) The United States Government may not pay out any gold coin. A person lawfully holding United States coins and currency may present the coins and currency to the Secretary of the Treasury for exchange (dollar for dollar) for other United States coins and currency (other than gold and silver coins) that may be lawfully held. The Secretary shall make the exchange under regulations prescribed by the Secretary.

(c) (1) The Government withdraws its consent given to anyone to assert against the Government, its agencies, or its officers, employees, or agents, a claim—

(A) on a [gold clause](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1082607919-1578753925&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118) [public debt obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1774356620-1578753924&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118) or interest on the[obligation;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118)

(B) for United States coins or currency; or

(C) arising out of the surrender, requisition, seizure, or acquisition of United States coins or currency, gold, or silver involving the effect or validity of a change in the metallic content of the dollar or in a regulation about the value of money.

(2) Paragraph (1) of this subsection does not apply to a proceeding in which no claim is made for payment or credit in an amount greater than the face or nominal value in dollars of [public debt obligations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1774356620-1578753924&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118) or United States coins or currency involved in the proceeding.

(3) Except when consent is not withdrawn under this subsection, an amount appropriated for payment on [public debt obligations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1774356620-1578753924&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118) and for United States coins and currency may be expended only dollar for dollar.

(d) (1) In this subsection, “[obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=)” means any [obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=) (except United States currency) payable in United States money.

(2) An [obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=) issued containing a [gold clause](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1082607919-1578753925&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118) or governed by a [gold clause](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-1082607919-1578753925&term_occur=999&term_src=title:31:subtitle:IV:chapter:51:subchapter:II:section:5118) is discharged on payment (dollar for dollar) in United States coin or currency that is legal tender at the time of payment. This paragraph does not apply to an[obligation](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-389535362-1578751042&term_occur=999&term_src=)issued after October 27, 1977.

**42 U.S. Code § 408 – Penalties**

(a) In generalWhoever—

(1) for the purpose of causing an increase in any payment authorized to be made under this subchapter, or for the purpose of causing any payment to be made where no payment is authorized under this subchapter, shall make or cause to be made any false statement or representation (including any false statement or representation in connection with any matter arising under subchapter E of chapter 1, or subchapter A or E of chapter 9 of the [Internal Revenue Code of 1939](https://www.law.cornell.edu/topn/irc), or chapter 2 or 21 or subtitle F of the [Internal Revenue Code of 1954](https://www.law.cornell.edu/topn/internal_revenue_code_of_1954)) as to—

(A) whether [wages](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-112890955-1344245870&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) were paid or received for [employment](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-168272876-937171392&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) (as said terms are defined in this subchapter and the [Internal Revenue Code](https://www.law.cornell.edu/topn/irc)), or the amount of[wages](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-112890955-1344245870&term_occur=999&term_src=)or the period during which paid or the[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=)to whom paid; or

(B) whether [net earnings from self-employment](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1675121557-1344267969&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) (as such term is defined in this subchapter and in the [Internal Revenue Code](https://www.law.cornell.edu/topn/irc)) were derived, or as to the amount of such net earnings or the period during which or the[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=)by whom derived; or

(C) whether a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) entitled to benefits under this subchapter had earnings in or for a particular period (as determined under [section 403(f) of this title](https://www.law.cornell.edu/uscode/text/42/403#f) for purposes of deductions from benefits), or as to the amount thereof; or

(2) makes or causes to be made any false statement or representation of a material fact in any application for any payment or for a [disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1621453604-913156964&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) determination under this subchapter; or

(3) at any time makes or causes to be made any false statement or representation of a material fact for use in determining rights to payment under this subchapter; or

(4) having knowledge of the occurrence of any event affecting (1) his initial or continued right to any payment under this subchapter, or (2) the initial or continued right to any payment of any other individual in whose behalf he has applied for or is receiving such payment, conceals or fails to disclose such event with an intent fraudulently to secure payment either in a greater amount than is due or when no payment is authorized; or

(5) having made application to receive payment under this subchapter for the use and benefit of another and having received such a payment, knowingly and willfully converts such a payment, or any part thereof, to a use other than for the use and benefit of such other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408); or

(6) willfully, knowingly, and with intent to deceive the Commissioner of Social Security as to his true identity (or the true identity of any other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408)) furnishes or causes to be furnished false information to the Commissioner of Social Security with respect to any information required by the Commissioner of Social Security in connection with the establishment and maintenance of the records provided for in [section 405(c)(2) of this title](https://www.law.cornell.edu/uscode/text/42/405#c_2); or

(7) for the purpose of causing an increase in any payment authorized under this subchapter (or any other program financed in whole or in part from Federal funds), or for the purpose of causing a payment under this subchapter (or any such other program) to be made when no payment is authorized thereunder, or for the purpose of obtaining (for himself or any other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408)) any payment or any other benefit to which he (or such other [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408)) is not entitled, or for the purpose of obtaining anything of value from any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408), or for any other purpose—

(A) willfully, knowingly, and with intent to deceive, uses a [social security account number](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1206025783-1344244908&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408), assigned by the Commissioner of Social Security (in the exercise of the Commissioner’s authority under [section 405(c)(2) of this title](https://www.law.cornell.edu/uscode/text/42/405#c_2) to establish and maintain records) on the basis of false information furnished to the Commissioner of Social Security by him or by any other[person;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) or

(B) with intent to deceive, falsely represents a number to be the [social security account number](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1206025783-1344244908&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) assigned by the Commissioner of Social Security to him or to another[person,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=) when in fact such number is not the [social security account number](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1206025783-1344244908&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) assigned by the Commissioner of Social Security to him or to such other[person;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) or

(C) knowingly alters a social security card issued by the Commissioner of Social Security, buys or sells a card that is, or purports to be, a card so issued, counterfeits a social security card, or possesses a social security card or counterfeit social security card with intent to sell or alter it;

(8) discloses, uses, or compels the disclosure of the [social security number](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-360809098-1344244908&term_occur=999&term_src=) of any[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=)in violation of the laws of the[United States;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-2032517217-1344267016&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) or

(9) conspires to commit any offense described in any of paragraphs (1) through (4),

shall be guilty of a felony and upon conviction thereof shall be fined under title 18 or imprisoned for not more than five years, or both, except that in the case of a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) who receives a fee or other income for services performed in connection with any determination with respect to benefits under this subchapter (including a claimant representative, translator, or current or former [employee](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1193469614-1344267017&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=)shall be guilty of a felony and upon conviction thereof shall be fined under title 18, or imprisoned for not more than ten years, or both.

(b) Restitution

(1) Any Federal court, when sentencing a defendant convicted of an offense under subsection (a), may order, in addition to or in lieu of any other penalty authorized by law, that the defendant make restitution to the victims of such offense specified in paragraph (4).

(2) Sections 3612, 3663, and 3664 of title 18 shall apply with respect to the issuance and enforcement of orders of restitution to victims of such offense under this subsection.

(3) If the court does not order restitution, or orders only partial restitution, under this subsection, the court shall [state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-80204913-1344267015&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) on the record the reasons therefor.

(4) For purposes of paragraphs (1) and (2), the victims of an offense under subsection (a) are the following:

(A) Any individual who suffers a financial loss as a result of the defendant’s violation of subsection (a).

(B) The Commissioner of Social Security, to the extent that the defendant’s violation of subsection (a) results in—

(i) the Commissioner of Social Security making a benefit payment that should not have been made; or

(ii) an individual suffering a financial loss due to the defendant’s violation of subsection (a) in his or her capacity as the individual’s representative payee appointed pursuant to [section 405(j) of this title](https://www.law.cornell.edu/uscode/text/42/405#j).

(5) (A) Except as provided in subparagraph (B), funds paid to the Commissioner of Social Security as restitution pursuant to a court order shall be deposited in the Federal Old-Age and Survivors Insurance Trust Fund, or the Federal [Disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1621453604-913156964&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) Insurance Trust Fund, as appropriate.

(B) In the case of funds paid to the Commissioner of Social Security pursuant to paragraph (4)(B)(ii), the Commissioner of Social Security shall certify for payment to the individual described in such paragraph an amount equal to the lesser of the amount of the funds so paid or the individual’s outstanding financial loss, except that such amount may be reduced by the amount of any overpayments of benefits owed under this subchapter, subchapter VIII, or subchapter XVI by the individual.

(c) Violations by certified payees

Any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) or other entity who is convicted of a violation of any of the provisions of this section, if such violation is committed by such [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408) or entity in his role as, or in applying to become, a certified payee under [section 405(j) of this title](https://www.law.cornell.edu/uscode/text/42/405#j) on behalf of another individual (other than such[person’](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-991716523-1615532605&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408)s[spouse)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-895757675-939018435&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408), upon his second or any subsequent such conviction shall, in lieu of the penalty set forth in the preceding provisions of this section, be guilty of a felony and shall be fined under title 18 or imprisoned for not more than five years, or both.

(d) Effect upon certification as payee; definitions

Any individual or entity convicted of a felony under this section or under [section 1383a(b)](https://www.law.cornell.edu/uscode/text/42/1383a#b) [[1]](https://www.law.cornell.edu/uscode/text/42/408" \l "fn002548) of this title may not be certified as a payee under [section 405(j) of this title](https://www.law.cornell.edu/uscode/text/42/405#j). For the purpose of subsection (a)(7), the terms [“social security number”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-360809098-1344244908&term_occur=999&term_src=) and [“social security account number”](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-1206025783-1344244908&term_occur=999&term_src=) mean such numbers as are assigned by the Commissioner of Social Security under [section 405(c)(2) of this title](https://www.law.cornell.edu/uscode/text/42/405#c_2) whether or not, in actual use, such numbers are called[social security numbers.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=42-USC-360809098-1344244908&term_occur=999&term_src=title:42:chapter:7:subchapter:II:section:408)

(e) Application of subsection (a)(6) and (7) to certain aliens

(1) Except as provided in paragraph (2), an alien—

(A) whose status is adjusted to that of lawful temporary resident under section 1160 or 1255a of title 8 or under section 902 of the [Foreign Relations Authorization Act, Fiscal Years 1988 and 1989](https://www.law.cornell.edu/topn/foreign_relations_authorization_act_fiscal_years_1988_and_1989),

(B) whose status is adjusted to that of permanent resident—

(i) under section 202 of the [Immigration Reform and Control Act of 1986](https://www.law.cornell.edu/topn/immigration_reform_and_control_act_of_1986), or

(ii) pursuant to [section 1259 of title 8](https://www.law.cornell.edu/uscode/text/8/1259), or

(C) who is granted special immigrant status under [section 1101(a)(27)(I) of title 8](https://www.law.cornell.edu/uscode/text/8/1101#a_27_I),

shall not be subject to prosecution for any alleged conduct described in paragraph (6) or (7) of subsection (a) if such conduct is alleged to have occurred prior to 60 days after November 5, 1990.

(2) Paragraph (1) shall not apply with respect to conduct (described in subsection (a) (7) (C)) consisting of—

(A) selling a card that is, or purports to be, a social security card issued by the Commissioner of Social Security,

(B) possessing a social security card with intent to sell it, or

(C) counterfeiting a social security card with intent to sell it.

(3) Paragraph (1) shall not apply with respect to any criminal conduct involving both the conduct described in subsection (a)(7) to which paragraph (1) applies and any other criminal conduct if such other conduct would be criminal conduct if the conduct described in subsection (a)(7) were not committed.

**42 U.S. Code § 1983 - Civil action for deprivation of rights.**

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer’s judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

**42 U.S.C. § 1986 : US Code - Section 1986: Action for neglect to prevent:**  
Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding $5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.