

be used within that foreign country in a lottery which is authorized by the law of that foreign country.

(c) For the purposes of this section (1) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States; and (2) "foreign country" means any empire, country, dominion, colony, or protectorate, or any subdivision thereof (other than the United States, its territories or possessions).

(d) For the purposes of subsection (b) of this section "lottery" means the pooling of proceeds derived from the sale of tickets or chances and allotting those proceeds or parts thereof by chance to one or more chance takers or ticket purchasers. "Lottery" does not include the placing or accepting of bets or wagers on sporting events or contests. For purposes of this section, the term a "not-for-profit organization" means any organization that would qualify as tax exempt under section 501 of the Internal Revenue Code of 1986.

(Added Pub. L. 93-583, §1, Jan. 2, 1975, 88 Stat. 1916; amended Pub. L. 94-525, §1, Oct. 17, 1976, 90 Stat. 2478; Pub. L. 96-90, §1, Oct. 23, 1979, 93 Stat. 698; Pub. L. 100-625, §§2(a), (b), 3(a)(1), (3), Nov. 7, 1988, 102 Stat. 3205, 3206.)

REFERENCES IN TEXT

Section 501 of the Internal Revenue Code of 1986, referred to in subsec. (d), is classified to section 501 of Title 26, Internal Revenue Code.

AMENDMENTS

1988—Pub. L. 100-625, §3(a)(1), substituted "Exceptions relating to certain advertisements and other information and to State-conducted lotteries" for "State-conducted lotteries" in section catchline.

Subsec. (a). Pub. L. 100-625, §2(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "The provisions of sections 1301, 1302, 1303, and 1304 shall not apply to an advertisement, list of prizes, or information concerning a lottery conducted by a State acting under the authority of State law—

"(1) contained in a newspaper published in that State or in an adjacent State which conducts such a lottery, or

"(2) broadcast by a radio or television station licensed to a location in that State or an adjacent State which conducts such a lottery."

Subsec. (d). Pub. L. 100-625, §2(b), 3(a)(3), inserted "subsection (b) of" after "purposes of" and inserted at end "For purposes of this section, the term a 'not-for-profit organization' means any organization that would qualify as tax exempt under section 501 of the Internal Revenue Code of 1986."

1979—Subsec. (b). Pub. L. 96-90, §1(a), incorporated existing provision in text designated cl. (1), included mailing of equipment, and added cl. (2).

Subsec. (c). Pub. L. 96-90, §1(b), designated existing text as cl. (1) and added cl. (2).

1976—Subsec. (a)(1). Pub. L. 94-525 inserted "or in an adjacent State which conducts such a lottery" after "State".

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-625 effective 18 months after Nov. 7, 1988, see section 5 of Pub. L. 100-625, set out as a note under section 1304 of this title.

SEVERABILITY

Pub. L. 100-625, §4, Nov. 7, 1988, 102 Stat. 3206, provided that: "If any provision of this Act or the amend-

ments made by this Act [amending sections 1304 and 1307 of this title and section 3005 of Title 39, Postal Service, and enacting provisions set out as notes under sections 1301 and 1304 of this title], or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act and the amendments made by this Act, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation."

CHAPTER 63—MAIL FRAUD AND OTHER FRAUD OFFENSES

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| Sec. | |
| 1341. | Frauds and swindles. |
| 1342. | Fictitious name or address. |
| 1343. | Fraud by wire, radio, or television. |
| 1344. | Bank fraud. |
| 1345. | Injunctions against fraud. |
| 1346. | Definition of "scheme or artifice to defraud". |
| 1347. | Health care fraud. |
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| 1349. | Attempt and conspiracy. |
| 1350. | Failure of corporate officers to certify financial reports. |
| 1351. | Fraud in foreign labor contracting. |

AMENDMENTS

2009—Pub. L. 111-21, §2(e)(2), May 20, 2009, 123 Stat. 1618, inserted "and commodities" after "Securities" in item 1348.

2008—Pub. L. 110-457, title II, §222(e)(1), (3), Dec. 23, 2008, 122 Stat. 5070, 5071, inserted "AND OTHER FRAUD OFFENSES" after "MAIL FRAUD" in chapter heading and added item 1351.

2002—Pub. L. 107-204, title VIII, §807(b), title IX, §902(b), 906(b), July 30, 2002, 116 Stat. 804-806, added items 1348 to 1350.

1996—Pub. L. 104-191, title II, §242(a)(2), Aug. 21, 1996, 110 Stat. 2016, added item 1347.

1990—Pub. L. 101-647, title XXXV, §3541, Nov. 29, 1990, 104 Stat. 4925, substituted "or" for "and" in item 1342.

1988—Pub. L. 100-690, title VII, §7603(b), Nov. 18, 1988, 102 Stat. 4508, added item 1346.

1984—Pub. L. 98-473, title II, §§1108(b), 1205(b), Oct. 12, 1984, 98 Stat. 2147, 2153, added items 1344 and 1345.

1952—Act July 16, 1952, ch. 879, §18(b), 66 Stat. 722, added item 1343.

§ 1341. Frauds and swindles

Whoever, having devised or intending to devise any scheme or artifice to defraud, 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,