

and other securities of the United States, any similar paper adapted to the making of any such obligation or other security, except under the authority of the Secretary of the Treasury, is guilty of a class B felony.

(b) Whoever has in his control or possession, after a distinctive counterfeit deterrent has been adopted by the Secretary of the Treasury for the obligations and other securities of the United States by publication in the Federal Register, any essentially identical feature or device adapted to the making of any such obligation or security, except under the authority of the Secretary of the Treasury, is guilty of a class B felony.

(c) As used in this section—

(1) the term “distinctive paper” includes any distinctive medium of which currency is made, whether of wood pulp, rag, plastic substrate, or other natural or artificial fibers or materials; and

(2) the term “distinctive counterfeit deterrent” includes any ink, watermark, seal, security thread, optically variable device, or other feature or device;

(A) in which the United States has an exclusive property interest; or

(B) which is not otherwise in commercial use or in the public domain and which the Secretary designates as being necessary in preventing the counterfeiting of obligations or other securities of the United States.

(Added Pub. L. 102-550, title XV, § 1553(a), Oct. 28, 1992, 106 Stat. 4070; amended Pub. L. 104-208, div. A, title I, § 101(f) [title VI, § 648(a)], title II, § 2603(a), Sept. 30, 1996, 110 Stat. 3009-314, 3009-367, 3009-470.)

#### AMENDMENTS

1996—Subsecs. (a), (b). Pub. L. 104-208, §§ 101(f) [title VI, § 648(a)] and 2603(a), amended section identically, substituting “class B felony” for “class C felony”.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-208 effective Sept. 30, 1996, and to remain in effect for each fiscal year following Sept. 30, 1996, see section 101(f) [title VI, § 648(e)] of Pub. L. 104-208, set out as a note under section 474 of this title.

### § 475. Imitating obligations or securities; advertisements

Whoever designs, engraves, prints, makes, or executes, or utters, issues, distributes, circulates, or uses any business or professional card, notice, placard, circular, handbill, or advertisement in the likeness or similitude of any obligation or security of the United States issued under or authorized by any Act of Congress or writes, prints, or otherwise impresses upon or attaches to any such instrument, obligation, or security, or any coin of the United States, any business or professional card, notice, or advertisement, or any notice or advertisement whatever, shall be fined under this title. Nothing in this section applies to evidence of postage payment approved by the United States Postal Service.

(June 25, 1948, ch. 645, 62 Stat. 706; July 16, 1951, ch. 226, § 2, 65 Stat. 122; Pub. L. 103-322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat.

2147; Pub. L. 109-162, title XI, § 1192, Jan. 5, 2006, 119 Stat. 3129.)

#### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 292 (Mar. 4, 1909, ch. 321, § 177, 35 Stat. 1122).

Enumeration of obligations of the United States was omitted in view of definition in section 8 of this title. Changes in phraseology were also made.

#### AMENDMENTS

2006—Pub. L. 109-162 inserted at end “Nothing in this section applies to evidence of postage payment approved by the United States Postal Service.”

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$500”.

1951—Act July 16, 1951, prohibited use of notices or advertising prints or labels on United States coins.

### § 476. Taking impressions of tools used for obligations or securities

Whoever, without authority from the United States, takes, procures, or makes an impression, stamp, analog, digital, or electronic image, or imprint of, from or by the use of any tool, implement, instrument, or thing used or fitted or intended to be used in printing, stamping, or impressing, or in making other tools, implements, instruments, or things to be used or fitted or intended to be used in printing, stamping, or impressing any obligation or other security of the United States, shall be fined under this title or imprisoned not more than 25 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 707; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 107-56, title III, § 374(f), Oct. 26, 2001, 115 Stat. 341.)

#### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 266 (Mar. 4, 1909, ch. 321, § 152, 35 Stat. 1117).

Enumeration of substances on which impressions could be made and enumeration of various kinds of tools to be used were omitted as unnecessary.

Reference to circulating note or evidence of debt was omitted in view of definition of obligations and securities in section 8 of this title.

Changes in phraseology were also made.

#### AMENDMENTS

2001—Pub. L. 107-56 inserted “analog, digital, or electronic image,” after “impression, stamp,” and substituted “25 years” for “ten years”.

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

### § 477. Possessing or selling impressions of tools used for obligations or securities

Whoever, with intent to defraud, possesses, keeps, safeguards, or controls, without authority from the United States, any imprint, stamp, analog, digital, or electronic image, or impression, taken or made upon any substance or material whatsoever, of any tool, implement, instrument or thing, used, fitted or intended to be used, for any of the purposes mentioned in section 476 of this title; or

Whoever, with intent to defraud, sells, gives, or delivers any such imprint, stamp, analog, digital, or electronic image, or impression to any other person—

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