§ 1542. False statement in application and use of passport

Whoever willfully and knowingly makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws or:

Whoever willfully and knowingly uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement—

Shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or both.


HISTORICAL AND REVISION NOTES


Mandatory-punishment provision was rephrased in the alternative. Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS


1996—Pub. L. 104–208 substituted "imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facility such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense)" for "imprisoned not more than 10 years in last par.

1994—Pub. L. 103–322, §330016(1)(I), which directed the amendment of this section by substituting "under this title" for "not more than $2,000", could not be executed because the words "not more than $2,000" did not appear in text subsequent to amendment by Pub. L. 103–322, §130009(a)(2). See below.

§ 1543. Forgery or false use of passport

Whoever falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

Whoever willfully and knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same—

Shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or both.


Pub. L. 103–322, §330016(1)(I), which directed the amendment of this section by substituting "under this title", imprisoned not more than 10 years for "not more than $2,000, or imprisoned not more than five years" in last par.

HISTORICAL AND REVISION NOTES


Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Mandatory-punishment provision with authorization for added fine in discretion of court was rephrased in the alternative.

Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS


1996—Pub. L. 104–208 substituted "imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense)", or both.

1994—Pub. L. 103–322, §330016(1)(I), which directed the amendment of this section by substituting "under this title" for "not more than $2,000", could not be executed because the words "not more than $2,000" did not appear in text subsequent to amendment by Pub. L. 103–322, §130009(a)(2). See below.
1994—Pub. L. 103–322, §330016(1)(I), which directed the amendment of this section by substituting “under this title” for “not more than $2,000”, could not be executed because the words “not more than $2,000” did not appear in text subsequent to amendment by Pub. L. 103–322, §130009(a)(2). See below.
Pub. L. 103–322, §130009(a)(2), substituted “under this title” for “not more than 10 years” for “not more than $2,000 or imprisoned not more than five years” in last par.

**Effective Date of 1996 Amendment**
Amendment by Pub. L. 104–208 applicable with respect to offenses occurring on or after Sept. 30, 1996, see section 1028 of this title.

### §1544. Misuse of passport

Whoever willfully and knowingly uses, or attempts to use, any passport issued or designed for the use of another; or
Whoever willfully and knowingly uses or attempts to use any passport in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant to the laws regulating the issuance of passports; or
Whoever willfully and knowingly furnishes, disposes of, or delivers a passport to any person, for use by another than the person for whose use it was originally issued and designed.

Shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 2331 of this title)), 10 years (if the offense was committed to facilitate an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or

10 years (if the offense was committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or
both.


**Historical and Revision Notes**


The punishment provision was rewritten to permit the alternative of a fine of not more than $2,000 or imprisonment, or both, instead of imprisonment and fine at the discretion of the court, to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

**Amendments**

1994—Pub. L. 103–322, §330016(1)(I), which directed the amendment of this section by substituting “under this title” for “not more than $2,000”, could not be executed because the words “not more than $2,000” did not appear in text subsequent to amendment by Pub. L. 103–322, §130009(a)(2). See below.
Pub. L. 103–322, §130009(a)(2), substituted “under this title, imprisoned not more than 10 years” for “not more than $2,000 or imprisoned not more than five years” in last par.

### §1545. Safe conduct violation

Whoever violates any safe conduct or passport duly obtained and issued under authority of the United States shall be fined under this title, imprisoned not more than 10 years, or both.


**Historical and Revision Notes**


The punishment provision was rewritten to permit the alternative of a fine of not more than $2,000 or imprisonment, or both, instead of imprisonment and fine at the discretion of the court, to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

**Amendments**

1994—Pub. L. 103–322, §330016(1)(I), which directed the amendment of this section by substituting “under this title” for “not more than $2,000,” could not be executed because the words “not more than $2,000” did not appear in text subsequent to amendment by Pub. L. 103–322, §130009(a)(3). See below.
Pub. L. 103–322, §130009(a)(3), substituted “under this title, imprisoned not more than 10 years” for “not more than $2,000 or imprisoned not more than three years”.

### §1546. Fraud and misuse of visas, permits, and other documents

(a) Whoever knowingly forges, counterfeits, alters, or falsely makes any immigrant or non-immigrant visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, or utteres, uses, attempts to use, possesses, obtains, accepts, or receives any such visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained; or
Whoever, except under direction of the Attorney General or the Commissioner of the Immi-