

AMENDMENTS

1996—Pub. L. 104-294 substituted “fined under this title not less than \$100” for “fined not less than \$100 nor more than \$1,000” in concluding provisions.

1994—Pub. L. 103-322 substituted “Office of Personnel Management” for “Civil Service Commission” in introductory provisions and “such Office” for “the Commission” in par. (1).

§ 1918. Disloyalty and asserting the right to strike against the Government

Whoever violates the provision of section 7311 of title 5 that 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 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 of an organization of employees 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;

shall be fined under this title or imprisoned not more than one year and a day, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 609; amended Pub. L. 104-294, title VI, §601(a)(8), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: [Uncodified], 5 U.S.C. 118r, Aug. 9, 1955, ch. 690, §3, 69 Stat. 625; June 29, 1956, ch. 479, §3 (as applicable to the Act of Aug. 9, 1955, ch. 690, §3, 69 Stat. 625), 70 Stat. 453.

The section is rewritten to conform to the style of title 18. The statement of the acts prohibited is supplied from the Act of Aug. 9, 1955, ch. 690, §1, 69 Stat. 624, which is codified in section 7311 of title 5, United States Code.

The words “From and after July 1, 1956”, appearing in the Act of June 29, 1956, are omitted as executed.

The words “shall be guilty of a felony” are omitted as unnecessary in view of the definitive section 1 of this title. (See reviser’s note under section 550 of this title.)

AMENDMENTS

1996—Pub. L. 104-294 substituted “fined under this title” for “fined not more than \$1,000” in concluding provisions.

§ 1919. False statement to obtain unemployment compensation for Federal service

Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under chapter 85 of title 5 or under an agreement thereunder, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 609.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 42 U.S.C. 1368(a), Sept. 1, 1954, ch. 1212, §4(a) “Sec. 1508(a)”, 68 Stat. 1135.

The words “under chapter 85 of title 5” are substituted for “under this title” (Title XV of the Social Security Act, as amended) to reflect the codification of the Title in title 5, United States Code.

§ 1920. False statement or fraud to obtain Federal employees’ compensation

Whoever knowingly and willfully falsifies, conceals, or covers up a material fact, or makes a false, fictitious, or fraudulent statement or representation, or makes or uses a false statement or report knowing the same to contain any false, fictitious, or fraudulent statement or entry in connection with the application for or receipt of compensation or other benefit or payment under subchapter I or III of chapter 81 of title 5, shall be guilty of perjury, and on conviction thereof shall be punished by a fine under this title, or by imprisonment for not more than 5 years, or both; but if the amount of the benefits falsely obtained does not exceed \$1,000, such person shall be punished by a fine under this title, or by imprisonment for not more than 1 year, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 103-333, title I, §101(b)(1), Sept. 30, 1994, 108 Stat. 2547; Pub. L. 104-294, title VI, §601(a)(10), Oct. 11, 1996, 110 Stat. 3498; Pub. L. 107-273, div. B, title IV, §4002(f)(2), Nov. 2, 2002, 116 Stat. 1811.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 789, Sept. 7, 1916, ch. 458, §39, 39 Stat. 749; Oct. 14, 1949, ch. 691, §103(b), 63 Stat. 855.

The word “That” in the Act of Sept. 7, 1916, is omitted as unnecessary.

The words “under section 8106 of title 5” are substituted for “under section 754 of this title” to reflect the codification of the section in title 5, United States Code. The words “a claim for compensation under subchapter I of chapter 81 of title 5” are substituted for “any claim for compensation” for clarity.

The words “or both” are substituted for “or by both such fine and imprisonment”.

Minor changes in phraseology are made to conform to the style of title 18.

AMENDMENTS

2002—Pub. L. 107-273 substituted “employees” for “employee’s” in section catchline.

1996—Pub. L. 104-294 substituted “fine under this title” the first place it appears for “fine of not more than \$250,000” and “fine under this title” the second place it appears for “fine of not more than \$100,000”.

1994—Pub. L. 103-333 substituted “False statement or fraud to obtain Federal employee’s compensation” for “False statement to obtain Federal employees’ compensation” as section catchline and amended text generally. Prior to amendment, text read as follows: “Who-

ever makes, in an affidavit or report required by section 8106 of title 5 or in a claim for compensation under subchapter I of chapter 81 of title 5, a statement, knowing it to be false, is guilty of perjury and shall be fined under this title or imprisoned not more than one year, or both."

Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$2,000".

**§ 1921. Receiving Federal employees' compensation after marriage**

Whoever, being entitled to compensation under sections 8107-8113 and 8133 of title 5 and whose compensation by the terms of those sections stops or is reduced on his marriage or on the marriage of his dependent, accepts after such marriage any compensation or payment to which he is not entitled shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: ..... 5 U.S.C. 760(L), Sept. 7, 1916, ch. 458, §10(L) 39 Stat. 745. Oct. 14, 1949, ch. 691, §106(e), 63 Stat. 860.

The word "Whoever" is substituted for "If any person" to conform to the style of title 18.

The words "under sections 8107-8113 and 8133 of title 5" are substituted for "under this section or section 755 or 756 of this title" to reflect the codification of the sections in title 5, United States Code.

The words "or both" are substituted for "or by both such fine and imprisonment".

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$2,000".

**§ 1922. False or withheld report concerning Federal employees' compensation**

Whoever, being an officer or employee of the United States charged with the responsibility for making the reports of the immediate superior specified by section 8120 of title 5, willfully fails, neglects, or refuses to make any of the reports, or knowingly files a false report, or induces, compels, or directs an injured employee to forego filing of any claim for compensation or other benefits provided under subchapter I of chapter 81 of title 5 or any extension or application thereof, or willfully retains any notice, report, claim, or paper which is required to be filed under that subchapter or any extension or application thereof, or regulations prescribed thereunder, shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103-322, title XXXIII, §330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: ..... 5 U.S.C. 774(b), Sept. 13, 1960, Pub. L. 86-767, §206, 74 Stat. 908.

The words "the reports of the immediate superior specified in section 8120 of title 5" are substituted for "the reports specified in subsection (a) of this section" to reflect the codification of that subsection in title 5, United States Code.

The words "subchapter I of chapter 81 of title 5" and "that subchapter" are substituted for "sections 751-756, 757-781, 783-791, and 793 of this title" and "said sections", respectively, to reflect the codification of the sections in title 5, United States Code.

The words "shall be guilty of a misdemeanor" are omitted as unnecessary in view of the definitive section 1 of this title. (See reviser's note under 18 U.S.C. 212, 1964 ed.)

The words "and upon conviction thereof" are omitted as unnecessary because punishment can be imposed only after conviction.

AMENDMENTS

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

**§ 1923. Fraudulent receipt of payments of missing persons**

Whoever obtains or receives any money, check, or allotment under—

- (1) subchapter VII of chapter 55 of title 5; or
- (2) chapter 10 of title 37;

without being entitled thereto, with intent to defraud, shall be fined under this title or imprisoned not more than one year, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 610; amended Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: ..... 50A U.S.C. 1008, Mar. 7, 1942, ch. 166, §8, 56 Stat. 145.

Clauses (1) and (2) are substituted for the words "under this Act" to reflect the codification of the Act. The portion of the Act which is applicable to civilian officers and employees and their dependents is codified in subchapter VII of chapter 55 of title 5, United States Code. The portion of the Act which is applicable to members of the uniformed services and their dependents is codified in chapter 10 of title 37, United States Code.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$2,000".

**§ 1924. Unauthorized removal and retention of classified documents or material**

(a) Whoever, being an officer, employee, contractor, or consultant of the United States, and, by virtue of his office, employment, position, or contract, becomes possessed of documents or materials containing classified information of the United States, knowingly removes such documents or materials without authority and with the intent to retain such documents or materials at an unauthorized location shall be fined under this title or imprisoned for not more than one year, or both.

(b) For purposes of this section, the provision of documents and materials to the Congress shall not constitute an offense under subsection (a).

(c) In this section, the term "classified information of the United States" means informa-