

receipt, negotiable bill of lading, evidence of indebtedness, certificate of interest in or participation in any profit-sharing agreement, collateral-trust certificate, pre-reorganization certificate of subscription, transferable share, investment contract, voting trust certificate, or certificate of interest in tangible or intangible property;

(B) an instrument evidencing ownership of goods, wares, or merchandise;

(C) any other written instrument commonly known as a security;

(D) a certificate of interest in, certificate of participation in, certificate for, receipt for, or warrant or option or other right to subscribe to or purchase, any of the foregoing; or

(E) a blank form of any of the foregoing;

(4) the term “organization” means a legal entity, other than a government, established or organized for any purpose, and includes a corporation, company, association, firm, partnership, joint stock company, foundation, institution, society, union, or any other association of persons which operates in or the activities of which affect interstate or foreign commerce; and

(5) the term “State” includes a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and any other territory or possession of the United States.

(Added Pub. L. 98-473, title II, §1105(a), Oct. 12, 1984, 98 Stat. 2144, §511; renumbered §513, Pub. L. 99-646, §31(a), Nov. 10, 1986, 100 Stat. 3598; amended Pub. L. 101-647, title XXXV, §3515, Nov. 29, 1990, 104 Stat. 4923; Pub. L. 103-322, title XXXIII, §§330008(1), 330016(2)(C), Sept. 13, 1994, 108 Stat. 2142, 2148.)

REFERENCES IN TEXT

Section 916 of the Electronic Fund Transfer Act, referred to in subsec. (c)(3)(A), was renumbered section 917 by Pub. L. 111-24, title IV, §401(1), May 22, 2009, 123 Stat. 1751, and is classified to section 1693n of Title 15, Commerce and Trade.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322, §330016(2)(C), which directed the amendment of this section by substituting “under this title” for “of not more than \$250,000”, was executed by making the substitution for “not more than \$250,000”, to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 103-322, §330016(2)(C), substituted “fine under this title” for “fine of not more than \$250,000”.

Subsec. (c)(4). Pub. L. 103-322, §330008(1), substituted “association of persons” for “association or persons”.

1990—Subsec. (c)(3)(A). Pub. L. 101-647 struck out “(15 U.S.C. 1693(c))” after “Electronic Fund Transfer Act” and inserted comma after “profit-sharing agreement”.

§ 514. Fictitious obligations

(a) Whoever, with the intent to defraud—

(1) draws, prints, processes, produces, publishes, or otherwise makes, or attempts or causes the same, within the United States;

(2) passes, utters, presents, offers, brokers, issues, sells, or attempts or causes the same, or with like intent possesses, within the United States; or

(3) utilizes interstate or foreign commerce, including the use of the mails or wire, radio, or other electronic communication, to transmit, transport, ship, move, transfer, or attempts or causes the same, to, from, or through the United States,

any false or fictitious instrument, document, or other item appearing, representing, purporting, or contriving through scheme or artifice, to be an actual security or other financial instrument issued under the authority of the United States, a foreign government, a State or other political subdivision of the United States, or an organization, shall be guilty of a class B felony.

(b) For purposes of this section, any term used in this section that is defined in section 513(c) has the same meaning given such term in section 513(c).

(c) The United States Secret Service, in addition to any other agency having such authority, shall have authority to investigate offenses under this section.

(Added Pub. L. 104-208, div. A, title I, §101(f) [title VI, §648(b)(1)], title II, §2603(b)(1), Sept. 30, 1996, 110 Stat. 3009-314, 3009-367, 3009-470.)

CODIFICATION

Sections 101(f) [title VI, §648(b)(1)] and 2603(b)(1) of div. A of Pub. L. 104-208 added identical sections 514.

EFFECTIVE DATE

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

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

CHAPTER 26—CRIMINAL STREET GANGS

Sec.

521. Criminal street gangs.

AMENDMENTS

1996—Pub. L. 104-294, title VI, §604(a)(2), Oct. 11, 1996, 110 Stat. 3506, added chapter analysis.

§ 521. Criminal street gangs

(a) DEFINITIONS.—

“conviction” includes a finding, under State or Federal law, that a person has committed an act of juvenile delinquency involving a violent or controlled substances felony.

“criminal street gang” 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