

§ 513. Securities of the States and private entities

(a) Whoever makes, utters or possesses a counterfeit security of a State or a political subdivision thereof or of an organization, or whoever makes, utters or possesses a forged security of a State or political subdivision thereof or of an organization, with intent to deceive another person, organization, or government shall be fined under this title¹ or imprisoned for not more than ten years, or both.

(b) Whoever makes, receives, possesses, sells or otherwise transfers an implement designed for or particularly suited for making a counterfeit or forged security with the intent that it be so used shall be punished by a fine under this title or by imprisonment for not more than ten years, or both.

(c) For purposes of this section—

(1) the term “counterfeited” means a document that purports to be genuine but is not, because it has been falsely made or manufactured in its entirety;

(2) the term “forged” means a document that purports to be genuine but is not because it has been falsely altered, completed, signed, or endorsed, or contains a false addition thereto or insertion therein, or is a combination of parts of two or more genuine documents;

(3) the term “security” means—

(A) a note, stock certificate, treasury stock certificate, bond, treasury bond, debenture, certificate of deposit, interest coupon, bill, check, draft, warrant, debit instrument as defined in section 916(c)² of the Electronic Fund Transfer Act, money order, traveler’s check, letter of credit, warehouse 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 sec-

¹ See 1994 Amendment note below.

² See References in Text note below.