

HISTORICAL AND REVISION NOTES

Based on sections 985, 1127, and 1317 of title 12, U.S.C., 1940 ed., Banks and Banking (July 17, 1916, ch. 245, § 31, fifth paragraph, 39 Stat. 384; July 17, 1916, ch. 245, § 211(g), as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1461; Mar. 4, 1923, ch. 252, title II, § 216(g), 42 Stat. 1473).

This section condenses and simplifies sections 985, 1127, and 1317 of title 12, U.S.C., 1940 ed., Banks and Banking, each of which contained similar provisions and similar language. The punishment provisions of all three sections were the same.

References to “chapter” and “subchapter” were omitted and words describing the various types of banks or organizations to which said sections 985, 1127, and 1317 of title 12, U.S.C., 1940 ed., Banks and Banking, related, were inserted in lieu. This necessitated some rephrasing and transposition of phrases, but without change of meaning or substance.

Words “upon conviction” which were contained in sections 1127 and 1317 of title 12, U.S.C., 1940 ed., Banks and Banking, were omitted as surplusage, because punishment cannot be imposed until after conviction.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, § 330016(1)(G), substituted “fined under this title” for “fined not more than \$500”.

Pub. L. 103-322, § 330004(8), struck out “, or by any National Agricultural Credit Corporation” after “credit bank or banks”.

1982—Pub. L. 97-297 struck out “, or by any joint-stock land bank or banks” after “issued by any Federal land bank or banks”.

§ 1014. Loan and credit applications generally; renewals and discounts; crop insurance

Whoever knowingly makes any false statement or report, or willfully overvalues any land, property or security, for the purpose of influencing in any way the action of the Federal Housing Administration, the Farm Credit Administration, Federal Crop Insurance Corporation or a company the Corporation reinsures, the Secretary of Agriculture acting through the Farmers Home Administration or successor agency, the Rural Development Administration or successor agency, any Farm Credit Bank, production credit association, agricultural credit association, bank for cooperatives, or any division, officer, or employee thereof, or of any regional agricultural credit corporation established pursuant to law, or a Federal land bank, a Federal land bank association, a Federal Reserve bank, a small business investment company, as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662), or the Small Business Administration in connection with any provision of that Act, a Federal credit union, an insured State-chartered credit union, any institution the accounts of which are insured by the Federal Deposit Insurance Corporation,¹ any Federal home loan bank, the Federal Housing Finance Agency, the Federal Deposit Insurance Corporation, the Farm Credit System Insurance Corporation, or the National Credit Union Administration Board, a branch or agency of a foreign bank (as such terms are defined in paragraphs (1) and (3) of section 1(b) of the International Banking Act of 1978), an organization operating under section 25 or section 25(a)² of the Federal Reserve Act, or a mortgage lending

business, or any person or entity that makes in whole or in part a federally related mortgage loan as defined in section 3 of the Real Estate Settlement Procedures Act of 1974, upon any application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment, loan, or insurance agreement or application for insurance or a guarantee, or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both. The term “State-chartered credit union” includes a credit union chartered under the laws of a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

(June 25, 1948, ch. 645, 62 Stat. 752; May 24, 1949, ch. 139, § 21, 63 Stat. 92; July 26, 1956, ch. 741, title I, § 109, 70 Stat. 667; Pub. L. 85-699, title VII, § 705, Aug. 21, 1958, 72 Stat. 699; Pub. L. 86-168, title I, § 104(h), Aug. 18, 1959, 73 Stat. 387; Pub. L. 87-353, § 3(t), Oct. 4, 1961, 75 Stat. 774; Pub. L. 88-353, § 5, July 2, 1964, 78 Stat. 269; Pub. L. 91-468, § 7, Oct. 19, 1970, 84 Stat. 1017; Pub. L. 91-609, title IX, § 915, Dec. 31, 1970, 84 Stat. 1815; Pub. L. 97-297, § 4(b), Oct. 12, 1982, 96 Stat. 1318; Pub. L. 101-73, title IX, §§ 961(h), 962(a)(7), (8)(B), Aug. 9, 1989, 103 Stat. 500, 502; Pub. L. 101-624, title XXIII, § 2303(e), Nov. 28, 1990, 104 Stat. 3981; Pub. L. 101-647, title XXV, §§ 2504(g), 2595(a)(5), 2597(i), Nov. 29, 1990, 104 Stat. 4861, 4907, 4910; Pub. L. 103-322, title XXXIII, §§ 330002(d), 330008(8), Sept. 13, 1994, 108 Stat. 2140, 2143; Pub. L. 103-354, title I, § 119(e), Oct. 13, 1994, 108 Stat. 3208; Pub. L. 104-294, title VI, §§ 602(b), 604(b)(22), 605(b), 607(d), Oct. 11, 1996, 110 Stat. 3503, 3508, 3509, 3511; Pub. L. 106-78, title VII, § 767, Oct. 22, 1999, 113 Stat. 1174; Pub. L. 107-100, § 4(a), Dec. 21, 2001, 115 Stat. 966; Pub. L. 110-289, div. A, title II, § 1216(c), div. B, title I, § 2129, July 30, 2008, 122 Stat. 2792, 2842; Pub. L. 111-21, § 2(c), May 20, 2009, 123 Stat. 1617; Pub. L. 111-203, title III, § 377(6), July 21, 2010, 124 Stat. 1569.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on sections 1026(a) and 1514(a) of title 7, U.S.C., 1940 ed., Agriculture, sections 596, 981, 1122, 1123, 1138d(a), 1248, 1312, 1313, 1441(a), and 1467(a), of title 12, U.S.C., 1940 ed., Banks and Banking, and section 616(a) of title 15, U.S.C., 1940 ed., Commerce and Trade (Dec. 23, 1913, ch. 6, § 22(h), as added June 19, 1934, ch. 653, § 3, 48 Stat. 1107; July 17, 1916, ch. 245, § 31, first paragraph, 39 Stat. 382; July 17, 1916, ch. 245, § 211(b), (c), as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1460; Mar. 4, 1923, ch. 252, title II, §§ 209(h), 216(b), (c), 42 Stat. 1468, 1472; Jan. 22, 1932, ch. 8, § 16 (a), 47 Stat. 11; July 22, 1932, ch. 522, § 21(a), 47 Stat. 738; June 13, 1933, ch. 64, § 8(a), 48 Stat. 134; June 16, 1933, ch. 98, § 64(a), 48 Stat. 267; Jan. 31, 1934, ch. 7, § 13, 48 Stat. 347; June 3, 1935, ch. 164, § 21, 49 Stat. 319; July 22, 1937, ch. 517, title IV, § 52(a); 50 Stat. 531; Feb. 16, 1938, ch. 30, title V, § 514(a), 52 Stat. 76; Aug. 14, 1946, ch. 964, § 3, 60 Stat. 1064).

Each of the 13 sections from which this section was derived contained similar provisions either relating to false representations and statements, or overvaluation of security, with respect to one or more of the named banks, agencies, or corporations.

These were consolidated and the false statement and security overvaluation provisions of all, form the basis of this section. The provisions of section 981 of title 12,

¹ So in original.

² See References in Text note below.

U.S.C., 1940 ed., Banks and Banking, relating to acceptance of loans or gratuities by examiners, were consolidated with similar provisions from other sections to form section 218 [now section 213] of this title. The provisions of said section 981 of title 12, U.S.C., 1940 ed., Banks and Banking, prohibiting land bank and national farm loan association examiners from performing "any other service for compensation for any bank or banking or loan association, or for any person connected therewith in any capacity" were consolidated with similar provisions from other sections to form section 1909 of this title.

Eight of the consolidated sections contained identical punishment, each providing for a maximum fine of \$5,000 and maximum imprisonment of 2 years. Two sections provided for a maximum fine of \$10,000 and maximum imprisonment of 5 years. One section provided for maximum fine of \$5,000 and maximum imprisonment of 5 years, one section provided for maximum fine of \$2,000 and maximum imprisonment of 2 years, and one section provided for maximum fine of \$5,000 and maximum imprisonment of 1 year.

The punishment by maximum fine of \$5,000 or maximum imprisonment of 2 years, or both, provided in this consolidated section was adopted as most consistent with the greater number of comparable sections. (See sections 1008 and 1010 of this title.) This is a reasonable reconciliation of the conflicting punishment provisions and adequate for the offenses described.

The enumeration of "application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment, or loan" and the wording "or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor" does not occur in any one of the original sections, but such enumeration and such wording are adequate, and they represent a composite of terms and transactions mentioned in each.

In addition, changes were made in phraseology to secure uniformity of style, and some rephrasing was necessary, but the consolidation was without change of substance except as above indicated.

Section 1138d(f) of Title 12, U.S.C., 1940 ed., Banks and Banking, relating to conspiracy, was not added to this consolidated section for reasons given in reviser's note under section 493 of this title.

1949 ACT

[Section 21] conforms section 1014 of Title 18 U.S.C., to administrative practice which in turn was modified to comply with congressional policy. (See note to sec. 11 [of 1949 Act, set out in Historical and Revision note under section 657 of this title].)

REFERENCES IN TEXT

The Small Business Investment Act of 1958, referred to in text, is Pub. L. 85-699, Aug. 21, 1958, 72 Stat. 689, which is classified principally to chapter 14B (§661 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 661 of Title 15 and Tables.

Section 1(b) of the International Banking Act of 1978, referred to in text, is classified to section 3101 of Title 12, Banks and Banking.

Section 25 of the Federal Reserve Act, referred to in text, is classified to subchapter I (§601 et seq.) of chapter 6 of Title 12, Banks and Banking. Section 25(a) of the Federal Reserve Act, which is classified to subchapter II (§611 et seq.) of chapter 6 of Title 12, was renumbered section 25A of that act by Pub. L. 102-242, title I, §142(e)(2), Dec. 19, 1991, 105 Stat. 2281.

Section 3 of the Real Estate Settlement Procedures Act of 1974, referred to in text, is classified to section 2602 of Title 12, Banks and Banking.

AMENDMENTS

2010—Pub. L. 111-203 struck out "the Office of Thrift Supervision" before "any Federal home loan bank" and "the Resolution Trust Corporation," before "the Farm Credit System Insurance Corporation,".

2009—Pub. L. 111-21 struck out "or" after "the International Banking Act of 1978," and inserted "or a mortgage lending business, or any person or entity that makes in whole or in part a federally related mortgage loan as defined in section 3 of the Real Estate Settlement Procedures Act of 1974" after "section 25(a) of the Federal Reserve Act".

2008—Pub. L. 110-289, §2129, inserted "the Federal Housing Administration," before "the Farm Credit Administration" and substituted "commitment, loan, or insurance agreement or application for insurance or a guarantee" for "commitment, or loan".

Pub. L. 110-289, §1216(c), substituted "Federal Housing Finance Agency" for "Federal Housing Finance Board".

2001—Pub. L. 107-100 inserted "as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662), or the Small Business Administration in connection with any provision of that Act" after "small business investment company".

1999—Pub. L. 106-78 inserted "or successor agency" after "Farmers Home Administration" and after "Rural Development Administration".

1996—Pub. L. 104-294, §§602(b), 607(d), struck out "Reconstruction Finance Corporation," before "Farm Credit Administration", "Farmers' Home Corporation," before "the Secretary of Agriculture", and "of the National Agricultural Credit Corporation," before "a Federal land bank" and inserted at end "The term 'State-chartered credit union' includes a credit union chartered under the laws of a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States."

Pub. L. 104-294, §605(b), amended directory language of Pub. L. 101-73, §961(h)(1). See 1989 Amendment note below.

Pub. L. 104-294, §604(b)(22), amended directory language of Pub. L. 103-322, §330002(d). See 1994 Amendment note below.

1994—Pub. L. 103-354 inserted "or a company the Corporation reinsures" after "Federal Crop Insurance Corporation".

Pub. L. 103-322, §330008(8), inserted comma after "National Credit Union Administration Board".

Pub. L. 103-322, §330002(d), as amended by Pub. L. 104-294, §604(b)(22), struck out a comma after "National Agricultural Credit Corporation," and after "section 25(a) of the Federal Reserve Act,".

1990—Pub. L. 101-647, §2597(i), inserted "a branch or agency of a foreign bank (as such terms are defined in paragraphs (1) and (3) of section 1(b) of the International Banking Act of 1978), or an organization operating under section 25 or section 25(a) of the Federal Reserve Act," after "or the National Credit Union Administration Board".

Pub. L. 101-647, §2595(a)(5), substituted "the Office of Thrift Supervision, any Federal home loan bank, the Federal Housing Finance Board," for "the Federal Home Loan Bank System," and inserted a comma after "Resolution Trust Corporation".

Pub. L. 101-647, §2504(g), substituted "30" for "20" before "years".

Pub. L. 101-624 substituted "Farmers Home Administration, the Rural Development Administration" for "Farmers' Home Administration".

1989—Pub. L. 101-73, §962(a)(8)(B)(i), substituted "any Farm Credit Bank, production credit association, agricultural credit association, bank for cooperatives, or any division, officer, or employee thereof" for "any Federal intermediate credit bank, or any division, officer, or employee thereof, or of any corporation organized under sections 1131-1134m of Title 12".

Pub. L. 101-73, §962(a)(8)(B)(ii), substituted "Farm Credit System Insurance Corporation" for "Federal Savings and Loan Insurance Corporation".

Pub. L. 101-73, §962(a)(7), substituted "National Credit Union Administration Board" for "Administrator of the National Credit Union Administration".

Pub. L. 101-73, §961(h)(2), (3), (5), (6), struck out "the Federal Savings and Loan Insurance Corporation, any

bank the deposits of which are insured by” after “the accounts of which are insured by”, struck out “any member of” before “the Federal Home Loan Bank System”, and substituted “\$1,000,000” for “\$5,000” and “20 years” for “two years”.

Pub. L. 101-73, §961(h)(1), as amended by Pub. L. 104-294, §605(b), struck out “a Federal Home Loan Bank, the Federal Home Loan Bank Board, the Home Owners’ Loan Corporation, a Federal Savings and Loan Association” after “National Agricultural Credit Corporation.”

Pub. L. 101-73, §961(h)(4), which directed the insertion of “the Resolution Trust Corporation” after “Federal Deposit Insurance Corporation,” was executed by making the insertion after the second appearance of “Federal Deposit Insurance Corporation,” as the probable intent of Congress.

1982—Pub. L. 97-297 struck out “a joint-stock land bank,” after “a Federal land bank.”

1970—Pub. L. 91-609 extended criminal penalty for fraud or false statements to influence any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, any bank the deposits of which are insured by the Federal Deposit Insurance Corporation, any member of the Federal Home Loan Bank System, the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the Administrator of the National Credit Union Administration.

Pub. L. 91-468 substituted “a Federal credit union, or an insured State-chartered credit union” for “or a Federal credit union”.

1964—Pub. L. 88-353 inserted reference to Federal credit unions.

1961—Pub. L. 87-353 struck out reference to Federal Farm Mortgage Corporation.

1959—Pub. L. 86-168 substituted “Federal land bank association” for “National farm loan association”.

1958—Pub. L. 85-699 inserted reference to small business investment companies.

1956—Act July 26, 1956, struck out reference to corporations in which a Production Credit Corporation holds stock.

1949—Act May 24, 1949, inserted reference to Secretary of Agriculture acting through the Farmers’ Home Administration.

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-203 effective on the transfer date, see section 351 of Pub. L. 111-203, set out as a note under section 906 of Title 2, The Congress.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 604(b)(22) of Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

Pub. L. 104-294, title VI, §605(b), Oct. 11, 1996, 110 Stat. 3509, provided that the amendment by that section to section 961(h) of Pub. L. 101-73 was effective on the date of enactment of Pub. L. 101-73, which was approved Aug. 9, 1989.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-354 effective Oct. 13, 1994, and applicable to provision of crop insurance under Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) beginning with 1995 crop year, with such Act, as in effect on the day before Oct. 13, 1994, to continue to apply with respect to 1994 crop year, see section 120 of Pub. L. 103-354, set out as a note under section 1502 of Title 7, Agriculture.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-168 effective Dec. 31, 1959, see section 104(k) of Pub. L. 86-168.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment by act July 26, 1956, effective Jan. 1, 1957, see section 202(a) of that act, set out as an Effective

Date note under section 1027 of Title 12, Banks and Banking.

FARM CREDIT ADMINISTRATION

Establishment of Farm Credit Administration as independent agency, and other changes in status, function, etc., see Ex. Ord. No. 6084 set out prec. section 2241 of Title 12, Banks and Banking. See also section 2001 et seq. of Title 12.

NATIONAL CREDIT UNION ADMINISTRATION

Establishment as independent agency, membership, etc., see section 1752 et seq. of Title 12, Banks and Banking.

§ 1015. Naturalization, citizenship or alien registry

(a) Whoever knowingly makes any false statement under oath, in any case, proceeding, or matter relating to, or under, or by virtue of any law of the United States relating to naturalization, citizenship, or registry of aliens; or

(b) Whoever knowingly, with intent to avoid any duty or liability imposed or required by law, denies that he has been naturalized or admitted to be a citizen, after having been so naturalized or admitted; or

(c) Whoever uses or attempts to use any certificate of arrival, declaration of intention, certificate of naturalization, certificate of citizenship or other documentary evidence of naturalization or of citizenship, or any duplicate or copy thereof, knowing the same to have been procured by fraud or false evidence or without required appearance or hearing of the applicant in court or otherwise unlawfully obtained; or

(d) Whoever knowingly makes any false certificate, acknowledgment or statement concerning the appearance before him or the taking of an oath or affirmation or the signature, attestation or execution by any person with respect to any application, declaration, petition, affidavit, deposition, certificate of naturalization, certificate of citizenship or other paper or writing required or authorized by the laws relating to immigration, naturalization, citizenship, or registry of aliens; or

(e) Whoever knowingly makes any false statement or claim that he is, or at any time has been, a citizen or national of the United States, with the intent to obtain on behalf of himself, or any other person, any Federal or State benefit or service, or to engage unlawfully in employment in the United States; or

(f) Whoever knowingly makes any false statement or claim that he is a citizen of the United States in order to register to vote or to vote in any Federal, State, or local election (including an initiative, recall, or referendum)—

Shall be fined under this title or imprisoned not more than five years, or both. Subsection (f) does not apply to an alien if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of making the false statement or claim that he or she was a citizen of the United States.

(June 25, 1948, ch. 645, 62 Stat. 752; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994,