

AMENDMENTS

2009—Par. (10). Pub. L. 111-21 added par. (10).

1990—Pars. (7) to (9). Pub. L. 101-647 added pars. (7) to (9).

1989—Pub. L. 101-73, §962(e)(1), (2)(A)–(C), redesignated subsec. (b) of section 215 of this title as this section, inserted section catchline, struck out subsec. (b) designation before “As used”, and substituted “used in this title” for “used in this section”.

Par. (1). Pub. L. 101-73, §962(e)(2)(D), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “a bank with deposits insured by the Federal Deposit Insurance Corporation;”.

Par. (2). Pub. L. 101-73, §962(e)(2)(E), (H), redesignated par. (3) as (2) and struck out former par. (2) which read as follows: “an institution with accounts insured by the Federal Savings and Loan Insurance Corporation;”.

Par. (3). Pub. L. 101-73, §962(e)(2)(H), redesignated par. (4) as (3). Former par. (3) redesignated (2).

Par. (4). Pub. L. 101-73, §962(e)(2)(F), (H), redesignated par. (5) as (4) and amended it generally. Prior to amendment, par. (4) read as follows: “a Federal land bank, Federal intermediate credit bank, bank for cooperatives, production credit association, and Federal land bank association;”. Former par. (4) redesignated (3).

Par. (5). Pub. L. 101-73, §962(e)(2)(H), redesignated par. (6) as (5). Former par. (5) redesignated (4).

Pars. (6), (7). Pub. L. 101-73, §962(e)(2)(G), (H), redesignated par. (7) as (6) and amended it generally. Prior to amendment, par. (6) read as follows: “a bank holding company as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841); or”. Former par. (6) redesignated (5).

Par. (8). Pub. L. 101-73, §962(e)(2)(E), struck out par. (8) which read as follows: “a savings and loan holding company as defined in section 408 of the National Housing Act (12 U.S.C. 1730a).”

1986—Pub. L. 99-370 amended subsec. (b) [formerly §215(b)] generally expanding provisions formerly contained in subsec. (c) [former §215(c)] defining “financial institution”.

§ 21. Stolen or counterfeit nature of property for certain crimes defined

(a) Wherever in this title it is an element of an offense that—

(1) any property was embezzled, robbed, stolen, converted, taken, altered, counterfeited, falsely made, forged, or obliterated; and

(2) the defendant knew that the property was of such character;

such element may be established by proof that the defendant, after or as a result of an official representation as to the nature of the property, believed the property to be embezzled, robbed, stolen, converted, taken, altered, counterfeited, falsely made, forged, or obliterated.

(b) For purposes of this section, the term “official representation” means any representation made by a Federal law enforcement officer (as defined in section 115) or by another person at the direction or with the approval of such an officer.

(Added Pub. L. 103-322, title XXXII, §320910(a), Sept. 13, 1994, 108 Stat. 2127.)

§ 23.¹ Court of the United States defined

As used in this title, except where otherwise expressly provided² the term “court of the United States” includes the District Court of Guam, the District Court for the Northern Mari-

¹ So in original. No section 22 has been enacted.

² So in original. Probably should be followed by a comma.

ana Islands, and the District Court of the Virgin Islands.

(Added Pub. L. 103-322, title XXXII, §320914(a), Sept. 13, 1994, 108 Stat. 2128.)

§ 24. Definitions relating to Federal health care offense

(a) As used in this title, the term “Federal health care offense” means a violation of, or a criminal conspiracy to violate—

(1) section 669, 1035, 1347, or 1518 of this title or section 1128B of the Social Security Act (42 U.S.C. 1320a-7b); or

(2) section 287, 371, 664, 666, 1001, 1027, 1341, 1343, 1349, or 1954 of this title section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331), or section 501 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1131), or section 411, 518, or 511 of the Employee Retirement Income Security Act of 1974,¹ if the violation or conspiracy relates to a health care benefit program.

(b) As used in this title, the term “health care benefit program” means any public or private plan or contract, affecting commerce, under which any medical benefit, item, or service is provided to any individual, and includes any individual or entity who is providing a medical benefit, item, or service for which payment may be made under the plan or contract.

(Added Pub. L. 104-191, title II, §241(a), Aug. 21, 1996, 110 Stat. 2016; amended Pub. L. 111-148, title VI, §6602, title X, §10606(c), Mar. 23, 2010, 124 Stat. 780, 1008.)

REFERENCES IN TEXT

Sections 411, 518, and 511 of the Employee Retirement Income Security Act of 1974, referred to in subsec. (a)(2), are classified to sections 1111, 1148, and 1141, respectively, of Title 29, Labor.

AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-148, §10606(c)(1), substituted “or section 1128B of the Social Security Act (42 U.S.C. 1320a-7b); or” for semicolon.

Subsec. (a)(2). Pub. L. 111-148, §10606(c)(2)(B), which directed insertion of “section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331), or section 501 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1131),” after “title,” was executed by making the insertion after “title” to reflect the probable intent of Congress because “title,” did not appear subsequent to amendment by Pub. L. 111-148, §6602. See below.

Pub. L. 111-148, §10606(c)(2)(A), inserted “1349,” after “1343.”

Pub. L. 111-148, §6602, inserted “or section 411, 518, or 511 of the Employee Retirement Income Security Act of 1974,” after “1954 of this title”.

§ 25. Use of minors in crimes of violence

(a) DEFINITIONS.—In this section, the following definitions shall apply:

(1) CRIME OF VIOLENCE.—The term “crime of violence” has the meaning set forth in section 16.

(2) MINOR.—The term “minor” means a person who has not reached 18 years of age.

(3) USES.—The term “uses” means employs, hires, persuades, induces, entices, or coerces.

¹ So in original. The second comma probably should follow “1954 of this title”.

(b) PENALTIES.—Any person who is 18 years of age or older, who intentionally uses a minor to commit a crime of violence for which such person may be prosecuted in a court of the United States, or to assist in avoiding detection or apprehension for such an offense, shall—

(1) for the first conviction, be subject to twice the maximum term of imprisonment and twice the maximum fine that would otherwise be authorized for the offense; and

(2) for each subsequent conviction, be subject to 3 times the maximum term of imprisonment and 3 times the maximum fine that would otherwise be authorized for the offense.

(Added Pub. L. 108–21, title VI, §601[(a)], Apr. 30, 2003, 117 Stat. 686.)

§ 26. Definition of seaport

As used in this title, the term “seaport” means all piers, wharves, docks, and similar structures, adjacent to any waters subject to the jurisdiction of the United States, to which a vessel may be secured, including areas of land, water, or land and water under and in immediate proximity to such structures, buildings on or contiguous to such structures, and the equipment and materials on such structures or in such buildings.

(Added Pub. L. 109–177, title III, §302(c), Mar. 9, 2006, 120 Stat. 233.)

§ 27. Mortgage lending business defined

In this title, the term “mortgage lending business” means an organization which finances or refinances any debt secured by an interest in real estate, including private mortgage companies and any subsidiaries of such organizations, and whose activities affect interstate or foreign commerce.

(Added Pub. L. 111–21, §2(b)(1), May 20, 2009, 123 Stat. 1617.)

CHAPTER 2—AIRCRAFT AND MOTOR VEHICLES

- Sec. 31. Definitions.
- 32. Destruction of aircraft or aircraft facilities.
- 33. Destruction of motor vehicles or motor vehicle facilities.
- 34. Penalty when death results.
- 35. Imparting or conveying false information.
- 36. Drive-by shooting.
- 37. Violence at international airports.
- 38. Fraud involving aircraft or space vehicle parts in interstate or foreign commerce.
- 39. Traffic signal preemption transmitters.
- 39A. Aiming a laser pointer at an aircraft¹
- 40. Commercial motor vehicles required to stop for inspections.

AMENDMENTS

2012—Pub. L. 112–95, title III, §311(b), Feb. 14, 2012, 126 Stat. 66, transferred item 39 to appear after item 38 and added item 39A.

2008—Pub. L. 110–244, title III, §301(j), June 6, 2008, 122 Stat. 1616, redesignated item 39 “Commercial motor vehicles required to stop for inspections” as item 40.

2005—Pub. L. 109–59, title II, §2018(b), title IV, §4143(c)(1), Aug. 10, 2005, 119 Stat. 1543, 1748, added item

¹ So in original. Probably should be followed by a period.

39 “Commercial motor vehicles required to stop for inspections” and item 39 “Traffic signal preemption transmitters”.

2000—Pub. L. 106–181, title V, §506(c)(2)(A), Apr. 5, 2000, 114 Stat. 139, added item 38.

1994—Pub. L. 103–322, title VI, §§60008(c), 60021(b), Sept. 13, 1994, 108 Stat. 1972, 1980, added items 36 and 37.

§ 31. Definitions

(a) DEFINITIONS.—In this chapter, the following definitions apply:

(1) AIRCRAFT.—The term “aircraft” means a civil, military, or public contrivance invented, used, or designed to navigate, fly, or travel in the air.

(2) AVIATION QUALITY.—The term “aviation quality”, with respect to a part of an aircraft or space vehicle, means the quality of having been manufactured, constructed, produced, maintained, repaired, overhauled, rebuilt, reconditioned, or restored in conformity with applicable standards specified by law (including applicable regulations).

(3) DESTRUCTIVE SUBSTANCE.—The term “destructive substance” means an explosive substance, flammable material, infernal machine, or other chemical, mechanical, or radioactive device or matter of a combustible, contaminative, corrosive, or explosive nature.

(4) IN FLIGHT.—The term “in flight” means—

(A) any time from the moment at which all the external doors of an aircraft are closed following embarkation until the moment when any such door is opened for disembarkation; and

(B) in the case of a forced landing, until competent authorities take over the responsibility for the aircraft and the persons and property on board.

(5) IN SERVICE.—The term “in service” means—

(A) any time from the beginning of pre-flight preparation of an aircraft by ground personnel or by the crew for a specific flight until 24 hours after any landing; and

(B) in any event includes the entire period during which the aircraft is in flight.

(6) MOTOR VEHICLE.—The term “motor vehicle” means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo.

(7) PART.—The term “part” means a frame, assembly, component, appliance, engine, propeller, material, part, spare part, piece, section, or related integral or auxiliary equipment.

(8) SPACE VEHICLE.—The term “space vehicle” means a man-made device, either manned or unmanned, designed for operation beyond the Earth’s atmosphere.

(9) STATE.—The term “State” means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(10) USED FOR COMMERCIAL PURPOSES.—The term “used for commercial purposes” means the carriage of persons or property for any fare, fee, rate, charge or other consideration,