

section 211(c) of Pub. L. 104-208, set out as a note under section 1028 of this title.

§ 1542. False statement in application and use of passport

Whoever willfully and knowingly makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

Whoever willfully and knowingly uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement—

Shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Pub. L. 103-322, title XIII, §130009(a)(2), title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2030, 2147; Pub. L. 104-208, div. C, title II, §211(a)(2), Sept. 30, 1996, 110 Stat. 3009-569; Pub. L. 107-273, div. B, title IV, §4002(a)(3), Nov. 2, 2002, 116 Stat. 1806.)

HISTORICAL AND REVISION NOTES

Based on section 220 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, §2, 40 Stat. 227; Mar. 28, 1940, ch. 72, §7, 54 Stat. 80).

Mandatory-punishment provision was rephrased in the alternative.

Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS

2002—Pub. L. 107-273 substituted "to facilitate" for "to facility" in last par.

1996—Pub. L. 104-208 substituted "imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facility such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense)" for "imprisoned not more than 10 years" in last par.

1994—Pub. L. 103-322, §330016(1)(I), which directed the amendment of this section by substituting "under this title" for "not more than \$2,000", could not be executed because the words "not more than \$2,000" did not appear in text subsequent to amendment by Pub. L. 103-322, §130009(a)(2). See below.

Pub. L. 103-322, §130009(a)(2), substituted "under this title, imprisoned not more than 10 years" for "not more than \$2,000 or imprisoned not more than five years" in last par.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-208 applicable with respect to offenses occurring on or after Sept. 30, 1996, see

section 211(c) of Pub. L. 104-208, set out as a note under section 1028 of this title.

§ 1543. Forgery or false use of passport

Whoever falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

Whoever willfully and knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same—

Shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Pub. L. 103-322, title XIII, §130009(a)(2), title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2030, 2147; Pub. L. 104-208, div. C, title II, §211(a)(2), Sept. 30, 1996, 110 Stat. 3009-569; Pub. L. 107-273, div. B, title IV, §4002(a)(3), Nov. 2, 2002, 116 Stat. 1806.)

HISTORICAL AND REVISION NOTES

Based on section 222 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, §4, 40 Stat. 227; Mar. 28, 1940, ch. 72, §7, 54 Stat. 80).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Mandatory-punishment provision with authorization for added fine in discretion of court was rephrased in the alternative.

Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS

2002—Pub. L. 107-273 substituted "to facilitate" for "to facility" in last par.

1996—Pub. L. 104-208 substituted "imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facility such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense)" for "imprisoned not more than 10 years" in last par.

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Pub. L. 103-322, §130009(a)(2), substituted "under this title, imprisoned not more than 10 years" for "not more than \$2,000 or imprisoned not more than five years" in last par.