

CHANGE OF NAME

“Director of the Government Publishing Office” substituted for “Public Printer” in text on authority of section 1301(d) of Pub. L. 113-235, set out as a note under section 301 of Title 44, Public Printing and Documents.

§ 443. War contracts

Whoever willfully secretes, mutilates, obliterates, or destroys—

(a) any records of a war contractor relating to the negotiation, award, performance, payment, interim financing, cancellation or other termination, or settlement of a war contract of \$25,000 or more; or

(b) any records of a war contractor or purchaser relating to any disposition of termination inventory in which the consideration received by any war contractor or any government agency is \$5,000 or more,

before the lapse of (1) five years after such disposition of termination inventory by such war contractor or government agency, or (2) five years after the final settlement of such war contract, whichever applicable period is longer, shall be fined under this title or imprisoned not more than five years, or both.

The Administrator of General Services, by regulation, may authorize the destruction of such records upon such terms and conditions as he deems appropriate, including the requirement for the making and retaining of photographs or microphotographs, which shall have the same force and effect as the originals thereof.

The definitions of terms in section 103¹ of Title 41 shall apply to similar terms used in this section.

(June 25, 1948, ch. 645, 62 Stat. 704; Oct. 31, 1951, ch. 655, §20(a), 65 Stat. 717; Pub. L. 103-322, title XXXIII, §§330004(17), 330016(2)(F), Sept. 13, 1994, 108 Stat. 2142, 2148.)

HISTORICAL AND REVISION NOTES

Based on section 119, first and second paragraphs, of title 41 U.S.C., 1940 ed., Public Contracts (July 1, 1944, ch. 358, §19(a), 58 Stat. 667).

Section was rewritten with changes of phraseology to conform to the style adopted in the revision.

The definition of “records” was omitted as surplusage in order to avoid any inference that “records” as used in other sections was intended to have a different or more limited connotation than the broad and commonly understood meaning popularly assigned to the term.

The last paragraph was added to obviate any possibility of doubt as to meaning of terms defined in section 103 of Title 41, Public Contracts.

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

REFERENCES IN TEXT

Section 103 of Title 41, referred to in text, probably means section 3 of act July 1, 1944, ch. 358, 58 Stat. 650, which was classified to section 103 of former Title 41, Public Contracts, prior to repeal by Pub. L. 111-350, §7(b), Jan. 4, 2011, 124 Stat. 3855. For disposition of sections of former Title 41, see Disposition Table preceding section 101 of Title 41.

AMENDMENTS

1994—Pub. L. 103-322, in concluding provisions of first par., struck out “or (3) five years after 12 o'clock noon

of December 31, 1946,” after “of such war contract,” and substituted “shall be fined under this title” for “shall, if a corporation, be fined not more than \$50,000, and, if a natural person, be fined not more than \$10,000”.

1951—Act Oct. 31, 1951, substituted “12 o'clock noon of December 31, 1946” for “the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress”, and, in penultimate paragraph, substituted “Administrator of General Services” for “Director of Contract Settlement”.

CHAPTER 25—COUNTERFEITING AND FORGERY

Sec.	
470.	Counterfeit acts committed outside the United States.
471.	Obligations or securities of United States.
472.	Uttering counterfeit obligations or securities.
473.	Dealing in counterfeit obligations or securities.
474.	Plates, stones, or analog, digital, or electronic images for counterfeiting obligations or securities.
474A.	Deterrents to counterfeiting of obligations and securities.
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480.	Possessing counterfeit foreign obligations or securities.
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482.	Foreign bank notes.
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486.	Uttering coins of gold, silver or other metal.
487.	Making or possessing counterfeit dies for coins.
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489.	Making or possessing likeness of coins.
490.	Minor coins.
491.	Tokens or paper used as money.
492.	Forfeiture of counterfeit paraphernalia.
493.	Bonds and obligations of certain lending agencies.
494.	Contractors' bonds, bids, and public records.
495.	Contracts, deeds, and powers of attorney.
496.	Customs matters.
497.	Letters patent.
498.	Military or naval discharge certificates.
499.	Military, naval, or official passes.
500.	Money orders.
501.	Postage stamps, postage meter stamps, and postal cards.
502.	Postage and revenue stamps of foreign governments.
503.	Postmarking stamps.
504.	Printing and filming of United States and foreign obligations and securities.
505.	Seals of courts; signatures of judges or court officers.
506.	Seals of departments or agencies.
507.	Ship's papers.
508.	Transportation requests of Government.
509.	Possessing and making plates or stones for Government transportation requests.
510.	Forging endorsements on Treasury checks or bonds or securities of the United States.
511.	Altering or removing motor vehicle identification numbers.

¹ See References in Text note below.

- Sec.
511A. Unauthorized application of theft prevention decal or device.
512. Forfeiture of certain motor vehicles and motor vehicle parts.
513. Securities of the States and private entities.
514. Fictitious obligations.

AMENDMENTS

2001—Pub. L. 107-56, title III, §§ 374(e)(4), 375(d)(4), Oct. 26, 2001, 115 Stat. 340, 341, substituted “, stones, or analog, digital, or electronic images” for “or stones” in items 474 and 481.

1996—Pub. L. 104-208, div. A, title I, § 101(f) [title VI, § 648(b)(2)], title II, § 2603(b)(2), Sept. 30, 1996, 110 Stat. 3009-314, 3009-368, 3009-470, amended analysis identically, adding item 514.

1994—Pub. L. 103-322, title XII, § 120003(b)(1), title XXII, § 220003(d)(2), title XXXIII, § 330010(14), Sept. 13, 1994, 108 Stat. 2022, 2077, 2144, added item 470, struck out extraneous period after “money” in item 491, and added item 511A.

1992—Pub. L. 102-550, title XV, § 1553(b), Oct. 28, 1992, 106 Stat. 4071, added item 474A.

1990—Pub. L. 101-647, title XXXV, § 3513, Nov. 29, 1990, 104 Stat. 4922, substituted “or paper used as money,” for “used as money or similar to coins” in item 491, “matters” for “entry certificates” in item 496, and “stamps, postage meter stamps,” for “stamps” in item 501.

1986—Pub. L. 99-646, § 31(b), Nov. 10, 1986, 100 Stat. 3598, redesignated second item 510, relating to securities of the State and private entities, as item 513 and substituted “States” for “State”.

1984—Pub. L. 98-547, title II, § 201(b), Oct. 25, 1984, 98 Stat. 2770, added items 511 and 512.

Pub. L. 98-473, title II, § 1105(b), Oct. 12, 1984, 98 Stat. 2145, added second item 510 “Securities of the State and private entities”.

1983—Pub. L. 98-151, § 115(c), Nov. 14, 1983, 97 Stat. 977, added item 510, relating to forging endorsements.

1965—Pub. L. 89-81, title II, § 211(b), July 23, 1965, 79 Stat. 257, struck out “Gold or silver” before “Coins or bars” in item 485.

1958—Pub. L. 85-921, § 2, Sept. 2, 1958, 72 Stat. 1771, substituted “Printing and filming of United States and foreign obligations and securities” for “Printing stamps for philatelic purposes” in item 504.

1951—Act July 16, 1951, ch. 226, § 5(c), 65 Stat. 122, struck out “; publisher’s illustrations excepted” in item 489.

§ 470. Counterfeit acts committed outside the United States

A person who, outside the United States, engages in the act of—

- (1) making, dealing, or possessing any counterfeit obligation or other security of the United States; or
- (2) making, dealing, or possessing any plate, stone, analog, digital, or electronic image, or other thing, or any part thereof, used to counterfeit such obligation or security,

if such act would constitute a violation of section 471, 473, or 474 if committed within the United States, shall be punished as is provided for the like offense within the United States.

(Added Pub. L. 103-322, title XII, § 120003(a), Sept. 13, 1994, 108 Stat. 2021; amended Pub. L. 107-56, title III, § 374(a), Oct. 26, 2001, 115 Stat. 340.)

AMENDMENTS

2001—Pub. L. 107-56, § 374(a)(2), in concluding provisions, substituted “shall be punished as is provided for the like offense within the United States” for “shall be fined under this title, imprisoned not more than 20 years, or both”.

Par. (2). Pub. L. 107-56, § 374(a)(1), inserted “analog, digital, or electronic image,” after “plate, stone.”.

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-550, title XV, § 1551, Oct. 28, 1992, 106 Stat. 4070, provided that: “This subtitle [subtitle E (§§ 1551-1554) of title XV of Pub. L. 102-550, enacting section 474A of this title and amending sections 474 and 504 of this title] may be cited as the ‘Counterfeit Deterrence Act of 1992.’”

COMBATTING INTERNATIONAL COUNTERFEITING OF UNITED STATES CURRENCY

Pub. L. 104-132, title VIII, § 807, Apr. 24, 1996, 110 Stat. 1308, which directed the Secretary of the Treasury, in consultation with the advanced counterfeit deterrence steering committee, to study the use and counterfeiting of United States currency abroad, develop an evaluation audit plan, and submit written reports to Congress, ceased to be effective on Apr. 24, 2006.

§ 471. Obligations or securities of United States

Whoever, with intent to defraud, falsely makes, forges, counterfeits, or alters any obligation or other security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 705; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 107-56, title III, § 374(b), Oct. 26, 2001, 115 Stat. 340.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 262 (Mar. 4, 1909, ch. 321, § 148, 35 Stat. 1115).

Mandatory punishment provision was rephrased in the alternative.

Changes in phraseology were made.

AMENDMENTS

2001—Pub. L. 107-56 substituted “20 years” for “fifteen years”.

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

§ 472. Uttering counterfeit obligations or securities

Whoever, with intent to defraud, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or with like intent brings into the United States or keeps in possession or conceals any falsely made, forged, counterfeited, or altered obligation or other security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 705; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 107-56, title III, § 374(c), Oct. 26, 2001, 115 Stat. 340.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 265 (Mar. 4, 1909, ch. 321, § 151, 35 Stat. 1116).

Mandatory punishment provision was rephrased in the alternative.

Changes in phraseology were made.

AMENDMENTS

2001—Pub. L. 107-56 substituted “20 years” for “fifteen years”.

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.