(Added Pub. L. 107–204, title IX, § 906(a), July 30, 2002, 116 Stat. 806.)

§ 1351. Fraud in foreign labor contracting

(a) WORK INSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States or causes another person to recruit, solicit, or hire a person outside the United States, or attempts to do so, for purposes of employment in the United States by means of materially false or fraudulent pretenses, representations or promises regarding that employment shall be fined under this title or imprisoned for not more than 5 years, or both.

(b) WORK OUTSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States or causes another person to recruit, solicit, or hire a person outside the United States, or attempts to do so, for purposes of employment performed on a United States Government contract performed outside the United States, or on a United States military installation or mission outside the United States or other property or premises outside the United States owned or controlled by the United States Government, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment, shall be fined under this title or imprisoned for not more than 5 years, or both.

(Added Pub. L. 110–457, title II, § 222(e)(2), Dec. 23, 2008, 122 Stat. 5070; amended Pub. L. 112–239, div. A, title XVII, § 1706(a), Jan. 2, 2013, 126 Stat. 2097.)

Editorial Notes

AMENDMENTS

2013—Subsec. (a). Pub. L. 112–239, § 1706(a)(1), which directed substitution of ''(a) WORK INSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States or causes another person to recruit, solicit, or hire a person outside the United States, or attempts to do so,'' for ''Whoever knowingly and with the intent to defraud recruits, solicits or hires a person outside the United States'' was executed by making the substitution for ''Whoever knowingly and with intent to defraud recruits, solicits or hires a person outside the United States'' to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 112–239, § 1706(a)(2), added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112–239 effective Jan. 2, 2013 and applicable to conduct taking place on or after Jan. 2, 2013, see section 7104d(c)(3) of Title 22, Foreign Relations and Intercourse.

CHAPTER 65—MALICIOUS MISCHIEF

Editorial Notes

AMENDMENTS

2003—Pub. L. 108–29, § 2(b), May 29, 2003, 117 Stat. 772, added item 1369.

2000—Pub. L. 106–254, § 2(b), Aug. 2, 2000, 114 Stat. 638, added item 1368.

1990—Pub. L. 101–647, title XXXV, § 3543, Nov. 29, 1990, 104 Stat. 4926, inserted a period after ''1366''.

1986—Pub. L. 99–646, § 29(b), Nov. 10, 1986, 100 Stat. 3598, redesignated item 1365, relating to destruction of an energy facility, as item 1366.

Pub. L. 99–508, title III, § 303(b), Oct. 21, 1986, 100 Stat. 1873, added item 1367.

1984—Section 1365(d) of this title as added by Pub. L. 98–473, title II, § 1011(a), Oct. 12, 1984, 98 Stat. 2141, added item 1365, relating to destruction of an energy facility.

1983—Pub. L. 98–127, § 3, Oct. 13, 1983, 97 Stat. 832, added item 1365, relating to tampering with consumer products.

§ 1361. Government property or contracts

Whoever willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, or attempts to commit any of the foregoing offenses, shall be punished as follows:

If the damage or attempted damage to such property exceeds the sum of $1,000, by a fine under this title or imprisonment for not more than ten years, or both; if the damage or attempted damage to such property does not exceed the sum of $1,000, by a fine under this title or by imprisonment for not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 764; Pub. L. 103–322, title XXXII, § 320903(d)(1), title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2125, 2147; Pub. L. 104–294, title VI, §§ 601(a)(3), 605(e), 606(a), Oct. 11, 1996, 110 Stat. 3498, 3510, 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 82 (Mar. 4, 1909, ch. 321, § 35, 35 Stat. 1095; Oct. 23, 1918, ch. 194, 40 Stat. 1015; June 18, 1934, ch. 587, 48 Stat. 996; Apr. 4, 1938, ch. 69, 52 Stat. 197).

The embezzlement and theft provisions of section 82 of title 18, U.S.C., 1940 ed., are now incorporated in section 641 of this title.

Words ''or any corporation in which the United States of America is a stockholder'' were omitted as unnecessary in view of definition of ''agency'' in section 6 of this title.

Designation of the place of confinement as ''in a jail'' was omitted because section 4082 of this title commits all prisoners to the custody of the Attorney General or his authorized representative, who shall designate the place of confinement. (See reviser's note under section 1 of this title.)

The smaller penalty for offenses involving $50 or less was extended to offenses involving $100 or less. The use of $50 as the dividing line between felonies and misdemeanors originated at a time when that sum was of much greater value than $100 is now.

The word ''damage'' was substituted twice for the word ''value'', and the definition of ''value'' was omit-