

title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 1731(a) of title 12, U.S.C., 1940 ed., Banks and Banking (June 27, 1934, ch. 847, §512(a), 48 Stat. 1265; Feb. 3, 1938, ch. 13, §9, 52 Stat. 24).

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

“\$5,000” was substituted for “\$3,000” to make this section more consistent in its punishment provisions with comparable sections. (See section 1008 of this title.)

Minor changes in phraseology were made.

Editorial Notes

AMENDMENTS

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

1967—Pub. L. 90-19 included reference to Department of Housing and Urban Development in section catchline and substituted in text “Department of Housing and Urban Development” for “Federal Housing Administration” and “Department” for “Administration” in two places, respectively.

§ 1011. Federal land bank mortgage transactions

Whoever, being a mortgagee, knowingly makes any false statement in any paper, proposal, or letter, relating to the sale of any mortgage, to any Federal land bank; or

Whoever, being an appraiser, willfully overvalues any land securing such mortgage—

Shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 751; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 987 of title 12, U.S.C., 1940 ed., Banks and Banking (July 17, 1916, ch. 245, §31, seventh paragraph, as added June 16, 1933, ch. 98, §78, 48 Stat. 272).

Minor changes were made in phraseology.

Editorial Notes

AMENDMENTS

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

§ 1012. Department of Housing and Urban Development transactions

Whoever, with intent to defraud, makes any false entry in any book of the Department of Housing and Urban Development or makes any false report or statement to or for such Department; or

Whoever receives any compensation, rebate, or reward, with intent to defraud such Department or with intent unlawfully to defeat its purposes; or

Whoever induces or influences such Department to purchase or acquire any property or to enter into any contract and willfully fails to disclose any interest which he has in such property or in the property to which such contract relates, or any special benefit which he expects to receive as a result of such contract—

Shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 752; Oct. 31, 1951, ch. 655, §26, 65 Stat. 720; Pub. L. 90-19, §24(d),

May 25, 1967, 81 Stat. 28; Pub. L. 103-322, title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on sections 1423-1425 of title 42, U.S.C., 1940 ed., The Public Health and Welfare (Sept. 1, 1937, ch. 896, §§23-25, 50 Stat. 899).

Three sections were consolidated with changes of phraseology and arrangement necessary to effect consolidation.

Words “upon conviction thereof”, in each section were omitted as surplusage since punishment cannot be imposed until after conviction.

The provisions of section 1424 of title 42, U.S.C., 1940 ed., The Public Health and Welfare, relating to conspiracy were omitted as inconsistent with the general conspiracy statute, section 371 of this title, both as to punishment and allegation and proof of an overt act. (See reviser’s note under section 493 of this title.)

Editorial Notes

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000” in last par.

1967—Pub. L. 90-19 substituted “Department of Housing and Urban Development” for “Public Housing Administration” in section catchline and text, and “Department” for “Administration” wherever appearing in text.

1951—Act Oct. 31, 1951, substituted “Public Housing Administration” for “United States Housing Authority” in section catchline and text, and “Administration” for “Authority”, wherever appearing in text.

§ 1013. Farm loan bonds and credit bank debentures

Whoever deceives, defrauds, or imposes upon, or attempts to deceive, defraud, or impose upon any person, partnership, corporation, or association by making any false pretense or representation concerning the character, issue, security, contents, conditions, or terms of any farm loan bond, or coupon, issued by any Federal land bank or banks; or of any debenture, coupon, or other obligation, issued by any Federal intermediate credit bank or banks; or by falsely pretending or representing that any farm loan bond, or coupon, is anything other than, or different from, what it purports to be on the face of said bond or coupon, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 752; Pub. L. 97-297, §4(a), Oct. 12, 1982, 96 Stat. 1318; Pub. L. 103-322, title XXXIII, §§330004(8), 330016(1)(G), Sept. 13, 1994, 108 Stat. 2141, 2147.)

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 rephras-

ing 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.

Editorial Notes

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

¹ So in original.

² See References in Text note below.

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. 92-297, §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, 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