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[Document not affected by Public Laws enacted between
January 24, 2002 and December 19, 2002]
[CITE: 18USC1001]

TITLE 18--CRIMES AND CRIMINAL PROCEDURE

PART I--CRIMES

CHAPTER 47--FRAUD AND FALSE STATEMENTS

Sec. 1001. Statements or entries generally

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully--

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

(2) makes any materially false, fictitious, or fraudulent statement or representation; or

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title or imprisoned not more than 5 years, or both.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to--

(1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

(2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.

(June 25, 1948, ch. 645, 62 Stat. 749; Pub. L. 103-322, title XXXIII, Sec. 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-292, Sec. 2, Oct. 11, 1996, 110 Stat. 3459.)

Historical and Revision Notes

Based on title 18, U.S.C., 1940 ed., Sec. 80 (Mar. 4, 1909, ch. 321, Sec. 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).

Section 80 of title 18, U.S.C., 1940 ed., was divided into two

parts.

The provision relating to false claims was incorporated in section 287 of this title.

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

Words ``or any corporation in which the United States of America is a stockholder'' in said section 80 were omitted as unnecessary in view of definition of ``agency'' in section 6 of this title.

In addition to minor changes of phraseology, the maximum term of imprisonment was changed from 10 to 5 years to be consistent with comparable sections. (See reviser's note under section 287 of this title.)

Amendments

1996--Pub. L. 104-292 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows:

``Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both.''

1994--Pub. L. 103-322 substituted ``fined under this title'' for ``fined not more than \$10,000''.

Change of Name

Reference to United States magistrate or to magistrate deemed to refer to United States magistrate judge pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

Short Title of 2000 Amendment

Pub. L. 106-578, Sec. 1, Dec. 28, 2000, 114 Stat. 3075, provided that: ``This Act [amending section 1028 of this title, repealing section 1738 of this title, and enacting provisions set out as notes under section 1028 of this title] may be cited as the `Internet False Identification Prevention Act of 2000'.''

Short Title of 1998 Amendments

Pub. L. 105-318, Sec. 1, Oct. 30, 1998, 112 Stat. 3007, provided that: ``This Act [amending sections 982, 1028, and 2516 of this title and section 105 of the Ethics in Government Act of 1978, Pub. L. 95-521, set out in the Appendix to Title 5, Government Organization and Employees, and enacting provisions set out as notes under section 1028 of this title and section 994 of Title 28, Judiciary and Judicial Procedure] may be cited as the `Identity Theft and Assumption Deterrence Act of 1998'.''

Pub. L. 105-172, Sec. 1, Apr. 24, 1998, 112 Stat. 53, provided that: ``This Act [amending section 1029 of this title and enacting provisions

set out as a note under section 994 of Title 28, Judiciary and Judicial Procedure] may be cited as the `Wireless Telephone Protection Act'.'

Short Title of 1996 Amendment

Section 1 of Pub. L. 104-292 provided that: ``This Act [amending this section, sections 1515 and 6005 of this title, and section 1365 of Title 28, Judiciary and Judicial Procedure] may be cited as the `False Statements Accountability Act of 1996'.'

Short Title of 1994 Amendment

Section 290001(a) of Pub. L. 103-322, as amended by Pub. L. 104-294, title VI, Sec. 604(b) (34), Oct. 11, 1996, 110 Stat. 3508, provided that: ``This section [amending section 1030 of this title] may be cited as the `Computer Abuse Amendments Act of 1994'.'

Short Title of 1990 Amendment

Pub. L. 101-647, title XXV, Sec. 2500, Nov. 29, 1990, 104 Stat. 4859, provided that: ``This title [see Tables for classification] may be cited as the `Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990'.'

Short Title of 1989 Amendment

Pub. L. 101-123, Sec. 1, Oct. 23, 1989, 103 Stat. 759, provided that: ``This Act [amending section 1031 of this title, repealing section 293 of this title, enacting provisions set out as notes under sections 293 and 1031 of this title, and repealing provisions set out as a note under section 293 of this title] may be cited as the `Major Fraud Act Amendments of 1989'.'

Short Title of 1988 Amendment

Pub. L. 100-700, Sec. 1, Nov. 19, 1988, 102 Stat. 4631, provided that: ``This Act [enacting sections 293 and 1031 of this title and section 256 of Title 41, Public Contracts, amending section 2324 of Title 10, Armed Forces, and section 3730 of Title 31, Money and Finance, enacting provisions set out as notes under sections 293 and 1031 of this title, section 2324 of Title 10, and section 522 of Title 28, Judiciary and Judicial Procedure, and repealing provisions set out as a note under section 2324 of Title 10] may be cited as the `Major Fraud Act of 1988'.'

Short Title of 1986 Amendment

Pub. L. 99-474, Sec. 1, Oct. 16, 1986, 100 Stat. 1213, provided that: ``This Act [amending section 1030 of this title] may be cited as the `Computer Fraud and Abuse Act of 1986'.'

Short Title of 1984 Amendment

Pub. L. 98-473, title II, Sec. 1601, Oct. 12, 1984, 98 Stat. 2183, provided that: ``This chapter [chapter XVI (Secs. 1601-1603) of title II of Pub. L. 98-473, enacting section 1029 of this title and provisions set out as a note under section 1029 of this title] may be cited as the `Credit Card Fraud Act of 1984'.''

Pub. L. 98-473, title II, Sec. 2101, Oct. 12, 1984, 98 Stat. 2190, provided that: ``This chapter [chapter XXI (Secs. 2101-2103) of title II of Pub. L. 98-473, enacting section 1030 of this title and provisions set out as a note under section 1030 of this title] may be cited as the `Counterfeit Access Device and Computer Fraud and Abuse Act of 1984'.''

Short Title of 1982 Amendment

Section 1 of Pub. L. 97-398 provided: ``That this Act [enacting sections 1028 and 1738 of this title and amending section 3001 of Title 39, Postal Service] may be cited as the `False Identification Crime Control Act of 1982'.''

Section Referred to in Other Sections

This section is referred to in sections 24, 981, 982, 1345 of this title; title 2 section 437g; title 7 sections 12a, 136h, 511r, 1314i, 5662, 6519; title 8 section 1324a; title 12 section 1833a; title 15 sections 637, 657a, 6003; title 17 section 1312; title 19 sections 2515, 3391, 3432; title 21 section 374; title 22 sections 1623, 3622; title 35 section 25; title 40 section 3145; title 42 sections 2000b-3, 2000c-6, 3795a; title 43 section 1212; title 49 sections 5307, 30170.