

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 408 (Oct. 29, 1919, ch. 89, §§1, 3, 5, 41 Stat. 324, 325; Sept. 24, 1945, ch. 383, §§2, 3, 59 Stat. 536).

The first sentence of said section 408, providing the short title “An Act to punish the transportation of stolen motor vehicles or aircraft in interstate or foreign commerce,” and derived from section 1 of said act of October 29, 1919, as amended, was omitted as not appropriate in a revision.

Definitions of “aircraft,” “motor vehicle,” and “interstate or foreign commerce,” which constituted the second sentence of said section 408 of title 18, U.S.C., 1940 ed., and were derived from section 2 of said act of October 29, 1919, as amended, are incorporated in sections 10 and 2311 of this title.

Provision relating to receiving or selling stolen aircraft or motor vehicles, which was derived from section 4 of the act of October 29, 1919, as amended, is incorporated in section 2313 of this title.

Venue provision, which was derived from section 5 of the act of October 29, 1919, was omitted as unnecessary, being covered by section 3237 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.

Minor changes were made in phraseology.

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-177 substituted “motor vehicle, vessel, or aircraft” for “motor vehicle or aircraft”.

1992—Pub. L. 102-519 substituted “fined under this title or imprisoned not more than 10 years” for “fined not more than \$5,000 or imprisoned not more than five years”.

§ 2313. Sale or receipt of stolen vehicles

(a) Whoever receives, possesses, conceals, stores, barters, sells, or disposes of any motor vehicle, vessel, or aircraft, which has crossed a State or United States boundary after being stolen, knowing the same to have been stolen, shall be fined under this title or imprisoned not more than 10 years, or both.

(b) For purposes of this section, the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(June 25, 1948, ch. 645, 62 Stat. 806; Pub. L. 98-547, title II, § 203, Oct. 25, 1984, 98 Stat. 2770; Pub. L. 101-647, title XII, § 1205(), Nov. 29, 1990, 104 Stat. 4831; Pub. L. 102-519, title I, § 103, Oct. 25, 1992, 106 Stat. 3385; Pub. L. 109-177, title III, § 307(b)(2)(B), Mar. 9, 2006, 120 Stat. 240.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 408 (Oct. 29, 1919, ch. 89, § 4, 41 Stat. 325; Sept. 24, 1945, ch. 383, §§2, 3, 59 Stat. 536).

Section constitutes the fourth sentence of said section 408 of title 18, U.S.C., 1940 ed.

Definitions of “aircraft,” “motor vehicle,” and “interstate or foreign commerce,” which constituted the second sentence of said section 408, are incorporated in sections 10 and 2311 of this title.

The third sentence of said section 408, relating to transporting stolen aircraft or motor vehicles, is incorporated in section 2312 of this title.

The first sentence of said section 408, providing the short title, and the fifth sentence thereof, relating to venue, were omitted. (See reviser’s note under section 2312 of this title.)

Minor changes were made in phraseology.

Editorial Notes

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-177 substituted “motor vehicle, vessel, or aircraft” for “motor vehicle or aircraft”.

1992—Subsec. (a). Pub. L. 102-519 substituted “fined under this title or imprisoned not more than 10 years” for “fined not more than \$5,000 or imprisoned not more than five years”.

1990—Pub. L. 101-647 designated existing provisions as subsec. (a) and added subsec. (b).

1984—Pub. L. 98-547 inserted “possesses,” after “receives,” and substituted “which has crossed a State or United States boundary after being stolen,” for “moving as, or which is a part of, or which constitutes interstate or foreign commerce.”

§ 2314. Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting

Whoever transports, transmits, or transfers in interstate or foreign commerce any goods, wares, merchandise, securities or money, of the value of \$5,000 or more, knowing the same to have been stolen, converted or taken by fraud; or

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person or persons to travel in, or to be transported in interstate or foreign commerce in the execution or concealment of a scheme or artifice to defraud that person or those persons of money or property having a value of \$5,000 or more; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any falsely made, forged, altered, or counterfeited securities or tax stamps, knowing the same to have been falsely made, forged, altered, or counterfeited; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any traveler’s check bearing a forged countersignature; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce, any tool, implement, or thing used or fitted to be used in falsely making, forging, altering, or counterfeiting any security or tax stamps, or any part thereof; or

Whoever transports, transmits, or transfers in interstate or foreign commerce any veterans’ memorial object, knowing the same to have been stolen, converted or taken by fraud—

Shall be fined under this title or imprisoned not more than ten years, or both. If the offense involves a pre-retail medical product (as defined in section 670) the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under this section is greater. If the offense involves the transportation, transmission, or transfer in interstate or foreign commerce of veterans’ memorial objects with a value, in the aggregate, of less than \$1,000, the defendant shall be fined under this title or imprisoned not more than one year, or both.

This section shall not apply to any falsely made, forged, altered, counterfeited or spurious representation of an obligation or other security of the United States, or of an obligation, bond, certificate, security, treasury note, bill, promise to pay or bank note issued by any foreign government. This section also shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of any bank note or bill issued by a bank or corporation of any foreign country which is intended by the laws or usage of such country to circulate as money.

For purposes of this section the term "veterans' memorial object" means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.

(June 25, 1948, ch. 645, 62 Stat. 806; May 24, 1949, ch. 139, § 45, 63 Stat. 96; July 9, 1956, ch. 519, 70 Stat. 507; Pub. L. 87-371, § 2, Oct. 4, 1961, 75 Stat. 802; Pub. L. 90-535, Sept. 28, 1968, 82 Stat. 885; Pub. L. 100-690, title VII, §§ 7057, 7080, Nov. 18, 1988, 102 Stat. 4402, 4406; Pub. L. 101-647, title XII, § 1208, Nov. 29, 1990, 104 Stat. 4832; Pub. L. 103-322, title XXXIII, § 330016(1)(K), (L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 112-186, § 4(d)(1), Oct. 5, 2012, 126 Stat. 1429; Pub. L. 112-239, div. A, title X, § 1084(a), Jan. 2, 2013, 126 Stat. 1963.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on title 18, U.S.C., 1940 ed., §§ 413, 415, 418, 418a, 419 (May 22, 1934, ch. 333, §§ 1, 3, 6, 48 Stat. 794, 795; May 22, 1934, ch. 333, § 7, as added Aug. 3, 1939, ch. 413, § 5, 53 Stat. 1179; May 22, 1934, ch. 333, § 7, renumbered § 8 by Aug. 3, 1939, ch. 413, § 6, 53 Stat. 1179; Aug. 3, 1939, ch. 413, §§ 1, 4, 5, 53 Stat. 1178, 1179).

Section consolidates sections 413, 415, 417, 418, 418a, and 419 of title 18, U.S.C., 1940 ed.

Words "or with intent to steal or purloin, knowing the same to have been so stolen, converted, or taken" were omitted as surplusage, since property so "taken" is "stolen," and insertion of word "knowingly" after "Whoever" at beginning of section renders such omission possible.

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

Section 413 of title 18, U.S.C., 1940 ed., providing the short title "National Stolen Property Act," was omitted as not appropriate in a revision.

Section 414 of title 18, U.S.C., 1940 ed., containing definitions of "interstate or foreign commerce," "securities," and "money," is incorporated in sections 10 and 2311 of this title.

Section 417 of title 18, U.S.C., 1940 ed., relating to indictments and determination of "value" of goods, wares, merchandise, securities, and money referred to in indictments, is also incorporated in section 2311 of this title.

Section 418 of title 18, U.S.C., 1940 ed., relating to venue, was omitted as completely covered by section 3237 of this title.

Section 418a of title 18, U.S.C., 1940 ed., relating to conspiracy, was omitted as covered by section 371 of this title, the general conspiracy section.

Section 419 of title 18, U.S.C., 1940 ed., providing that nothing contained in the National Stolen Property Act should be construed to repeal, modify, or amend any part of the National Motor Vehicle Theft Act, was omitted as unnecessary, in view of this revision and re-enactment of the provisions of the latter act (sections 10, 2311-2313 of this title).

Changes were made in phraseology and arrangement.

1949 ACT

This amendment [see section 45] restates and clarifies the first paragraph of section 2314 of title 18, U.S.C., to conform to the original law upon which the section is based.

Editorial Notes

AMENDMENTS

2013—Pub. L. 112-239, § 1084(a)(4), inserted par. at end defining "veterans' memorial object".

Pub. L. 112-239, § 1084(a)(3), inserted at end of seventh par. "If the offense involves the transportation, transmission, or transfer in interstate or foreign commerce of veterans' memorial objects with a value, in the aggregate, of less than \$1,000, the defendant shall be fined under this title or imprisoned not more than one year, or both."

Pub. L. 112-239, § 1084(a)(1), (2), inserted sixth par. relating to veterans' memorial objects.

2012—Pub. L. 112-186 inserted at end of sixth par. "If the offense involves a pre-retail medical product (as defined in section 670) the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under this section is greater."

1994—Pub. L. 103-322, § 330016(1)(L), substituted "fined under this title" for "fined not more than \$10,000" in sixth par.

Pub. L. 103-322, § 330016(1)(K), which directed the amendment of this section by striking "not more than \$5,000" and inserting "under this title", could not be executed because the phrase "not more than \$5,000" did not appear in text.

1990—Pub. L. 101-647 inserted "or foreign" after "interstate" in second par.

1988—Pub. L. 100-690, § 7057(a), substituted "transports, transmits, or transfers" for "transports" in first par.

Pub. L. 100-690, § 7080, inserted "or persons" after "any person" and "or those persons" after "that person" in second par.

Pub. L. 100-690, § 7057(b), struck out "or by a bank or corporation of any foreign country" after "foreign government" in last par. and inserted at end "This section also shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of any bank note or bill issued by a bank or corporation of any foreign country which is intended by the laws or usage of such country to circulate as money."

1968—Pub. L. 90-535 prohibited transportation with unlawful or fraudulent intent in interstate or foreign commerce of traveler's checks bearing forged countersignatures.

1961—Pub. L. 87-371 inserted "or tax stamps" after "securities" in third par. and after "security" in fourth par., and "fraudulent State tax stamps," in section catchline.

1956—Act July 9, 1956, inserted par. relating to interstate transportation of persons in schemes to defraud.

1949—Act May 24, 1949, substituted "knowing" the same to have been stolen, converted or taken by fraud" for "theretofore stolen, converted, or taken by fraud" in first par.

§ 2315. Sale or receipt of stolen goods, securities, moneys, or fraudulent State tax stamps

Whoever receives, possesses, conceals, stores, barters, sells, or disposes of any goods, wares, or merchandise, securities, or money of the value of \$5,000 or more, or pledges or accepts as security for a loan any goods, wares, or merchandise, or securities, of the value of \$500 or more, which have crossed a State or United States boundary after being stolen, unlawfully converted, or