

(3) a Federal home loan bank or a member, as defined in section 2 of the Federal Home Loan Bank Act (12 U.S.C. 1422), of the Federal home loan bank system;

(4) a System institution of the Farm Credit System, as defined in section 5.35(3) of the Farm Credit Act of 1971;

(5) a small business investment company, as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662);

(6) a depository institution holding company (as defined in section 3(w)(1) of the Federal Deposit Insurance Act;

(7) a Federal Reserve bank or a member bank of the Federal Reserve System;

(8) an organization operating under section 25 or section 25(a)¹ of the Federal Reserve Act; or

(9) 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).

(Added Pub. L. 98-473, title II, §1107(a), Oct. 12, 1984, 98 Stat. 2145, §215(b); amended Pub. L. 99-370, §2, Aug. 4, 1986, 100 Stat. 779; renumbered §20 and amended Pub. L. 101-73, title IX, §962(e)(1), (2), Aug. 9, 1989, 103 Stat. 503; Pub. L. 101-647, title XXV, §2597(a), Nov. 29, 1990, 104 Stat. 4908.)

REFERENCES IN TEXT

Section 3 of the Federal Deposit Insurance Act, referred to in pars. (1) and (6), is classified to section 1813 of Title 12, Banks and Banking.

Section 5.35(3) of the Farm Credit Act of 1971, referred to in par. (4), is classified to section 2271(3) of Title 12.

Section 25 of the Federal Reserve Act, referred to in par. (8), is classified to subchapter I (§601 et seq.) of chapter 6 of Title 12. Section 25(a) of the Federal Reserve Act, which is classified to subchapter II (§611 et seq.) of chapter 6 of Title 12, was renumbered section 25A of that act by Pub. L. 102-242, title I, §142(e)(2), Dec. 19, 1991, 105 Stat. 2281.

Section 1(b) of the International Banking Act of 1978, referred to in par. (9), is classified to section 3101 of Title 12.

PRIOR PROVISIONS

A prior section 20 was renumbered section 17 of this title.

AMENDMENTS

1990—Pars. (7) to (9). Pub. L. 101-647 added pars. (7) to (9).

1989—Pub. L. 101-73, §962(e)(1), (2)(A)–(C), redesignated subsec. (b) of section 215 of this title as this section, inserted section catchline, struck out subsec. (b) designation before “As used”, and substituted “used in this title” for “used in this section”.

Par. (1). Pub. L. 101-73, §962(e)(2)(D), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “a bank with deposits insured by the Federal Deposit Insurance Corporation;”.

Par. (2). Pub. L. 101-73, §962(e)(2)(E), (H), redesignated par. (3) as (2) and struck out former par. (2) which read as follows: “an institution with accounts insured by the Federal Savings and Loan Insurance Corporation;”.

Par. (3). Pub. L. 101-73, §962(e)(2)(H), redesignated par. (4) as (3). Former par. (3) redesignated (2).

Par. (4). Pub. L. 101-73, §962(e)(2)(F), (H), redesignated par. (5) as (4) and amended it generally. Prior to amendment, par. (4) read as follows: “a Federal land bank, Federal intermediate credit bank, bank for coopera-

tives, production credit association, and Federal land bank association;”. Former par. (4) redesignated (3).

Par. (5). Pub. L. 101-73, §962(e)(2)(H), redesignated par. (6) as (5). Former par. (5) redesignated (4).

Pars. (6), (7). Pub. L. 101-73, §962(e)(2)(G), (H), redesignated par. (7) as (6) and amended it generally. Prior to amendment, par. (6) read as follows: “a bank holding company as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841); or”. Former par. (6) redesignated (5).

Par. (8). Pub. L. 101-73, §962(e)(2)(E), struck out par. (8) which read as follows: “a savings and loan holding company as defined in section 408 of the National Housing Act (12 U.S.C. 1730a).”

1986—Pub. L. 99-370 amended subsec. (b) [formerly §215(b)] generally expanding provisions formerly contained in subsec. (c) [former §215(c)] defining “financial institution”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 656, 984, 1005 of this title; title 12 sections 1785, 1829.

§ 21. Stolen or counterfeit nature of property for certain crimes defined

(a) Wherever in this title it is an element of an offense that—

(1) any property was embezzled, robbed, stolen, converted, taken, altered, counterfeited, falsely made, forged, or obliterated; and

(2) the defendant knew that the property was of such character;

such element may be established by proof that the defendant, after or as a result of an official representation as to the nature of the property, believed the property to be embezzled, robbed, stolen, converted, taken, altered, counterfeited, falsely made, forged, or obliterated.

(b) For purposes of this section, the term “official representation” means any representation made by a Federal law enforcement officer (as defined in section 115) or by another person at the direction or with the approval of such an officer.

(Added Pub. L. 103-322, title XXXII, §320910(a), Sept. 13, 1994, 108 Stat. 2127.)

§ 23.¹ Court of the United States defined

As used in this title, except where otherwise expressly provided² the term “court of the United States” includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands.

(Added Pub. L. 103-322, title XXXII, §320914(a), Sept. 13, 1994, 108 Stat. 2128.)

§ 24. Definitions relating to Federal health care offense

(a) As used in this title, the term “Federal health care offense” means a violation of, or a criminal conspiracy to violate—

(1) section 669, 1035, 1347, or 1518 of this title;

(2) section 287, 371, 664, 666, 1001, 1027, 1341, 1343, or 1954 of this title, if the violation or conspiracy relates to a health care benefit program.

(b) As used in this title, the term “health care benefit program” means any public or private

¹ See References in Text note below.

² So in original. No section 22 has been enacted.

³ So in original. Probably should be followed by a comma.

plan or contract, affecting commerce, under which any medical benefit, item, or service is provided to any individual, and includes any individual or entity who is providing a medical benefit, item, or service for which payment may be made under the plan or contract.

(Added Pub. L. 104-191, title II, §241(a), Aug. 21, 1996, 110 Stat. 2016.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 669, 1035 of this title; title 42 section 1395i.

CHAPTER 2—AIRCRAFT AND MOTOR VEHICLES

Sec.	
31.	Definitions.
32.	Destruction of aircraft or aircraft facilities.
33.	Destruction of motor vehicles or motor vehicle facilities.
34.	Penalty when death results.
35.	Imparting or conveying false information.
36.	Drive-by shooting.
37.	Violence at international airports.
38.	Fraud involving aircraft or space vehicle parts in interstate or foreign commerce.

AMENDMENTS

2000—Pub. L. 106-181, title V, §506(c)(2)(A), Apr. 5, 2000, 114 Stat. 139, added item 38.

1994—Pub. L. 103-322, title VI, §§60008(c), 60021(b), Sept. 13, 1994, 108 Stat. 1972, 1980, added items 36 and 37.

§ 31. Definitions

(a) DEFINITIONS.—In this chapter, the following definitions apply:

(1) AIRCRAFT.—The term “aircraft” means a civil, military, or public contrivance invented, used, or designed to navigate, fly, or travel in the air.

(2) AVIATION QUALITY.—The term “aviation quality”, with respect to a part of an aircraft or space vehicle, means the quality of having been manufactured, constructed, produced, maintained, repaired, overhauled, rebuilt, reconditioned, or restored in conformity with applicable standards specified by law (including applicable regulations).

(3) DESTRUCTIVE SUBSTANCE.—The term “destructive substance” means an explosive substance, flammable material, infernal machine, or other chemical, mechanical, or radioactive device or matter of a combustible, contaminative, corrosive, or explosive nature.

(4) IN FLIGHT.—The term “in flight” means—

(A) any time from the moment at which all the external doors of an aircraft are closed following embarkation until the moment when any such door is opened for disembarkation; and

(B) in the case of a forced landing, until competent authorities take over the responsibility for the aircraft and the persons and property on board.

(5) IN SERVICE.—The term “in service” means—

(A) any time from the beginning of pre-flight preparation of an aircraft by ground personnel or by the crew for a specific flight until 24 hours after any landing; and

(B) in any event includes the entire period during which the aircraft is in flight.

(6) MOTOR VEHICLE.—The term “motor vehicle” means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo.

(7) PART.—The term “part” means a frame, assembly, component, appliance, engine, propeller, material, part, spare part, piece, section, or related integral or auxiliary equipment.

(8) SPACE VEHICLE.—The term “space vehicle” means a man-made device, either manned or unmanned, designed for operation beyond the Earth’s atmosphere.

(9) STATE.—The term “State” means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(10) USED FOR COMMERCIAL PURPOSES.—The term “used for commercial purposes” means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.

(b) TERMS DEFINED IN OTHER LAW.—In this chapter, the terms “aircraft engine”, “air navigation facility”, “appliance”, “civil aircraft”, “foreign air commerce”, “interstate air commerce”, “landing area”, “overseas air commerce”, “propeller”, “spare part”, and “special aircraft jurisdiction of the United States” have the meanings given those terms in sections 40102(a) and 46501 of title 49.

(Added July 14, 1956, ch. 595, §1, 70 Stat. 538; amended Pub. L. 98-473, title II, §§1010, 2013(a), Oct. 12, 1984, 98 Stat. 2141, 2187; Pub. L. 100-690, title VII, §7015, Nov. 18, 1988, 102 Stat. 4395; Pub. L. 103-272, §5(e)(1), July 5, 1994, 108 Stat. 1373; Pub. L. 106-181, title V, §506(b), Apr. 5, 2000, 114 Stat. 136.)

AMENDMENTS

2000—Pub. L. 106-181 added subsecs. (a) and (b) and struck out former text which read as follows: “When used in this chapter the term—

“‘Aircraft engine’, ‘air navigation facility’, ‘appliance’, ‘civil aircraft’, ‘foreign air commerce’, ‘interstate air commerce’, ‘landing area’, ‘overseas air commerce’, ‘propeller’, ‘spare part’ and ‘special aircraft jurisdiction of the United States’ shall have the meaning ascribed to those terms in sections 40102(a) and 46501 of title 49.

“‘Motor vehicle’ means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo;

“‘Destructive substance’ means any explosive substance, flammable material, infernal machine, or other chemical, mechanical, or radioactive device or matter of a combustible, contaminative, corrosive, or explosive nature;

“‘Used for commercial purposes’ means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit;

“‘In flight’ means any time from the moment all the external doors of an aircraft are closed following embarkation until the moment when any such door is