

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 73 - OBSTRUCTION OF JUSTICE

§ 1516. Obstruction of Federal audit

(a) Whoever, with intent to deceive or defraud the United States, endeavors to influence, obstruct, or impede a Federal auditor in the performance of official duties relating to a person, entity, or program receiving in excess of \$100,000, directly or indirectly, from the United States in any 1 year period under a contract or subcontract, grant, or cooperative agreement, or relating to any property that is security for a mortgage note that is insured, guaranteed, acquired, or held by the Secretary of Housing and Urban Development pursuant to any Act administered by the Secretary, or relating to any property that is security for a loan that is made or guaranteed under title V of the Housing Act of 1949, shall be fined under this title, or imprisoned not more than 5 years, or both.

(b) For purposes of this section—

- (1) the term “Federal auditor” means any person employed on a full- or part-time or contractual basis to perform an audit or a quality assurance inspection for or on behalf of the United States; and
- (2) the term “in any 1 year period” has the meaning given to the term “in any one-year period” in section 666.

(Added Pub. L. 100–690, title VII, § 7078(a), Nov. 18, 1988, 102 Stat. 4406; amended Pub. L. 103–322, title XXXII, § 320609, Sept. 13, 1994, 108 Stat. 2120; Pub. L. 104–294, title VI, § 604(b)(43), Oct. 11, 1996, 110 Stat. 3509; Pub. L. 105–65, title V, § 564, Oct. 27, 1997, 111 Stat. 1420; Pub. L. 106–569, title VII, § 709(b), Dec. 27, 2000, 114 Stat. 3018; Pub. L. 107–273, div. A, title II, § 205(c), Nov. 2, 2002, 116 Stat. 1778.)

References in Text

The Housing Act of 1949, referred to in subsec. (a), is act July 15, 1949, ch. 338, 63 Stat. 413, as amended. Title V of the Act is classified generally to subchapter III (§ 1471 et seq.) of chapter 8A of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1441 of Title 42 and Tables.

Amendments

2002—Subsec. (a). Pub. L. 107–273 inserted “, entity, or program” after “person” and “grant, or cooperative agreement,” after “subcontract,”.

2000—Subsec. (a). Pub. L. 106–569 inserted “or relating to any property that is security for a loan that is made or guaranteed under title V of the Housing Act of 1949,” before “shall be fined under this title”.

1997—Subsec. (a). Pub. L. 105–65 inserted “or relating to any property that is security for a mortgage note that is insured, guaranteed, acquired, or held by the Secretary of Housing and Urban Development pursuant to any Act administered by the Secretary,” after “under a contract or subcontract,”.

1996—Subsec. (b)(1). Pub. L. 104–294 inserted “and” after semicolon at end.

1994—Subsec. (b). Pub. L. 103–322 substituted “section—” for “section”, inserted “(1)” before “the term”, substituted semicolon for the period at end, and added par. (2).

Effective Date of 1996 Amendment

Amendment by Pub. L. 104–294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104–294, set out as a note under section 13 of this title.