§ 1544. Misuse of passport

Whoever willfully and knowingly uses, or attempts to use, any passport issued or designed for the use of another; or

Whoever willfully and knowingly uses or attempts to use any passport in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant to the laws regulating the issuance of passports; or

Whoever willfully and knowingly furnishes, disposes of, or delivers a passport to any person, for use by another than the person for whose use it was originally issued and designed—

Shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929 (a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facilitate such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense), or both.


Historical and Revision Notes


Mandatory-punishment provision rephrased in the alternative.

Punishment of five years’ imprisonment was substituted for “ten years” to conform with other sections embracing offenses of comparable gravity.

The phrase “which said rules shall be printed on the passport” was omitted as inconsistent with administrative practice and because the existing rules are too voluminous to be printed on a passport.

Minor changes were made in phraseology.

Amendments


1996—Pub. L. 104–208 substituted “imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929 (a) of this title)), 10 years (in the case of the first or second such offense, if the offense was not committed to facility such an act of international terrorism or a drug trafficking crime), or 15 years (in the case of any other offense)” for “imprisoned not more than 10 years” in last par.

1994—Pub. L. 103–322, § 330016(1)(I), which directed the amendment of this section by substituting “under this title” for “not more than $2,000”, could not be executed because the words “not more than $2,000” did not appear in text subsequent to amendment by Pub. L. 103–322, § 130009(a)(2). See below.

Pub. L. 103–322, § 130009(a)(2), substituted “under this title, imprisoned not more than 10 years” for “not more than $2,000 or imprisoned not more than five years” in last par.
Effective Date of 1996 Amendment

Amendment by Pub. L. 104–208 applicable with respect to offenses occurring on or after Sept. 30, 1996, see section 211(c) of Pub. L. 104–208, set out as a note under section 1028 of this title.