Words ''bed piece, bed-plate, roll, plate, die, seal, type, or other'' were omitted as covered by ''tool, implement, or thing.''

Minor changes in phraseology were made.

AMENDMENTS

1994—Pub. L. 103–322 substituted ''fined under this title'' for ''fined not more than $5,000'' in last par.

§ 643. Accounting generally for public money

Whoever, being an officer, employee or agent of the United States or of any department or agency thereof, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law is guilty of embezzlement, and shall be fined under this title or in a sum equal to the amount of the money embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 726; Pub. L. 103–322, title XXXIII, § 330016(1)(H), (2)(G), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104–294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 176 (Mar. 4, 1909, ch. 321, § 90, 35 Stat. 1105).

Word ''employee'' was inserted to avoid ambiguity as to scope of section.

Words ''or of any department or agency thereof'' were added after the words ''United States''. (See definitions of the terms ''department'' and ''agency'' in section 6 of this title.)

Mandatory punishment provisions phrased in alternative.

The smaller punishment for an offense involving $100 or less was added. (See reviser's notes under sections 641 and 645 of this title.)

AMENDMENTS

1996—Pub. L. 104–294 substituted ''$1,000'' for ''$100''.

1994—Pub. L. 103–322, § 330016(2)(G), substituted ''and shall be fined under this title or in a sum equal to the amount of the money embezzled, whichever is greater, or imprisoned'' for ''and shall be fined in a sum equal to the amount of the money embezzled or imprisoned''.

Pub. L. 103–322, § 330016(1)(H), substituted ''fined under this title'' for ''fined not more than $1,000'' after ''he shall be''.

§ 644. Banker receiving unauthorized deposit of public money

Whoever, not being an authorized depositary of public moneys, knowingly receives from any disbursing officer, or collector of internal revenue, or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States, or uses, transfers, converts, appropriates, or applies any portion of the public money for any purpose not prescribed by law is guilty of embezzlement and shall be fined under this title or not more than the amount so embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $1,000, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 726; Pub. L. 103–322, title XXXIII, § 330016(2)(G), Sept. 13, 1994, 108 Stat. 2148; Pub. L. 104–294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 182 (Mar. 4, 1909, ch. 321, § 96, 35 Stat. 1106).

The smaller punishment for an offense involving $100 or less was added. (See reviser's notes under sections 641 and 645 of this title.)

Changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104–294 substituted ''does not exceed $1,000'' for ''does not exceed $100''.

1994—Pub. L. 103–322 substituted ''shall be fined under this title or not more than the amount so embezzled, whichever is greater, or imprisoned'' for ''shall be fined not more than the amount so embezzled or imprisoned''.

§ 645. Court officers generally

Whoever, being a United States marshal, clerk, receiver, referee, trustee, or other officer of a United States court, or any deputy, assistant, or employee of any such officer, retains or converts to his own use or to the use of another or after demand by the party entitled thereto, unlawfully retains any money coming into his hands by virtue of his official relation, position or employment, is guilty of embezzlement and shall, where the offense is not otherwise punishable by enactment of Congress, be fined under this title or not more than double the value of the money so embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

It shall not be a defense that the accused person had any interest in such moneys or fund.

(June 25, 1948, ch. 645, 62 Stat. 726; Pub. L. 103–322, title XXXIII, § 330016(1)(H), (2)(G), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104–294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 186 (May 29, 1920, ch. 212, 41 Stat. 630).

The smaller punishment for an offense involving $100 or less was inserted to conform to section 641 of this title which represents a later expression of congressional intent.

Minor changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104–294 substituted ''$1,000'' for ''$100''.

1994—Pub. L. 103–322, § 330016(2)(G), substituted ''be fined under this title or not more than double the value of the money so embezzled, whichever is greater, or imprisoned'' for ''be fined not more than double the value of the money so embezzled or imprisoned''.

Pub. L. 103–322, § 330016(1)(H), substituted ''fined under this title'' for ''fined not more than $1,000'' after ''he shall be''.

§ 646. Court officers depositing registry moneys

Whoever, being a clerk or other officer of a court of the United States, fails to deposit promptly any money belonging in the registry of the court, or paid into court or received by the officers thereof, with the Treasurer or a des-

ignated depositary of the United States, in the name and to the credit of such court, or retains or converts to his own use or to the use of another any such money, is guilty of embezzlement and shall be fined under this title or not more than the amount embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

This section shall not prevent the delivery of any such money upon security, according to agreement of parties, under the direction of the court.

(June 25, 1948, ch. 645, 62 Stat. 726; Pub. L. 103–322, title XXXIII, § 330016(1)(H), (2)(H), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104–294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 185 (Mar. 4, 1909, ch. 321, § 99, 35 Stat. 1106; May 29, 1920, ch. 214, § 1, 41 Stat. 654).

The smaller punishment for an offense involving $100 or less was inserted for the reasons outlined in reviser's notes to sections 641 and 645 of this title.

Minor changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104–294 substituted ''$1,000'' for ''$100''.

1994—Pub. L. 103–322, § 330016(2)(H), substituted ''shall be fined under this title or not more than the amount embezzled, whichever is greater, or imprisoned'' for ''shall be fined not more than the amount embezzled, or imprisoned''.

Pub. L. 103–322, § 330016(1)(H), substituted ''fined under this title'' for ''fined not more than $1,000'' after ''he shall be''.

TRANSFER OF FUNCTIONS

Functions of all officers of Department of the Treasury, and functions of all agencies and employees of such Department, transferred, with certain exceptions, to Secretary of the Treasury, with power vested in him to authorize their performance or performance of any of his functions, by any of such officers, agencies, and employees, by Reorg. Plan No. 26 of 1950, §§ 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. The Treasurer of the United States, referred to in this section, is an officer of Department of the Treasury.

§ 647. Receiving loan from court officer

Whoever knowingly receives, from a clerk or other officer of a court of the United States, as a deposit, loan, or otherwise, any money belonging in the registry of such court, is guilty of embezzlement, and shall be fined under this title or not more than the amount embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 727; Pub. L. 103–322, title XXXIII, § 330016(1)(H), (2)(G), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104–294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 187 (Mar. 4, 1909, ch. 321, § 100, 35 Stat. 1107).

The punishment provision of section 185 of title 18, U.S.C., 1940 ed., now section 646 of this title, was substituted for the words ''punished as prescribed in section 185 of this title'' and the smaller punishment for an offense involving $100 or less was inserted. (See reviser's notes under sections 641 and 645 of this title.)

AMENDMENTS

1996—Pub. L. 104–294 substituted ''$1,000'' for ''$100''.

1994—Pub. L. 103–322, § 330016(2)(G), substituted ''shall be fined under this title or not more than the amount embezzled, whichever is greater, or imprisoned'' for ''shall be fined not more than the amount embezzled or imprisoned''.

Pub. L. 103–322, § 330016(1)(H), substituted ''fined under this title'' for ''fined not more than $1,000'' after ''he shall be''.

§ 648. Custodians, generally, misusing public funds

Whoever, being an officer or other person charged by any Act of Congress with the safe-keeping of the public moneys, loans, uses, or converts to his own use, or deposits in any bank, including any 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), or exchanges for other funds, except as specially allowed by law, any portion of the public moneys intrusted to him for safe-keeping, is guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged, and shall be fined under this title or in a sum equal to the amount of money so embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $1,000, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 727; Pub. L. 101–647, title XXV, § 2597(d), Nov. 29, 1990, 104 Stat. 4909; Pub. L. 103–322, title XXXIII, § 330016(1)(H), (2)(G), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104–294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 175 (Mar. 4, 1909, ch. 321, § 89, 35 Stat. 1105).

Mandatory punishment provision was rephrased in the alternative.

The smaller punishment for an offense involving $100 or less was inserted. (See reviser's notes under sections 641 and 645 of this title.)

Minor changes in phraseology were made.

REFERENCES IN TEXT

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

AMENDMENTS

1996—Pub. L. 104–294 substituted ''$1,000'' for ''$100''.

1994—Pub. L. 103–322, § 330016(2)(G), substituted ''shall be fined under this title or in a sum equal to the amount of money so embezzled, whichever is greater, or imprisoned'' for ''shall be fined in a sum equal to the amount of money so embezzled or imprisoned''.

Pub. L. 103–322, § 330016(1)(H), substituted ''fined under this title'' for ''fined not more than $1,000'' after ''he shall be''.

1990—Pub. L. 101–647 inserted '', including any branch or agency of a foreign bank (as such terms are defined in paragraphs (1) and (3) of section 1(b) of the Inter-