

EFFECTIVE DATE

Section 19 of Pub. L. 87-420 provided that: "The amendments made by this Act [see Short Title note below] shall take effect ninety days after the enactment of this Act [Mar. 20, 1962], except that section 13 of the Welfare and Pension Plans Disclosure Act [section 308d of Title 29, Labor] shall take effect one hundred eighty days after such date of enactment."

SHORT TITLE

Section 1 of Pub. L. 87-420 provided: "That this Act [enacting this section, sections 1027 and 1954 of this title, and sections 308a to 308f of Title 29, Labor, amending sections 302 to 308 and 309 of Title 29, and renumbering sections 10 to 12 of Pub. L. 85-536, classified to section 309 of Title 29 and as notes under section 301 of Title 29], may be cited as the 'Welfare and Pension Plans Disclosure Act Amendments of 1962'."

§ 665. Theft or embezzlement from employment and training funds; improper inducement; obstruction of investigations

(a) Whoever, being an officer, director, agent, or employee of, or connected in any capacity with any agency or organization receiving financial assistance or any funds under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998 knowingly enrolls an ineligible participant, embezzles, willfully misapplies, steals, or obtains by fraud any of the moneys, funds, assets, or property which are the subject of a financial assistance agreement or contract pursuant to such Act shall be fined under this title or imprisoned for not more than 2 years, or both; but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed \$1,000, such person shall be fined under this title or imprisoned not more than 1 year, or both.

(b) Whoever, by threat or procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with a financial assistance agreement or contract under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998 induces any person to give up any money or thing of any value to any person (including such organization or agency receiving funds) shall be fined under this title, or imprisoned not more than 1 year, or both.

(c) Whoever willfully obstructs or impedes or willfully endeavors to obstruct or impede, an investigation or inquiry under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998, or the regulations thereunder, shall be punished by a fine under this title, or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

(Added Pub. L. 93-203, title VII, § 711(a), formerly title VI, § 611(a), Dec. 28, 1973, 87 Stat. 881; renumbered title VII, § 711(a), Pub. L. 93-567, title I, § 101, Dec. 31, 1974, 88 Stat. 1845; amended Pub. L. 95-524, § 3(a), Oct. 27, 1978, 92 Stat. 2017; Pub. L. 97-300, title I, § 182, Oct. 13, 1982, 96 Stat. 1357; Pub. L. 101-647, title XXXV, § 3517, Nov. 29, 1990, 104 Stat. 4923; Pub. L. 103-322, title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511; Pub. L. 105-277, div. A, § 101(f) [title VIII, § 405(d)(13)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-421; Pub. L. 107-273, div. B, title IV, § 4002(d)(1)(B), Nov. 2, 2002, 116 Stat. 1809.)

REFERENCES IN TEXT

The Job Training Partnership Act, referred to in text, is Pub. L. 97-300, Oct. 13, 1982, 96 Stat. 1322, as amended, which was classified generally to chapter 19 (§1501 et seq.) of Title 29, Labor, prior to repeal by Pub. L. 105-220, title I, § 199(b)(2), (c)(2)(B), Aug. 7, 1998, 112 Stat. 1059, effective July 1, 2000. For complete classification of this Act to the Code, see Tables.

The Workforce Investment Act of 1998, referred to in text, is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, as amended. Title I of the Act is classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of Title 20, Education, and Tables.

CODIFICATION

Section 711(a) of Pub. L. 93-203, cited as a credit to this section, was omitted in the general revision of Pub. L. 93-203 by Pub. L. 95-524.

AMENDMENTS

2002—Subsec. (c). Pub. L. 107-273 substituted "a fine under this title" for "a fine of not more than \$5,000".

1998—Subsecs. (a) to (c). Pub. L. 105-277 substituted "the Job Training Partnership Act or title I of the Workforce Investment Act of 1998" for "the Comprehensive Employment and Training Act or the Job Training Partnership Act".

1996—Subsec. (a). Pub. L. 104-294 substituted "\$1,000" for "\$100".

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$10,000" after "such Act shall be" and for "fined not more than \$1,000" after "person shall be".

Subsec. (b). Pub. L. 103-322, § 330016(1)(H), substituted "fined under this title" for "fined not more than \$1,000".

1990—Pub. L. 101-647 substituted semicolons for colons in section catchline and "Whoever" for "Any person whoever" in subsec. (c).

1982—Subsec. (a). Pub. L. 97-300 inserted "or organization" after "any agency", "or any funds" after "financial assistance", "or Job Training Partnership Act" after "Comprehensive Employment and Training Act", substituted "participant" for "individual or individuals", and "financial assistance agreement or contract" for "grant or contract of assistance".

Subsec. (b). Pub. L. 97-300 substituted "financial assistance agreement or contract" for "grant or contract of assistance", inserted "or the Job Training Partnership Act" after "Comprehensive Employment and Training Act", substituted "any person" for "any persons" after "induces", and substituted "organization or agency receiving funds" for "grantee agency".

Subsec. (c). Pub. L. 97-300 inserted "willfully" before "endeavors to obstruct", and "or the Job Training Partnership Act" after "Comprehensive Employment and Training Act".

1978—Pub. L. 95-524 substituted "employment and training funds;" for "manpower funds;" and inserted "obstruction of investigations" after "improper inducement" in section catchline.

Subsec. (a). Pub. L. 95-524 substituted "Comprehensive Employment and Training Act knowingly hires an ineligible individual or individuals," for "Comprehensive Employment and Training Act of 1973".

Subsec. (b). Pub. L. 95-524 substituted "Comprehensive Employment and Training Act" for "Comprehensive Employment and Training Act of 1973".

Subsec. (c). Pub. L. 95-524 added subsec. (c).

§ 666. Theft or bribery concerning programs receiving Federal funds

(a) Whoever, if the circumstance described in subsection (b) of this section exists—

(1) being an agent of an organization, or of a State, local, or Indian tribal government, or any agency thereof—