

13.1 Counterfeiting (18 U.S.C. § 471)

The defendant is charged in [Count _____ of] the indictment with counterfeiting in violation of Section 471 of Title 18 of the United States Code. For the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant [[falsely made] [forged] [counterfeited] [altered]] [specify obligation or security of United States]; and

Second, the defendant acted with intent to defraud.

To be counterfeit, [specify item] must have a likeness or resemblance to the genuine [specify obligation or security of United States].

Comment

For a definition of “intent to defraud,” see Instruction 4.13 (Intent to Defraud).

See *United States v. Johnson*, 434 F.2d 827, 829 (9th Cir. 1970) (discussing requirement for likeness or resemblance to genuine obligation or security).