

Energy shall not participate in or otherwise support any study or other project relating to a modification in the scope of the regulations enforceable by civil penalties under section 234A or 234C of the Atomic Energy Act of 1954 [42 U.S.C. 2282a, 2282c], or the responsibility of the Secretary to implement and enforce such regulations, until after the date on which the regulations for such purposes under such section 234C take effect in accordance with subsection (b) [set out as a note above].”

§ 2283. Protection of nuclear inspectors

(a) Homicide

Whoever kills any person who performs any inspections which—

- (1) are related to any activity or facility licensed by the Commission, and
- (2) are carried out to satisfy requirements under this chapter or under any other Federal law governing the safety of utilization facilities required to be licensed under section 2133 or 2134(b) of this title, or the safety of radioactive materials,

shall be punished as provided under sections 1111 and 1112 of title 18. The preceding sentence shall be applicable only if such person is killed while engaged in the performance of such inspection duties or on account of the performance of such duties.

(b) Assault

Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person who performs inspections as described under subsection (a) of this section, while such person is engaged in such inspection duties or on account of the performance of such duties, shall be punished as provided under section 111 of title 18.

(Aug. 1, 1946, ch. 724, title I, § 235, as added Pub. L. 96-295, title II, § 202(a), June 30, 1980, 94 Stat. 786; renumbered title I, Pub. L. 102-486, title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944.)

§ 2284. Sabotage of nuclear facilities or fuel

(a) Physical damage to facilities, etc.

Any person who knowingly destroys or causes physical damage to—

- (1) any production facility or utilization facility licensed under this chapter;
- (2) any nuclear waste treatment, storage, or disposal facility licensed under this chapter;
- (3) any nuclear fuel for a utilization facility licensed under this chapter, or any spent nuclear fuel from such a facility;
- (4) any uranium enrichment, uranium conversion, or nuclear fuel fabrication facility licensed or certified by the Nuclear Regulatory Commission;
- (5) any production, utilization, waste storage, waste treatment, waste disposal, uranium enrichment, uranium conversion, or nuclear fuel fabrication facility subject to licensing or certification under this chapter during construction of the facility, if the destruction or damage caused or attempted to be caused could adversely affect public health and safety during the operation of the facility;
- (6) any primary facility or backup facility from which a radiological emergency preparedness alert and warning system is activated; or

(7) any radioactive material or other property subject to regulation by the Commission that, before the date of the offense, the Commission determines, by order or regulation published in the Federal Register, is of significance to the public health and safety or to common defense and security;¹

or attempts or conspires to do such an act, shall be fined not more than \$10,000 or imprisoned for not more than 20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.

(b) Unauthorized use or tampering with facilities, etc.

Any person who knowingly causes an interruption of normal operation of any such facility through the unauthorized use of or tampering with the machinery, components, or controls of any such facility, or attempts or conspires to do such an act, shall be fined not more than \$10,000 or imprisoned for not more than 20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.

(Aug. 1, 1946, ch. 724, title I, § 236, as added Pub. L. 96-295, title II, § 204(a), June 30, 1980, 94 Stat. 787; amended Pub. L. 97-415, § 16, Jan. 4, 1983, 96 Stat. 2076; Pub. L. 101-575, § 5(d), Nov. 15, 1990, 104 Stat. 2835; renumbered title I, Pub. L. 102-486, title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 107-56, title VIII, §§ 810(f), 811(h), Oct. 26, 2001, 115 Stat. 380, 381; Pub. L. 109-58, title VI, § 655, Aug. 8, 2005, 119 Stat. 813.)

AMENDMENTS

2005—Subsec. (a). Pub. L. 109-58, § 655(b), substituted “knowingly” for “intentionally and willfully” in introductory provisions.

Pub. L. 109-58, § 655(a), substituted “treatment, storage, or disposal facility” for “storage facility” in par. (2), “a utilization facility licensed under this chapter” for “such a utilization facility” in par. (3), and “, uranium conversion, or nuclear fuel fabrication facility licensed or certified” for “facility licensed” in par. (4) and added pars. (5) to (7).

Subsec. (b). Pub. L. 109-58, § 655(b), substituted “knowingly” for “intentionally and willfully”.

2001—Subsec. (a). Pub. L. 107-56, §§ 810(f)(1), (2), 811(h)(1)(A), (C), in introductory provisions, struck out “, or who intentionally and willfully attempts to destroy or cause physical damage to” before “—”, and in concluding provisions, inserted “or attempts or conspires to do such an act,” before “shall be fined” and substituted “20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.” for “ten years, or both.”

Subsec. (a)(4). Pub. L. 107-56, § 811(h)(1)(B), substituted comma for period at end.

Subsec. (b). Pub. L. 107-56, §§ 810(f)(1), (3), 811(h)(2), struck out “or attempts to cause” before “an interruption of normal operation”, inserted “or attempts or conspires to do such an act,” before “shall be fined”, and substituted “20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.” for “ten years, or both.”

1990—Subsec. (a)(4). Pub. L. 101-575, which directed amendment of this section by adding par. (4) after par. (3), was executed by adding par. (4) after par. (3) of subsec. (a) of this section to reflect the probable intent of Congress.

1983—Pub. L. 97-415 designated existing provisions as subsec. (a) and added subsec. (b).

¹ So in original. The semicolon probably should be a comma.