

States), 2332a (relating to use of weapons of mass destruction), 2332b (relating to acts of terrorism transcending national boundaries), 2332f (relating to bombing of public places and facilities), 2332g (relating to missile systems designed to destroy aircraft), 2332h (relating to radiological dispersal devices), 2339 (relating to harboring terrorists), 2339A (relating to providing material support to terrorists), 2339B (relating to providing material support to terrorist organizations), 2339C (relating to financing of terrorism), 2339D (relating to military-type training from a foreign terrorist organization), or 2340A (relating to torture) of this title;

(ii) sections 92 (relating to prohibitions governing atomic weapons) or 236 (relating to sabotage of nuclear facilities or fuel) of the Atomic Energy Act of 1954 (42 U.S.C. 2122 or 2284);

(iii) section 46502 (relating to aircraft piracy), the second sentence of section 46504 (relating to assault on a flight crew with a dangerous weapon), section 46505(b)(3) or (c) (relating to explosive or incendiary devices, or endangerment of human life by means of weapons, on aircraft), section 46506 if homicide or attempted homicide is involved (relating to application of certain criminal laws to acts on aircraft), or section 60123(b) (relating to destruction of interstate gas or hazardous liquid pipeline facility) of title 49; or

(iv) section 1010A of the Controlled Substances Import and Export Act (relating to narco-terrorism).

(Added Pub. L. 104-132, title VII, §702(a), Apr. 24, 1996, 110 Stat. 1291; amended Pub. L. 104-294, title VI, §601(s)(1), (3), Oct. 11, 1996, 110 Stat. 3502; Pub. L. 107-56, title VIII, §808, Oct. 26, 2001, 115 Stat. 378; Pub. L. 107-197, title III, §301(b), June 25, 2002, 116 Stat. 728; Pub. L. 108-458, title VI, §§6603(a)(1), 6803(c)(3), 6908, Dec. 17, 2004, 118 Stat. 3762, 3769, 3774; Pub. L. 109-177, title I, §§110(b)(3)(A), 112, Mar. 9, 2006, 120 Stat. 208, 209; Pub. L. 110-326, title II, §204(b), Sept. 26, 2008, 122 Stat. 3562.)

REFERENCES IN TEXT

Section 1365(g)(3), referred to in subsec. (g)(3), was redesignated section 1365(h)(3) by Pub. L. 107-307, §2(l), Dec. 2, 2002, 116 Stat. 2445.

Section 1010A of the Controlled Substances Import and Export Act, referred to in subsec. (g)(5)(B)(iv), is classified to section 960a of Title 21, Food and Drugs.

AMENDMENTS

2008—Subsec. (g)(5)(B)(i). Pub. L. 110-326 substituted “1030(a)(5)(A) resulting in damage as defined in 1030(c)(4)(A)(i)(II) through (VI)” for “1030(a)(5)(A)(i) resulting in damage as defined in 1030(a)(5)(B)(ii) through (v)”.

2006—Subsec. (g)(5)(B)(i). Pub. L. 109-177, §§110(b)(3)(A), 112(a)(1), (b), substituted “1992 (relating to terrorist attacks and other acts of violence against railroad carriers and against mass transportation systems on land, on water, or through the air),” for “1992 (relating to wrecking trains), 1993 (relating to terrorist attacks and other acts of violence against mass transportation systems),” and “terrorism,” 2339D (relating to military-type training from a foreign terrorist organization), or 2340A” for “terrorism, or 2340A”.

Subsec. (g)(5)(B)(iv). Pub. L. 109-177, §112(a)(2)-(4), added cl. (iv).

2004—Subsec. (g)(5)(B)(i). Pub. L. 108-458, §6908(1), inserted “175c (relating to variola virus),” after “175 or 175b (relating to biological weapons),” and “2332g (relating to missile systems designed to destroy aircraft), 2332h (relating to radiological dispersal devices),” before “2339 (relating to harboring terrorists)”.

Pub. L. 108-458, §6803(c)(3), inserted “832 (relating to participation in nuclear and weapons of mass destruction threats to the United States)” after “831 (relating to nuclear materials),”.

Pub. L. 108-458, §6603(a)(1), inserted “1361 (relating to government property or contracts),” after “1203 (relating to hostage taking),” and “2156 (relating to national defense material, premises, or utilities),” after “2155 (relating to destruction of national defense materials, premises, or utilities),”.

Subsec. (g)(5)(B)(ii). Pub. L. 108-458, §6908(2), substituted “sections 92 (relating to prohibitions governing atomic weapons) or” for “section” and inserted “2122 or” before “2284”.

2002—Subsec. (g)(5)(B)(i). Pub. L. 107-197 inserted “2332f (relating to bombing of public places and facilities),” after “2332b (relating to acts of terrorism transcending national boundaries),” and “2339C (relating to financing of terrorism,” after “2339B (relating to providing material support to terrorist organizations),”.

2001—Subsec. (f). Pub. L. 107-56, §808(1), inserted “and any violation of section 351(e), 844(e), 844(f)(1), 956(b), 1361, 1366(b), 1366(c), 1751(e), 2152, or 2156 of this title,” before “and the Secretary”.

Subsec. (g)(5)(B)(i) to (iii). Pub. L. 107-56, §808(2), added cls. (i) to (iii) and struck out former cls. (i) to (iii), inserting references to sections 175b, 229, 1030, 1993, and 2339 of this title and striking out references to 1361, 2152, 2156, 2332c of this title in cl. (i) and inserting references to sections 46504, 46505, and 46506 of title 49 in cl. (iii).

1996—Subsec. (b)(1)(A). Pub. L. 104-294, §601(s)(1), struck out “any of the offenders uses” before “the mail or any facility” and inserted “is used” after “foreign commerce”.

Subsec. (g)(5)(B)(i). Pub. L. 104-294, §601(s)(3), inserted “930(c),” before “956 (relating to conspiracy to injure property of a foreign government),” “1992,” before “2152 (relating to injury of fortifications, harbor defenses, or defensive sea areas),” and “2332c,” before “2339A (relating to providing material support to terrorists)”.

TERMINATION DATE OF 2004 AMENDMENT

Pub. L. 108-458, title VI, §6603(g), Dec. 17, 2004, 118 Stat. 3764, which provided that section 6603 of Pub. L. 108-458 (amending this section and sections 2339A and 2339B of this title) and the amendments made by section 6603 would cease to be effective on Dec. 31, 2006, with certain exceptions, was repealed by Pub. L. 109-177, title I, §104, Mar. 9, 2006, 120 Stat. 195.

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see Proc. No. 5928, set out as a note under section 1331 of Title 43, Public Lands.

[§ 2332c. Repealed. Pub. L. 105-277, div. I, title II, § 201(c)(1), Oct. 21, 1998, 112 Stat. 2681-871]

Section, added Pub. L. 104-132, title V, §521(a), Apr. 24, 1996, 110 Stat. 1286, related to use of chemical weapons.

§ 2332d. Financial transactions

(a) OFFENSE.—Except as provided in regulations issued by the Secretary of the Treasury, in consultation with the Secretary of State, who, however, being a United States person, knowing or having reasonable cause to know that a country is designated under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405) as a country supporting international terrorism, engages in a financial transaction with the government of that country, shall be fined under this title, imprisoned for not more than 10 years, or both.

(b) DEFINITIONS.—As used in this section—

(1) the term “financial transaction” has the same meaning as in section 1956(c)(4); and

(2) the term “United States person” means any—

(A) United States citizen or national;

(B) permanent resident alien;

(C) juridical person organized under the laws of the United States; or

(D) any person in the United States.

(Added Pub. L. 104-132, title III, §321(a), Apr. 24, 1996, 110 Stat. 1254; amended Pub. L. 107-273, div. B, title IV, §4002(a)(5), Nov. 2, 2002, 116 Stat. 1806.)

CODIFICATION

Another section 2332d was renumbered section 2332e of this title.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-273 inserted “of 1979” after “Export Administration Act”.

EFFECTIVE DATE

Pub. L. 104-132, title III, §321(c), Apr. 24, 1996, 110 Stat. 1254, provided that: “The amendments made by this section [enacting this section] shall become effective 120 days after the date of enactment of this Act [Apr. 24, 1996].”

§ 2332e. Requests for military assistance to enforce prohibition in certain emergencies

The Attorney General may request the Secretary of Defense to provide assistance under section 382 of title 10 in support of Department of Justice activities relating to the enforcement of section 2332a of this title during an emergency situation involving a weapon of mass destruction. The authority to make such a request may be exercised by another official of the Department of Justice in accordance with section 382(f)(2) of title 10.

(Added Pub. L. 104-201, title XIV, §1416(c)(2)(A), Sept. 23, 1996, 110 Stat. 2723, §2332d; renumbered §2332e, Pub. L. 104-294, title VI, §605(q), Oct. 11, 1996, 110 Stat. 3510; amended Pub. L. 107-56, title I, §104, Oct. 26, 2001, 115 Stat. 277.)

CODIFICATION

Pub. L. 104-201, §1416(c)(2)(A), which directed amendment of the chapter 133B of this title that relates to terrorism by adding this section, was executed by adding this section to this chapter to reflect the probable intent of Congress. This title does not contain a chapter 133B.

AMENDMENTS

2001—Pub. L. 107-56 substituted “2332a of this title” for “2332c of this title” and struck out “chemical” before “weapon of”.

1996—Pub. L. 104-294 renumbered section 2332d of this title, relating to requests for military assistance to enforce prohibition in certain emergencies, as this section.

§ 2332f. Bombings of places of public use, government facilities, public transportation systems and infrastructure facilities

(a) OFFENSES.—

(1) IN GENERAL.—Whoever unlawfully delivers, places, discharges, or detonates an explosive or other lethal device in, into, or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility—

(A) with the intent to cause death or serious bodily injury, or

(B) with the intent to cause extensive destruction of such a place, facility, or system, where such destruction results in or is likely to result in major economic loss,

shall be punished as prescribed in subsection (c).

(2) ATTEMPTS AND CONSPIRACIES.—Whoever attempts or conspires to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c).

(b) JURISDICTION.—There is jurisdiction over the offenses in subsection (a) if—

(1) the offense takes place in the United States and—

(A) the offense is committed against another state or a government facility of such state, including its embassy or other diplomatic or consular premises of that state;

(B) the offense is committed in an attempt to compel another state or the United States to do or abstain from doing any act;

(C) at the time the offense is committed, it is committed—

(i) on board a vessel flying the flag of another state;

(ii) on board an aircraft which is registered under the laws of another state; or

(iii) on board an aircraft which is operated by the government of another state;

(D) a perpetrator is found outside the United States;

(E) a perpetrator is a national of another state or a stateless person; or

(F) a victim is a national of another state or a stateless person;

(2) the offense takes place outside the United States and—

(A) a perpetrator is a national of the United States or is a stateless person whose habitual residence is in the United States;

(B) a victim is a national of the United States;

(C) a perpetrator is found in the United States;

(D) the offense is committed in an attempt to compel the United States to do or abstain from doing any act;

(E) the offense is committed against a state or government facility of the United States, including an embassy or other diplomatic or consular premises of the United States;