

## AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000” in last par.

## EXECUTIVE ORDER NO. 10361

Ex. Ord. No. 10361, June 12, 1952, 17 F.R. 5357, formerly set out under this section, which established the Whittier Defensive Sea Area, Alaska, was revoked by Ex. Ord. No. 11549, July 28, 1970, 35 F.R. 12191.

**§ 2153. Destruction of war material, war premises, or war utilities**

(a) Whoever, when the United States is at war, or in times of national emergency as declared by the President or by the Congress, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, or, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, willfully injures, destroys, contaminates or infects, or attempts to so injure, destroy, contaminate or infect any war material, war premises, or war utilities, shall be fined under this title or imprisoned not more than thirty years, or both.

(b) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in subsection (a) of this section.

(June 25, 1948, ch. 645, 62 Stat. 799; June 30, 1953, ch. 175, § 2, 67 Stat. 133; Sept. 3, 1954, ch. 1261, title I, § 102, 68 Stat. 1217; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

## HISTORICAL AND REVISION NOTES

Based on section 102 of title 50, U.S.C., 1940 ed., War and National Defense (Apr. 20, 1918, ch. 59, § 2, 40 Stat. 534).

“As herein defined” was deleted as surplusage.

The conspiracy provisions are new. Their addition to the section was strongly urged by the Criminal Division of the Department of Justice, considering the gravity of the substantive offense as evidenced by the prescribed punishment therefor. The punishment provisions of the general conspiracy statute, section 371 of this title, are inadequate.

Words “upon conviction thereof” were omitted as unnecessary since punishment cannot be imposed until a conviction is secured.

Minor changes were made in phraseology.

## AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000”.

1954—Act Sept. 3, 1954, made section applicable in time of national emergency as well as war, and recognized the possibility of bacteriological warfare by making “contamination” a crime.

1953—Subsec. (a). Act June 30, 1953, inserted “or defense activities” after “carrying on the war”.

## REPEALS

Section 7 of act June 30, 1953, ch. 175, 67 Stat. 134, repealed Joint Res. July 3, 1952, ch. 570, § 1(a)(29), 66 Stat. 333; Joint Res. Mar. 31, 1953, ch. 13, § 1, 67 Stat. 18, formerly cited as credits to this section and also formerly set out as a note under this section.

**§ 2154. Production of defective war material, war premises, or war utilities**

(a) Whoever, when the United States is at war, or in times of national emergency as declared by the President or by the Congress, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, or, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war or defense activities, willfully makes, constructs, or causes to be made or constructed in a defective manner, or attempts to make, construct, or cause to be made or constructed in a defective manner any war material, war premises or war utilities, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, war premises or war utilities, shall be fined under this title or imprisoned not more than thirty years, or both.

(b) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in subsection (a) of this section.

(June 25, 1948, ch. 645, 62 Stat. 799; June 30, 1953, ch. 175, § 2, 67 Stat. 133; Sept. 3, 1954, ch. 1261, title I, § 103, 68 Stat. 1218; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

## HISTORICAL AND REVISION NOTES

Based on section 103 of title 50, U.S.C., 1940 ed., War and National Defense (Apr. 20, 1918, ch. 59, § 3, 40 Stat. 534).

The conspiracy provisions are new. Their addition to the section was strongly urged by the Criminal Division of the Department of Justice, considering the gravity of the substantive offense as evidenced by the prescribed punishment therefor. The punishment provisions of the general conspiracy statute, section 371 of this title, are inadequate.

Words “upon conviction thereof” were omitted as unnecessary, since punishment cannot be imposed until a conviction is secured.

Minor changes were made in phraseology.

## AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000”.

1954—Act Sept. 3, 1954, made section applicable in time of national emergency, and enlarged its scope by bringing “war premises, or war utilities” within jurisdiction of section.

1953—Subsec. (a). Act June 30, 1953, inserted “or defense activities” after “carrying on the war”.

## REPEALS

Section 7 of act June 30, 1953, ch. 175, 67 Stat. 134, repealed Joint Res. July 3, 1952, ch. 570, § 1(a)(29), 66 Stat. 333; Joint Res. Mar. 31, 1953, ch. 13, § 1, 67 Stat. 18, formerly cited as credits to this section and also formerly set out as a note under this section.

**§ 2155. Destruction of national-defense materials, national-defense premises, or national-defense utilities**

(a) Whoever, with intent to injure, interfere with, or obstruct the national defense of the

United States, willfully injures, destroys, contaminates or infects, or attempts to so injure, destroy, contaminate or infect any national-defense material, national-defense premises, or national-defense utilities, shall be fined under this title or imprisoned 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) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in subsection (a) of this section.

(June 25, 1948, ch. 645, 62 Stat. 799; Sept. 3, 1954, ch. 1261, title I, §104, 68 Stat. 1218; Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, §601(f)(12), Oct. 11, 1996, 110 Stat. 3500; Pub. L. 107-56, title VIII, §810(e), Oct. 26, 2001, 115 Stat. 380.)

#### HISTORICAL AND REVISION NOTES

Based on section 105 of title 50, U.S.C., 1940 ed., War and National Defense (Apr. 20, 1918, ch. 59, §5, as added Nov. 30, 1940, ch. 926, 54 Stat. 1221).

Words "upon conviction thereof" were omitted as unnecessary, since punishment cannot be imposed until a conviction is secured.

Minor changes were made in phraseology.

#### AMENDMENTS

2001—Subsec. (a). Pub. L. 107-56 substituted "20 years" for "ten years" and inserted ", and, if death results to any person, shall be imprisoned for any term of years or for life" before period at end.

1996—Pub. L. 104-294 substituted ", or" for "or" in section catchline.

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$10,000".

1954—Act Sept. 3, 1954, inserted conspiracy provisions.

#### § 2156. Production of defective national-defense material, national-defense premises, or national-defense utilities

(a) Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, willfully makes, constructs, or attempts to make or construct in a defective manner, any national-defense material, national-defense premises or national-defense utilities, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such national-defense material, national-defense premises or national-defense utilities, shall be fined under this title or imprisoned not more than ten years, or both.

(b) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in subsection (a) of this section.

(June 25, 1948, ch. 645, 62 Stat. 800; Sept. 3, 1954, ch. 1261, title I, §105, 68 Stat. 1218; Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, §601(f)(12), Oct. 11, 1996, 110 Stat. 3500.)

#### HISTORICAL AND REVISION NOTES

Based on section 106 of title 50, U.S.C., 1940 ed., War and National Defense (Apr. 20, 1918, ch. 59, §6, as added Nov. 30, 1940, ch. 926, 54 Stat. 1221).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Words "upon conviction thereof" were omitted as unnecessary, since punishment cannot be imposed until a conviction is secured.

Minor changes were made in phraseology.

#### AMENDMENTS

1996—Pub. L. 104-294 substituted ", or" for "or" in section catchline.

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$10,000".

1954—Act Sept. 3, 1954, inserted conspiracy provisions.

#### § 2157. Repealed. Pub. L. 103-322, title XXXIII, § 330004(13), Sept. 13, 1994, 108 Stat. 2142]

Section, added June 30, 1953, ch. 175, §2, 67 Stat. 133, related to temporary extension of sections 2153 and 2154 of this title.

#### CHAPTER 107—SEAMEN AND STOWAWAYS

Sec.

2191.	Cruelty to seamen.
2192.	Incitation of seamen to revolt or mutiny.
2193.	Revolt or mutiny of seamen.
2194.	Shanghaiing sailors.
2195.	Abandonment of sailors.
2196.	Drunkenness or neglect of duty by seamen.
2197.	Misuse of Federal certificate, license or document.
[2198.	Repealed.]
2199.	Stowaways on vessels or aircraft.

#### AMENDMENTS

1990—Pub. L. 101-647, title XII, §1207(b), Nov. 29, 1990, 104 Stat. 4832, struck out item 2198 "Seduction of female passenger".

#### § 2191. Cruelty to seamen

Whoever, being the master or officer of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, flogs, beats, wounds, or without justifiable cause, imprisons any of the crew of such vessel, or withholds from them suitable food and nourishment, or inflicts upon them any corporal or other cruel and unusual punishment, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, 62 Stat. 800; Pub. L. 104-294, title VI, §601(a)(8), Oct. 11, 1996, 110 Stat. 3498.)

#### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §482 and section 712 of title 46, U.S.C., 1940 ed., Shipping (Dec. 21, 1898, ch. 28, §22, 30 Stat. 761; Mar. 4, 1909, ch. 321, §291, 35 Stat. 1145).

Section consolidates section 482 of title 18, U.S.C., 1940 ed., and the following language from section 712 of title 46, U.S.C., 1940 ed., Shipping, prohibiting flogging and corporal punishment: "and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years." That language was the basis for the addition of the word "flogs" and the words "any corporal or other" for the word "any." The punishment imposed by section 482 was adopted as that was the later statute as incorporated in 1909 Criminal Code.

Words "shall be deemed guilty of a misdemeanor," contained in said section 712 of title 46, were omitted in view of definitive section 1 of this title.