

(E) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (D); or

(F) attempts or conspires to do anything prohibited under subparagraphs (A) through (E),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be punished by death or imprisoned for any term of years or for life.

(2) **THREAT TO SAFETY.**—A person who threatens to do anything prohibited under paragraph (1)(B) or (C), with apparent determination and will to carry the threat into execution, if the threatened act is likely to endanger the safety of the fixed platform, shall be fined under this title, imprisoned not more than 5 years, or both.

(b) **JURISDICTION.**—There is jurisdiction over the activity prohibited in subsection (a) if—

(1) such activity is committed against or on board a fixed platform—

(A) that is located on the continental shelf of the United States;

(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

(C) in an attempt to compel the United States to do or abstain from doing any act;

(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured or killed; or

(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

(c) **BAR TO PROSECUTION.**—It is a bar to Federal prosecution under subsection (a) for conduct that occurred within the United States that the conduct involved was during or in relation to a labor dispute, and such conduct is prohibited as a felony under the law of the State in which it was committed. For purposes of this section, the term “labor dispute” has the meaning set forth in section 2(c)¹ of the Norris-LaGuardia Act, as amended (29 U.S.C. 113(c)), and the term “State” means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(d) **DEFINITIONS.**—In this section—

“continental shelf” means the sea-bed and subsoil of the submarine areas that extend beyond a country’s territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea.

“fixed platform” means an artificial island, installation or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.

“national of the United States” has the meaning stated in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

“territorial sea of the United States” means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law.

“United States”, when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands and all territories and possessions of the United States.

(Added Pub. L. 103-322, title VI, §60019(a), Sept. 13, 1994, 108 Stat. 1977; amended Pub. L. 104-132, title VII, §723(a)(1), Apr. 24, 1996, 110 Stat. 1300; Pub. L. 104-294, title VI, §607(p), Oct. 11, 1996, 110 Stat. 3513.)

AMENDMENTS

1996—Subsec. (a)(1)(F). Pub. L. 104-132 inserted “or conspires” after “attempts”.

Subsec. (c). Pub. L. 104-294 inserted before period at end “, and the term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States”.

EFFECTIVE DATE

Section effective Mar. 6, 1995, see section 60019(c)(1), (2)(B) of Pub. L. 103-322, set out as a note under section 2280 of this title.

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.

§ 2282A.¹ Devices or dangerous substances in waters of the United States likely to destroy or damage ships or to interfere with maritime commerce

(a) A person who knowingly places, or causes to be placed, in navigable waters of the United States, by any means, a device or dangerous substance which is likely to destroy or cause damage to a vessel or its cargo, cause interference with the safe navigation of vessels, or interference with maritime commerce (such as by damaging or destroying marine terminals, facilities, or any other marine structure or entity used in maritime commerce) with the intent of causing such destruction or damage, interference with the safe navigation of vessels, or interference with maritime commerce shall be fined under this title or imprisoned for any term of years, or for life; or both.

(b) A person who causes the death of any person by engaging in conduct prohibited under subsection (a) may be punished by death.

(c) Nothing in this section shall be construed to apply to otherwise lawfully authorized and conducted activities of the United States Government.

(d) In this section:

(1) The term “dangerous substance” means any solid, liquid, or gaseous material that has the capacity to cause damage to a vessel or its cargo, or cause interference with the safe navigation of a vessel.

¹ So in original. Probably should be section “13(c)”.

¹ So in original. No section 2282 has been enacted.

(2) The term “device” means any object that, because of its physical, mechanical, structural, or chemical properties, has the capacity to cause damage to a vessel or its cargo, or cause interference with the safe navigation of a vessel.

(Added Pub. L. 109–177, title III, §304(a)(1), Mar. 9, 2006, 120 Stat. 234.)

§ 2282B. Violence against aids to maritime navigation

Whoever intentionally destroys, seriously damages, alters, moves, or tampers with any aid to maritime navigation maintained by the Saint Lawrence Seaway Development Corporation under the authority of section 4 of the Act of May 13, 1954 (33 U.S.C. 984), by the Coast Guard pursuant to section 81 of title 14, United States Code, or lawfully maintained under authority granted by the Coast Guard pursuant to section 83 of title 14, United States Code, if such act endangers or is likely to endanger the safe navigation of a ship, shall be fined under this title or imprisoned for not more than 20 years, or both.

(Added Pub. L. 109–177, title III, §304(b)(1), Mar. 9, 2006, 120 Stat. 235.)

§ 2283. Transportation of explosive, biological, chemical, or radioactive or nuclear materials

(a) IN GENERAL.—Whoever knowingly transports aboard any vessel within the United States and on waters subject to the jurisdiction of the United States or any vessel outside the United States and on the high seas or having United States nationality an explosive or incendiary device, biological agent, chemical weapon, or radioactive or nuclear material, knowing that any such item is intended to be used to commit an offense listed under section 2332b(g)(5)(B), shall be fined under this title or imprisoned for any term of years or for life, or both.

(b) CAUSING DEATH.—Any person who causes the death of a person by engaging in conduct prohibited by subsection (a) may be punished by death.

(c) DEFINITIONS.—In this section:

(1) BIOLOGICAL AGENT.—The term “biological agent” means any biological agent, toxin, or vector (as those terms are defined in section 178).

(2) BY-PRODUCT MATERIAL.—The term “by-product material” has the meaning given that term in section 11(e) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)).

(3) CHEMICAL WEAPON.—The term “chemical weapon” has the meaning given that term in section 229F(1).

(4) EXPLOSIVE OR INCENDIARY DEVICE.—The term “explosive or incendiary device” has the meaning given the term in section 232(5) and includes explosive materials, as that term is defined in section 841(c) and explosive as defined in section 844(j).

(5) NUCLEAR MATERIAL.—The term “nuclear material” has the meaning given that term in section 831(f)(1).

(6) RADIOACTIVE MATERIAL.—The term “radioactive material” means—

(A) source material and special nuclear material, but does not include natural or depleted uranium;

(B) nuclear by-product material;

(C) material made radioactive by bombardment in an accelerator; or

(D) all refined isotopes of radium.

(8)¹ SOURCE MATERIAL.—The term “source material” has the meaning given that term in section 11(z) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(z)).

(9) SPECIAL NUCLEAR MATERIAL.—The term “special nuclear material” has the meaning given that term in section 11(aa) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(aa)).

(Added Pub. L. 109–177, title III, §305(a), Mar. 9, 2006, 120 Stat. 236.)

§ 2284. Transportation of terrorists

(a) IN GENERAL.—Whoever knowingly and intentionally transports any terrorist aboard any vessel within the United States and on waters subject to the jurisdiction of the United States or any vessel outside the United States and on the high seas or having United States nationality, knowing that the transported person is a terrorist, shall be fined under this title or imprisoned for any term of years or for life, or both.

(b) DEFINED TERM.—In this section, the term “terrorist” means any person who intends to commit, or is avoiding apprehension after having committed, an offense listed under section 2332b(g)(5)(B).

(Added Pub. L. 109–177, title III, §305(a), Mar. 9, 2006, 120 Stat. 237.)

§ 2285. Operation of submersible vessel or semi-submersible vessel without nationality

(a) OFFENSE.—Whoever knowingly operates, or attempts or conspires to operate, by any means, or embarks in any submersible vessel or semi-submersible vessel that is without nationality and that is navigating or has navigated into, through, or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country’s territorial sea with an adjacent country, with the intent to evade detection, shall be fined under this title, imprisoned not more than 15 years, or both.

(b) EVIDENCE OF INTENT TO EVADE DETECTION.—For purposes of subsection (a), the presence of any of the indicia described in paragraph (1)(A), (E), (F), or (G), or in paragraph (4), (5), or (6), of section 70507(b) of title 46 may be considered, in the totality of the circumstances, to be prima facie evidence of intent to evade detection.

(c) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section, including an attempt or conspiracy to commit such an offense.

(d) CLAIM OF NATIONALITY OR REGISTRY.—A claim of nationality or registry under this section includes only—

(1) possession on board the vessel and production of documents evidencing the vessel’s nationality as provided in article 5 of the 1958 Convention on the High Seas;

(2) flying its nation’s ensign or flag; or

¹ So in original. No par. (7) has been enacted.