

L. 99-646, § 53(a), Nov. 10, 1986, 100 Stat. 3607; Pub. L. 103-322, title XXXIII, § 330016(1)(O), Sept. 13, 1994, 108 Stat. 2148.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 252 (May 18, 1934, ch. 303, § 1, 48 Stat. 782).

Escape provisions of this section were incorporated in section 752 of this title.

Reference to persons causing, procuring, aiding and assisting was omitted. Such persons are principals under section 2 of this title.

Minor changes were made in translation and phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$25,000”.

1986—Pub. L. 99-646 inserted “, detention,” after “penal”.

1984—Pub. L. 98-473 substituted provisions deleting prohibition on bringing dangerous instrumentalities into prison and inserted provision setting forth a maximum \$25,000 fine.

EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-646, § 53(b), Nov. 10, 1986, 100 Stat. 3607, provided that: “The amendment made by this section [amending this section] shall take effect 30 days after the enactment of this Act [Nov. 10, 1986].”

§ 1793. Trespass on Bureau of Prisons reservations and land

Whoever, without lawful authority or permission, goes upon a reservation, land, or a facility of the Bureau of Prisons shall be fined under this title or imprisoned not more than six months, or both.

(Added Pub. L. 99-646, § 64(a), Nov. 10, 1986, 100 Stat. 3614; amended Pub. L. 103-322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$500”.

CHAPTER 88—PRIVACY

Sec.

1801. Video voyeurism.

§ 1801. Video voyeurism

(a) Whoever, in the special maritime and territorial jurisdiction of the United States, has the intent to capture an image of a private area of an individual without their consent, and knowingly does so under circumstances in which the individual has a reasonable expectation of privacy, shall be fined under this title or imprisoned not more than one year, or both.

(b) In this section—

(1) the term “capture”, with respect to an image, means to videotape, photograph, film, record by any means, or broadcast;

(2) the term “broadcast” means to electronically transmit a visual image with the intent that it be viewed by a person or persons;

(3) the term “a private area of the individual” means the naked or undergarment clad genitals, pubic area, buttocks, or female breast of that individual;

(4) the term “female breast” means any portion of the female breast below the top of the areola; and

(5) the term “under circumstances in which that individual has a reasonable expectation of privacy” means—

(A) circumstances in which a reasonable person would believe that he or she could disrobe in privacy, without being concerned that an image of a private area of the individual was being captured; or

(B) circumstances in which a reasonable person would believe that a private area of the individual would not be visible to the public, regardless of whether that person is in a public or private place.

(c) This section does not prohibit any lawful law enforcement, correctional, or intelligence activity.

(Added Pub. L. 108-495, § 2(a), Dec. 23, 2004, 118 Stat. 3999.)

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-495, § 1, Dec. 23, 2004, 118 Stat. 3999, provided that: “This Act [enacting this chapter] may be cited as the ‘Video Voyeurism Prevention Act of 2004.’”

CHAPTER 89—PROFESSIONS AND OCCUPATIONS

Sec.

1821. Transportation of dentures.

§ 1821. Transportation of dentures

Whoever transports by mail or otherwise to or within the District of Columbia or any Possession of the United States or uses the mails or any instrumentality of interstate commerce for the purpose of sending or bringing into any State or Territory any set of artificial teeth or prosthetic dental appliance or other denture, constructed from any cast or impression made by any person other than, or without the authorization or prescription of, a person licensed to practice dentistry under the laws of the place into which such denture is sent or brought, where such laws prohibit;

(1) the taking of impressions or casts of the human mouth or teeth by a person not licensed under such laws to practice dentistry;

(2) the construction or supply of dentures by a person other than, or without the authorization or prescription of, a person licensed under such laws to practice dentistry; or

(3) the construction or supply of dentures from impressions or casts made by a person not licensed under such laws to practice dentistry—

Shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 786; Pub. L. 104-294, title VI, § 601(a)(8), Oct. 11, 1996, 110 Stat. 3498; Pub. L. 107-273, div. B, title IV, § 4004(c), Nov. 2, 2002, 116 Stat. 1812.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 420f, 420g, and 420h (Dec. 24, 1942, ch. 823, §§ 1, 2, 3, 56 Stat. 1087).

This section consolidates the offense, penalty, and definitive provisions of sections 420f, 420g, and 420h of title 18, U.S.C., 1940 ed., as subsections (a) and (b).

The definition of “denture” was omitted as unnecessary in view of the phraseology of the revised section, the context of which makes clear the meaning of dentures referred to.

The definition of “Territory” was omitted as unnecessary. The revised section makes clear the places included in the application of the section without the use of definitions.

The definition of “Interstate Commerce” was likewise omitted as unnecessary in view of definition of interstate commerce in section 10 of this title.

Changes of phraseology and arrangement were made, but without change of substance.

AMENDMENTS

2002—Pub. L. 107-273 struck out “, the Canal Zone” after “the District of Columbia” in first par.

1996—Pub. L. 104-294 substituted “fined under this title” for “fined not more than \$1,000” in last par.

CHAPTER 90—PROTECTION OF TRADE SECRETS

Sec.	
1831.	Economic espionage.
1832.	Theft of trade secrets.
1833.	Exceptions to prohibitions.
1834.	Criminal forfeiture.
1835.	Orders to preserve confidentiality.
1836.	Civil proceedings to enjoin violations.
1837.	Applicability to conduct outside the United States.
1838.	Construction with other laws.
1839.	Definitions.

AMENDMENTS

2002—Pub. L. 107-273, div. B, title IV, §4002(f)(1), Nov. 2, 2002, 116 Stat. 1811, substituted “Applicability to conduct” for “Conduct” in item 1837.

§ 1831. Economic espionage

(a) IN GENERAL.—Whoever, intending or knowing that the offense will benefit any foreign government, foreign instrumentality, or foreign agent, knowingly—

(1) steals, or without authorization appropriates, takes, carries away, or conceals, or by fraud, artifice, or deception obtains a trade secret;

(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys a trade secret;

(3) receives, buys, or possesses a trade secret, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

(4) attempts to commit any offense described in any of paragraphs (1) through (3); or

(5) conspires with one or more other persons to commit any offense described in any of paragraphs (1) through (3), and one or more of such persons do any act to effect the object of the conspiracy,

shall, except as provided in subsection (b), be fined not more than \$5,000,000 or imprisoned not more than 15 years, or both.

(b) ORGANIZATIONS.—Any organization that commits any offense described in subsection (a) shall be fined not more than the greater of \$10,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided.

(Added Pub. L. 104-294, title I, §101(a), Oct. 11, 1996, 110 Stat. 3488; amended Pub. L. 112-269, §2, Jan. 14, 2013, 126 Stat. 2442.)

AMENDMENTS

2013—Subsec. (a). Pub. L. 112-269, §2(a), substituted “not more than \$5,000,000” for “not more than \$500,000” in concluding provisions.

Subsec. (b). Pub. L. 112-269, §2(b), substituted “not more than the greater of \$10,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided” for “not more than \$10,000,000”.

§ 1832. Theft of trade secrets

(a) Whoever, with intent to convert a trade secret, that is related to a product or service used in or intended for use in interstate or foreign commerce, to the economic benefit of anyone other than the owner thereof, and intending or knowing that the offense will, injure any owner of that trade secret, knowingly—

(1) steals, or without authorization appropriates, takes, carries away, or conceals, or by fraud, artifice, or deception obtains such information;

(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys such information;

(3) receives, buys, or possesses such information, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

(4) attempts to commit any offense described in paragraphs (1) through (3); or

(5) conspires with one or more other persons to commit any offense described in paragraphs (1) through (3), and one or more of such persons do any act to effect the object of the conspiracy,

shall, except as provided in subsection (b), be fined under this title or imprisoned not more than 10 years, or both.

(b) Any organization that commits any offense described in subsection (a) shall be fined not more than \$5,000,000.

(Added Pub. L. 104-294, title I, §101(a), Oct. 11, 1996, 110 Stat. 3489; amended Pub. L. 112-236, §2, Dec. 28, 2012, 126 Stat. 1627.)

AMENDMENTS

2012—Subsec. (a). Pub. L. 112-236 substituted “a product or service used in or intended for use in” for “or included in a product that is produced for or placed in” in introductory provisions.

§ 1833. Exceptions to prohibitions

This chapter does not prohibit—

(1) any otherwise lawful activity conducted by a governmental entity of the United States, a State, or a political subdivision of a State; or

(2) the reporting of a suspected violation of law to any governmental entity of the United States, a State, or a political subdivision of a State, if such entity has lawful authority with respect to that violation.

(Added Pub. L. 104-294, title I, §101(a), Oct. 11, 1996, 110 Stat. 3489.)

§ 1834. Criminal forfeiture

Forfeiture, destruction, and restitution relating to this chapter shall be subject to section