

eral. If it is determined that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Attorney General may take such measures in connection with the payment of the reward as deemed necessary to effect such protection.

(Added Pub. L. 98-533, title I, §101(a), Oct. 19, 1984, 98 Stat. 2707.)

§ 3074. Exception of governmental officials

No officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes the information described in section 3071 shall be eligible for any monetary reward under this chapter.

(Added Pub. L. 98-533, title I, §101(a), Oct. 19, 1984, 98 Stat. 2707.)

[§ 3075. Repealed. Pub. L. 107-273, div. A, title III, §301(c)(2), Nov. 2, 2002, 116 Stat. 1781]

Section, added Pub. L. 98-533, title I, §101(a), Oct. 19, 1984, 98 Stat. 2707, authorized appropriations for the purpose of this chapter.

Pub. L. 107-273, which directed the repeal of section 3075 of chapter 203, was executed to this section which is in chapter 204.

§ 3076. Eligibility for witness security program

Any individual (and the immediate family of such individual) who furnishes information which would justify a reward by the Attorney General under this chapter or by the Secretary of State under section 36 of the State Department Basic Authorities Act of 1956 may, in the discretion of the Attorney General, participate in the Attorney General's witness security program authorized under chapter 224 of this title.

(Added Pub. L. 98-533, title I, §101(a), Oct. 19, 1984, 98 Stat. 2707; amended Pub. L. 99-646, §45, Nov. 10, 1986, 100 Stat. 3601.)

REFERENCES IN TEXT

Section 36 of the State Department Basic Authorities Act of 1956, referred to in text, is classified to section 2708 of Title 22, Foreign Relations and Intercourse.

AMENDMENTS

1986—Pub. L. 99-646 substituted “chapter 224 of this title” for “title V of the Organized Crime Control Act of 1970”.

§ 3077. Definitions

As used in this chapter, the term—

(1) “act of terrorism” means an act of domestic or international terrorism as defined in section 2331;

(2) “United States person” means—

(A) a national of the United States as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

(B) an alien lawfully admitted for permanent residence in the United States as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

(C) any person within the United States;

(D) any employee or contractor of the United States Government, regardless of nationality, who is the victim or intended victim of an act of terrorism by virtue of that employment;

(E) a sole proprietorship, partnership, company, or association composed principally of nationals or permanent resident aliens of the United States; and

(F) a corporation organized under the laws of the United States, any State, the District of Columbia, or any territory or possession of the United States, and a foreign subsidiary of such corporation;

(3) “United States property” means any real or personal property which is within the United States or, if outside the United States, the actual or beneficial ownership of which rests in a United States person or any Federal or State governmental entity of the United States;

(4) “United States”, when used in a geographical sense, includes Puerto Rico and all territories and possessions of the United States;

(5) “State” includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other possession or territory of the United States;

(6) “government entity” includes the Government of the United States, any State or political subdivision thereof, any foreign country, and any state, provincial, municipal, or other political subdivision of a foreign country;

(7) “Attorney General” means the Attorney General of the United States or that official designated by the Attorney General to perform the Attorney General's responsibilities under this chapter; and

(8) “act of espionage” means an activity that is a violation of—

(A) section 793, 794, or 798 of this title; or

(B) section 4 of the Subversive Activities Control Act of 1950.

(Added Pub. L. 98-533, title I, §101(a), Oct. 19, 1984, 98 Stat. 2707; amended Pub. L. 100-690, title VII, §7051, Nov. 18, 1988, 102 Stat. 4401; Pub. L. 101-647, title XXXV, §3572, Nov. 29, 1990, 104 Stat. 4929; Pub. L. 103-322, title XXXIII, §330021(1), Sept. 13, 1994, 108 Stat. 2150; Pub. L. 103-359, title VIII, §803(b), Oct. 14, 1994, 108 Stat. 3439; Pub. L. 104-294, title VI, §605(g), Oct. 11, 1996, 110 Stat. 3510; Pub. L. 107-56, title VIII, §802(b), Oct. 26, 2001, 115 Stat. 376.)

REFERENCES IN TEXT

Section 4 of the Subversive Activities Control Act of 1950, referred to in par. (8)(B), is classified to section 783 of Title 50, War and National Defense.

AMENDMENTS

2001—Par. (1). Pub. L. 107-56 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “act of terrorism” means an activity that—

“(A) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; and

“(B) appears to be intended—

“(i) to intimidate or coerce a civilian population;

“(ii) to influence the policy of a government by intimidation or coercion; or

“(iii) to affect the conduct of a government by assassination or kidnapping;”.

1996—Par. (8)(A). Pub. L. 104-294 substituted “this title” for “title 18, United States Code”.

1994—Par. (1)(B)(iii). Pub. L. 103-322 substituted “kidnapping” for “kidnaping”.

Par. (8). Pub. L. 103-359 added par. (8).

1990—Pub. L. 101-647 substituted a semicolon for a period at end of pars. (1) to (3), moved the comma from before the close quotation mark to after that mark in par. (4), substituted a semicolon for a period at end of par. (5), and substituted “; and” for period at end of par. (6).

1988—Par. (4). Pub. L. 100-690 amended par. (4) generally. Prior to amendment, par. (4) read as follows: “‘United States’—

“(A) when used in a geographical sense, includes Puerto Rico and all territories and possessions of the United States; and

“(B) when used in the context of section 3073 shall have the meaning given to it in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).”

CHAPTER 205—SEARCHES AND SEIZURES

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CODIFICATION

Pub. L. 90-351 enacted section 3103a of this title as part of chapter 204, and Pub. L. 90-462, § 3, Aug. 8, 1968, 82 Stat. 638, corrected the chapter designation from 204 to 205.

AMENDMENTS

1990—Pub. L. 101-647, title XXXV, § 3573(d), Nov. 29, 1990, 104 Stat. 4929, struck out item 3112 “Search warrants for seizure of animals, birds, or eggs” and renumbered item 3117, “Implied consent for certain tests”, as 3118.

1988—Pub. L. 100-690, title VI, § 6477(b)(2), Nov. 18, 1988, 102 Stat. 4381, added item 3117 “Implied consent for certain tests”.

1986—Pub. L. 99-508, title I, § 108(b), Oct. 21, 1986, 100 Stat. 1858, added item 3117 “Mobile tracking devices”.

1968—Pub. L. 90-351, title IX, § 1401(b), June 19, 1968, 82 Stat. 238, added item 3103a.

CHANGE OF NAME

Words “magistrate judge” substituted for “magistrate” in item 3116 pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

§ 3101. Effect of rules of court—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Rules generally applicable throughout United States, Rule 54.

Acts of Congress superseded, Rule 41(g).

(June 25, 1948, ch. 645, 62 Stat. 819.)

REFERENCES IN TEXT

Rule 41(g), referred to in text, was relettered 41(h) by 1972 amendment eff. Oct. 1, 1972.

§ 3102. Authority to issue search warrant—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Federal, State or Territorial Judges, or U.S. magistrate judges authorized to issue search warrants, Rule 41(a).

(June 25, 1948, ch. 645, 62 Stat. 819; Pub. L. 90-578, title III, § 301(a)(4), Oct. 17, 1968, 82 Stat. 1115; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

AMENDMENTS

1968—Pub. L. 90-578 substituted “magistrates” for “Commissioners”.

CHANGE OF NAME

“U.S. magistrate judges” substituted for “U.S. magistrates” in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-578 effective Oct. 17, 1968, except when a later effective date is applicable, which is the earlier of date when implementation of amendment by appointment of magistrates [now United States magistrate judges] and assumption of office takes place or third anniversary of enactment of Pub. L. 90-578 on Oct. 17, 1968, see section 403 of Pub. L. 90-578, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

§ 3103. Grounds for issuing search warrant—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Grounds prescribed for issuance of search warrant, Rule 41(b).

(June 25, 1948, ch. 645, 62 Stat. 819.)

§ 3103a. Additional grounds for issuing warrant

(a) IN GENERAL.—In addition to the grounds for issuing a warrant in section 3103 of this title, a warrant may be issued to search for and seize any property that constitutes evidence of a criminal offense in violation of the laws of the United States.

(b) DELAY.—With respect to the issuance of any warrant or court order under this section, or any other rule of law, to search for and seize any property or material that constitutes evidence of a criminal offense in violation of the laws of the United States, any notice required, or that may be required, to be given may be delayed if—

(1) the court finds reasonable cause to believe that providing immediate notification of the execution of the warrant may have an adverse result (as defined in section 2705, except if the adverse results consist only of unduly delaying a trial)¹;

(2) the warrant prohibits the seizure of any tangible property, any wire or electronic communication (as defined in section 2510), or, ex-

¹ So in original. The closing parenthesis probably should follow “section 2705”.