

cility required to be licensed under section 2133 or 2134(b) of this title is under construction and on the premises of each plant where components for such a facility are fabricated.

**(c) Criminal penalties**

Any individual director, officer or employee of a person indemnified under an agreement of indemnification under section 2210(d) of this title (or of a subcontractor or supplier thereto) who, by act or omission, knowingly and willfully violates or causes to be violated any section of this chapter or any applicable nuclear safety-related rule, regulation or order issued thereunder by the Secretary of Energy (or expressly incorporated by reference by the Secretary for purposes of nuclear safety, except any rule, regulation, or order issued by the Secretary of Transportation), which violation results in or, if undetected, would have resulted in a nuclear incident as defined in section 2014(q) of this title shall, upon conviction, notwithstanding section 3571 of title 18, be subject to a fine of not more than \$25,000, or to imprisonment not to exceed two years, or both. If the conviction is for a violation committed after the first conviction under this subsection, notwithstanding section 3571 of title 18, punishment shall be a fine of not more than \$50,000, or imprisonment for not more than five years, or both.

(Aug. 1, 1946, ch. 724, title I, § 223, as added Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 958; amended Pub. L. 90-190, § 12, Dec. 14, 1967, 81 Stat. 578; Pub. L. 91-161, § 6, Dec. 24, 1969, 83 Stat. 445; Pub. L. 96-295, title II, § 203, June 30, 1980, 94 Stat. 786; Pub. L. 100-408, § 18, Aug. 20, 1988, 102 Stat. 1083; renumbered title I, Pub. L. 102-486, title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 919, known as the Atomic Energy Act of 1954, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

AMENDMENTS

1988—Subsec. (c). Pub. L. 100-408 added subsec. (c).  
1980—Pub. L. 96-295 designated existing provisions as subsec. (a) and added subsec. (b).

1969—Pub. L. 91-161 limited application of section to instances where no criminal penalties have been provided.

1967—Pub. L. 90-190 substituted "(o)" for "(p)".

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-408 effective Aug. 20, 1988, but inapplicable to any violation occurring before Aug. 20, 1988, see section 20 of Pub. L. 100-408, set out as a note under section 2014 of this title.

**§ 2274. Communication of Restricted Data**

Whoever, lawfully or unlawfully, having possession of, access to, control over, or being entrusted with any document, writing, sketch, photograph, plan, model, instrument, appliance, note, or information involving or incorporating Restricted Data—

(a) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing,

with intent to injure the United States or with intent to secure an advantage to any foreign nation, upon conviction thereof, shall be punished by imprisonment for life, or by imprisonment for any term of years or a fine of not more than \$100,000 or both;

(b) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with reason to believe such data will be utilized to injure the United States or to secure an advantage to any foreign nation, shall, upon conviction, be punished by a fine of not more than \$50,000 or imprisonment for not more than ten years, or both.

(Aug. 1, 1946, ch. 724, title I, § 224, as added Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 958; amended Pub. L. 91-161, § 3(b), Dec. 24, 1969, 83 Stat. 444; renumbered title I, Pub. L. 102-486, title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; Pub. L. 106-65, div. C, title XXXI, § 3148(a), Oct. 5, 1999, 113 Stat. 938; Pub. L. 106-398, § 1 [[div. A], title X, § 1087(g)(9)], Oct. 30, 2000, 114 Stat. 1654, 1654A-294.)

AMENDMENTS

2000—Cl. (b). Pub. L. 106-398 substituted "\$50,000" for "\$500,000".

1999—Cl. (a). Pub. L. 106-65, § 3148(a)(1), substituted "\$100,000" for "\$20,000".

Cl. (b). Pub. L. 106-65, § 3148(a)(2), substituted "\$500,000" for "\$10,000".

1969—Pub. L. 91-161 made death penalty inapplicable for willful violation, or attempted violation of this section with intent to injure the United States, or secure an advantage for any foreign nation.

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-398, § 1 [[div. A], title X, § 1087(g)(9)], Oct. 30, 2000, 114 Stat. 1654, 1654A-294, provided that the amendment made by that section is effective as of Oct. 5, 1999.

EFFECTIVE DATE OF 1969 AMENDMENT

Amendment by Pub. L. 91-161 applicable to offenses committed on or after Dec. 24, 1969, see section 7 of Pub. L. 91-161, set out as a note under section 2272 of this title.

**§ 2275. Receipt of Restricted Data**

Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, acquires, or attempts or conspires to acquire any document, writing, sketch, photograph, plan, model, instrument, appliance, note, or information involving or incorporating Restricted Data, shall upon conviction thereof, be punished by imprisonment for life, or by imprisonment for any term of years or a fine of not more than \$100,000 or both.

(Aug. 1, 1946, ch. 724, title I, § 225, as added Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 959; amended Pub. L. 91-161, § 3(b), Dec. 24, 1969, 83 Stat. 444; renumbered title I, Pub. L. 102-486, title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; Pub. L. 106-65, div. C, title XXXI, § 3148(b), Oct. 5, 1999, 113 Stat. 938.)

AMENDMENTS

1999—Pub. L. 106-65 substituted "\$100,000" for "\$20,000".

1969—Pub. L. 91-161 made death penalty inapplicable for willful violation, or attempted violation of this section with intent to injure the United States, or secure an advantage for any foreign nation.