

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.

## 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.

**§ 2276. Tampering with Restricted Data**

Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, removes, conceals, tampers with, alters, mutilates, or destroys any document, writing, sketch, photograph, plan, model, instrument, appliance, or note involving or incorporating Restricted Data and used by any individual or person in connection with the production of special nuclear material, or research or development relating to atomic energy, conducted by the United States, or financed in whole or in part by Federal funds, or conducted with the aid of special nuclear material, shall be punished by imprisonment for life, or by imprisonment for any term of years or a fine of not more than \$20,000 or both.

(Aug. 1, 1946, ch. 724, title I, §226, 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.)

## AMENDMENTS

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 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.

**§ 2277. Disclosure of Restricted Data**

Whoever, being or having been an employee or member of the Commission, a member of the Armed Forces, an employee of any agency of the United States, or being or having been a contractor of the Commission or of an agency of the United States, or being or having been an employee of a contractor of the Commission or of an agency of the United States, or being or having been a licensee of the Commission, or being or having been an employee of a licensee of the Commission, knowingly communicates, or who-ever conspires to communicate or to receive, any Restricted Data, knowing or having reason to believe that such data is Restricted Data, to any person not authorized to receive Restricted Data pursuant to the provisions of this chapter or under rule or regulation of the Commission issued pursuant thereto, knowing or having reason to believe such person is not so authorized to receive Restricted Data shall, upon conviction thereof, be punishable by a fine of not more than \$12,500.

(Aug. 1, 1946, ch. 724, title I, §227, as added Aug. 30, 1954, ch. 1073, §1, 68 Stat. 959; renumbered title I, Pub. L. 102-486, title IX, §902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 106-65, div. C, title XXXI, §3148(c), Oct. 5, 1999, 113 Stat. 938.)

## 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

1999—Pub. L. 106-65 substituted “\$12,500” for “\$2,500”.

**§ 2278. Statute of limitations**

Except for a capital offense, no individual or person shall be prosecuted, tried, or punished for any offense prescribed or defined in sections 2274 to 2276 of this title unless the indictment is found or the information is instituted within ten years next after such offense shall have been committed.

(Aug. 1, 1946, ch. 724, title I, §228, as added Aug. 30, 1954, ch. 1073, §1, 68 Stat. 959; renumbered title I, Pub. L. 102-486, title IX, §902(a)(8), Oct. 24, 1992, 106 Stat. 2944.)

**§ 2278a. Trespass on Commission installations****(a) Issuance and posting of regulations**

(1) The Commission is authorized to issue regulations relating to the entry upon or carrying, transporting, or otherwise introducing or causing to be introduced any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property, into or upon any facility, installation, or real property subject to the jurisdiction, administration, in the custody of the Commission, or subject to the licensing authority of the Commission or certification by the Commission under this chapter or any other Act.

(2) Every such regulation of the Commission shall be posted conspicuously at the location involved.

**(b) Penalty for violation of regulations**

Whoever shall willfully violate any regulation of the Commission issued pursuant to subsection (a) shall, upon conviction thereof, be punishable by a fine of not more than \$1,000.

**(c) Penalty for violation of regulations regarding enclosed property**

Whoever shall willfully violate any regulation of the Commission issued pursuant to subsection (a) with respect to any installation or other property which is enclosed by a fence, wall, floor, roof, or other structural barrier shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed \$5,000 or to imprisonment for not more than one year, or both.

(Aug. 1, 1946, ch. 724, title I, §229, as added Aug. 6, 1956, ch. 1015, §6, 70 Stat. 1070; renumbered title I, Pub. L. 102-486, title IX, §902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 109-58, title VI, §654, Aug. 8, 2005, 119 Stat. 812.)

## REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1), 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,