

see section 1003(c) of Pub. L. 102-572, set out as a note under section 2331 of this title.

§ 2339. Harboring or concealing terrorists

(a) Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe, has committed, or is about to commit, an offense under section 32 (relating to destruction of aircraft or aircraft facilities), section 175 (relating to biological weapons), section 229 (relating to chemical weapons), section 831 (relating to nuclear materials), paragraph (2) or (3) of section 844(f) (relating to arson and bombing of government property risking or causing injury or death), section 1366(a) (relating to the destruction of an energy facility), section 2280 (relating to violence against maritime navigation), section 2332a (relating to weapons of mass destruction), or section 2332b (relating to acts of terrorism transcending national boundaries) of this title, section 236(a) (relating to sabotage of nuclear facilities or fuel) of the Atomic Energy Act of 1954 (42 U.S.C. 2284(a)), or section 46502 (relating to aircraft piracy) of title 49, shall be fined under this title or imprisoned not more than ten years, or both.

(b) A violation of this section may be prosecuted in any Federal judicial district in which the underlying offense was committed, or in any other Federal judicial district as provided by law.

(Added Pub. L. 107-56, title VIII, §803(a), Oct. 26, 2001, 115 Stat. 376; amended Pub. L. 107-273, div. B, title IV, §4005(d)(2), Nov. 2, 2002, 116 Stat. 1813.)

AMENDMENTS

2002—Pub. L. 107-273 made technical correction to directory language of Pub. L. 107-56, §803(a), which enacted this section.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-273, div. B, title IV, §4005(d)(2), Nov. 2, 2002, 116 Stat. 1813, provided that the amendment made by section 4005(d)(2) is effective Oct. 26, 2001.

§ 2339A. Providing material support to terrorists

(a) OFFENSE.—Whoever provides material support or resources or conceals or disguises the nature, location, source, or ownership of material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, a violation of section 32, 37, 81, 175, 229, 351, 831, 842(m) or (n), 844(f) or (i), 930(c), 956, 1091, 1114, 1116, 1203, 1361, 1362, 1363, 1366, 1751, 1992, 2155, 2156, 2280, 2281, 2332, 2332a, 2332b, 2332f, 2340A, or 2442 of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), section 46502 or 60123(b) of title 49, or any offense listed in section 2332b(g)(5)(B) (except for sections 2339A and 2339B) or in preparation for, or in carrying out, the concealment of an escape from the commission of any such violation, or attempts or conspires to do such an act, shall be fined under this title, imprisoned not more than 15 years, or both, and, if the death of any person results, shall be imprisoned for any term of years or for life. A violation of this section may be prosecuted in any Federal judicial district in which the underlying offense was committed, or in any other Federal judicial district as provided by law.

(b) DEFINITIONS.—As used in this section—

(1) the term “material support or resources” means any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who may be or include oneself), and transportation, except medicine or religious materials;

(2) the term “training” means instruction or teaching designed to impart a specific skill, as opposed to general knowledge; and

(3) the term “expert advice or assistance” means advice or assistance derived from scientific, technical or other specialized knowledge.

(Added Pub. L. 103-322, title XII, §120005(a), Sept. 13, 1994, 108 Stat. 2022; amended Pub. L. 104-132, title III, §323, Apr. 24, 1996, 110 Stat. 1255; Pub. L. 104-294, title VI, §§601(b)(2), (s)(2), (3), 604(b)(5), Oct. 11, 1996, 110 Stat. 3498, 3502, 3506; Pub. L. 107-56, title VIII, §§805(a), 810(c), 811(f), Oct. 26, 2001, 115 Stat. 377, 380, 381; Pub. L. 107-197, title III, §301(c), June 25, 2002, 116 Stat. 728; Pub. L. 107-273, div. B, title IV, §4002(a)(7), (c)(1), (e)(11), Nov. 2, 2002, 116 Stat. 1807, 1808, 1811; Pub. L. 108-458, title VI, §6603(a)(2), (b), Dec. 17, 2004, 118 Stat. 3762; Pub. L. 109-177, title I, §110(b)(3)(B), Mar. 9, 2006, 120 Stat. 208; Pub. L. 111-122, §3(d), Dec. 22, 2009, 123 Stat. 3481.)

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-122 inserted “, 1091” after “956” and substituted “, 2340A, or 2442” for “, or 2340A”.

2006—Subsec. (a). Pub. L. 109-177 struck out “1993,” after “1992.”

2004—Subsec. (a). Pub. L. 108-458, §6603(a)(2)(B), which directed amendment of this section by inserting “or any offense listed in section 2332b(g)(5)(B) (except for sections 2339A and 2339B)” after “section 60123(b) of title 49,” was executed by making the insertion in subsec. (a) after “section 46502 or 60123(b) of title 49,” to reflect the probable intent of Congress.

Pub. L. 108-458, §6603(a)(2)(A), struck out “or” before “section 46502”.

Subsec. (b). Pub. L. 108-458, §6603(b), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “In this section, the term ‘material support or resources’ means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.”

2002—Subsec. (a). Pub. L. 107-273, §4002(a)(7), (e)(11), struck out “2332c,” after “2332b,” and substituted “of an escape” for “or an escape”.

Pub. L. 107-197 inserted “2332f,” before “or 2340A”.

Subsec. (b). Pub. L. 107-273, §4002(c)(1), repealed amendment by Pub. L. 104-294, §601(b)(2). See 1996 Amendment note below.

2001—Subsec. (a). Pub. L. 107-56, §811(f), inserted “or attempts or conspires to do such an act,” before “shall be fined”.

Pub. L. 107-56, §810(c)(1), substituted “15 years” for “10 years”.

Pub. L. 107-56, §810(c)(2), which directed substitution of “, and, if the death of any person results, shall be imprisoned for any term of years or for life.” for period,