

station, base or other facility, or part thereof, or any aircraft, missile, spacecraft, or similar vehicle, or part thereof, or other property or equipment in the custody of the Administration, or any real or personal property or equipment in the custody of any contractor under any contract with the Administration or any subcontractor of any such contractor, shall be fined under this title, or imprisoned not more than one year, or both.

(Added Pub. L. 85-568, title III, §304(c)(1), July 29, 1958, 72 Stat. 434; amended Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

CHAPTER 39—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

- Sec. 831. Prohibited transactions involving nuclear materials.
- 832. Participation in nuclear and weapons of mass destruction threats to the United States.
- [833 to 835. Repealed.]
- 836. Transportation of fireworks into State prohibiting sale or use.
- [837. Repealed.]

AMENDMENTS

2004—Pub. L. 108-458, title VI, §6803(c)(1), Dec. 17, 2004, 118 Stat. 3768, added item 832.

1982—Pub. L. 97-351, §2(b), Oct. 18, 1982, 96 Stat. 1666, substituted “Prohibited transactions involving nuclear materials” for “Definitions” in item 831 and struck out items 832 “Transportation of explosives, radioactive materials, etiologic agents, and other dangerous articles”, 833 “Marking packages containing explosives and other dangerous articles”, 834 “Regulation by Interstate Commerce Commission”, and 835 “Administration”.

1970—Pub. L. 91-452, title XI, §1106(b)(2), Oct. 15, 1970, 84 Stat. 960, struck out item 837.

1960—Pub. L. 86-710, Sept. 6, 1960, 74 Stat. 808, substituted “OTHER DANGEROUS ARTICLES” for “COMBUSTIBLES” in chapter heading, “explosives, radioactive materials, etiologic agents, and other dangerous articles” for “dynamite, powder and fuses” in item 832, “Marking packages containing explosives and other dangerous articles” for “Transportation of nitroglycerin” in item 833, “Regulation by Interstate Commerce Commission” for “Marking packages containing explosives” in item 834, and “Administration” for “Regulations by Interstate Commerce Commission” in item 835.

Pub. L. 86-449, title II, §204, May 6, 1960, 74 Stat. 88, added item 837.

1954—Act June 4, 1954, ch. 261, §2, 68 Stat. 171, added item 836.

HAZARDOUS SUBSTANCES

Federal Hazardous Substances Act as not modifying this chapter or regulations promulgated thereunder, see Pub. L. 86-613, §18, formerly 17, July 12, 1960, 74 Stat. 380, as amended Pub. L. 89-756, §4(a), Nov. 3, 1966, 80 Stat. 1305; renumbered and amended Pub. L. 91-113, §4(a), (b)(1), Nov. 6, 1969, 83 Stat. 189, 190, set out as a note under section 1261 of Title 15, Commerce and Trade.

§ 831. Prohibited transactions involving nuclear materials

(a) Whoever, if one of the circumstances described in subsection (c) of this section occurs—

(1) without lawful authority, intentionally receives, possesses, uses, transfers, alters, disposes of, or disperses any nuclear material or nuclear byproduct material and—

(A) thereby knowingly causes the death of or serious bodily injury to any person or substantial damage to property or to the environment; or

(B) circumstances exist, or have been represented to the defendant to exist, that are likely to cause the death or serious bodily injury to any person, or substantial damage to property or to the environment;

(2) with intent to deprive another of nuclear material or nuclear byproduct material, knowingly—

(A) takes and carries away nuclear material or nuclear byproduct material of another without authority;

(B) makes an unauthorized use, disposition, or transfer, of nuclear material or nuclear byproduct material belonging to another; or

(C) uses fraud and thereby obtains nuclear material or nuclear byproduct material belonging to another;

(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;

(4) knowingly—

(A) uses force; or

(B) threatens or places another in fear that any person other than the actor will imminently be subject to bodily injury;

and thereby takes nuclear material or nuclear byproduct material belonging to another from the person or presence of any other;

(5) intentionally intimidates any person and thereby obtains nuclear material or nuclear byproduct material belonging to another;

(6) with intent to compel any person, international organization, or governmental entity to do or refrain from doing any act, knowingly threatens to engage in conduct described in paragraph (2)(A) or (3) of this subsection;

(7) knowingly threatens to use nuclear material or nuclear byproduct material to cause death or serious bodily injury to any person or substantial damage to property or to the environment under circumstances in which the threat may reasonably be understood as an expression of serious purposes;

(8) attempts to commit any act prohibited under paragraphs (1) through (5) of this subsection; or

(9) is a party to a conspiracy of two or more persons to commit any act prohibited under paragraphs (1) through (7) of this subsection, if any of the parties intentionally engages in any conduct in furtherance of such offense;

shall be punished as provided in subsection (b) of this section.

(b) The punishment for an offense under—

(1) paragraphs (1) through (8) of subsection (a) of this section is—

(A) a fine under this title; and

(B) imprisonment—

(i) for any term of years or for life (I) if, while committing the offense, the offender