

under section 670 unless the punishment under this section is greater.”

1994—Pub. L. 103-322, which directed the amendment of section 2217 of this title by substituting “under this title” for “not more than \$5,000”, was executed by making the substitution in the first par. of this section, to reflect the probable intent of Congress, because this title does not contain a section 2217.

1966—Pub. L. 89-654 substituted “Breaking or entering carrier facilities” for “Railroad car entered or seal broken” as section catchline, inserted reference to “pipeline system”, substituted “freight or express or other property” for “freight or express”, and prohibited any construction which might indicate a Congressional intent to occupy the field or invalidate State law.

1949—Act May 24, 1949, inserted last par.

Executive Documents

EXECUTIVE ORDER NO. 11836

Ex. Ord. No. 11836, Jan. 27, 1975, 40 F.R. 4255, which assigned responsibilities to Federal departments and agencies with respect to the National Cargo Security Program, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

§ 2118. Robberies and burglaries involving controlled substances

(a) Whoever takes or attempts to take from the person or presence of another by force or violence or by intimidation any material or compound containing any quantity of a controlled substance belonging to or in the care, custody, control, or possession of a person registered with the Drug Enforcement Administration under section 302 of the Controlled Substances Act (21 U.S.C. 822) shall, except as provided in subsection (c), be fined under this title or imprisoned not more than twenty years, or both, if (1) the replacement cost of the material or compound to the registrant was not less than \$500, (2) the person who engaged in such taking or attempted such taking traveled in interstate or foreign commerce or used any facility in interstate or foreign commerce to facilitate such taking or attempt, or (3) another person was killed or suffered significant bodily injury as a result of such taking or attempt.

(b) Whoever, without authority, enters or attempts to enter, or remains in, the business premises or property of a person registered with the Drug Enforcement Administration under section 302 of the Controlled Substances Act (21 U.S.C. 822) with the intent to steal any material or compound containing any quantity of a controlled substance shall, except as provided in subsection (c), be fined under this title or imprisoned not more than twenty years, or both, if (1) the replacement cost of the controlled substance to the registrant was not less than \$500, (2) the person who engaged in such entry or attempted such entry or who remained in such premises or property traveled in interstate or foreign commerce or used any facility in interstate or foreign commerce to facilitate such entry or attempt or to facilitate remaining in such premises or property, or (3) another person was killed or suffered significant bodily injury as a result of such entry or attempt.

(c)(1) Whoever in committing any offense under subsection (a) or (b) assaults any person, or puts in jeopardy the life of any person, by the use of a dangerous weapon or device shall be

fined under this title and imprisoned for not more than twenty-five years.

(2) Whoever in committing any offense under subsection (a) or (b) kills any person shall be fined under this title or imprisoned for any term of years or life, or both.

(d) If two or more persons conspire to violate subsection (a) or (b) of this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than ten years or both.

(e) For purposes of this section—

(1) the term “controlled substance” has the meaning prescribed for that term by section 102 of the Controlled Substances Act;

(2) the term “business premises or property” includes conveyances and storage facilities; and

(3) the term “significant bodily injury” means bodily injury which involves a risk of death, significant physical pain, protracted and obvious disfigurement, or a protracted loss or impairment of the function of a bodily member, organ, or mental or sensory faculty.

(Added Pub. L. 98-305, § 2, May 31, 1984, 98 Stat. 221; amended Pub. L. 103-322, title XXXIII, § 330016(1)(O)-(Q), Sept. 13, 1994, 108 Stat. 2148.)

Editorial Notes

REFERENCES IN TEXT

Section 102 of the Controlled Substances Act, referred to in subsec. (e)(1), is classified to section 802 of Title 21, Food and Drugs.

AMENDMENTS

1994—Subsecs. (a), (b). Pub. L. 103-322, § 330016(1)(O), substituted “fined under this title” for “fined not more than \$25,000”.

Subsec. (c)(1). Pub. L. 103-322, § 330016(1)(P), substituted “fined under this title” for “fined not more than \$35,000”.

Subsec. (c)(2). Pub. L. 103-322, § 330016(1)(Q), substituted “fined under this title” for “fined not more than \$50,000”.

Subsec. (d). Pub. L. 103-322, § 330016(1)(O), substituted “fined under this title” for “fined not more than \$25,000”.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 98-305, § 1, May 31, 1984, 98 Stat. 221, provided: “That this Act [enacting this section and provisions set out as a note under section 522 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘Controlled Substance Registrant Protection Act of 1984’.”

REPORT TO CONGRESS

Attorney General, for first three years after May 31, 1984, to submit to Congress an annual report with respect to enforcement activities relating to offenses under this section, see section 4 of Pub. L. 98-305, set out as a note under section 522 of Title 28, Judiciary and Judicial Procedure.

§ 2119. Motor vehicles

Whoever, with the intent to cause death or serious bodily harm¹ takes a motor vehicle that has been transported, shipped, or received in

¹ So in original. Probably should be followed by a comma.