

ceedings in cases in which defendant is convicted on or after Apr. 24, 1996, see section 211 of Pub. L. 104-132, set out as a note under section 2248 of this title.

§ 2328. Mandatory forfeiture

(a) IN GENERAL.—The court, in imposing sentence on a person who is convicted of any offense for which an enhanced penalty is provided under section 2326, shall order that the defendant forfeit to the United States—

(1) any property, real or personal, constituting or traceable to gross proceeds obtained from such offense; and

(2) any equipment, software, or other technology used or intended to be used to commit or to facilitate the commission of such offense.

(b) PROCEDURES.—The procedures set forth in section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) of that section, and in Rule 32.2 of the Federal Rules of Criminal Procedure, shall apply to all stages of a criminal forfeiture proceeding under this section.

(Added Pub. L. 115-70, title IV, § 402(a)(4), Oct. 18, 2017, 131 Stat. 1214.)

Editorial Notes

REFERENCES IN TEXT

The Federal Rules of Criminal Procedure, referred to in subsec. (b), are set out in the Appendix to this title.

CHAPTER 113B—TERRORISM

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Editorial Notes

CODIFICATION

Pub. L. 101-519, §132, Nov. 5, 1990, 104 Stat. 2250, known as the “Antiterrorism Act of 1990”, amended this chapter by adding sections 2331 and 2333 to 2338 and

¹Editorially supplied. Section 2339D added by Pub. L. 108-458 without corresponding amendment of chapter analysis.

by amending former section 2331 and renumbering it as section 2332. Pub. L. 102-27, title IV, § 402, Apr. 10, 1991, 105 Stat. 155, as amended by Pub. L. 102-136, § 126, Oct. 25, 1991, 105 Stat. 643, repealed section 132 of Pub. L. 101-519, effective Nov. 5, 1990, and provided that effective Nov. 5, 1990, this chapter is amended to read as if section 132 of Pub. L. 101-519 had not been enacted.

PRIOR PROVISIONS

Another chapter 113B, consisting of sections 2340 to 2340B, was renumbered chapter 113C.

AMENDMENTS

2015—Pub. L. 114-23, title VIII, § 811(b), June 2, 2015, 129 Stat. 311, added item 2332i.

2004—Pub. L. 108-458, title VI, § 6911(a), Dec. 17, 2004, 118 Stat. 3775, added items 2332g and 2332h.

2002—Pub. L. 107-197, title I, § 102(b), title II, § 202(b), June 25, 2002, 116 Stat. 724, 727, added items 2332f and 2339C.

2001—Pub. L. 107-56, title VIII, § 803(b), Oct. 26, 2001, 115 Stat. 377, added item 2339.

1998—Pub. L. 105-277, div. I, title II, § 201(c)(2), Oct. 21, 1998, 112 Stat. 2681-871, struck out item 2332c “Use of chemical weapons”.

1996—Pub. L. 104-294, title VI, § 605(q), Oct. 11, 1996, 110 Stat. 3510, redesignated item 2332d, relating to requests for military assistance to enforce prohibition in certain emergencies, as item 2332e, and moved the item to follow item 2332d, relating to financial transactions.

Pub. L. 104-294, title VI, § 604(b)(5), Oct. 11, 1996, 110 Stat. 3506, amended directory language of Pub. L. 103-322, title XII, § 120005(b), Sept. 13, 1994, 108 Stat. 2023. See 1994 Amendment note below.

Pub. L. 104-201, div. A, title XIV, § 1416(c)(2)(B), Sept. 23, 1996, 110 Stat. 2723, which directed amendment of table of sections at beginning of the chapter 133B of this title, that relates to terrorism, by adding item 2332d relating to requests for military assistance to enforce prohibition in certain emergencies, after item 2332c, was executed by making the addition after item 2332c in the table of sections at the beginning of this chapter to reflect the probable intent of Congress. This title does not contain a chapter 133B.

Pub. L. 104-132, title III, §§ 303(b), 321(b), title V, § 521(c), title VII, § 702(b), Apr. 24, 1996, 110 Stat. 1253, 1254, 1287, 1294, added items 2332b to 2332d and 2339B.

1994—Pub. L. 103-322, title XII, § 120005(b), Sept. 13, 1994, 108 Stat. 2023, as amended by Pub. L. 104-294, title VI, § 604(b)(5), Oct. 11, 1996, 110 Stat. 3506, added item 2339A.

Pub. L. 103-322, title VI, § 60023(b), title XXV, § 250002(a)(1), (b)(2), Sept. 13, 1994, 108 Stat. 1981, 2082, 2085, renumbered chapter 113A as 113B, amended chapter heading generally, substituting “113B” for “113A”, and added item 2332a.

1992—Pub. L. 102-572, title X, § 1003(a)(5), Oct. 29, 1992, 106 Stat. 4524, substituted “TERRORISM” for “EXTRATERRITORIAL JURISDICTION OVER TERRORIST ACTS ABROAD AGAINST UNITED STATES NATIONALS” in chapter heading and amended chapter analysis generally, substituting “Definitions” for “Terrorist acts abroad against United States nationals” in item 2331 and adding items 2332 to 2338.

1988—Pub. L. 100-690, title VII, § 7062, Nov. 18, 1988, 102 Stat. 4404, added item 2331.

§ 2331. Definitions

As used in this chapter—

(1) the term “international terrorism” means activities that—

(A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State;

(B) appear to be intended—