

United States Code Annotated
Title 18. Crimes and Criminal Procedure (Refs & Annos)
Part I. Crimes (Refs & Annos)
Chapter 113B. Terrorism (Refs & Annos)

18 U.S.C.A. § 2332i

§ 2332i. Acts of nuclear terrorism

Effective: June 2, 2015

[Currentness](#)

(a) Offenses.--

(1) In general.--Whoever knowingly and unlawfully--

(A) possesses radioactive material or makes or possesses a device--

(i) with the intent to cause death or serious bodily injury; or

(ii) with the intent to cause substantial damage to property or the environment; or

(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation--

(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

(2) Threats.--Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

(3) Attempts and conspiracies.--Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraph (1) or (2) shall be punished as prescribed in subsection (c).

(b) Jurisdiction.--Conduct prohibited by subsection (a) is within the jurisdiction of the United States if--

(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

(2) the prohibited conduct takes place outside of the United States and--

(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in [section 70502 of title 46](#)) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

(4) a perpetrator of the prohibited conduct is found in the United States.

(c) Penalties.--Whoever violates this section shall be fined not more than \$2,000,000 and shall be imprisoned for any term of years or for life.

(d) Nonapplicability.--This section does not apply to--

(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

(2) activities undertaken by military forces of a state in the exercise of their official duties.

(e) Definitions.--As used in this section, the term--

(1) “armed conflict” has the meaning given that term in [section 2332f\(e\)\(11\)](#) of this title;

(2) “device” means:

(A) any nuclear explosive device; or

(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

(3) “international organization” has the meaning given that term in [section 831\(f\)\(3\)](#)¹ of this title;

(4) “military forces of a state” means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

(5) “national of the United States” has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act ([8 U.S.C. 1101\(a\)\(22\)](#));

(6) “nuclear facility” means:

(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

(7) “nuclear material” has the meaning given that term in [section 831\(f\)\(1\)](#)¹ of this title;

(8) “radioactive material” means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

(9) “serious bodily injury” has the meaning given that term in [section 831\(f\)\(4\)](#)¹ of this title;

(10) “state” has the same meaning as that term has under international law, and includes all political subdivisions thereof;

(11) “state or government facility” has the meaning given that term in [section 2332f\(e\)\(3\)](#) of this title;

(12) “United States corporation or legal entity” means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

(13) “vessel” has the meaning given that term in [section 1502\(19\) of title 33](#);² and

(14) “vessel of the United States” has the meaning given that term in [section 70502 of title 46](#).

CREDIT(S)

(Added [Pub.L. 114-23, Title VIII, § 811\(a\)](#), June 2, 2015, 129 Stat. 309.)

[Notes of Decisions \(1\)](#)

Footnotes

¹ Redesignated [section 831\(g\)](#) of this title by [Pub.L. 114-23](#), § 812(d).

² See References in Text note set out under this section.

18 U.S.C.A. § 2332i, 18 USCA § 2332i

Current through P.L. 116-252.