

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 113B - TERRORISM

§ 2332. Criminal penalties

(a) **Homicide.**— Whoever kills a national of the United States, while such national is outside the United States, shall—

- (1) if the killing is murder (as defined in section 1111 (a)), be fined under this title, punished by death or imprisonment for any term of years or for life, or both;
- (2) if the killing is a voluntary manslaughter as defined in section 1112 (a) of this title, be fined under this title or imprisoned not more than ten years, or both; and
- (3) if the killing is an involuntary manslaughter as defined in section 1112 (a) of this title, be fined under this title or imprisoned not more than three years, or both.

(b) **Attempt or Conspiracy With Respect to Homicide.**— Whoever outside the United States attempts to kill, or engages in a conspiracy to kill, a national of the United States shall—

- (1) in the case of an attempt to commit a killing that is a murder as defined in this chapter, be fined under this title or imprisoned not more than 20 years, or both; and
- (2) in the case of a conspiracy by two or more persons to commit a killing that is a murder as defined in section 1111 (a) of this title, if one or more of such persons do any overt act to effect the object of the conspiracy, be fined under this title or imprisoned for any term of years or for life, or both so fined and so imprisoned.

(c) **Other Conduct.**— Whoever outside the United States engages in physical violence—

- (1) with intent to cause serious bodily injury to a national of the United States; or
- (2) with the result that serious bodily injury is caused to a national of the United States;

shall be fined under this title or imprisoned not more than ten years, or both.

(d) **Limitation on Prosecution.**— No prosecution for any offense described in this section shall be undertaken by the United States except on written certification of the Attorney General or the highest ranking subordinate of the Attorney General with responsibility for criminal prosecutions that, in the judgment of the certifying official, such offense was intended to coerce, intimidate, or retaliate against a government or a civilian population.

(Added Pub. L. 99–399, title XII, § 1202(a), Aug. 27, 1986, 100 Stat. 896, § 2331; amended Pub. L. 101–519, § 132(b), Nov. 5, 1990, 104 Stat. 2250; Pub. L. 102–27, title IV, § 402, Apr. 10, 1991, 105 Stat. 155; Pub. L. 102–136, § 126, Oct. 25, 1991, 105 Stat. 643; renumbered § 2332 and amended Pub. L. 102–572, title X, § 1003(a)(1), (2), Oct. 29, 1992, 106 Stat. 4521; Pub. L. 103–322, title VI, § 60022, Sept. 13, 1994, 108 Stat. 1980; Pub. L. 104–132, title VII, § 705(a)(6), Apr. 24, 1996, 110 Stat. 1295.)

Amendments

1996—Subsec. (c). Pub. L. 104–132 substituted “ten years” for “five years” in concluding provisions.

1994—Subsec. (a)(1). Pub. L. 103–322 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “if the killing is a murder as defined in section 1111 (a) of this title, be fined under this title or imprisoned for any term of years or for life, or both so fined and so imprisoned;”.

1992—Pub. L. 102–572 renumbered section 2331 of this title as this section, substituted “Criminal penalties” for “Terrorist acts abroad against United States national” in section catchline, redesignated subsec. (e) as (d), and struck out former subsec. (d) which read as follows: “Definition.—As used in this section the term ‘national of the United States’ has the meaning given such term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(22)).”

NB: This unofficial compilation of the U.S. Code is current as of Jan. 8, 2008 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

1991—Pub. L. 102–27, § 402, as amended by Pub. L. 102–136, § 126, repealed Pub. L. 101–519, § 132, and amended this section to read as if Pub. L. 101–519, § 132, had not been enacted, effective as of Nov. 5, 1990, the date of enactment of Pub. L. 101–519. See Codification note preceding this section.

1990—Pub. L. 101–519, § 132, which amended this section, was repealed by Pub. L. 102–27, § 402, as amended. See 1991 Amendment note above.

Effective Date of 1992 Amendment

Amendment by Pub. L. 102–572 applicable to any pending case or any cause of action arising on or after 4 years before Oct. 29, 1992, see section 1003(c) of Pub. L. 102–572, set out as an Effective Date note under section 2331 of this title.