tion] may be cited as the 'Comprehensive Crime Control Act of 1984'."

§ 2. Principals

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1962 of this title; title 21 section 854; title 49 App. section 1473; title 50 section 422.

§ 3. Accessory after the fact

[*See main edition for text of first par.*]

Except as otherwise expressly provided by any Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by life imprisonment or death, the accessory shall be imprisoned not more than ten years.

(As amended Nov. 10, 1986, Pub. L. 99-646, § 43, 100 Stat. 3601.)

AMENDMENTS

1986—Pub. L. 99-646 inserted "life imprisonment or" in second par.

§ 4. Misprision of felony

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 50 section 422.

§ 7. Special maritime and territorial jurisdiction of the United States defined

The term "special maritime and territorial jurisdiction of the United States", as used in this title, includes:

[*See main edition for text of (1) to (6)*]

(7) Any place outside the jurisdiction of any nation with respect to an offense by or against a national of the United States.

(As amended Oct. 12, 1984, Pub. L. 98-473, title II, § 1210, 98 Stat. 2164.)

AMENDMENTS

1984—Par. (7). Pub. L. 98-473 added par. (7).

§ 13. Laws of States adopted for areas within Federal jurisdiction

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3013 of this title.

§ 16. Crime of violence defined

The term "crime of violence" means—

(a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or

(b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

(Added Pub. L. 98-473, title II, § 1001(a), Oct. 12, 1984, 98 Stat. 2136.)

§ 17. Insanity defense

(a) Affirmative defense

It is an affirmative defense to a prosecution under any Federal statute that, at the time of the commission of the acts constituting the offense, the defendant, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of his acts. Mental disease or defect does not otherwise constitute a defense.

(b) Burden of proof

The defendant has the burden of proving the defense of insanity by clear and convincing evidence.

(Added Pub. L. 98-473, title II, § 402(a), Oct. 12, 1984, 98 Stat. 2057, § 20, and renumbered § 17, Pub. L. 99-646, § 34(a), Nov. 10, 1986, 100 Stat. 3599.)

§ 18. Organization defined

As used in this title, the term "organization" means a person other than an individual.

(Added Pub. L. 99-646, § 38(a), Nov. 10, 1986, 100 Stat. 3599, and amended Pub. L. 100-185, § 4(c), Dec. 11, 1987, 101 Stat. 1279.)

AMENDMENTS

1987—Pub. L. 100-185 made technical correction in directory language of Pub. L. 99-646, § 38(a).

§ 19. Petty offense defined

As used in this title, the term "petty offense" means a Class B misdemeanor, a Class C misdemeanor, or an infraction.

(Added Pub. L. 100-185, § 4(a), Dec. 11, 1987, 101 Stat. 1279.)

[§ 20. Renumbered § 17]

CHAPTER 2—AIRCRAFT AND MOTOR VEHICLES

§ 31. Definitions

When used in this chapter the term—

"Aircraft engine", "air navigation facility", "appliance", "civil aircraft", "foreign air commerce", "interstate air commerce", "landing area", "overseas air commerce", "propeller", "spare part" and "special aircraft jurisdiction of the United States" shall have the meaning ascribed to those terms in the Federal Aviation Act of 1958, as amended.

"Motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo;

"Destructive substance" means any explosive substance, flammable material, infernal machine, or other chemical, mechanical, or radioactive device or matter of a combustible, contaminative, corrosive, or explosive nature;

"Used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or di-

rectly or indirectly in connection with any business, or other undertaking intended for profit;

"In flight" means any time from the moment all the external doors of an aircraft are closed following embarkation until the moment when any such door in [1] opened for disembarkation. In the case of a forced landing the flight shall be deemed to continue until competent authorities take over the responsibility for the aircraft and the persons and property on board; and

"In service" means any time from the beginning of preflight preparation of the aircraft by ground personnel or by the crew for a specific flight until twenty-four hours after any landing; the period of service shall, in any event, extend for the entire period during which the aircraft is in flight.

(As amended Oct. 12, 1984, Pub. L. 98-473, title II, §§ 1010, 2013(a), 98 Stat. 2141, 2187.)

REFERENCES IN TEXT

The Federal Aviation Act of 1958, referred to in text, is Pub. L. 85-726, Aug. 23, 1958, 72 Stat. 731, as amended, which is classified principally to chapter 20 (§ 1301 et seq.) of Title 49, Appendix, Transportation. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 49, Appendix, and Tables.

AMENDMENTS

1984—Pub. L. 98-473, § 2013(a)(1), in first par. struck out "and" before "spare part", inserted "and 'special aircraft jurisdiction of the United States' ", and substituted "Federal Aviation Act of 1958" for "Civil Aeronautics Act of 1938".

Pub. L. 98-473, § 1010, substituted "passengers and property, or property or cargo" for "or passengers and property" in definition of motor vehicle.

Pub. L. 98-473, § 2013(a)(2)-(4), inserted definitions of "in flight" and "in service".

EFFECTIVE DATE OF 1984 AMENDMENT

Section 2015 of part B (§§ 2011-2015) of chapter XX of title II of Pub. L. 98-473 provided that: "This part [amending sections 31 and 32 of this title and sections 1301, 1471, and 1472 of Title 49, Appendix, Transportation, and enacting provisions set out as notes under this section] shall become effective on the date of the enactment of this joint resolution [Oct. 12, 1984]."

SHORT TITLE OF 1984 AMENDMENT

Section 2011 of part B (§§ 2011-2015) of chapter XX of title II of Pub. L. 98-473 provided that: "This part [amending sections 31 and 32 of this title and sections 1301, 1471, and 1472 of Title 49, Appendix, Transportation, and enacting provisions set out as notes under this section] may be cited as the 'Aircraft Sabotage Act'."

STATEMENT OF FINDINGS AND PURPOSE FOR 1984 AMENDMENT

Section 2012 of part B (§§ 2011-2015) of chapter XX of title II of Pub. L. 98-473 provided that: "The Congress hereby finds that—

"(1) the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (ratified by the United States on November 1, 1972) requires each contracting State to establish its jurisdiction over certain offenses affecting the safety of civil aviation;

"(2) such offenses place innocent lives in jeopardy, endanger national security, affect domestic tranquility, gravely affect interstate and foreign commerce, and are offenses against the law of nations; and

"(3) the purpose of this subtitle [part, see Short Title note above] is to implement fully the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation and to expand the protection accorded to aircraft and related facilities."

§ 32. Destruction of aircraft or aircraft facilities

(a) Whoever willfully—

(1) sets fire to, damages, destroys, disables, or wrecks any aircraft in the special aircraft jurisdiction of the United States or any civil aircraft used, operated, or employed in interstate, overseas, or foreign air commerce;

(2) places or causes to be placed a destructive device or substance in, upon, or in proximity to, or otherwise makes or causes to be made unworkable or unusable or hazardous to work or use, any such aircraft, or any part or other materials used or intended to be used in connection with the operation of such aircraft, if such placing or causing to be placed or such making or causing to be made is likely to endanger the safety of any such aircraft;

(3) sets fire to, damages, destroys, or disables any air navigation facility, or interferes by force or violence with the operation of such facility, if such fire, damaging, destroying, disabling, or intefering [2] is likely to endanger the safety of any such aircraft in flight;

(4) with the intent to damage, destroy, or disable any such aircraft, sets fire to, damages, destroys, or disables or places a destructive device or substance in, upon, or in proximity to, any appliance or structure, ramp, landing area, property, machine, or apparatus, or any facility or other material used, or intended to be used, in connection with the operation, maintenance, loading, unloading or storage of any such aircraft or any cargo carried or intended to be carried on any such aircraft;

(5) performs an act of violence against or incapacitates any individual on any such aircraft, if such act of violence or incapacitation is likely to endanger the safety of such aircraft;

(6) communicates information, knowing the information to be false and under circumstances in which such information may reasonably be believed, thereby endangering the safety of any such aircraft in flight; or

(7) attempts to do anything prohibited under paragraphs (1) through (6) of this subsection;

shall be fined not more than $100,000 or imprisoned not more than twenty years or both.

(b) Whoever willfully—

(1) performs an act of violence against any individual on board any civil aircraft registered in a country other than the United States while such aircraft is in flight, if such act is likely to endanger the safety of that aircraft;

(2) destroys a civil aircraft registered in a country other than the United States while such aircraft is in service or causes damage to

[1] So in original. Probably should be "is".

[2] So in original. Probably should be "interfering".

such an aircraft which renders that aircraft incapable of flight or which is likely to endanger that aircraft's safety in flight;

(3) places or causes to be placed on a civil aircraft registered in a country other than the United States while such aircraft is in service, a device or substance which is likely to destroy that aircraft, or to cause damage to that aircraft which renders that aircraft incapable of flight or which is likely to endanger that aircraft's safety in flight; or

(4) attempts to commit an offense described in paragraphs (1) through (3) of this subsection;

shall, if the offender is later found in the United States, be fined not more than $100,000 or imprisoned not more than twenty years, or both.

(c) Whoever willfully imparts or conveys any threat to do an act which would violate any of paragraphs (1) through (5) of subsection (a) or any of paragraphs (1) through (3) of subsection (b) of this section, with an apparent determination and will to carry the threat into execution shall be fined not more than $25,000 or imprisoned not more than five years, or both.

(As amended Oct. 12. 1984, Pub. L. 98-473, title II, § 2013(b), 98 Stat. 2187.)

AMENDMENTS

1984—Pub. L. 98-473 amended section generally. Prior to amendment section read as follows:

"Whoever willfully sets fire to, damages, destroys, disables, or wrecks any civil aircraft used, operated, or employed in interstate, overseas, or foreign air commerce; or

"Whoever willfully sets fire to, damages, destroys, disables, or wrecks any aircraft engine, propeller, appliance, or spare part with intent to damage, destroy, disable, or wreck any such aircraft; or

"Whoever, with like intent, willfully places or causes to be placed any destructive substance in, upon, or in proximity to any such aircraft, or any aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid, or other material used or intended to be used in connection with the operation of any such aircraft, or any cargo carried or intended to be carried on any such aircraft, or otherwise makes or causes to be made any such aircraft, aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid, or other material unworkable or unusable or hazardous to work or use; or

"Whoever, with like intent, willfully sets fire to, damages, destroys, disables, or wrecks, or places or causes to be placed any destructive substance in, upon, or in proximity to any shop, supply, structure, station, depot, terminal, hanger, ramp, landing area, air-navigation facility or other facility, warehouse, property, machine, or apparatus used or intended to be used in connection with the operation, loading, or unloading of any such aircraft or making any such aircraft ready for flight, or otherwise makes or causes to be made any such shop, supply, structure, station, depot, terminal, hangar, ramp, landing area, air-navigation facility or other facility, warehouse, property, machine, or apparatus unworkahle or unusable or hazardous to work or use; or

"Whoever, with like intent, willfully incapacitates any member of the crew of any such aircraft; or

"Whoever willfully attempts to do any of the aforesaid acts or things—

"shall be fined not more than $10,000 or imprisoned not more than twenty years, or both."

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 2015 of Pub. L. 98-473, set out as a note under section 31 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2516, 5032 of this title.

§ 33. Destruction of motor vehicles or motor vehicle facilities

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2516 of this title.

CHAPTER 5—ARSON

§ 81. Arson within special maritime and territorial jurisdiction

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5032 of this title.

CHAPTER 7—ASSAULT

Sec.
115. Influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member.

AMENDMENTS

1984—Pub. L. 98-473, title II, § 1008(b), Oct. 12, 1984, 98 Stat. 2140, added item 115.

§ 111. Assaulting, resisting, or impeding certain officers or employees

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 115, 3050 of this title; title 7 sections 84, 87c; title 16 section 742*l*; title 19 section 1629; title 22 section 2709; title 42 sections 2000e-13, 2283.

§ 112. Protection of foreign officials, official guests, and internationally protected persons

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 11, 878 of this title; title 22 section 2709.

§ 113. Assaults within maritime and territorial jurisdiction

Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows:

(a) Assault with intent to commit murder, by imprisonment for not more than twenty years.

(b) Assault with intent to commit any felony, except murder or a felony under chapter 109A, by fine of not more than $3,000 or imprisonment for not more than ten years, or both.

[*See main edition for text of* (c) *to* (*f*)]

(As amended Nov. 10, 1986, Pub. L. 99-646, § 87(c)(2), (3), 100 Stat. 3623; Nov. 14, 1986, Pub. L. 99-654, § 3(a)(2), (3), 100 Stat. 3663.)