§ 2322. Chop shops

(a) IN GENERAL.—
(1) UNLAWFUL ACTION.—Any person who knowingly owns, operates, maintains, or controls a chop shop or conducts operations in a chop shop shall be punished by a fine under this title or by imprisonment for not more than 15 years, or both. If a conviction of a person under this paragraph is for a violation committed after the first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to any fine and imprisonment.

(2) INJUNCTIONS.—The Attorney General shall, as appropriate, in the case of any person who violates paragraph (1), commence a civil action for permanent or temporary injunction to restrain such violation.

(b) DEFINITION.—For purposes of this section, the term "chop shop" means any building, lot, facility, or other structure or premise where one or more persons engage in receiving, concealing, destroying, dismantling, dismantling, reassembling, or storing any passenger motor vehicle or passenger motor vehicle part which has been unlawfully obtained in order to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, or remove the identity, including the vehicle identification number or derivative thereof, of such vehicle or vehicle part and to distribute, sell, or dispose of such vehicle or vehicle part in interstate or foreign commerce.


SECTION REFERRED TO IN OTHER SECTIONS
This section is referred to in title 15 section 2022.

CHAPTER 113A—TERRORISM

Sec. 2331. Definitions.
2332. Criminal penalties.
2333. Civil remedies.
2334. Jurisdiction and venue.
2335. Limitation of actions.
2336. Other limitations.
2337. Suits against Government officials.
2338. Exclusive Federal jurisdiction.

CODIFICATION

AMENDMENTS

(b) Any person who commits an offense under subsection (a) of this section—

(1) shall be imprisoned not more than 5 years, or fined in the amount set forth in this title, or both, if the offense consists of the reproduction or distribution, during any 180-day period, of at least 10 copies or phonorecords, of 1 or more copyrighted works, with a retail value of more than $2,500;

(2) shall be imprisoned not more than 10 years, or fined in the amount set forth in this title, or both, if the offense is a second or subsequent offense under paragraph (1); and

(3) shall be imprisoned not more than 1 year, or fined in the amount set forth in this title, or both, in any other case.

(c) As used in this section—

(1) the terms "phonorecord" and "copies" have, respectively, the meanings set forth in section 101 (relating to definitions) of title 17; and

(2) the terms "reproduction" and "distribution" refer to the exclusive rights of a copyright owner under clauses (1) and (3) respectively of section 106 (relating to exclusive rights of a copyright owner under clauses (1), (2), and (3) of section 106).


AMENDMENTS
1992—Subsec. (b). Pub. L. 102-561, § 1, amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "Any person who commits an offense under subsection (a) of this section—

"(1) shall be fined not more than $250,000 or imprisoned for not more than five years, or both, if the offense—

"(A) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of at least one thousand phonorecords or copies infringing the copyright in one or more sound recordings; or

"(B) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of at least sixty-five copies infringing the copyright in one or more motion pictures or other audiovisual works; or

"(C) is a second or subsequent offense under either of subsection (b)(1) or (b)(2) of this section, where a prior offense involved a sound recording, or a motion picture or other audiovisual work;

"(2) shall be fined not more than $250,000 or imprisoned for not more than two years, or both, if the offense—

"(A) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of more than one thousand but less than one thousand phonorecords or copies infringing the copyright in one or more sound recordings; or

"(B) involves the reproduction or distribution, during any one-hundred-and-eighty-day period, of more than seven but less than sixty-five copies infringing the copyright in one or more motion pictures or other audiovisual works; and

"(3) shall be fined not more than $25,000 or imprisoned for not more than one year, or both, in any other case."

Subsec. (c). Pub. L. 102-561, § 2, substituted "'phonorecord' for '"'sound recording', 'motion picture', 'audiovisual work', 'phonorecord'," in par. (1) and "'120' for "'118" in par. (2).

So in original. Probably should be "'least'."
§ 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—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination or kidnapping; and

(C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum;

(2) the term "national of the United States" has the meaning given such term in section 101(a)(22) of the Immigration and Nationality Act;

(3) the term "person" means any individual or entity capable of holding a legal or beneficial interest in property; and

(4) the term "act of war" means any act occurring in the course of—

(A) declared war;

(B) armed conflict, whether or not war has been declared, between two or more nations; or

(C) armed conflict between military forces of any origin.


References to Text

Section 101(a)(22) of the Immigration and Nationality Act, referred to in par. (2), is classified to section 1101(a)(22) of Title 8, Aliens and Nationality.

Prior Provisions

A prior section 2331 was renumbered 2332 of this title.

Effective Date

Section 1003(c) of Pub. L. 102-572 provided that: "This section (enacting this section and sections 2333 to 2338 of this title, amending former section 2331 of this title, and renumbering former section 2331 of this title as 2333) and the amendments made by this section shall apply to any pending case or any cause of action arising on or after 4 years before the date of enactment of this Act (Oct. 29, 1992)."

§ 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 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;

(2) if the killing is a voluntary manslaughter as defined in section 1122(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 affect 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 five 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.


Amendments

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), struck the former subsec. (d) which read as follows: "Definition.—As used in this section the term 'national of the United States' means a U.S. citizen residing outside the United States and not otherwise excluded by law."


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.

Section Referred to in Other Sections

This section is referred to in section 2333 of this title.

§ 2333. Civil remedies

(a) ACTION AND JURISDICTION.—Any national of the United States injured in his or her person, property, or business by reason of an act of international terrorism, or his or her estate, survivors, or heirs, may sue therefor in any appropriate district court of the United States in any criminal proceeding he or she sustains and the cost of the suit, including attorney’s fees.

(b) ESTOPPEL UNDER UNITED STATES LAW.—A final judgment or decree rendered in favor of any person may be instituted in the district court of the United States for any district where any plain- file or action for recovery of damages under section 2333 of this title shall not be maintained unless commenced within 4 years after the date the cause of action accrued.

(c) ESTOPPEL UNDER FOREIGN LAW.—A final judgment or decree rendered in favor of any foreign state in any criminal proceeding shall, to the extent that such judgment or decree may be accorded full faith and credit under the law of the United States, estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

(d) CONVENIENCE OF THE FORUM.—The district court shall not dismiss any suit for recovery of damages under section 2333 on the ground of the inconvenience or inappropriateness of the forum chosen, unless—

1. the action may be maintained in a foreign court that has jurisdiction over the subject matter and over all the defendants;
2. that foreign court is significantly more convenient and appropriate; and
3. that foreign court offers a remedy which is substantially the same as the one available in the courts of the United States.

Effective Date

Section 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 a note under section 2331 of this title.

§ 2335. Jurisdiction and venue

(a) GENERAL VENUE.—Any civil action under section 2333 of this title against any person may be instituted in the district court of the United States for any district where any plaintiff resides or where any defendant resides or is served, or has an agent. Process in such a civil action may be served in any district where the defendant resides, is found, or has an agent.

(b) SPECIAL MARITIME OR TERRITORIAL JURISDICTION.—If the actions giving rise to the claim occurred within the special maritime and territorial jurisdiction of the United States, as defined in section 7 of this title, then any civil action under section 2333 of this title against any person may be instituted in the district court of the United States for any district in which any plaintiff resides or the defendant resides, is served, or has an agent.

(c) SERVICE ON WITNESSES.—A witness in a civil action brought under section 2333 of this title may be served in any other district where the defendant resides, is found, or has an agent.

(d) CONVENIENCE OF THE FORUM.—The district court shall not dismiss any suit for recovery of damages under section 2333 on the ground of the inconvenience or inappropriateness of the forum chosen, unless—

1. the action may be maintained in a foreign court that has jurisdiction over the subject matter and over all the defendants;
2. that foreign court is significantly more convenient and appropriate; and
3. that foreign court offers a remedy which is substantially the same as the one available in the courts of the United States.

Effective Date

Section 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 a note under section 2331 of this title.

§ 2336. Other limitations

(a) ACTS OF WAR.—No action shall be maintained under section 2333 of this title for injury or loss by reason of an act of war.

(b) LIMITATION ON DISCOVERY.—If a party to an action under section 2338 seeks to discover the investigative files of the Department of Justice, the Assistant Attorney General, Deputy Attorney General, or Attorney General may object on the ground that compliance will interfere with a criminal investigation or prosecution of the incident, or a national security operation related to the incident, which is the subject of the civil litigation. The court shall evaluate any such objections in camera and shall stay the discovery if the court finds that granting the discovery request will substantially interfere with a criminal investigation or prosecution of the incident or a national security operation related to the incident. The court
shall consider the likelihood of criminal prosecution by the Government and other factors it
seems to be appropriate. A stay of discovery under this subsection shall constitute a bar to
the granting of a motion to dismiss under rules 12(b)(6) and 56 of the Federal Rules of Civil
Procedure. If the court grants a stay of discovery under this subsection, it may stay the
action in the interests of justice.

(c) STAY OF ACTION FOR CIVIL REMEDIES.—(1) The Attorney General may intervene in any
civil action brought under section 2333 for the purpose of seeking a stay of the civil action. A
stay shall be granted if the court finds that the continuation of the civil action will substantial-
ly interfere with a criminal prosecution which involves the same subject matter and in which
an indictment has been returned, or interfere with national security operations related to the
terrorist incident that is the subject of the civil action. A stay may be granted for up to 6
months. The Attorney General may petition the court for an extension of the stay for addi-
tional 6-month periods until the criminal prosecution is completed or dismissed.

(2) In a proceeding under this subsection, the
Attorney General may request that any order issued by the court for release to the parties
and the public omit any reference to the basis on which the stay was sought.

(Added Pub. L. 102-572, title X, § 1003(a)(4),

REFERENCES IN TEXT

The Federal Rules of Civil Procedure, referred to in subsec. (b), are set out in the Appendix to Title 28, Ju-
diciary and Judicial Procedure.

EFFECTIVE DATE

Section 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 a
note under section 2331 of this title.

§ 2337. Suits against Government officials

No action shall be maintained under section
2333 of this title against—

(1) the United States, an agency of the United States, or an officer or employee of the
United States or any agency thereof acting within his or her official capacity or under
color of legal authority; or

(2) a foreign state, an agency of a foreign state, or an officer or employee of a foreign
state or an agency thereof acting within his or her official capacity or under color of legal
authority.

(Added Pub. L. 102-572, title X, § 1003(a)(4),

EFFECTIVE DATE

Section 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 a
note under section 2331 of this title.

§ 2338. Exclusive Federal jurisdiction

The district courts of the United States shall
have exclusive jurisdiction over an action brought under this chapter.

(Added Pub. L. 102-572, title X, § 1003(a)(4),

EFFECTIVE DATE

Section 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 a
note under section 2331 of this title.

CHAPTER 115—TREASON, SEDITION, AND
SUBVERSIVE ACTIVITIES

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 2516 of this
title; title 5 section 8312; title 8 section 1251; title 22
sections 1641k, 1642h; title 42 section 402; title 50 App.
section 2017g.

§ 2381. Treason

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 14, 951 of this
title; title 5 section 8312; title 38 section 6105; title 50 App.
section 34.

§ 2382. Misprision of treason

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title;
title 5 section 8312; title 38 section 6105; title 50 App.
section 34.

§ 2383. Rebellion or insurrection

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title;
title 5 section 8312; title 38 section 6105; title 50 App.
section 34.

§ 2385. Advocating overthrow of Government

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title;
title 5 section 8312; title 8 section 1481; title 38 section
6105; title 50 App. section 34.

§ 2386. Seditious conspiracy

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title;
title 5 section 8312; title 8 section 1481; title 38 section
6105; title 50 App. section 34.

§ 2387. Activities affecting armed forces generally

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title;
title 5 section 8312; title 38 section 6105; title 50 App.
section 34.

§ 2388. Activities affecting armed forces during war

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 14, 1717, 2391
of this title; title 5 section 8312; title 38 section 6105;
title 50 App. sections 19, 34.

§ 2389. Recruiting for service against United States

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title;
title 5 section 8312; title 38 section 6105.