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Sec. 2332a. - Use of certain weapons of mass destruction

(a) Offense Against a National of the United States or Within the United States. -

A person who, without lawful authority, uses, threatens, or attempts or conspires to use, a weapon of mass destruction (other than a chemical weapon as that term is defined in section 229F), including any biological agent, toxin, or vector (as those terms are defined in section 178) -

(1)

against a national of the United States while such national is outside of the United States;

(2)

against any person within the United States, and the results of such use affect interstate or foreign commerce or, in the case of a threat, attempt, or conspiracy, would have affected interstate or foreign commerce; or

(3)

against any property that is owned, leased or used by the United States or by any department or agency of the United States, whether the property is within or outside of the United States,

shall be imprisoned for any term of years or for life, and if death results, shall be punished by death or imprisoned for any term of years or for life.

(b) Offense by National of the United States Outside of the United States. -

Any national of the United States who, without lawful authority, uses, or threatens, attempts, or conspires to use,

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a weapon of mass destruction (other than a chemical weapon (as that term is defined in section 229F)) outside of the United States shall be imprisoned for any term of years or for life, and if death results, shall be punished by death, or by imprisonment for any term of years or for life.

(c) Definitions. -

For purposes of this section -

(1)

the term "national of the United States" has the meaning given in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(2)

the term "weapon of mass destruction" means -

(A)

any destructive device as defined in section 921 of this title;

(B)

any weapon that is designed or intended to cause death or serious bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors;

(C)

any weapon involving a disease organism; or

(D)

any weapon that is designed to release radiation or radioactivity at a level dangerous to human life