organization designated at the time of the training by the Secretary of State under section 219(a)(1) of the Immigration and Nationality Act as a foreign terrorist organization shall be fined under this title or imprisoned for ten years, or both. To violate this subsection, a person must have knowledge that the organization is a designated terrorist organization (as defined in subsection (c)(4)), that the organization has engaged or engaged in terrorist activity (as defined in section 212 of the Immigration and Nationality Act), or that the organization has engaged or engages in terrorism (as defined in section 1401(2) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999).

(b) EXTERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section. There is jurisdiction over an offense under subsection (a) if—

(1) an offender is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act) or an alien lawfully admitted for permanent residence in the United States (as defined in section 101(a)(20) of the Immigration and Nationality Act);

(2) an offender is a stateless person whose habitual residence is in the United States;

(3) after the conduct required for the offense occurs an offender is brought into or found in the United States, even if the conduct required for the offense occurs outside the United States;

(4) the offense occurs in whole or in part within the United States;

(5) the offense occurs in or affects interstate or foreign commerce; or

(6) an offender aids or abets any person over whom jurisdiction exists under this paragraph in committing an offense under subsection (a) or conspires with any person over whom jurisdiction exists under this paragraph to commit an offense under subsection (a).

(c) DEFINITIONS.—As used in this section—

(1) the term "military-type training" includes training in means or methods that can cause death or serious bodily injury, destroy or damage property, or disrupt services to critical infrastructure, or training on the use, storage, production, or assembly of any explosive, firearm or other weapon, including any weapon of mass destruction (as defined in section 2332a(c)(2));

(2) the term "serious bodily injury" has the meaning given that term in section 1153(a)(3); and

(3) the term "critical infrastructure" means systems and assets vital to national defense, national security, economic security, public health or safety including both regional and national infrastructure. Critical infrastructure may be privately or privately owned; examples of critical infrastructure include gas and oil production, storage, or delivery systems, water supply systems, telecommunications networks, electrical power generation or delivery systems, financing and banking systems, emergency services (including medical, police, fire, and rescue services), and transportation systems and services (including highways, mass transit, airlines, and airports); and

(4) the term "foreign terrorist organization" means an organization designated as a terrorist organization under section 219(a)(1) of the Immigration and Nationality Act.


REFERENCES TO ACT

Sections 101, 212, and 219 of the Immigration and Nationality Act, referred to in subsec. (a), (b)(1), and (c)(4), are classified to sections 1101, 1103, and 1109, respectively, of Title 8, Aliens and Nationality.

Section 1401(2) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, referred to in subsec. (a), is classified to section 288(a)(8) of Title 22, Foreign Relations and Intercourse.

CHAPTER 113C—TORTURE

Sec. 2638. Definitions.
2638A. Torts.
2638B. Exclusive remedies.

AMENDMENTS


§2340. Definitions

As used in this chapter—

(1) "torture" means an act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering upon another person, including, but not limited to, any other person upon whom jurisdiction exists under this paragraph to commit an offense under subsection (a);

(2) "severe mental pain or suffering" means prolonged mental harm caused by or resulting from—

(A) the intentional infliction or threatened infliction of severe physical pain or suffering;

(B) the administration or application, or threatened administration or application, of any procedure or other course of conduct calculated to disrupt profoundly the physical, mental, or emotional processes of a person; and

(C) the threat that another person will imminently be subjected to death, severe physical or mental pain or suffering, or the administration or application of any procedure or other course of conduct calculated to disrupt profoundly the physical, mental, or emotional processes of a person.

(3) "United States" means the several States of the United States, the Districts of Columbia, and the commonwealths, territories, and possessions of the United States.

CHAPTER 114—TRAFFICKING IN CONTRABAND CIGARETTES AND SMOKELESS TOBACCO

Sec.
2341. Definitions.
2342. Unlawful acts.
2343. Recordkeeping, reporting, and inspection.
2344. Penalties.
2345. Effect on State and local law.
2346. Enforcement and regulations.

AMENDMENTS

2341. Definitions.

As used in this chapter—

(a) the term “cigarette” means—

(1) any roll of tobacco wrapped in paper or in any substance not containing tobacco; and

(2) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (A);

(b) the term “contraband cigarette” means a quantity in excess of 10,000 cigarettes, which bear no evidence of the payment of applicable State or local cigarette taxes in the State or locality where such cigarettes are found, if the State or local government requires a stamp, impression, or other indication to be placed on packages or other containers of cigarettes to evidence payment of cigarette taxes, and which are in the possession of any person other than—

(A) a person holding a permit issued pursuant to chapter 2 of the Internal Revenue Code of 1986 as a manufacturer of tobacco products or as an export warehouse proprietor, or a person operating a customs bonded warehouse pursuant to section 811 of the Tariff Act of 1930 (19 U.S.C. 1311 or 1555) or an agent of such person; or

(B) a common or contract carrier transporting the cigarettes involved under a proper bill of lading or freight bill which states the quantity, source, and destination of such cigarette;

(c) a person—

(1) who is licensed or otherwise authorized by the State where the cigarettes are found to account for and pay cigarette taxes imposed by such State; and

(2) who has complied with the accounting and payment requirements relating to such license or authorization with respect to the cigarettes involved; or

(D) an officer, employee, or other agent of the United States or a State, or any department, agency, or instrumentality of the United States or a State (including any political subdivision of a State) having posses-