the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 258.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION AND SAFETY OF MARITIME NAVIGATION ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1073) to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013''.

TITLE I—SAFETY OF MARITIME NAVIGATION

SEC. 101. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in paragraph (1)(A)(ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in paragraph (1)(A)(iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c):

''(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

''(1) 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

''(2) 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

''(3) 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

''(4) 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except where intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

''(5) 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country;

''(6) 'explosive material' has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

''(7) 'infrastructure facility' has the meaning given the term in section 2332f(e)(5) of this title;

''(8) 'international organization' has the meaning given the term in section 831(f)(3) of this title;

''(9) 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

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

''(11) 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

''(12) 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

''(13) 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

''(14) 'place of public use' has the meaning given the term in section 2332f(e)(6) of this title;

''(15) 'precursor' has the meaning given the term in section 229F(6)(A) of this title;

''(16) 'public transport system' has the meaning given the term in section 2332f(e)(7) of this title;

''(17) 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

''(18) 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

''(19) 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(20) 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(21) 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

''(22) 'toxic chemical' has the meaning given the term in section 229F(8)(A) of this title;

''(23) 'transport' means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

''(24) 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.''; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a

may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. 102. NEW SECTION 2280a OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraphs (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

''(E) attempts to do any act prohibited under subparagraphs (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2),

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. 103. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

(3) by inserting after subsection (d) the following:

''(e) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. 104. NEW SECTION 2281a OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraphs (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section—

''(1) 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

''(2) 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. 105. ANCILLARY MEASURE.

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2280a (relating to maritime safety),'' before ''2281'', and by striking ''2281'' and inserting ''2281 through 2281a''.

TITLE II—PREVENTION OF NUCLEAR TERRORISM

SEC. 201. NEW SECTION 2332i OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Whoever knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraphs (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Whoever violates this section shall be fined not more than $2,000,000 and shall be imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—As used in this section, the term—

''(1) 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(2) 'device' means:

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

''(3) 'international organization' has the meaning given that term in section 831(f)(3) of this title;

''(4) 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

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

''(6) 'nuclear facility' means:

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

''(7) 'nuclear material' has the meaning given that term in section 831(f)(1) of this title;

''(8) 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

''(9) 'serious bodily injury' has the meaning given that term in section 831(f)(4) of this title;

''(10) 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title;

''(12) 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

''(13) 'vessel' has the meaning given that term in section 1502(19) of title 33; and

''(14) 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists)''.

SEC. 202. AMENDMENT TO SECTION 831 OF TITLE 18 OF THE UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as (4) through (9);

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after ''United States'' the following: ''or a stateless person whose habitual residence is in the United States'';

(2) by striking paragraph (5);

(3) in paragraph (4), by striking ''or'' at the end; and

(4) by inserting after paragraph (4), the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

(e) by inserting after subsection (c):

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) the term 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title; and

''(12) the term 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1073, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Crime Subcommittee and the bill's sponsor.

Mr. SENSENBRENNER. I thank the gentleman from Georgia for yielding.

I sponsored this legislation to improve the ability to protect the United States from terrorist attacks, including attacks using weapons of mass destruction or attacks involving ships and maritime platforms.

H.R. 1073 implements obligations of four multilateral counterterrorism treaties. Full ratification of the underlying treaties will not be achieved until Congress amends existing criminal provisions of the United States Code.

This legislation was prepared in full cooperation with our Democratic colleagues on the committee, following months of work by committee staff in consultation with the Departments of Justice and State.

The importance of this bipartisan legislation is evidenced by those who have joined me as original cosponsors: the gentleman from Virginia, Judiciary Committee Chairman BOB GOODLATTE; Ranking Member JOHN CONYERS; and Crime Subcommittee Ranking Member BOBBY SCOTT.

Two of these treaties concern nuclear and radiological materials, the sabotage of nuclear facilities, and the protection of nuclear facilities and materials used for peaceful purposes. The other two treaties relate to the use or targeting of ships or maritime platforms as a part of a terrorist attack, transporting of certain materials by ship for terrorist purposes, and the transport of terrorists by ship, among other things.

The International Convention for the Suppression of Acts of Nuclear Terrorism was signed by President Bush on behalf of the United States on September 14, 2005. It requires the U.S. to criminalize certain unlawful acts relating to the possession and use of radioactive material and radiological dispersal devices and damage to nuclear facilities.

□ 1720

An amendment to the Convention on the Physical Protection of Nuclear Material, which was adopted at a diplomatic conference on July 25, 2005, requires the U.S. to criminalize nuclear smuggling and sabotage of nuclear facilities. The 2005 Protocol to the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation requires parties to criminalize the use or targeting of a ship or a fixed maritime platform in an act of terrorism. The Protocol forbids certain maritime terrorism acts and the maritime transport of biological, chemical, or nuclear weapons, or their components, delivery means, or materials under specified circumstances. It also forbids the maritime transport of terrorist fugitives. The 2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf criminalizes terrorist acts involving a fixed maritime platform.

To combat these types of terrorist threats effectively, we need both a comprehensive domestic legal framework and a broad international legal framework to facilitate international cooperation. Existing law may cover certain obligations under these treaties, but in order to fully comply and ultimately ratify the treaties, parties to the agreements are required to criminalize certain conduct and to fulfill extradition requirements and other obligations relating to international cooperation.

Parties to the underlying treaties are required to criminalize certain acts committed by persons who possess or use radioactive material or a nuclear device. And parties are obligated to ''extradite or prosecute'' alleged offenders. As they relate to maritime terrorism, the underlying treaties treat vessels and fixed maritime platforms as a potential means of conducting terrorism activity and not just as objects of terrorist activity.

Both the Bush and Obama administrations support ratification of these agreements, which have already received Senate advice and consent. Advancing this legislation strengthens international cooperation and information-sharing, and will ensure that the United States stays at the forefront of global counterterrorism and counterproliferation efforts. These measures are consistent with our domestic efforts to improve homeland security and to promote better international cooperation.

It is my hope the Senate will act swiftly to pass this legislation so that these important multilateral agreements can finally be ratified. I encourage my colleagues to vote in favor of this legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1073, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act. This bipartisan legislation, which was reported favorably by the Judiciary Committee in March, is nearly identical to legislation that the House passed by voice vote in the last Congress.

H.R. 1073 amends the Federal Criminal Code to conform our laws to our Nation's obligations under four international treaties that are part of an important effort to update international law for the post-September 11th era. Two of the treaties, the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention for the Physical Protection of Nuclear Material, require party nations to better protect nuclear materials and to punish acts of nuclear terrorism.

Two other treaties, amendments to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the Protocol for Suppression of Unlawful Acts Against the Safety of Fixed Platforms, address the use of ships and fixed platforms in terrorist attacks, as well as the transport of weapons, weapons delivery systems, and the transport of terrorist fugitives by sea.

The United States signed these treaties in 2005, and the Senate passed resolutions of advice and consent on all four in 2008. We cannot ratify these agreements, however, until Congress amends the Federal Criminal Code to bring it in line with our new obligations. H.R. 1073 does just that—and nothing more. It amends title 18 of the United States Code to explicitly prohibit acts of terrorism involving radioactive material, provide new security requirements for the use and storage of nuclear materials, and address the use of ships and offshore platforms in terrorist attacks.

With the cooperation of the Justice Department, this bill does not include previously proposed language that was outside the scope of the underlying treaties. For example, the original version proposed by the administration included an expansion of the scope of conduct subject to the death penalty, new wiretap predicates, and authorization for the President to conduct similar agreements in the future without congressional approval. There is no need to argue about these controversial provisions in order to implement the underlying treaties, and those unrelated initiatives have been removed in this version of the bill. So I'm grateful for the spirit of cooperation in which the bill before us has been drafted.

The resulting bipartisan proposal has the full support of the Obama administration. I'm pleased to join my colleagues, the gentleman from Wisconsin, the chair of the Subcommittee on Crime, Mr. SENSENBRENNER, along with Ranking Member CONYERS and Chairman GOODLATTE.

I urge my colleagues to support H.R. 1073. I have one additional speaker, so I will reserve the balance of my time.

Mr. COLLINS of Georgia. I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Let me thank the ranking member and let me thank the gentleman, Mr. SENSENBRENNER, who brought this bill before us. I rise in support of the bill, and I wanted to use this occasion to make some additional comments.

We recognize that the proliferation of nuclear weapons is the greatest threat that our country faces. I took a trip with Chairman YOUNG to visit the International Atomic Energy Agency in Vienna, Austria, looking at the weapons development program in Iran. This is a big issue that the Congress has got to pay a lot of attention to.

But I also wanted to take a minute as a member of the Energy Appropriations Subcommittee to talk about the administration's request on both nonproliferation and modernization. The nonproliferation request is flatlined. The weapons modernization, which is important as relates to our obligations and agreements relative to the START treaty, is well funded. But we think there are some gaps in terms of the planning. And we need to understand more fully, in terms of both the B–61 and the W–76, where we're headed in terms of the long-term package.

So this bill is important because it deals with terrorism threats in terms of nuclear weapons. Part of dealing with that is to make sure that we continue the work of Senators Nunn and Lugar in nonproliferation. It's also important for our country to modernize our weapons, and to do that with a full understanding that we cannot do that on a year-to-year basis. We have to have a long-term plan and understand the entire package.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1073, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013, is bipartisan legislation to ratify certain counterterrorism treaty obligations. This legislation was reported by voice vote from the Judiciary Committee last month. Similar legislation was unanimously reported by the committee and passed the House by voice vote also last Congress.

Terrorism and the proliferation of weapons of mass destruction do not recognize international boundaries. These treaties are important tools in the fight against terrorism. Each one builds on an existing treaty to which the United States is a party. The treaties and this legislation complement important U.S. priorities to prevent nuclear terrorism, counterproliferation of weapons of mass destruction, and counterterrorism initiatives. Enacting this legislation will reinforce the United States' leadership role in promoting these and other counterterrorism treaties and will likely prompt other countries to join.

□ 1730

In addition to bolstering broad security and proliferation-prevention goals, these protocols help to promote implementation of certain sanctions against rogue regimes that are hostile to U.S. interests.

I commend Chairman GOODLATTE and Ranking Member CONYERS, along with the sponsor of H.R. 1073, Crime Subcommittee Chairman SENSENBRENNER, and Ranking Member SCOTT for their commitment to this important legislation.

I urge my colleagues to join me in passing H.R. 1073 today, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 1073.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro