

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 7 - ASSAULT

§ 113. Assaults within maritime and territorial jurisdiction

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

- (1) Assault with intent to commit murder, by imprisonment for not more than twenty years.
- (2) Assault with intent to commit any felony, except murder or a felony under chapter 109A, by a fine under this title or imprisonment for not more than ten years, or both.
- (3) Assault with a dangerous weapon, with intent to do bodily harm, and without just cause or excuse, by a fine under this title or imprisonment for not more than ten years, or both.
- (4) Assault by striking, beating, or wounding, by a fine under this title or imprisonment for not more than six months, or both.
- (5) Simple assault, by a fine under this title or imprisonment for not more than six months, or both, or if the victim of the assault is an individual who has not attained the age of 16 years, by fine under this title or imprisonment for not more than 1 year, or both.
- (6) Assault resulting in serious bodily injury, by a fine under this title or imprisonment for not more than ten years, or both.
- (7) Assault resulting in substantial bodily injury to an individual who has not attained the age of 16 years, by fine under this title or imprisonment for not more than 5 years, or both.

(b) As used in this subsection—

- (1) the term “substantial bodily injury” means bodily injury which involves—
 - (A) a temporary but substantial disfigurement; or
 - (B) a temporary but substantial loss or impairment of the function of any bodily member, organ, or mental faculty; and
- (2) the term “serious bodily injury” has the meaning given that term in section 1365 of this title.

(June 25, 1948, ch. 645, 62 Stat. 689; Pub. L. 94–297, § 3, May 29, 1976, 90 Stat. 585; Pub. L. 99–646, § 87(c)(2), (3), Nov. 10, 1986, 100 Stat. 3623; Pub. L. 99–654, § 3(a)(2), (3), Nov. 14, 1986, 100 Stat. 3663; Pub. L. 103–322, title XVII, § 170201(a)–(d), title XXXII, § 320101(c), title XXXIII, § 330016(2)(B), Sept. 13, 1994, 108 Stat. 2042, 2043, 2108, 2148; Pub. L. 104–294, title VI, § 604(b)(7), (12)(B), Oct. 11, 1996, 110 Stat. 3507.)

Historical and Revision Notes

Based on title 18, U.S.C., 1940 ed., § 455 (Mar. 4, 1909, ch. 321, § 276, 35 Stat. 1143).

Opening paragraph was added to preserve the jurisdictional limitation provided for by section 451 of title 18, U.S.C., 1940 ed., now section 7 of this title. (See reviser’s note thereunder.)

Phraseology was simplified.

Amendments

1996—Pub. L. 104–294, § 604(b)(12)(B), repealed Pub. L. 103–322, § 320101(c)(1)(A), (2)(A). See 1994 Amendment note below.

Pub. L. 104–294, § 604(b)(7), repealed Pub. L. 103–322, § 170201(c)(1)–(3). See 1994 Amendment note below.

1994—Pub. L. 103–322, § 330016(2)(B), substituted “a fine under this title” for “fine of not more than” through the immediately following dollar amount wherever appearing.

Pub. L. 103–322, § 320101(c), as amended by Pub. L. 104–294, § 604(b)(12)(B), which directed the amendment of subsec. (c) by substituting “ten years” for “five years” and the amendment of subsec. (e) by substituting “six months”

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for “three months”, were executed by making the substitutions in subsecs. (a)(3) and (a)(5), respectively, to reflect the probable intent of Congress and the redesignation of subsecs. (c) and (e) as subsecs. (a)(3) and (a)(5), respectively. See below.

Pub. L. 103–322, § 170201(a)–(d), as amended by Pub. L. 104–294, § 604(b)(7), designated existing provisions as subsec. (a), redesignated former subsecs. (a) to (f) as pars. (1) to (6), respectively of subsec. (a) and realigned margins, inserted before period at end of par. (5) “, or if the victim of the assault is an individual who has not attained the age of 16 years, by fine under this title or imprisonment for not more than 1 year, or both”, and added subsecs. (a)(7) and (b).

1986—Subsec. (a). Pub. L. 99–646, § 87(c)(2), and Pub. L. 99–654, § 3(a)(2), amended subsec. (a) identically, striking out “or rape” after “murder”.

Subsec. (b). Pub. L. 99–646, § 87(c)(3), and Pub. L. 99–654, § 3(a)(3), amended subsec. (b) identically, substituting “a felony under chapter 109A” for “rape”.

1976—Subsec. (f). Pub. L. 94–297 added subsec. (f).

Effective Date of 1996 Amendment

Amendment by Pub. L. 104–294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104–294, set out as a note under section 13 of this title.

Effective Date of 1986 Amendments

Amendments by Pub. L. 99–646 and Pub. L. 99–654 effective respectively 30 days after Nov. 10, 1986, and 30 days after Nov. 14, 1986, see section 87(e) of Pub. L. 99–646 and section 4 of Pub. L. 99–654, set out as an Effective Date note under section 2241 of this title.