
§3A1.4. Terrorism

- (a) If the offense is a felony that involved, or was intended to promote, a federal crime of terrorism, increase by **12** levels; but if the resulting offense level is less than level **32**, increase to level **32**.
- (b) In each such case, the defendant's criminal history category from Chapter Four (Criminal History and Criminal Livelihood) shall be Category VI.

Commentary**Application Notes:**

1. **"Federal Crime of Terrorism" Defined.**—For purposes of this guideline, "*federal crime of terrorism*" has the meaning given that term in 18 U.S.C. § 2332b(g)(5).
2. **Harboring, Concealing, and Obstruction Offenses.**—For purposes of this guideline, an offense that involved (A) harboring or concealing a terrorist who committed a federal crime of terrorism (such as an offense under 18 U.S.C. § 2339 or § 2339A); or (B) obstructing an investigation of a federal crime of terrorism, shall be considered to have involved, or to have been intended to promote, that federal crime of terrorism.
3. **Computation of Criminal History Category.**—Under subsection (b), if the defendant's criminal history category as determined under Chapter Four (Criminal History and Criminal Livelihood) is less than Category VI, it shall be increased to Category VI.

Historical Note

Effective November 1, 1995 (amendment 526). Amended effective November 1, 1996 (amendment 539); November 1, 1997 (amendment 565); November 1, 2002 (amendment 637); November 1, 2025 (amendment 836).

§3A1.5. Serious Human Rights Offense

If the defendant was convicted of a serious human rights offense, increase the offense level as follows:

- (a) If the defendant was convicted of an offense under 18 U.S.C. § 1091(c), increase by **2** levels.
- (b) If the defendant was convicted of any other serious human rights offense, increase by **4** levels. If (1) death resulted, and (2) the resulting offense level is less than level **37**, increase to level **37**.

Commentary**Application Notes:**

1. **Definition.**—For purposes of this guideline, "*serious human rights offense*" means violations of federal criminal laws relating to genocide, torture, war crimes, and the use or recruitment of child soldiers under sections 1091, 2340, 2340A, 2441, and 2442 of title 18, United States Code. See 28 U.S.C. § 509B(e).