

“Specially designated global terrorist” has the meaning given that term in 31 C.F.R. § 594.310.

<i>Historical Note</i>	Effective November 1, 2002 (amendment 637). Amended effective November 1, 2003 (amendment 655); November 1, 2007 (amendment 700); November 1, 2011 (amendment 753); November 1, 2023 (amendment 824); November 1, 2025 (amendment 836).
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6. NUCLEAR, BIOLOGICAL, AND CHEMICAL WEAPONS AND MATERIALS, AND OTHER WEAPONS OF MASS DESTRUCTION

<i>Historical Note</i>	Effective November 1, 1987. Amended effective November 1, 2001 (amendment 633).
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§2M6.1. Unlawful Activity Involving Nuclear Material, Weapons, or Facilities, Biological Agents, Toxins, or Delivery Systems, Chemical Weapons, or Other Weapons of Mass Destruction; Attempt or Conspiracy

(a) Base Offense Level (Apply the Greatest):

- (1) **42**, if the offense was committed with intent (A) to injure the United States; or (B) to aid a foreign nation or a foreign terrorist organization;
- (2) **28**, if subsections (a)(1), (a)(3), and (a)(4) do not apply;
- (3) **22**, if the defendant is convicted under 18 U.S.C. § 175b; or
- (4) **20**, if (A) the defendant is convicted under 18 U.S.C. § 175(b); or (B) the offense (i) involved a threat to use a nuclear weapon, nuclear material, or nuclear byproduct material, a chemical weapon, a biological agent, toxin, or delivery system, or a weapon of mass destruction; but (ii) did not involve any conduct evidencing an intent or ability to carry out the threat.

(b) Specific Offense Characteristics

- (1) If (A) subsection (a)(2) or (a)(4)(A) applies; and (B) the offense involved a threat to use, or otherwise involved (i) a select biological agent; (ii) a listed precursor or a listed toxic chemical; (iii) nuclear material or nuclear byproduct material; or (iv) a weapon of mass destruction that contains any agent, precursor, toxic chemical, or material referred to in subdivision (i), (ii), or (iii), increase by **2** levels.