

shall not take effect before the date that is 90 days after the date on which the Secretary of Defense submits a report containing those regulations or amendments (as the case may be) to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate.

(Added Pub. L. 106-523, §2(a), Nov. 22, 2000, 114 Stat. 2491.)

### § 3267. Definitions

As used in this chapter:

(1) The term “employed by the Armed Forces outside the United States” means—

(A) employed as—

(i) a civilian employee of—

(I) the Department of Defense (including a nonappropriated fund instrumentality of the Department); or

(II) any other Federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of the Department of Defense overseas;

(ii) a contractor (including a subcontractor at any tier) of—

(I) the Department of Defense (including a nonappropriated fund instrumentality of the Department); or

(II) any other Federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of the Department of Defense overseas; or

(iii) an employee of a contractor (or subcontractor at any tier) of—

(I) the Department of Defense (including a nonappropriated fund instrumentality of the Department); or

(II) any other Federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of the Department of Defense overseas;

(B) present or residing outside the United States in connection with such employment; and

(C) not a national of or ordinarily resident in the host nation.

(2) The term “accompanying the Armed Forces outside the United States” means—

(A) a dependent of—

(i) a member of the Armed Forces;

(ii) a civilian employee of the Department of Defense (including a nonappropriated fund instrumentality of the Department); or

(iii) a Department of Defense contractor (including a subcontractor at any tier) or an employee of a Department of Defense contractor (including a subcontractor at any tier);

(B) residing with such member, civilian employee, contractor, or contractor employee outside the United States; and

(C) not a national of or ordinarily resident in the host nation.

(3) The term “Armed Forces” has the meaning given the term “armed forces” in section 101(a)(4) of title 10.

(4) The terms “Judge Advocate General” and “judge advocate” have the meanings given such terms in section 801 of title 10.

(Added Pub. L. 106-523, §2(a), Nov. 22, 2000, 114 Stat. 2491; amended Pub. L. 108-375, div. A, title X, § 1088, Oct. 28, 2004, 118 Stat. 2066.)

### AMENDMENTS

2004—Par. (1)(A). Pub. L. 108-375 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “employed as a civilian employee of the Department of Defense (including a nonappropriated fund instrumentality of the Department), as a Department of Defense contractor (including a subcontractor at any tier), or as an employee of a Department of Defense contractor (including a subcontractor at any tier);”.

### CHAPTER 212A—EXTRATERRITORIAL JURISDICTION OVER CERTAIN TRAFFICKING IN PERSONS OFFENSES

Sec.

3271. Trafficking in persons offenses committed by persons employed by or accompanying the Federal Government outside the United States.

3272. Definitions.

#### § 3271. Trafficking in persons offenses committed by persons employed by or accompanying the Federal Government outside the United States

(a) Whoever, while employed by or accompanying the Federal Government outside the United States, engages in conduct outside the United States that would constitute an offense under chapter 77 or 117 of this title if the conduct had been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States shall be punished as provided for that offense.

(b) No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction recognized by the United States, has prosecuted or is prosecuting such person for the conduct constituting such offense, except upon the approval of the Attorney General or the Deputy Attorney General (or a person acting in either such capacity), which function of approval may not be delegated.

(Added Pub. L. 109-164, title I, § 103(a)(1), Jan. 10, 2006, 119 Stat. 3562.)

#### § 3272. Definitions

As used in this chapter:

(1) The term “employed by the Federal Government outside the United States” means—

(A) employed as a civilian employee of the Federal Government, as a Federal contractor (including a subcontractor at any tier), or as an employee of a Federal contractor (including a subcontractor at any tier);

(B) present or residing outside the United States in connection with such employment; and

(C) not a national of or ordinarily resident in the host nation.

(2) The term “accompanying the Federal Government outside the United States” means—

(A) a dependant of—

(i) a civilian employee of the Federal Government; or

(ii) a Federal contractor (including a subcontractor at any tier) or an employee of a Federal contractor (including a subcontractor at any tier);

(B) residing with such civilian employee, contractor, or contractor employee outside the United States; and

(C) not a national of or ordinarily resident in the host nation.

(Added Pub. L. 109-164, title I, §103(a)(1), Jan. 10, 2006, 119 Stat. 3562.)

#### CHAPTER 213—LIMITATIONS

Sec.	
3281.	Capital offenses.
3282.	Offenses not capital.
3283.	Child abuse offenses. <sup>1</sup>
3284.	Concealment of bankrupt's assets.
3285.	Criminal contempt.
3286.	Extension of statute of limitation for certain terrorism offenses.
3287.	Wartime suspension of limitations.
3288.	Indictments and information dismissed after period of limitations.
3289.	Indictments and information dismissed before period of limitations.
3290.	Fugitives from justice.
3291.	Nationality, citizenship and passports.
3292.	Suspension of limitations to permit United States to obtain foreign evidence.
3293.	Financial institution offenses.
3294.	Theft of major artwork.
3295.	Arson offenses.
3296.	Counts dismissed pursuant to a plea agreement.
3297.	Cases involving DNA evidence.
3298.	Trafficking-related offenses <sup>2</sup>
3299.	Child abduction and sex offenses <sup>2</sup>
3300.	Recruitment or use of child soldiers.
3301.	Securities fraud offenses.

#### AMENDMENTS

2010—Pub. L. 111-203, title X, §1079A(b)(2), July 21, 2010, 124 Stat. 2079, added item 3301.

2008—Pub. L. 110-340, §2(a)(3)(B), Oct. 3, 2008, 122 Stat. 3736, added item 3300.

2006—Pub. L. 109-248, title II, §211(2), July 27, 2006, 120 Stat. 616, added item 3299.

Pub. L. 109-162, title XI, §1182(b), Jan. 5, 2006, 119 Stat. 3126, added item 3298.

2004—Pub. L. 108-405, title II, §204(b), Oct. 30, 2004, 118 Stat. 2271, added item 3297.

2002—Pub. L. 107-273, div. B, title III, §3003(b), Nov. 2, 2002, 116 Stat. 1805, added item 3296.

1996—Pub. L. 104-132, title VII, §708(c)(2), Apr. 24, 1996, 110 Stat. 1297, added item 3295.

1994—Pub. L. 103-322, title XII, §12001(c), title XXXII, §320902(d)(2), title XXXIII, §330018(c), Sept. 13, 1994, 108 Stat. 2021, 2124, 2149, substituted "Child abuse offenses" for "Customs and slave trade violations" in item 3283 and added items 3286 and 3294.

1990—Pub. L. 101-647, title XII, §1207(b), Nov. 29, 1990, 104 Stat. 4832, struck out item 3286 "Seduction on vessel of United States".

1989—Pub. L. 101-73, title IX, §961(j)(2), Aug. 9, 1989, 103 Stat. 501, added item 3293.

1988—Pub. L. 100-690, title VII, §7081(c), Nov. 18, 1988, 102 Stat. 4407, substituted "Indictments and information dismissed after period of limitations" for "Re-

indictment where defect found after period of limitations" in item 3288 and "Indictments and information dismissed before period of limitations" for "Reindictment where defect found before period of limitations" in item 3289.

1984—Pub. L. 98-473, title II, §1218(b), Oct. 12, 1984, 98 Stat. 2167, added item 3292.

1951—Act June 30, 1951, ch. 194, §2, 65 Stat. 107, added item 3291.

#### § 3281. Capital offenses

An indictment for any offense punishable by death may be found at any time without limitation.

(June 25, 1948, ch. 645, 62 Stat. 827; Pub. L. 103-322, title XXXIII, §330004(16), Sept. 13, 1994, 108 Stat. 2142.)

#### HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§581a, 581b (Aug. 4, 1939, ch. 419, §§1, 2, 53 Stat. 1198).

Sections 581a and 581b of title 18, U.S.C., 1940 ed., were consolidated into this section without change of substance.

#### AMENDMENTS

1994—Pub. L. 103-322 struck out before period at end "except for offenses barred by the provisions of law existing on August 4, 1939".

#### § 3282. Offenses not capital

(a) IN GENERAL.—Except as otherwise expressly provided by law, no person shall be prosecuted, tried, or punished for any offense, not capital, unless the indictment is found or the information is instituted within five years next after such offense shall have been committed.

(b) DNA PROFILE INDICTMENT.—

(1) IN GENERAL.—In any indictment for an offense under chapter 109A for which the identity of the accused is unknown, it shall be sufficient to describe the accused as an individual whose name is unknown, but who has a particular DNA profile.

(2) EXCEPTION.—Any indictment described under paragraph (1), which is found not later than 5 years after the offense under chapter 109A is committed, shall not be subject to—

(A) the limitations period described under subsection (a); and

(B) the provisions of chapter 208 until the individual is arrested or served with a summons in connection with the charges contained in the indictment.

(3) DEFINED TERM.—For purposes of this subsection, the term "DNA profile" means a set of DNA identification characteristics.

(June 25, 1948, ch. 645, 62 Stat. 828; Sept. 1, 1954, ch. 1214, §12(a), formerly §10(a), 68 Stat. 1145; renumbered Pub. L. 87-299, §1, Sept. 26, 1961, 75 Stat. 648; Pub. L. 108-21, title VI, §610(a), Apr. 30, 2003, 117 Stat. 692.)

#### HISTORICAL AND REVISION NOTES

Based on section 746(g) of title 8, U.S.C., 1940 ed., Aliens and Nationality, and on title 18, U.S.C., 1940 ed., §582 (R.S. §1044; Apr. 13, 1876, ch. 56, 19 Stat. 32; Nov. 17, 1921, ch. 124, §1, 42 Stat. 220; Dec. 27, 1927, ch. 6, 45 Stat. 51; Oct. 14, 1940, ch. 876, title I, subchap. III, §346(g), 54 Stat. 1167).

Section 582 of title 18, U.S.C., 1940 ed., and section 746(g) of title 8, U.S.C., 1940 ed., Aliens and Nationality,

<sup>1</sup>Section catchline amended by Pub. L. 108-21 without corresponding amendment of chapter analysis.

<sup>2</sup>So in original. Probably should be followed by a period.