

- (B) an alien lawfully admitted for permanent residence in the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));
- (C) a stateless person whose habitual residence is in the United States; or
- (D) present in the United States.

(f) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Notwithstanding section 3282, in the case of an offense under this section, an indictment may be found, or information instituted, at any time without limitation.

(Added Pub. L. 100-606, §2(a), Nov. 4, 1988, 102 Stat. 3045; amended Pub. L. 103-322, title VI, §60003(a)(13), Sept. 13, 1994, 108 Stat. 1970; Pub. L. 107-273, div. B, title IV, §4002(a)(4), (b)(7), Nov. 2, 2002, 116 Stat. 1806, 1808; Pub. L. 110-151, §2, Dec. 21, 2007, 121 Stat. 1821; Pub. L. 111-122, §3(a), Dec. 22, 2009, 123 Stat. 3481.)

#### AMENDMENTS

2009—Subsec. (a). Pub. L. 111-122, §3(a)(1), struck out “, in a circumstance described in subsection (d)” before “and with the specific” in introductory provisions and “or attempts to do so,” before “shall be punished” in concluding provisions.

Subsec. (c). Pub. L. 111-122, §3(a)(2), struck out “in a circumstance described in subsection (d)” before “directly”.

Subsecs. (d) to (f). Pub. L. 111-122, §3(a)(3), (4), added subsecs. (d) to (f) and struck out former subsecs. (d) and (e) which related to the required circumstance for offenses referred to in subsecs. (a) and (c) and nonapplicability of certain limitations, respectively.

2007—Subsec. (d). Pub. L. 110-151 added subsec. (d) and struck out former subsec. (d). Text of former subsec. (d) read as follows: “The circumstance referred to in subsections (a) and (c) is that—

“(1) the offense is committed within the United States; or

“(2) the alleged offender is a national of the United States (as defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).”

2002—Subsec. (b)(1). Pub. L. 107-273, §4002(b)(7), substituted “subsection (a)(1),” for “subsection (a)(1),.”

Pub. L. 107-273, §4002(a)(4), made technical correction to directory language of Pub. L. 103-322. See 1994 Amendment note below.

1994—Subsec. (b)(1). Pub. L. 103-322, as amended by Pub. L. 107-273, §4002(a)(4), substituted “, where death results, by death or imprisonment for life and a fine of not more than \$1,000,000, or both;” for “a fine of not more than \$1,000,000 and imprisonment for life,”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-273, div. B, title IV, §4002(a)(4), Nov. 2, 2002, 116 Stat. 1806, provided that the amendment made by section 4002(a)(4) is effective Sept. 13, 1994.

#### SHORT TITLE

Pub. L. 100-606, §1, Nov. 4, 1988, 102 Stat. 3045, provided that: “This Act [enacting this chapter] may be cited as the ‘Genocide Convention Implementation Act of 1987 (the Proxmire Act).”

### § 1092. Exclusive remedies

Nothing in this chapter shall be construed as precluding the application of State or local laws to the conduct proscribed by this chapter, nor shall anything in this chapter be construed as creating any substantive or procedural right enforceable by law by any party in any proceeding.

(Added Pub. L. 100-606, §2(a), Nov. 4, 1988, 102 Stat. 3046.)

### § 1093. Definitions

As used in this chapter—

(1) the term “children” means the plural and means individuals who have not attained the age of eighteen years;

(2) the term “ethnic group” means a set of individuals whose identity as such is distinctive in terms of common cultural traditions or heritage;

(3) the term “incites” means urges another to engage imminently in conduct in circumstances under which there is a substantial likelihood of imminently causing such conduct;

(4) the term “members” means the plural;

(5) the term “national group” means a set of individuals whose identity as such is distinctive in terms of nationality or national origins;

(6) the term “racial group” means a set of individuals whose identity as such is distinctive in terms of physical characteristics or biological descent;

(7) the term “religious group” means a set of individuals whose identity as such is distinctive in terms of common religious creed, beliefs, doctrines, practices, or rituals; and

(8) the term “substantial part” means a part of a group of such numerical significance that the destruction or loss of that part would cause the destruction of the group as a viable entity within the nation of which such group is a part.

(Added Pub. L. 100-606, §2(a), Nov. 4, 1988, 102 Stat. 3046.)

## CHAPTER 51—HOMICIDE

|       |                                                                                                     |
|-------|-----------------------------------------------------------------------------------------------------|
| Sec.  |                                                                                                     |
| 1111. | Murder.                                                                                             |
| 1112. | Manslaughter.                                                                                       |
| 1113. | Attempt to commit murder or manslaughter.                                                           |
| 1114. | Protection of officers and employees of the United States.                                          |
| 1115. | Misconduct or neglect of ship officers.                                                             |
| 1116. | Murder or manslaughter of foreign officials, official guests, or internationally protected persons. |
| 1117. | Conspiracy to murder.                                                                               |
| 1118. | Murder by a Federal prisoner.                                                                       |
| 1119. | Foreign murder of United States nationals.                                                          |
| 1120. | Murder by escaped prisoners.                                                                        |
| 1121. | Killing persons aiding Federal investigations or State correctional officers.                       |
| 1122. | Protection against the human immunodeficiency virus.                                                |

#### AMENDMENTS

1996—Pub. L. 104-294, title VI, §601(a)(6), Oct. 11, 1996, 110 Stat. 3498, added item 1122.

1994—Pub. L. 103-322, title VI, §§60005(b), 60009(b)(2), 60012(b), 60015(b), Sept. 13, 1994, 108 Stat. 1970, 1972-1974, added items 1118 to 1121.

1976—Pub. L. 94-467, §3, Oct. 8, 1976, 90 Stat. 1998, substituted “official guests, or internationally protected persons” for “or official guests” in item 1116.

1972—Pub. L. 92-539, title I, §102, Oct. 24, 1972, 86 Stat. 1071, added items 1116 and 1117.

### § 1111. Murder

(a) Murder is the unlawful killing of a human being with malice aforethought. Every murder perpetrated by poison, lying in wait, or any