

onment for not more than 2 years or by a fine in accordance with this title, or both.

(b) As used in this section, the term “distribute” means to send, transmit, retransmit, telecast, broadcast, or cablecast, including by wire, microwave, or satellite, or to produce or provide material for such distribution.

(c) Nothing in this chapter, or the Cable Communications Policy Act of 1984, or any other provision of Federal law, is intended to interfere with or preempt the power of the States, including political subdivisions thereof, to regulate the uttering of language that is obscene or otherwise unprotected by the Constitution or the distribution of matter that is obscene or otherwise unprotected by the Constitution, of any sort, by means of cable television or subscription services on television.

(Added Pub. L. 100-690, title VII, §7523(a), Nov. 18, 1988, 102 Stat. 4501.)

#### REFERENCES IN TEXT

The Cable Communications Policy Act of 1984, referred to in subsec. (c), is Pub. L. 98-549, Oct. 30, 1984, 98 Stat. 2779, which is classified principally to subchapter V-A (§521 et seq.) of chapter 5 of Title 47, Telecommunications. For complete classification of this Act to the Code, see Short Title of 1984 Amendment note set out under section 609 of Title 47 and Tables.

#### § 1469. Presumptions

(a) In any prosecution under this chapter in which an element of the offense is that the matter in question was transported, shipped, or carried in interstate commerce, proof, by either circumstantial or direct evidence, that such matter was produced or manufactured in one State and is subsequently located in another State shall raise a rebuttable presumption that such matter was transported, shipped, or carried in interstate commerce.

(b) In any prosecution under this chapter in which an element of the offense is that the matter in question was transported, shipped, or carried in foreign commerce, proof, by either circumstantial or direct evidence, that such matter was produced or manufactured outside of the United States and is subsequently located in the United States shall raise a rebuttable presumption that such matter was transported, shipped, or carried in foreign commerce.

(Added Pub. L. 100-690, title VII, §7521(d), Nov. 18, 1988, 102 Stat. 4489.)

#### § 1470. Transfer of obscene material to minors

Whoever, using the mail or any facility or means of interstate or foreign commerce, knowingly transfers obscene matter to another individual who has not attained the age of 16 years, knowing that such other individual has not attained the age of 16 years, or attempts to do so, shall be fined under this title, imprisoned not more than 10 years, or both.

(Added Pub. L. 105-314, title IV, §401(a), Oct. 30, 1998, 112 Stat. 2979.)

#### STUDY ON LIMITING AVAILABILITY OF PORNOGRAPHY ON INTERNET

Pub. L. 105-314, title IX, §901, Oct. 30, 1998, 112 Stat. 2991, provided that:

“(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act [Oct. 30, 1998], the Attorney General shall request that the National Academy of Sciences, acting through its National Research Council, enter into a contract to conduct a study of computer-based technologies and other approaches to the problem of the availability of pornographic material to children on the Internet, in order to develop possible amendments to Federal criminal law and other law enforcement techniques to respond to the problem.

“(b) CONTENTS OF STUDY.—The study under this section shall address each of the following:

“(1) The capabilities of present-day computer-based control technologies for controlling electronic transmission of pornographic images.

“(2) Research needed to develop computer-based control technologies to the point of practical utility for controlling the electronic transmission of pornographic images.

“(3) Any inherent limitations of computer-based control technologies for controlling electronic transmission of pornographic images.

“(4) Operational policies or management techniques needed to ensure the effectiveness of these control technologies for controlling electronic transmission of pornographic images.

“(c) FINAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a final report of the study under this section, which report shall—

“(1) set forth the findings, conclusions, and recommendations of the Council; and

“(2) be submitted by the Committees on the Judiciary of the House of Representatives and the Senate to relevant Government agencies and committees of Congress.”

#### CHAPTER 73—OBSTRUCTION OF JUSTICE

Sec.	
1501.	Assault on process server.
1502.	Resistance to extradition agent.
1503.	Influencing or injuring officer or juror generally.
1504.	Influencing juror by writing.
1505.	Obstruction of proceedings before departments, agencies, and committees.
1506.	Theft or alteration of record or process; false bail.
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1508.	Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting.
1509.	Obstruction of court orders.
1510.	Obstruction of criminal investigations.
1511.	Obstruction of State or local law enforcement.
1512.	Tampering with a witness, victim, or an informant.
1513.	Retaliating against a witness, victim, or an informant.
1514.	Civil action to restrain harassment of a victim or witness.
1514A.	Civil action to protect against retaliation in fraud cases.
1515.	Definitions for certain provisions; general provision.
1516.	Obstruction of Federal audit.
1517.	Obstructing examination of financial institution.
1518.	Obstruction of criminal investigations of health care offenses.
1519.	Destruction, alteration, or falsification of records in Federal investigations and bankruptcy.
1520.	Destruction of corporate audit records.
1521.	Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title.