

ates a rebuttable presumption that the obligor has the ability to pay the support obligation for that time period.

(c) PUNISHMENT.—The punishment for an offense under this section is—

(1) in the case of a first offense under subsection (a)(1), a fine under this title, imprisonment for not more than 6 months, or both; and

(2) in the case of an offense under paragraph (2) or (3) of subsection (a), or a second or subsequent offense under subsection (a)(1), a fine under this title, imprisonment for not more than 2 years, or both.

(d) MANDATORY RESTITUTION.—Upon a conviction under this section, the court shall order restitution under section 3663A in an amount equal to the total unpaid support obligation as it exists at the time of sentencing.

(e) VENUE.—With respect to an offense under this section, an action may be inquired of and prosecuted in a district court of the United States for—

(1) the district in which the child who is the subject of the support obligation involved resided during a period during which a person described in subsection (a) (referred to in this subsection as an “obligor”) failed to meet that support obligation;

(2) the district in which the obligor resided during a period described in paragraph (1); or

(3) any other district with jurisdiction otherwise provided for by law.

(f) DEFINITIONS.—As used in this section—

(1) the term “Indian tribe” has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a);¹

(2) the term “State” includes any State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(3) the term “support obligation” means any amount determined under a court order or an order of an administrative process pursuant to the law of a State or of an Indian tribe to be due from a person for the support and maintenance of a child or of a child and the parent with whom the child is living.

(Added Pub. L. 102-521, §2(a), Oct. 25, 1992, 106 Stat. 3403; amended Pub. L. 104-294, title VI, §607(l), Oct. 11, 1996, 110 Stat. 3512; Pub. L. 105-187, §2, June 24, 1998, 112 Stat. 618.)

REFERENCES IN TEXT

Section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a), referred to in subsec. (f)(1), was classified to section 479a of Title 25, Indians, prior to editorial reclassification as section 5130 of Title 25.

AMENDMENTS

1998—Pub. L. 105-187 reenacted section catchline without change and amended text generally. Prior to amendment, section consisted of subsecs. (a) to (d) relating to a description of the offense, punishment for an offense, restitution upon conviction of an offense, and definitions of terms used in this section.

1996—Subsec. (d)(2). Pub. L. 104-294 inserted “commonwealth,” before “possession or territory of the United States”.

¹ See References in Text note below.

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-187, §1, June 24, 1998, 112 Stat. 618, provided that: “This Act [amending this section] may be cited as the ‘Deadbeat Parents Punishment Act of 1998.’”

SHORT TITLE

Pub. L. 102-521, §1, Oct. 25, 1992, 106 Stat. 3403, provided that: “This Act [enacting this section and sections 3796cc to 3796cc-6 of Title 42, The Public Health and Welfare, amending section 3563 of this title and section 3797 of Title 42, and enacting provisions set out as a note under section 12301 of Title 42] may be cited as the ‘Child Support Recovery Act of 1992.’”

CHAPTER 11B—CHEMICAL WEAPONS

Sec.	
229.	Prohibited activities.
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§ 229. Prohibited activities

(a) UNLAWFUL CONDUCT.—Except as provided in subsection (b), it shall be unlawful for any person knowingly—

(1) to develop, produce, otherwise acquire, transfer directly or indirectly, receive, stockpile, retain, own, possess, or use, or threaten to use, any chemical weapon; or

(2) to assist or induce, in any way, any person to violate paragraph (1), or to attempt or conspire to violate paragraph (1).

(b) EXEMPTED AGENCIES AND PERSONS.—

(1) IN GENERAL.—Subsection (a) does not apply to the retention, ownership, possession, transfer, or receipt of a chemical weapon by a department, agency, or other entity of the United States, or by a person described in paragraph (2), pending destruction of the weapon.

(2) EXEMPTED PERSONS.—A person referred to in paragraph (1) is—

(A) any person, including a member of the Armed Forces of the United States, who is authorized by law or by an appropriate officer of the United States to retain, own, possess, transfer, or receive the chemical weapon; or

(B) in an emergency situation, any otherwise nonculpable person if the person is attempting to destroy or seize the weapon.

(c) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if the prohibited conduct—

(1) takes place in the United States;

(2) takes place outside of the United States and is committed by a national of the United States;

(3) is committed against a national of the United States while the national is outside the United States; or

(4) is committed against any property that is owned, leased, or used by the United States or by any department or agency of the United States, whether the property is within or outside the United States.