

(b) DEFENSES; OBJECTIONS.—Nothing in this section shall preclude the District Court from considering any defense or objection, other than statute of limitations, to the prosecution of the counts reinstated under subsection (a).

(Added Pub. L. 107–273, div. B, title III, § 3003(a), Nov. 2, 2002, 116 Stat. 1805.)

§ 3297. Cases involving DNA evidence

In a case in which DNA testing implicates an identified person in the commission of a felony, no statute of limitations that would otherwise preclude prosecution of the offense shall preclude such prosecution until a period of time following the implication of the person by DNA testing has elapsed that is equal to the otherwise applicable limitation period.

(Added Pub. L. 108–405, title II, § 204(a), Oct. 30, 2004, 118 Stat. 2271; amended Pub. L. 109–162, title X, § 1005, Jan. 5, 2006, 119 Stat. 3086.)

AMENDMENTS

2006—Pub. L. 109–162 struck out “except for a felony offense under chapter 109A,” before “no statute of limitations”.

EFFECTIVE DATE

Pub. L. 108–405, title II, § 204(c), Oct. 30, 2004, 118 Stat. 2271, provided that: “The amendments made by this section [enacting this section] shall apply to the prosecution of any offense committed before, on, or after the date of the enactment of this section [Oct. 30, 2004] if the applicable limitation period has not yet expired.”

§ 3298. Trafficking-related offenses

No person shall be prosecuted, tried, or punished for any non-capital offense or conspiracy to commit a non-capital offense under section 1581 (Peonage; Obstructing Enforcement), 1583 (Enticement into Slavery), 1584 (Sale into Involuntary Servitude), 1589 (Forced Labor), 1590 (Trafficking with Respect to Peonage, Slavery, Involuntary Servitude, or Forced Labor), or 1592 (Unlawful Conduct with Respect to Documents in furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, or Forced Labor) of this title or under section 274(a) of the Immigration and Nationality Act unless the indictment is found or the information is instituted not later than 10 years after the commission of the offense.

(Added Pub. L. 109–162, title XI, § 1182(a), Jan. 5, 2006, 119 Stat. 3126.)

REFERENCES IN TEXT

Section 274(a) of the Immigration and Nationality Act, referred to in text, is classified to section 1324(a) of Title 8, Aliens and Nationality.

§ 3299. Child abduction and sex offenses

Notwithstanding any other law, an indictment may be found or an information instituted at any time without limitation for any offense under section 1201 involving a minor victim, and for any felony under chapter 109A, 110 (except for section¹ 2257 and 2257A), or 117, or section 1591.

(Added Pub. L. 109–248, title II, § 211(1), July 27, 2006, 120 Stat. 616.)

¹ So in original. Probably should be “sections”.

§ 3300. Recruitment or use of child soldiers

No person may be prosecuted, tried, or punished for a violation of section 2442 unless the indictment or the information is filed not later than 10 years after the commission of the offense.

(Added Pub. L. 110–340, § 2(a)(2), Oct. 3, 2008, 122 Stat. 3736.)

§ 3301. Securities fraud offenses

(a) DEFINITION.—In this section, the term “securities fraud offense” means a violation of, or a conspiracy or an attempt to violate—

(1) section 1348;

(2) section 32(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78ff(a));

(3) section 24 of the Securities Act of 1933 (15 U.S.C. 77x);

(4) section 217 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–17);

(5) section 49 of the Investment Company Act of 1940 (15 U.S.C. 80a–48); or

(6) section 325 of the Trust Indenture Act of 1939 (15 U.S.C. 77yyy).

(b) LIMITATION.—No person shall be prosecuted, tried, or punished for a securities fraud offense, unless the indictment is found or the information is instituted within 6 years after the commission of the offense.

(Added Pub. L. 111–203, title X, § 1079A(b)(1), July 21, 2010, 124 Stat. 2079.)

EFFECTIVE DATE

Section effective 1 day after July 21, 2010, except as otherwise provided, see section 4 of Pub. L. 111–203, set out as a note under section 5301 of Title 12, Banks and Banking.

CHAPTER 215—GRAND JURY

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|---------------------------|------------------------------------------------------------|
| Sec.
3321. | Number of grand jurors; summoning additional jurors. |
| 3322. | Disclosure of certain matters occurring before grand jury. |
| [3323 to 3328. Repealed.] | |

AMENDMENTS

1989—Pub. L. 101–73, title IX, § 964(b), Aug. 9, 1989, 103 Stat. 506, added item 3322 “Disclosure of certain matters occurring before grand jury” and struck out former items 3322 “Number; summoning—Rule”, 3323 “Objections and motions—Rule”, 3324 “Foreman and deputy; powers and duties; records—Rule”, 3325 “Persons present at proceedings—Rule”, 3326 “Secrecy of proceedings and disclosure—Rule”, 3327 “Indictment; finding and return—Rule”, and 3328 “Discharging jury and excusing juror—Rule”.

§ 3321. Number of grand jurors; summoning additional jurors

Every grand jury impaneled before any district court shall consist of not less than sixteen nor more than twenty-three persons. If less than sixteen of the persons summoned attend, they shall be placed on the grand jury, and the court shall order the marshal to summon, either immediately or for a day fixed, from the body of the district, and not from the bystanders, a sufficient number of persons to complete the grand jury. Whenever a challenge to a grand juror is