

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-308 effective 180 days after May 19, 1986, see section 110(a) of Pub. L. 99-308, set out as a note under section 921 of this title.

§ 930. Possession of firearms and dangerous weapons in Federal facilities

(a) Except as provided in subsection (d), whoever knowingly possesses or causes to be present a firearm or other dangerous weapon in a Federal facility (other than a Federal court facility), or attempts to do so, shall be fined under this title or imprisoned not more than 1 year, or both.

(b) Whoever, with intent that a firearm or other dangerous weapon be used in the commission of a crime, knowingly possesses or causes to be present such firearm or dangerous weapon in a Federal facility, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.

(c) A person who kills any person in the course of a violation of subsection (a) or (b), or in the course of an attack on a Federal facility involving the use of a firearm or other dangerous weapon, or attempts or conspires to do such an act, shall be punished as provided in sections 1111, 1112, 1113, and 1117.

(d) Subsection (a) shall not apply to—

(1) the lawful performance of official duties by an officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law;

(2) the possession of a firearm or other dangerous weapon by a Federal official or a member of the Armed Forces if such possession is authorized by law; or

(3) the lawful carrying of firearms or other dangerous weapons in a Federal facility incident to hunting or other lawful purposes.

(e)(1) Except as provided in paragraph (2), whoever knowingly possesses or causes to be present a firearm or other dangerous weapon in a Federal court facility, or attempts to do so, shall be fined under this title, imprisoned not more than 2 years, or both.

(2) Paragraph (1) shall not apply to conduct which is described in paragraph (1) or (2) of subsection (d).

(f) Nothing in this section limits the power of a court of the United States to punish for contempt or to promulgate rules or orders regulating, restricting, or prohibiting the possession of weapons within any building housing such court or any of its proceedings, or upon any grounds appurtenant to such building.

(g) As used in this section:

(1) The term “Federal facility” means a building or part thereof owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing their official duties.

(2) The term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or seri-

ous bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.

(3) The term “Federal court facility” means the courtroom, judges’ chambers, witness rooms, jury deliberation rooms, attorney conference rooms, prisoner holding cells, offices of the court clerks, the United States attorney, and the United States marshal, probation and parole offices, and adjoining corridors of any court of the United States.

(h) Notice of the provisions of subsections (a) and (b) shall be posted conspicuously at each public entrance to each Federal facility, and notice of subsection (e) shall be posted conspicuously at each public entrance to each Federal court facility, and no person shall be convicted of an offense under subsection (a) or (e) with respect to a Federal facility if such notice is not so posted at such facility, unless such person had actual notice of subsection (a) or (e), as the case may be.

(Added Pub. L. 100-690, title VI, §6215(a), Nov. 18, 1988, 102 Stat. 4361; amended Pub. L. 101-647, title XXII, §2205(a), Nov. 29, 1990, 104 Stat. 4857; Pub. L. 103-322, title VI, §60014, Sept. 13, 1994, 108 Stat. 1973; Pub. L. 104-294, title VI, §603(t), (u), Oct. 11, 1996, 110 Stat. 3506; Pub. L. 107-56, title VIII, §811(b), Oct. 26, 2001, 115 Stat. 381; Pub. L. 110-177, title II, §203, Jan. 7, 2008, 121 Stat. 2537.)

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2008—Subsec. (e)(1). Pub. L. 110-177 inserted “or other dangerous weapon” after “firearm”.

2001—Subsec. (c). Pub. L. 107-56 struck out “or attempts to kill” after “A person who kills”, inserted “or attempts or conspires to do such an act,” before “shall be punished”, and substituted “1113, and 1117” for “and 1113”.

1996—Subsec. (e)(2). Pub. L. 104-294, §603(t), substituted “subsection (d)” for “subsection (c)”.

Subsec. (g). Pub. L. 104-294, §603(u)(1), redesignated subsec. (g), related to posting notice in Federal facilities, as (h).

Subsec. (h). Pub. L. 104-294, §603(u)(2), substituted “(e)” for “(d)” wherever appearing.

Pub. L. 104-294, §603(u)(1), redesignated subsec. (g), related to posting notice in Federal facilities, as (h).

1994—Subsec. (a). Pub. L. 103-322, §60014(2), substituted “(d)” for “(c)”.

Subsecs. (c) to (g). Pub. L. 103-322, §60014(1), (3), added subsec. (c) and redesignated former subsecs. (c) to (f) as (d) to (g), respectively.

1990—Subsec. (a). Pub. L. 101-647, §2205(a)(1), inserted “(other than a Federal court facility)” after “Federal facility”.

Subsecs. (d), (e). Pub. L. 101-647, §2205(a)(2), (3), added subsec. (d) and redesignated former subsec. (d) as (e). Former subsec. (e) redesignated (f).

Subsec. (f). Pub. L. 101-647, §2205(a)(2), redesignated subsec. (e) as (f). Former subsec. (f) redesignated (g).

Subsec. (f)(3). Pub. L. 101-647, §2205(a)(4), added par. (3).

Subsec. (g). Pub. L. 101-647, §2205(a)(5), inserted “and notice of subsection (d) shall be posted conspicuously at each public entrance to each Federal court facility,” after “each Federal facility,” “or (d)” before “with respect to”, and “or (d), as the case may be” before the period.

Pub. L. 101-647, §2205(a)(2), redesignated subsec. (f) as (g).

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EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-647, title XXII, § 2205(b), Nov. 29, 1990, 104 Stat. 4858, provided that: “The amendments made by subsection (a) [amending this section] shall apply to conduct engaged in after the date of the enactment of this Act [Nov. 29, 1990].”

§ 931. Prohibition on purchase, ownership, or possession of body armor by violent felons

(a) IN GENERAL.—Except as provided in subsection (b), it shall be unlawful for a person to purchase, own, or possess body armor, if that person has been convicted of a felony that is—

(1) a crime of violence (as defined in section 16); or

(2) an offense under State law that would constitute a crime of violence under paragraph (1) if it occurred within the special maritime and territorial jurisdiction of the United States.

(b) AFFIRMATIVE DEFENSE.—

(1) IN GENERAL.—It shall be an affirmative defense under this section that—

(A) the defendant obtained prior written certification from his or her employer that the defendant’s purchase, use, or possession of body armor was necessary for the safe performance of lawful business activity; and

(B) the use and possession by the defendant were limited to the course of such performance.

(2) EMPLOYER.—In this subsection, the term “employer” means any other individual employed by the defendant’s business that supervises defendant’s activity. If that defendant has no supervisor, prior written certification is acceptable from any other employee of the business.

(Added Pub. L. 107-273, div. C, title I, § 11009(e)(2)(A), Nov. 2, 2002, 116 Stat. 1821.)

CHAPTER 45—FOREIGN RELATIONS

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1996—Pub. L. 104-132, title VII, § 704(b), Apr. 24, 1996, 110 Stat. 1295, substituted “Conspiracy to kill, kidnap, maim, or injure persons or damage property in a foreign country” for “Conspiracy to injure property of foreign government” in item 956.

1990—Pub. L. 101-647, title XII, § 1207(a), title XXXV, § 3530, Nov. 29, 1990, 104 Stat. 4832, 4924, struck out item 968 “Exportation of war materials to certain countries” and item 969 “Exportation of arms, liquors and narcotics to Pacific Islands”.

1972—Pub. L. 92-539, title IV, § 402, Oct. 24, 1972, 86 Stat. 1073, added item 970.

§ 951. Agents of foreign governments

(a) Whoever, other than a diplomatic or consular officer or attaché, acts in the United States as an agent of a foreign government without prior notification to the Attorney General if required in subsection (b), shall be fined under this title or imprisoned not more than ten years, or both.

(b) The Attorney General shall promulgate rules and regulations establishing requirements for notification.

(c) The Attorney General shall, upon receipt, promptly transmit one copy of each notification statement filed under this section to the Secretary of State for such comment and use as the Secretary of State may determine to be appropriate from the point of view of the foreign relations of the United States. Failure of the Attorney General to do so shall not be a bar to prosecution under this section.

(d) For purposes of this section, the term “agent of a foreign government” means an individual who agrees to operate within the United States subject to the direction or control of a foreign government or official, except that such term does not include—

(1) a duly accredited diplomatic or consular officer of a foreign government, who is so recognized by the Department of State;

(2) any officially and publicly acknowledged and sponsored official or representative of a foreign government;

(3) any officially and publicly acknowledged and sponsored member of the staff of, or employee of, an officer, official, or representative described in paragraph (1) or (2), who is not a United States citizen; or

(4) any person engaged in a legal commercial transaction.

(e) Notwithstanding paragraph (d)(4), any person engaged in a legal commercial transaction shall be considered to be an agent of a foreign government for purposes of this section if—

(1) such person agrees to operate within the United States subject to the direction or control of a foreign government or official; and

(2) such person—

(A) is an agent of Cuba or any other country that the President determines (and so reports to the Congress) poses a threat to the national security interest of the United States for purposes of this section, unless the Attorney General, after consultation with the Secretary of State, determines and so reports to the Congress that the national