

tractor (including a subcontractor at any tier), or as an employee of a Federal contractor (including a subcontractor at any tier);

(B) present or residing outside the United States in connection with such employment; and

(C) not a national of or ordinarily resident in the host nation.

(2) The term “accompanying the Federal Government outside the United States” means—

(A) a dependant of—

(i) a civilian employee of the Federal Government; or

(ii) a Federal contractor (including a subcontractor at any tier) or an employee of a Federal contractor (including a subcontractor at any tier);

(B) residing with such civilian employee, contractor, or contractor employee outside the United States; and

(C) not a national of or ordinarily resident in the host nation.

(Added Pub. L. 109–164, title I, §103(a)(1), Jan. 10, 2006, 119 Stat. 3562.)

§ 3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives

(a) IN GENERAL.—Whoever, while employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in Canada pursuant to a treaty, executive agreement, or bilateral memorandum in furtherance of a border security initiative, engages in conduct (or conspires or attempts to engage in conduct) in Canada that would constitute an offense for which a person may be prosecuted in a court of the United States had the conduct been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States shall be fined or imprisoned, or both, as provided for that offense.

(b) DEFINITION.—In this section, the term “employed by the Department of Homeland Security or the Department of Justice” means—

(1) being employed as a civilian employee, a contractor (including a subcontractor at any tier), or an employee of a contractor (or a subcontractor at any tier) of the Department of Homeland Security or the Department of Justice;

(2) being present or residing in Canada in connection with such employment; and

(3) not being a national of or ordinarily resident in Canada.

(Added Pub. L. 114–316, §2(a)(2), Dec. 16, 2016, 130 Stat. 1593.)

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Pub. L. 114–316, §2(c), Dec. 16, 2016, 130 Stat. 1594, provided that: “Nothing in this section [enacting this section] or the amendments made by this section shall be construed to infringe upon or otherwise affect the exercise of prosecutorial discretion by the Department of Justice in implementing this section and the amendments made by this section.”

CHAPTER 213—LIMITATIONS

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Editorial Notes

AMENDMENTS

2010—Pub. L. 111–203, title X, §1079A(b)(2), July 21, 2010, 124 Stat. 2079, added item 3301.

2008—Pub. L. 110–340, §2(a)(3)(B), Oct. 3, 2008, 122 Stat. 3736, added item 3300.

2006—Pub. L. 109–248, title II, §211(2), July 27, 2006, 120 Stat. 616, added item 3299.

Pub. L. 109–162, title XI, §1182(b), Jan. 5, 2006, 119 Stat. 3126, added item 3298.

2004—Pub. L. 108–405, title II, §204(b), Oct. 30, 2004, 118 Stat. 2271, added item 3297.

2002—Pub. L. 107–273, div. B, title III, §3003(b), Nov. 2, 2002, 116 Stat. 1805, added item 3296.

1996—Pub. L. 104–132, title VII, §708(c)(2), Apr. 24, 1996, 110 Stat. 1297, added item 3295.

1994—Pub. L. 103–322, title XII, §120001(c), title XXXII, §320902(d)(2), title XXXIII, §330018(c), Sept. 13, 1994, 108 Stat. 2021, 2124, 2149, substituted “Child abuse offenses” for “Customs and slave trade violations” in item 3283 and added items 3286 and 3294.

1990—Pub. L. 101–647, title XII, §1207(b), Nov. 29, 1990, 104 Stat. 4832, struck out item 3286 “Seduction on vessel of United States”.

1989—Pub. L. 101–73, title IX, §961(l)(2), Aug. 9, 1989, 103 Stat. 501, added item 3293.

1988—Pub. L. 100–690, title VII, §7081(c), Nov. 18, 1988, 102 Stat. 4407, substituted “Indictments and information dismissed after period of limitations” for “Reindictment where defect found after period of limitations” in item 3288 and “Indictments and information dismissed before period of limitations” for “Reindictment where defect found before period of limitations” in item 3289.

1984—Pub. L. 98–473, title II, §1218(b), Oct. 12, 1984, 98 Stat. 2167, added item 3292.

1951—Act June 30, 1951, ch. 194, §2, 65 Stat. 107, added item 3291.

§ 3281. Capital offenses

An indictment for any offense punishable by death may be found at any time without limitation.

¹Section catchline amended by Pub. L. 108–21 without corresponding amendment of chapter analysis.

²So in original. Probably should be followed by a period.