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**Effective: January 7, 2008**

United States Code Annotated [Currentness](#)

Title 18. Crimes and Criminal Procedure ([Refs & Annos](#))

▾ [Part I. Crimes \(Refs & Annos\)](#)

▾ [Chapter 44. Firearms \(Refs & Annos\)](#)

→ → **§ 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 serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 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.

CREDIT(S)

(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.)

#### HISTORICAL AND STATUTORY NOTES

##### Revision Notes and Legislative Reports

1994 Acts. [House Report Nos. 103-324 and 103-489](#), and [House Conference Report No. 103-711](#), see 1994 U.S. Code Cong. and Adm. News, p. 1801.

2008 Acts. [House Report No. 110-218](#)(Part I), see 2007 U.S. Code Cong. and Adm. News, p. 827.

#### Amendments

2008 Amendments. Subsec. (e)(1). Pub.L. 110-177, § 203, inserted “or other dangerous weapon” following “firearm”.

2001 Amendments. Subsec. (c). Pub.L. 107-56, § 811(b), 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 Amendments. Subsec. (e)(2). Pub.L. 104-294, § 603(t), substituted “(d)” for “(c)”.

Subsec. (g), (h). Pub.L. 104-294, § 603(u), redesignated former subsec. (g), relating to the posting of notice, as (h), and as so redesignated, substituted “(e)” for “(d)”, wherever appearing.

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

Subsec. (c). Pub.L. 103-322, § 60014(3), added subsec. (c). Former subsec. (c) was redesignated (d).

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

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

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

Subsec. (e). Pub.L. 101-647, § 2205(a)(2), redesignated former subsec. (d) as (e).

Subsec. (f). Pub.L. 101-647, § 2205(a)(2), (4), redesignated former subsec. (e) as (f) and, in subsec. (f) as so redesignated, added par. (3). Former subsec. (f) redesignated (g).

Subsec. (g). Pub.L. 101-647, § 2205(a)(2), (5), redesignated former subsec. (f) as (g) and, in subsec. (g) as so redesignated, inserted “and notice of subsection (d) shall posted conspicuously at each public entrance to each Federal court facility,” after “Federal facility,” “or (d)” before “with respect to”, and “or (d), as the case may be” after “notice under subsection (a)”.

### Effective and Applicability Provisions

1990 Acts. Section 2205(b) of Pub.L. 101-647 provided that: “The amendments made by subsection (a) [amending subsec. (a), enacting subsec. (d), redesignating as subsec. (e) former subsec. (d), redesignating as subsec. (f) former subsec. (e) and enacting subsec. (f)(3), and redesignating as subsec. (g) former subsec. (f) and amending subsec. (g) of this section] shall apply to conduct engaged in after the date of the enactment of this Act [Nov. 29, 1990].”

### FEDERAL SENTENCING GUIDELINES

See [Federal Sentencing Guidelines § 2K2.5](#), 18 USCA.

### LIBRARY REFERENCES

American Digest System

[Weapons](#)  9, 17(8).

### RESEARCH REFERENCES

ALR Library

[37 ALR, Fed. 2nd Series 449](#), Construction and Application of [U.S.S.G. § 2x1.1](#), Providing Sentencing Guideline for Conspiracy Not Covered by Specific Offense Guideline.

[21 ALR, Fed. 2nd Series 387](#), What Constitutes “Willful” Violation of Gun Control Act Provision, [18 U.S.C.A. § 923\(E\)](#), Warranting Revocation of License to Sell Firearms.

[195 ALR, Fed. 1](#), Validity, Construction, and Operation of Federal Death Penalty Act, [18 U.S.C.A. §§ 3591 et Seq.](#)

[184 ALR, Fed. 485](#), Validity, Construction, and Application of Federal Brady Act, and Implementing Federal and State Regulations Thereunder.

[86 ALR 4th 931](#), Validity of State Gun Control Legislation Under State Constitutional Provisions Securing the Right to Bear Arms.

Encyclopedias

[84 Am. Jur. Trials 109](#), Litigating Against the Firearm Industry.

Forms

[Am. Jur. Pl. & Pr. Forms Nuisances § 16](#), Complaint, Petition, or Declaration--By State--Public Nuisance and Unfair Business Practices--Negligent Design and Marketing of Guns.

Treatises and Practice Aids

[Americans With Disab. Pract. & Compliance Manual § 11:272](#), Authority of School Personnel--Special Circumstances.

[West's Federal Administrative Practice § 1684](#), Firearms--Crimes.

## NOTES OF DECISIONS

Conspicuous notice [1](#)

Weight and sufficiency of evidence [2](#)

### 1. Conspicuous notice

Proof of posting of conspicuous notice of prohibition on possession of firearm in federal facility is not element of offense but, rather, provides for affirmative defense. [U.S. v. McArthur, C.A.11 \(Ala.\) 1997, 108 F.3d 1350](#). [Weapons 🔑 171](#); [Weapons 🔑 199](#)

Jury instruction defining “conspicuous” notice as notice reasonably calculated to warn public of prohibition of possession of firearm, considering manner and place of its posting, for purposes of charge of possession of firearm in federal court facility, did not improperly imply that government had only to demonstrate that it made reasonable effort to notify public, but rather properly advised jury that notice had to be reasonably suited to warn public of prohibition. [U.S. v. Lunstedt, C.A.9 \(Or.\) 1993, 997 F.2d 665](#). [Weapons 🔑 324](#)

Federal employee was properly disciplined for bringing a firearm into work even though there were no notices posted at front and rear exits of office where employee worked and federal criminal prohibition on possessing firearm in federal facility required proof of such posting or actual notice of prohibition; government did not have to prove that employee violated a criminal law in order to discipline him, and in any event employee was found to have actual knowledge of agency's ban. [Haver v. Department of Agriculture, C.A.Fed.2002, 53 Fed.Appx. 112, 2002 WL 31780960](#), Unreported. [Officers And Public Employees 🔑 69.7](#)

### 2. Weight and sufficiency of evidence

Defendant's convictions for conspiracy to kill United States nationals, conspiracy to murder internationally protected persons, United States officers and employees engaging in official duties, conspiracy to destroy buildings and property of United States, conspiracy to use weapons of mass destruction against U.S. nationals overseas, bombing American Embassy, use of weapons of mass destruction against U.S. nationals overseas, murder of 213 individuals in course of attack on U.S. facility, murder of U.S. officers and employees, attempted murder of officers and employees of American Embassy, murder of internationally protected persons, attempted murder of internationally protected persons, using and carrying explosive during commission of felony, and using and car-

rying explosive device during crime of violence, were supported by sufficient evidence, including sketches discovered during search of defendant's apartment which government argued represented area surrounding American Embassy, including depiction of exploding truck bomb at detonation site. In re Terrorist Bombings of U.S. Embassies in East Africa, C.A.2 (N.Y.) 2008, 549 F.3d 146, withdrawn from bound volume, republished at [552 F.3d 93](#), rehearing denied in part [553 F.3d 150](#), certiorari denied [129 S.Ct. 2778](#), certiorari denied [130 S.Ct. 1050](#), [175 L.Ed.2d 928](#). [Homicide](#) 🔑 [1168](#)

Intent to use weapon in commission of crime, required to convict for knowingly possessing dangerous weapon in federal facility, was established by defendant's statements that he blamed district court judge that dismissed civil lawsuit for his problems, and that defendant intended to stab district court judge and judge's clerk. [U.S. v. Hardy, C.A.7 \(Ill.\) 1996, 101 F.3d 1210](#). [Criminal Law](#) 🔑 [413.94\(24\)](#); [Prisons](#) 🔑 [435](#)

There was sufficient evidence that notice of illegality of presence of firearm in federal court facility was conspicuously posted at public entrance to facility to support defendant's conviction for possession of firearm in federal court facility, where three witnesses testified that warning sign was posted on bulletin board just inside only public entrance to courthouse, and another witness testified that additional sign might have been posted underneath glass tabletop near x-ray machine at time of defendant's entry and arrest. [U.S. v. Lunstedt, C.A.9 \(Or.\) 1993, 997 F.2d 665](#). [Weapons](#) 🔑 [291\(4\)](#)

18 U.S.C.A. § 930, 18 USCA § 930

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