

Union Calendar No. 425

117TH CONGRESS
2^D SESSION

H. R. 5455

[Report No. 117–586]

To amend the First Step Act of 2018 to permit defendants convicted of certain offenses to be eligible for reduced sentences, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2021

Ms. JACKSON LEE (for herself, Mr. NADLER, Mr. CICILLINE, Mr. OWENS, and Mr. MASSIE) introduced the following bill; which was referred to the Committee on the Judiciary

NOVEMBER 29, 2022

Additional sponsors: Ms. NORTON and Mr. JEFFRIES

NOVEMBER 29, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on September 30, 2021]

A BILL

To amend the First Step Act of 2018 to permit defendants convicted of certain offenses to be eligible for reduced sentences, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Terry Technical Correc-*
 5 *tion Act”.*

6 **SEC. 2. APPLICATION OF FAIR SENTENCING ACT OF 2010.**

7 *Section 404 of the First Step Act of 2018 (21 U.S.C.*
 8 *841 note) is amended—*

9 *(1) in subsection (a)—*

10 *(A) by striking “‘covered offense’ means”*

11 *and inserting the following:*

12 *“‘covered offense’—*

13 *“(1) means”;*

14 *(B) by striking the period at the end and*

15 *inserting “; and”; and*

16 *(C) by adding at the end the following:*

17 *“(2) includes a violation, involving cocaine base,*

18 *of—*

19 *“(A) section 3113 of title 5, United States*

20 *Code;*

21 *“(B) section 401(b)(1)(C) of the Controlled*

22 *Substances Act (21 U.S.C. 841(b)(1)(C));*

23 *“(C) section 404(a) of the Controlled Sub-*

24 *stances Act (21 U.S.C. 844(a));*

1 “(D) section 406 of the Controlled Sub-
2 stances Act (21 U.S.C. 846);

3 “(E) section 408 of the Controlled Sub-
4 stances Act (21 U.S.C. 848);

5 “(F) subsection (b) or (c) of section 409 of
6 the Controlled Substances Act (21 U.S.C. 849);

7 “(G) subsection (a) or (b) of section 418 of
8 the Controlled Substances Act (21 U.S.C. 859);

9 “(H) subsection (a), (b), or (c) of section
10 419 of the Controlled Substances Act (21 U.S.C.
11 860);

12 “(I) section 420 of the Controlled Sub-
13 stances Act (21 U.S.C. 861);

14 “(J) section 1010(b)(3) of the Controlled
15 Substances Import and Export Act (21 U.S.C.
16 960(b)(3));

17 “(K) section 1010A of the Controlled Sub-
18 stances Import and Export Act (21 U.S.C.
19 960a);

20 “(L) section 90103 of the Violent Crime
21 Control and Law Enforcement Act of 1994 (34
22 U.S.C. 12522);

23 “(M) section 70503 or 70506 of title 46,
24 United States Code; or

1 “(N) any attempt, conspiracy or sollicita-
2 tion to commit an offense described in subpara-
3 graphs (A) through (M).”; and
4 (2) in subsection (c), by inserting “A motion
5 made under this section that was denied after a court
6 determination that a violation described in subsection
7 (a)(2) was not a covered offense shall not be consid-
8 ered a denial after a complete review of the motion
9 on the merits within the meaning of this section.”
10 after the period at the end of the second sentence.

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