

105TH CONGRESS
2D SESSION

H. R. 4651

To make minor and technical amendments relating to Federal criminal law
and procedure.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1998

Mr. McCOLLUM (for himself and Mr. CONYERS) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To make minor and technical amendments relating to
Federal criminal law and procedure.

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 “Federal Criminal Law
5 Improvements Act of 1998”.

1 **TITLE I—AMENDMENTS RELAT-**
2 **ING TO COURTS AND SEN-**
3 **TENCING**

4 **SEC. 101. ELIMINATION OF OUTMODED CERTIFICATION RE-**
5 **QUIREMENT.**

6 Section 3731 of title 18, United States Code, is
7 amended in the second paragraph by striking “, if the
8 United States attorney certifies to the district court that
9 the appeal is not taken for purpose of delay and that the
10 evidence is a substantial proof of a fact material in the
11 proceeding”.

12 **SEC. 102. CORRECTION OF ABERRANT STATUTES TO PER-**
13 **MIT IMPOSITION OF BOTH A FINE AND IM-**
14 **PRISONMENT RATHER THAN ONLY EITHER**
15 **PENALTY.**

16 (a) CONTEMPT POWER.—Section 401 of title 18,
17 United States Code, is amended by inserting “or both,”
18 after “fine or imprisonment,”.

19 (b) DESTRUCTION OF LETTER BOXES.—Section
20 1705 of title 18, United States Code, is amended by in-
21 serting “, or both” after “years”.

22 (c) VARIOUS BREACHES OF OFFICIAL DUTY.—Sec-
23 tions 1916, 2234, and 2235 of title 18, United States
24 Code, are each amended by inserting “, or both” after
25 “year”.

1 **SEC. 103. ALLOWING A REDUCTION OF SENTENCE FOR**
2 **PROVIDING USEFUL INVESTIGATIVE INFOR-**
3 **MATION ALTHOUGH NOT REGARDING A PAR-**
4 **TICULAR INDIVIDUAL.**

5 Section 3553(e) of title 18, United States Code, sec-
6 tion 994(n) of title 28, United States Code, and Rule
7 35(b) of the Federal Rules of Criminal Procedure are each
8 amended by striking “substantial assistance in the inves-
9 tigation or prosecution of another person who has commit-
10 ted an offense” and inserting “substantial assistance in
11 an investigation of any offense or the prosecution of an-
12 other person who has committed an offense”.

13 **SEC. 104. APPEALS FROM CERTAIN DISMISSALS.**

14 Section 3731 of title 18, United States Code, is
15 amended by inserting “or any part thereof” after “as to
16 any one or more counts”.

17 **SEC. 105. IMPROVEMENT OF HATE CRIMES SENTENCING**
18 **PROCEDURE.**

19 Section 280003(b) of Public Law 103–322 is amend-
20 ed by striking “the finder of fact at trial” and inserting
21 “the court at sentencing”.

22 **SEC. 106. CLARIFICATION OF LENGTH OF SUPERVISED RE-**
23 **LEASE TERMS IN CONTROLLED SUBSTANCE**
24 **CASES.**

25 Sections 401(b)(1)(A), (B), (C), and (D) of the Con-
26 trolled Substances Act (21 U.S.C. 841(b)(1)(A), (B), (C),

1 and (D)) are each amended by striking “Any sentence”
 2 and inserting “Notwithstanding section 3583 of title 18,
 3 United States Code, any sentence”.

4 **SEC. 107. AUTHORITY OF COURT TO IMPOSE A SENTENCE**
 5 **OF PROBATION OR SUPERVISED RELEASE**
 6 **WHEN REDUCING A SENTENCE OF IMPRISON-**
 7 **MENT IN CERTAIN CASES.**

8 Section 3582(c)(1)(A) of title 18, United States
 9 Code, is amended by inserting “(and may impose a sen-
 10 tence of probation or supervised release with or without
 11 conditions)” after “may reduce the term of imprison-
 12 ment”.

13 **SEC. 108. GOOD TIME CALCULATION FOR FOREIGN PRIS-**
 14 **ONERS TRANSFERRED TO THE UNITED**
 15 **STATES.**

16 (a) IN GENERAL.—Section 4105(c) of title 18,
 17 United States Code, is amended—

18 (1) in paragraph (1) by inserting “by the Bu-
 19 reau of Prisons and deducted from the sentence im-
 20 posed by the foreign court” after “These credits
 21 shall be combined”;

22 (2) by redesignating paragraphs (3) and (4) as
 23 paragraphs (5) and (6), respectively; and

24 (3) by inserting after paragraph (2) the follow-
 25 ing:

1 “(3) If the term of imprisonment under section
2 4106A(b)(1)(A) is less than or equal to the total sentence
3 imposed and certified by the foreign authorities on the
4 basis of considerations other than the limitation arising
5 under section 4106A(b)(1)(C), the Bureau of Prisons shall
6 calculate credits for satisfactory behavior at the rate pro-
7 vided in section 3624(b) and computed on the basis of the
8 term of imprisonment under section 4106A(b)(1)(A). If
9 the credits calculated under this paragraph produce a re-
10 lease date that is earlier than the release date otherwise
11 determined under this section, the release date calculated
12 under this paragraph shall apply to the transferred of-
13 fender.

14 “(4) Upon release from prison, the offender shall
15 commence service of any period of supervised release es-
16 tablished pursuant to section 4106A(b)(1)(A), and the
17 balance of the foreign sentence remaining at the time of
18 release from prison shall not be reduced by credits for sat-
19 isfactory behavior, or labor, or any other credit that has
20 been applied to establish the offender’s release date.”.

21 (b) CONFORMING AMENDMENT.—Section
22 4106A(b)(1)(A) of title 18, United States Code, is amend-
23 ed by striking “release date” and inserting “term of im-
24 prisonment”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to offenders transferred to the cus-
3 tody of the Attorney General on or after the date of enact-
4 ment of this Act.

5 **TITLE II—AMENDMENTS RELAT-**
6 **ING TO WHITE COLLAR AND**
7 **OTHER NONVIOLENT CRIME**

8 **SEC. 201. ADDITION OF ATTEMPTED THEFT AND COUNTER-**
9 **FEITING OFFENSES TO ELIMINATE GAPS AND**
10 **INCONSISTENCIES IN COVERAGE.**

11 Title 18, United States Code, is amended—

12 (1) in section 153(a), by inserting “, or at-
13 tempts to do so,” after “any property”;

14 (2) in section 641, by inserting “or attempts to
15 do so” after “agency thereof” the second place it ap-
16 pears;

17 (3) in section 655, by inserting “or attempts to
18 steal or so take,” after “unlawfully takes,”;

19 (4) in each of sections 656 and 657—

20 (A) by inserting “, or attempts to do so,”
21 after “willfully misapplies”; and

22 (B) by inserting “or attempted to be em-
23 bezzled, abstracted, purloined, or misapplied”
24 after “misapplied”;

1 (5) in section 658, by inserting “or attempts to
2 do so,” before “shall be fined”;

3 (6) in section 659—

4 (A) in the first and third paragraphs by
5 inserting “or attempts to embezzle, steal, or so
6 take or carry away,” after “carries away,”; and

7 (B) in the fourth paragraph by inserting
8 “or attempts to embezzle, steal, or so take,” be-
9 fore “from any railroad car”;

10 (7) in section 661—

11 (A) by inserting “, or attempts to do so,”
12 after “of another”; and

13 (B) by inserting “or attempted to be
14 taken” after “taken” each place it appears;

15 (8) in section 664, by inserting “or attempts to
16 do so,” before “shall be fined”;

17 (9) in section 665(a)—

18 (A) by inserting “, or attempts to do so,”
19 before “shall be fined”; and

20 (B) by inserting “or attempted to be em-
21 bezzled, misapplied, stolen, or obtained by
22 fraud” after “obtained by fraud”;

23 (10) in section 666(a)(1)(A), by inserting “or
24 attempts to do so,” after “property”;

25 (11) in section 1025—

1 (A) by inserting “or attempts to obtain”
2 after “obtains”; and

3 (B) by inserting “or attempted to be ob-
4 tained” after “obtained”;

5 (12) in section 1163, by inserting “attempts so
6 to embezzle, steal, convert, or misapply,” after “will-
7 fully misapplies,”;

8 (13) in each of subsections (a) and (b) of sec-
9 tion 1167, by inserting “or attempts to do so,” be-
10 fore “shall be fined”;

11 (14) in each of subsections (a) and (b) of sec-
12 tion 1168, by inserting “or attempts to do so,” be-
13 fore “shall be fined”;

14 (15) in section 1707—

15 (A) by inserting “, or attempts to steal,
16 purloin, or embezzle,” before “any property”;
17 and

18 (B) by inserting “or attempts to appro-
19 priate” after “appropriates”;

20 (16) in the second paragraph of section 1708
21 by inserting “or attempts to steal, take, or ab-
22 stract,” after “abstracts,”;

23 (17) in section 1709—

24 (A) by inserting “or attempts to embezzle”
25 after “embezzles”; and

1 (B) by inserting “, or attempts to steal,
2 abstract, or remove,” after “removes”;

3 (18) in section 1711, by inserting “or attempts
4 to loan, use, pledge, hypothecate, or convert to his
5 own use” after “use”;

6 (19) in each of the paragraphs of section
7 2113(b), by inserting “or attempts to do so,” before
8 “shall be fined”;

9 (20) in section 477, by inserting “, or attempts
10 to do so” after “other person”;

11 (21) in section 479, by inserting “or attempts
12 to utter or pass,” after “passes,”;

13 (22) in section 490, by inserting “attempts to
14 pass, utter, or sell,” before “or possesses”; and

15 (23) in section 513(a), by inserting “or at-
16 tempts to utter,” after “utters”.

17 **SEC. 202. CLARIFICATION OF SCIENTER REQUIREMENT**
18 **FOR RECEIVING PROPERTY STOLEN FROM**
19 **AN INDIAN TRIBAL ORGANIZATION.**

20 Section 1163 of title 18, United States Code, is
21 amended in the second paragraph by striking “so”.

22 **SEC. 203. LARCENY INVOLVING POST OFFICE BOXES AND**
23 **POSTAL STAMP VENDING MACHINES.**

24 Section 2115 of title 18, United States Code, is
25 amended—

1 (1) by striking “or” before “any building”;

2 (2) by inserting “or any post office box or post-
3 al stamp vending machine for the sale of stamps
4 owned by the Postal Service,” after “used in whole
5 or in part as a post office,”; and

6 (3) by inserting “or in such box or machine,”
7 after “so used,”.

8 **SEC. 204. THEFT OF VESSELS.**

9 (a) DEFINITION.—Section 2311 of title 18, United
10 States Code, is amended by adding at the end the follow-
11 ing:

12 “‘Vessel’ means any watercraft or other contrivance
13 used or designed for transportation or navigation on,
14 under, or immediately above, water.”.

15 (b) OFFENSES.—Sections 2312 and 2313(a) of title
16 18, United States Code, are each amended by striking
17 “motor vehicle or aircraft” and inserting “motor vehicle,
18 vessel, or aircraft”.

19 **SEC. 205. CONFORMING AMENDMENT TO LAW PUNISHING**
20 **OBSTRUCTION OF JUSTICE BY NOTIFICATION**
21 **OF EXISTENCE OF A SUBPOENA FOR**
22 **RECORDS IN CERTAIN TYPES OF INVESTIGA-**
23 **TIONS.**

24 Section 1510(b)(3)(B) of title 18, United States
25 Code, is amended—

- 1 (1) by striking “or” at the end of clause (i);
 2 (2) by striking the period and inserting “; or”
 3 at the end of clause (ii); and
 4 (3) by adding the following new clause:
 5 “(iii) the Controlled Substances Act, the
 6 Controlled Substances Import and Export Act,
 7 or section 6050I of the Internal Revenue Code
 8 of 1986.”.

9 **SEC. 206. CONFORMING AMENDMENT TO INJUNCTION**
 10 **AGAINST FRAUD STATUTE.**

11 Section 1345(a)(2) of title 18, United States Code,
 12 is amended by inserting “violation of this chapter or sec-
 13 tion 287, 371 (insofar as such violation involves a conspir-
 14 acy to defraud the United States or any agency thereof),
 15 or 1001 of this title or of a” after “as a result of a”.

16 **SEC. 207. INJUNCTIONS AGAINST COUNTERFEITING AND**
 17 **FORGERY.**

18 (a) IN GENERAL.—Chapter 25 of title 18, United
 19 States Code, is amended by adding at the end the follow-
 20 ing new section:

21 **“§ 515. Injunctions against counterfeiting and forgery**

22 “(a)(1) If a person is violating or about to violate
 23 any provision of this chapter, the Attorney General may
 24 commence a civil action in any Federal court to enjoin
 25 such violation.

1 “(2) A permanent or temporary injunction or re-
2 straining order shall be granted without bond.

3 “(b) The court shall proceed as soon as practicable
4 to the hearing and determination of such an action, and
5 may, at any time before final determination, enter such
6 a restraining order or prohibition, or take such other ac-
7 tion as is warranted in its discretion. A proceeding under
8 this section is governed by the Federal Rules of Civil Pro-
9 cedure, except that, if an indictment has been returned
10 against the respondent, discovery is governed by the Fed-
11 eral Rules of Criminal Procedure.”.

12 (b) IN GENERAL.—The table of sections at the begin-
13 ning of chapter 25 of title 18, United States Code, is
14 amended by adding at the end the following item:

“515. Injunctions against counterfeiting and forgery.”.

15 **SEC. 208. CORRECTION OF ERROR IN PERJURY RECANTA-**
16 **TION STATUTE.**

17 Section 1623(d) of title 18, United States Code, is
18 amended by striking “or” the second place it appears and
19 inserting “and”.

20 **SEC. 209. AMENDMENT OF INTERSTATE TRAVEL FRAUD**
21 **STATUTE TO COVER TRAVEL BY PERPETRA-**
22 **TOR.**

23 Section 2314 of title 18, United States Code, is
24 amended in the second undesignated paragraph by insert-

1 ing “travels in,” before “transports or causes to be trans-
 2 ported, or induces any person or persons to travel in”.

3 **SEC. 210. CONFORMING STATUTE OF LIMITATIONS AMEND-**
 4 **MENT FOR CERTAIN BANK FRAUD OFFENSES.**

5 Section 3293 of title 18, United States Code, is
 6 amended—

7 (1) by inserting “225,” after “215,”; and

8 (2) by inserting “1032,” before “1033”.

9 **SEC. 211. COVERAGE OF FOREIGN BANK BRANCHES IN THE**
 10 **TERRITORIES.**

11 Section 20(9) of title 18, United States Code, is
 12 amended by inserting before the period following: “, except
 13 that for purposes of this section the definition of the term
 14 “State” in such Act shall be deemed to include a common-
 15 wealth, territory, or possession of the United States”.

16 **TITLE III—MISCELLANEOUS**
 17 **AMENDMENTS**

18 **SEC. 301. CONFORMING AMENDMENTS RELATING TO SU-**
 19 **PERVISED RELEASE.**

20 (a) TAMPERING WITH A WITNESS, VICTIM, OR IN-
 21 FORMANT.—Sections 1512(a)(1)(C), 1512(b)(3),
 22 1512(c)(2), 1513(a)(1)(B), and 1513(b)(2) of title 18,
 23 United States Code, are each amended by striking “viola-
 24 tion of conditions of probation, parole, or release pending
 25 judicial proceedings” and inserting “violation of conditions

1 of probation, supervised release, parole, or release pending
 2 judicial proceedings”.

3 (b) RELEASE OR DETENTION PENDING TRIAL.—Sec-
 4 tion 3142 of title 18, United States Code, is amended—

5 (1) in subsection (d)(1)(A)(iii), by inserting “,
 6 supervised release,” after “probation”; and

7 (2) in subsection (g)(3)(B), by inserting “or su-
 8 pervised release” after “probation”.

9 **SEC. 302. REPEAL OF OUTMODED PROVISIONS BARRING**
 10 **FEDERAL PROSECUTION OF CERTAIN OF-**
 11 **FENSES.**

12 (a) TITLE 18 OFFENSES.—Title 18, United States
 13 Code, is amended—

14 (1) in each of sections 659 and 2117, by strik-
 15 ing the first sentence of the last undesignated para-
 16 graph;

17 (2) in section 660, by striking the last undesign-
 18 nated paragraph; and

19 (3) in section 2101, by striking subsection (c)
 20 and by redesignating subsections (d), (e), and (f) as
 21 subsections (c), (d), and (e), respectively.

22 (b) INVESTMENT COMPANY ACT OF 1940.—Section
 23 37 of the Investment Company Act of 1940 (15 U.S.C.
 24 80a–36) is amended by striking the last sentence.

1 **SEC. 303. STRENGTHENING OF STATUTE PUNISHING EVA-**
2 **SION OR EMBEZZLEMENT OF CUSTOMS DU-**
3 **TIES.**

4 Section 542 of title 18, United States Code, is
5 amended—

6 (1) by striking “two years” and inserting “five
7 years”; and

8 (2) by inserting after the third undesignated
9 paragraph the following:

10 “This section shall not be construed to require proof
11 of any mental state with respect to whether the defend-
12 ant’s willful act or omission would deprive the Government
13 of any lawful duties.”.

14 **SEC. 304. CLARIFYING OR CONFORMING AMENDMENTS**
15 **ARISING FROM THE ENACTMENT OF PUBLIC**
16 **LAW 103–322.**

17 (a) **JUVENILE DELINQUENCY.**—Section 5032 of title
18 18, United States Code, is amended by striking “1111,
19 1113” and inserting “1111, 1112, 1113”.

20 (b) **DEFINITION OF “SELLS”.**—Section 704(b)(2) of
21 title 18, United States Code, is amended by striking “with
22 respect to a Congressional Medal of Honor”.

23 (c) **CONTROLLED SUBSTANCES OFFENSES.**—Section
24 408 of the Controlled Substances Act (21 U.S.C. 848) is
25 amended—

1 (1) by striking subsections (g) through (p),
2 (q)(1) through (3), and (r); and

3 (2) by redesignating subsection (q)(4) through
4 (10) as subsection (f)(1) through (7).

5 (d) CLARIFYING OR CONFORMING AMENDMENTS TO
6 SECTIONS 2261, 2261A, AND 2262.—

7 (1) Section 2261A of title 18, United States
8 Code, is amended by striking “injure or harass” and
9 inserting “injure, harass, or intimidate”;

10 (2)(A) Sections 2261(b)(3) and 2262(b)(3) of
11 title 18, United States Code, are each amended by
12 inserting “(as defined in section 2119(2) of this
13 title)” after “serious bodily injury”;

14 (B) Section 2261A of title 18, United States
15 Code, is amended by striking “section 1365(g)(3)”
16 and inserting “section 2119(2)”;

17 (3)(A) Section 2261 of title 18, United States
18 Code, is amended—

19 (i) in subsection (a)(1), by striking “with
20 the intent to injure, harass, or intimidate” and
21 inserting “with the intent to kill, injure, harass,
22 or intimidate”; and

23 (ii) in subsection (a)(1) and (a)(2), by in-
24 serting “or death” after “and thereby causes
25 bodily injury”;

1 (B) Section 2262 of title 18, United States
2 Code, is amended—

3 (i) in subsection (a)(1), by inserting “or
4 death” after “bodily injury”; and

5 (ii) in subsection (a)(2), by striking “com-
6 mits an act that injures” and inserting “com-
7 mits an act that causes bodily injury or death
8 to”.

9 **SEC. 305. CONFORMING ADDITION TO OBSTRUCTION OF**
10 **CIVIL INVESTIGATIVE DEMAND STATUTE.**

11 Section 1505 of title 18, United States Code, is
12 amended by inserting “section 1968 or 3486 of this title
13 or” before “the Antitrust Civil Process Act”.

14 **SEC. 306. ELIMINATION OF PROOF OF VALUE REQUIRE-**
15 **MENT FOR FELONY THEFT OR CONVERSION**
16 **OF GRAND JURY MATERIAL.**

17 Section 641 of title 18, United States Code, is
18 amended by striking “but if the value of such property
19 does not exceed the sum of \$1,000, he” and inserting “but
20 if the value of such property, other than property con-
21 stituting ‘matters occurring before the grand jury’ within
22 the meaning of Rule 6(e) of the Federal Rules of Criminal
23 Procedure, does not exceed the sum of \$1,000,”.

1 **SEC. 307. CLARIFICATION OF INAPPLICABILITY OF 18**
2 **UNITED STATES CODE 2515 TO CERTAIN DIS-**
3 **CLOSURES.**

4 Section 2515 of title 18, United States Code, is
5 amended by adding at the end the following: “This section
6 does not apply to the disclosure by the United States, a
7 State, or political subdivision in a criminal trial or hearing
8 or before a grand jury of the contents of a wire or oral
9 communication, or evidence derived therefrom, the inter-
10 ception of which was in violation of section 2511(2)(d) (re-
11 lating to certain interceptions not involving governmental
12 misconduct).”.

13 **SEC. 308. CLARIFICATION OF JURISDICTIONAL BASE IN-**
14 **VOLVING THE MAIL.**

15 Section 2422(b) of title 18, United States Code, is
16 amended—

17 (1) by inserting “the mail or” after “using”;

18 and

19 (2) by striking “including the mail,”.

20 **SEC. 309. AMENDMENT TO SECTION 1547 TO CONFORM TO**
21 **ENACTMENT OF THE IMMIGRATION BILL.**

22 Section 1547 of title 18, United States Code, is
23 amended by striking “under this chapter (other than an
24 offense under section 1545)” and inserting “under section
25 1546(b)”.

1 **SEC. 310. EXPANDED JURISDICTION OVER CHILD BUYING**
2 **AND SELLING OFFENSES.**

3 Section 2251A(c)(3) of title 18, United States Code,
4 is amended by striking “in any territory or possession of
5 the United States” and inserting “in the special maritime
6 and territorial jurisdiction of the United States or in any
7 commonwealth, territory, or possession of the United
8 States”.

9 **SEC. 311. CONFORMING AMENDMENT RELATING TO**
10 **FLUNITRAZEPAM PENALTIES.**

11 Section 401(b) of the Controlled Substances Act (21
12 U.S.C. 841(b)) is amended—

13 (1) in paragraph (1)(C), by striking “1 gram
14 of” before “flunitrazepam,”; and

15 (2) in paragraph (1)(D), by striking “or 30 mil-
16 ligrams of flunitrazepam,”.

17 **SEC. 312. AMENDMENT OF STATUTE PROHIBITING THE**
18 **BRINGING OF HAZARDOUS SUBSTANCES**
19 **ABOARD AN AIRCRAFT.**

20 Section 46312 of title 49, United States Code, is
21 amended—

22 (1) by inserting “(a) IN GENERAL.—” before
23 “A person”; and

24 (2) by adding at the end the following:

25 “(b) STATE OF MIND REQUIREMENT.—Knowledge
26 by the person of the existence of a regulation or require-

1 ment prescribed by the Secretary is not an element of an
2 offense under this section.”.

3 **SEC. 313. DEFINITION OF STATE FOR CHAPTER 123.**

4 Section 2725 of title 18, United States Code, is
5 amended—

6 (1) by striking “and” at the end of paragraph

7 (2);

8 (2) by striking the period and inserting “; and”

9 at the end of paragraph (3); and

10 (3) by adding the following new paragraph at

11 the end:

12 “(4) ‘State’ means a State of the United

13 States, the District of Columbia, or any common-

14 wealth, territory, or possession of the United

15 States.”.

16 **SEC. 314. MINOR AND CONFORMING AMENDMENTS TO**

17 **CHAPTER 90.**

18 (a) DEFINITION OF STATE.—Section 1839 of title

19 18, United States Code, is amended—

20 (1) by striking “and” at the end of paragraph

21 (3);

22 (2) by striking the period and inserting “; and”

23 at the end of paragraph (4); and

24 (3) by adding the following new paragraph at

25 the end:

1 “(5) the term ‘State’ means a State of the
2 United States, the District of Columbia, or any com-
3 monwealth, territory, or possession of the United
4 States.”.

5 (b) CONFORMING AMENDMENT.—Section 1838 of
6 title 18, United States Code, is amended by striking
7 “United States Federal, State, commonwealth, possession,
8 or territory law” and inserting “United States or State
9 law”.

10 **SEC. 315. COMMISSION AMENDMENTS.**

11 (a) SALARY LEVEL INCREASE FOR EXECUTIVE DI-
12 RECTOR.—Section 806(d)(3) of Public Law 104–132 (110
13 Stat.1307) is amended by striking the period at the end
14 and inserting “, except that the rate of pay for Executive
15 Director may not exceed the rate payable for Level IV of
16 the Executive Schedule under section 5316 of that title.”.

17 (b) EXPEDITED ADMINISTRATIVE SUPPORT.—Sec-
18 tion 806(d) of Public Law 104–132 (110 Stat.1307) is
19 amended by adding at the end the following:

20 “(4) DETAILS TO COMMISSION WITHOUT REIM-
21 BURSEMENT.— Any Federal Government employee
22 may be detailed to the Commission without reim-
23 bursement from the Commission, and such detailee
24 shall retain the rights, status, and privileges of his
25 or her regular employment without interruption.”.

1 “(5) EXPEDITED SECURITY CLEARANCES.—The
2 Commission and selected staff designated by the
3 Chairman shall be granted the necessary security
4 clearances in an accelerated manner subject to the
5 standard procedures for granting such clearances.”.

6 **SEC. 316. ELIMINATION OF SENTENCING INEQUITIES FOR**
7 **DRUG OFFENDERS.**

8 (a) IN GENERAL.—Subparagraph (B) of section
9 3621(e)(2) of title 18, United States Code, is amended
10 to read as follows:

11 “(B) ADMINISTRATION OF TREATMENT
12 PROGRAMS.—The Attorney General shall ensure
13 through the use of all appropriate and available
14 incentives and sanctions that eligible prisoners
15 undergo a program of substance abuse treat-
16 ment.”.

17 (b) CONFORMING AMENDMENT.—The heading for
18 paragraph (2) of section 3621(e) of title 18, United States
19 Code, is amended by striking “INCENTIVE FOR PRIS-
20 ONERS’ SUCCESSFUL COMPLETION OF TREATMENT PRO-
21 GRAM” and inserting “TREATMENT REQUIREMENT”.

22 (c) ELIGIBILITY.—Clause (ii) of section
23 3621(e)(5)(B) of title 18, United States Code, is amended
24 to read as follows:

1 “(ii) within 24 months of the date of
2 release, or is otherwise designated by the
3 Bureau of Prisons for participation in a
4 residential substance abuse treatment pro-
5 gram; and”.

6 **SEC. 317. SENTENCING GUIDELINES AMENDMENT PROC-**
7 **ESS.**

8 Section 2(g) of the No Electronic Theft (NET) Act
9 is amended by inserting “as though the authority under
10 that Act had not expired” after “18 U.S.C. 994 note)”.

11 **SEC. 318. TECHNICAL AMENDMENT TO RESTORE WIRETAP**
12 **AUTHORITY FOR CERTAIN MONEY LAUNDER-**
13 **ING OFFENSES.**

14 Section 2516(1)(g) of title 18, United States Code,
15 is amended by striking “a violation of section 5322 of title
16 31, United States Code (dealing with the reporting of cur-
17 rency transactions)” and inserting “a violation of section
18 5322 or 5324 of title 31, United States Code (dealing with
19 the reporting and illegal structuring of currency trans-
20 actions)”.

21 **SEC. 319. APPLICABILITY OF LEAVE PROVISIONS TO EM-**
22 **PLOYEES OF THE UNITED STATES SENTENC-**
23 **ING COMMISSION.**

24 (a) IN GENERAL.—Section 996(b) of title 28, United
25 States Code, is amended—

1 (1) by striking “the following chapters:” and in-
 2 serting “the following:”;

3 (2) by inserting “Chapters” before “45”;

4 (3) by inserting “63 (Leave),” before “81”; and

5 (4) by striking “Insurance).” and inserting “In-
 6 surance), and subchapter VI of chapter 55 (Payment
 7 for accumulated and accrued leave).”.

8 (b) SAVINGS PROVISION.—Any leave that an individ-
 9 ual accrued or accumulated (or that otherwise became
 10 available to such individual) under the leave system of the
 11 United States Sentencing Commission and that remains
 12 unused as of the date of enactment of this Act shall, on
 13 and after such date of enactment, be treated as leave ac-
 14 crued or accumulated (or that otherwise became available
 15 to such individual) under chapter 63 of title 5, United
 16 States Code.

17 **TITLE IV—AMENDMENTS RELAT-** 18 **ING TO VIOLENT CRIME AND** 19 **TERRORISM**

20 **SEC. 401. AMENDMENTS TO ANTI-TERRORISM STATUTES.**

21 (a) MODIFICATION OF DEFINITION OF “BIOLOGICAL
 22 AGENT”.—Section 178 of title 18, United States Code,
 23 is amended—

24 (1) in paragraph (1), by striking “means any
 25 microorganism, virus, or infectious substance, or bio-

1 logical product that may be engineered as a result
2 of biotechnology, or any naturally occurring or bio-
3 engineered component of any such microorganism,
4 virus, infectious substance, or biological product”
5 and inserting the following: “means any microorga-
6 nism (including bacteria, viruses, fungi, rickettsiae,
7 or protozoa), or infectious substance, or any natu-
8 rally occurring, bioengineered or synthesized compo-
9 nent of any such microorganism or infectious sub-
10 stance”;

11 (2) in paragraph (2), by striking “means the
12 toxic material of plants, animals, microorganisms, vi-
13 ruses, fungi, or infectious substances, or a recom-
14 binant molecule, whatever its origin or method of
15 production, including” and inserting the following:
16 “means the toxic material or product of plants, ani-
17 mals, microorganisms (including bacteria, viruses,
18 fungi, rickettsiae or protozoa), or infectious sub-
19 stances, or a recombinant or synthesized molecule,
20 whatever their origin and method of production, and
21 includes”; and

22 (3) in paragraph (4), by striking “recombinant
23 molecule, or biological product that may be engi-
24 neered as a result of biotechnology” and inserting
25 “recombinant or synthesized molecule”.

1 (b) CONFORMING AMENDMENT.—Section 2332a of
 2 title 18, United States Code, is amended—

3 (1) in subsection (a), by striking “, including
 4 any biological agent, toxin, or vector (as those terms
 5 are defined in section 178)”;

6 (2) in subsection (c)(2)(C), by striking “a dis-
 7 ease organism” and inserting “any biological agent,
 8 toxin, or vector (as those terms are defined in sec-
 9 tion 178 of this title)”.

10 (c) ADDITION OF THREAT OFFENSE.—Section
 11 2332c(a)(1) is amended by striking “uses, or attempts”
 12 and inserting “uses, or threatens, attempts”.

13 **SEC. 402. PRETRIAL DETENTION ELIGIBILITY FOR CERTAIN**
 14 **CONVICTED FELONS.**

15 Section 3156(a)(4) of title 18, United States Code,
 16 is amended—

17 (1) by striking “or” at the end of subparagraph
 18 (B);

19 (2) by striking “; and” at the end of subpara-
 20 graph (C) and inserting “; or”; and

21 (3) by adding after subparagraph (C) the fol-
 22 lowing new subparagraph:

23 “(D) an offense that is a violation of sec-
 24 tion 842(i) or 922(g) of this title (relating to
 25 possession of explosives or firearms by convicted

1 felons and other categories of prohibited per-
 2 sons); and”.

3 **SEC. 403. ELIMINATION OF UNJUSTIFIED SCIENTER ELE-**
 4 **MENT FOR CARJACKING.**

5 Section 2119 of title 18, United States Code, is
 6 amended by striking “, with the intent to cause death or
 7 serious bodily harm”.

8 **SEC. 404. CRIMINAL OFFENSES COMMITTED OUTSIDE THE**
 9 **UNITED STATES BY PERSONS ACCOMPANY-**
 10 **ING THE ARMED FORCES.**

11 (a) IN GENERAL.—Title 18, United States Code, is
 12 amended by inserting after chapter 211 the following:

13 **“CHAPTER 212—CRIMINAL OFFENSES**
 14 **COMMITTED OUTSIDE THE UNITED**
 15 **STATES**

16 **“§ 3261. Criminal offenses committed by persons for-**
 17 **merly serving with, or presently em-**
 18 **ployed by or accompanying, the armed**
 19 **forces outside the United States**

20 “(a) Whoever, while serving with, employed by, or ac-
 21 companying the armed forces outside the United States,
 22 engages in conduct which would constitute an offense pun-
 23 ishable by imprisonment for more than 1 year if the con-
 24 duct had been engaged in within the special maritime and

1 territorial jurisdiction of the United States, shall be guilty
2 of a like offense and subject to a like punishment.

3 “(b) Nothing contained in this chapter deprives
4 courts-martial, military commissions, provost courts, or
5 other military tribunals of concurrent jurisdiction with re-
6 spect to offenders or offenses that by statute or by the
7 law of war may be tried by courts-martial, military com-
8 missions, provost courts, or other military tribunals.

9 “(c) No prosecution may be commenced under this
10 section if a foreign government, in accordance with juris-
11 diction recognized by the United States, has prosecuted
12 or is prosecuting such person for the conduct constituting
13 such offense, except upon the approval of the Attorney
14 General of the United States or the Deputy Attorney Gen-
15 eral of the United States (or a person acting in either such
16 capacity), which function of approval may not be dele-
17 gated.

18 “(d)(1) The Secretaries of Defense and Transpor-
19 tation may designate and authorize any person serving in
20 a law enforcement position in the Department of Defense
21 and the Department of Transportation when the Coast
22 Guard is not operating as part of the Navy to arrest out-
23 side the United States any person described in subsection
24 (a) of this section who there is probable cause to believe

1 engaged in conduct which constitutes a criminal offense
2 under such section.

3 “(2) A person arrested under paragraph (1) of this
4 section shall be released to the custody of civilian law en-
5 forcement authorities of the United States for removal to
6 the United States for judicial proceedings in relation to
7 conduct referred to in such paragraph unless—

8 “(A) such person is delivered to authorities of
9 a foreign country under section 3262 of this title; or

10 “(B) charges are preferred against such person
11 under chapter 47 of title 10 for such conduct.

12 **“§ 3262. Delivery to authorities of foreign countries**

13 “(a) A person described in section 3261(a) of this
14 title may be delivered to the appropriate authorities of a
15 foreign country in which such person is alleged to have
16 engaged in conduct described in such subsection (a) of this
17 section if—

18 “(1) the appropriate authorities of that country
19 request the delivery of the person to such country
20 for trial for such conduct as an offense under the
21 laws of that country; and

22 “(2) the delivery of such person to that country
23 is authorized by a treaty or other international
24 agreement to which the United States is a party.

1 “(b) The Secretary of Defense, in consultation with
2 the Secretary of State, shall determine what officials of
3 a foreign country constitute appropriate authorities for
4 the purpose of this section.

5 **“§ 3263. Regulations**

6 “The Secretary of Defense, in consultation with the
7 Secretary of State, shall issue regulations governing the
8 apprehension, detention, and removal of persons under
9 this chapter. Such regulations shall be uniform throughout
10 the Department of Defense.

11 **“§ 3264. Definitions for chapter**

12 “As used in this chapter—

13 “(1) a person is employed by the armed forces
14 outside the United States if that person—

15 “(A) is employed as a civilian employee of
16 a military department or of the Department of
17 Defense, as a Department of Defense contrac-
18 tor, or as an employee of a Department of De-
19 fense contractor;

20 “(B) is present or residing outside the
21 United States in connection with such employ-
22 ment; and

23 “(C) is not a national of the host nation.

24 “(2) a person is accompanying the armed forces
25 outside the United States if that person—

7 “(C) is not a national of the host nation.”.

“212. Criminal Offenses Committed Outside the United States 3261”.

13 Subsection 875(b) and (c) of title 18, United States
14 Code, and the 2d and 3d undesignated paragraphs of sec-
15 tions 876 and 877 of title 18, United States Code, are
16 each amended by striking “any threat to injure” and in-
17 serting “any threat to kill or injure”.

Section 113(a)(3) of title 18, United States Code, is amended by striking “with intent to do bodily harm, and”.

1 **SEC. 407. ADDITION OF ATTEMPT COVERAGE FOR INTER-**
2 **STATE DOMESTIC VIOLENCE OFFENSE.**

3 Section 2261(a) of title 18, United States Code, is
4 amended—

5 (1) in paragraph (1) by inserting “or attempts
6 to do so,” after “thereby causes bodily injury to
7 such spouse or intimate partner,”; and

8 (2) in paragraph (2) by inserting “or attempts
9 to do so,” after “thereby causes bodily injury to the
10 person’s spouse or intimate partner,”.

11 **SEC. 408. ASSAULTS OR OTHER CRIMES OF VIOLENCE FOR**
12 **HIRE.**

13 Section 1958(a) of title 18, United States Code, is
14 amended by inserting “or other felony crime of violence
15 against the person” after “murder”.

16 **SEC. 409. INCREASE IN MAXIMUM PENALTY FOR VOL-**
17 **UNTARY MANSLAUGHTER.**

18 Section 1112(b) of title 18, United States Code, is
19 amended by striking “ten years” and inserting “20
20 years”.

21 **SEC. 410. VIOLENCE DIRECTED AT DWELLINGS AND OTHER**
22 **STRUCTURES IN INDIAN COUNTRY.**

23 Section 1153(a) of title 18, United States Code, is
24 amended by inserting “or 1363” after “section 661”.

1 **SEC. 411. AMENDMENTS OF DRIVE-BY SHOOTING STATUTE.**

2 (a) IN GENERAL.—Section 36 of title 18, United
3 States Code, is amended—

4 (1) by amending the title to read as follows:

5 **“§ 36. Shooting into a group in furtherance of a major**
6 **drug offense”;**

7 (2) in subsection (a)(1), by striking “punishable
8 under section 408(c) of the Controlled Substances
9 Act” and inserting “punishable under section 408(a)
10 of the Controlled Substances Act”;

11 (3) by adding “or” at the end of subsection
12 (a)(1) and by striking subsections (a)(2) and (a)(3)
13 and inserting the following: “(2) an offense punish-
14 able under section 401(b)(1)(A) of the Controlled
15 Substances Act or section 1010(b)(1) of the Con-
16 trolled Substances Import and Export Act or a con-
17 spiracy or attempt to commit such an offense.”; and

18 (4) in subsection (b)(1) and (b)(2), by striking
19 “with the intent to intimidate,” and inserting “with
20 the intent to kill, intimidate.”.

21 (b) CLERICAL AMENDMENT.—The item relating to
22 section 36 in the table of sections at the beginning of
23 chapter 2 of title 18, United States Code, is amended by
24 striking “Drive-by shooting” and inserting “Shooting into
25 a group in furtherance of a major drug offense”.

1 **SEC. 412. AMENDMENT TO SECTION 879 OF TITLE 18,**
2 **UNITED STATES CODE.**

3 (a) GENERALLY.—Section 879 of title 18, United
4 States Code, is amended to read as follows:

5 **“§ 879. Threats against former Presidents, the imme-**
6 **diat family of the President and Vice**
7 **President, major Presidential and Vice-**
8 **Presidential candidates, and certain**
9 **other persons protected by the Secret**
10 **Service**

11 “(a) Whoever knowingly and willfully threatens to
12 kill, kidnap, or inflict bodily harm upon—

13 “(1) a former President or a former President’s
14 spouse;

15 “(2) a member of the immediate family of the
16 President, the President-elect, the Vice President, or
17 the Vice President-elect; or

18 “(3) a major candidate for the office of Presi-
19 dent or Vice President, the spouse or a member of
20 the immediate family of such candidate;

21 shall be fined under this title or imprisoned not more than
22 three years, or both.

23 “(b) Whoever knowingly and willfully threatens to
24 kill, kidnap, or inflict bodily harm upon—

25 “(1) a member of the immediate family of a
26 former President; or

1 “(2) any other person for whom the President
2 directs protection be provided, pursuant to section
3 3056(a)(6) of this title;
4 who is protected by the Secret Service as provided by law,
5 shall be fined under this title or imprisoned not more than
6 three years, or both.

7 “(c) As used in this section—

8 “(1) with respect to subsection (a)(1) of this
9 section, the term ‘spouse of a former President’
10 means the former President’s current spouse or the
11 widow or widower of a former President until the
12 widow’s or widower’s remarriage;

13 “(2) the term ‘immediate family’ means—

14 “(A) with respect to subsections (a)(2) and
15 (b)(1) of this section, a person to whom the
16 President, President-elect, Vice President, Vice
17 President-elect, or former President—

18 “(i) is related by blood, marriage, or
19 adoption; or

20 “(ii) stands in loco parentis; and

21 “(B) with respect to subsection (a)(3) of
22 this section, the major candidate’s children who
23 are—

24 “(i) related by blood, marriage, or
25 adoption; or

1 “(ii) a person to whom the major can-
 2 didate stands in loco parentis;

3 “(3) the term ‘major candidate for the office of
 4 President or Vice President’ means a candidate re-
 5 ferred to in section 3056(a)(7) of this title; and

6 “(4) the terms ‘President-elect’ and ‘Vice Presi-
 7 dent-elect’ have the meanings given those terms in
 8 section 871(b) of this title.”.

9 (b) CLERICAL AMENDMENT.—The item in the table
 10 of sections at the beginning of chapter 41 of title 18,
 11 United States Code, relating to section 879 is amended
 12 to read as follows:

“879. Threats against former Presidents, the immediate family of the President
 and Vice President, major Presidential and Vice-Presidential
 candidates, and certain other persons protected by the Secret
 Service.”.

13 **TITLE V—CLARIFYING THE** 14 **METHOD OF EXECUTION OF** 15 **FEDERAL PRISONERS**

16 **SEC. 501. IMPLEMENTATION OF SENTENCE OF DEATH.**

17 Subsection (a) of section 3596 of title 18, United
 18 States Code, is amended to read as follows:

19 “(a) IN GENERAL.—A person who is sentenced to
 20 death shall be committed to the custody of the Attorney
 21 General. At the time the sentence is to be carried out,
 22 it shall be implemented pursuant to regulations prescribed
 23 by the Attorney General.”.

1 **SEC. 502. USE OF FEDERAL FACILITIES.**

2 Subsection (a) of section 3597 of title 18, United
3 States Code, is amended to read as follows:

4 “(a) IN GENERAL.—A United States marshal
5 charged with supervising the implementation of a sentence
6 of death shall use the appropriate Federal facilities for
7 this purpose.”.

8 **SEC. 503. CONFORMING AMENDMENTS.**

9 (a) ELIMINATION OF REFERENCE TO STATE EM-
10 PLOYEES.—Section 3597(b) of title 18, United States
11 Code, is amended by striking “any State department of
12 corrections,”.

13 (b) CONFORMING SECTION HEADING.—The heading
14 for section 3597 of title 18, United States Code, is amend-
15 ed to read as follows:

16 **“§ 3597. Use of Federal facilities and employees”.**

17 (c) CONFORMING TABLE OF SECTIONS.—The item
18 relating to section 3597 in the table of sections at the be-
19 ginning of chapter 228 of title 18, United States Code,
20 is amended to read as follows:

“3597. Use of Federal facilities and employees.”.

1 **TITLE VI—TECHNICAL AMEND-**
2 **MENTS RELATING TO CRIMI-**
3 **NAL LAW AND PROCEDURE**

4 **SEC. 601. TECHNICAL AMENDMENTS RELATING TO CRIMI-**
5 **NAL LAW AND PROCEDURE.**

6 (a) MISSING AND INCORRECT WORDS.—

7 (1) CORRECTION OF GARBLED SENTENCE.—

8 Section 510(c) of title 18, United States Code, is
9 amended by striking “fine of under this title” and
10 inserting “fine under this title”.

11 (2) INSERTION OF MISSING WORDS.—Section
12 981(d) of title 18, United States Code, is amended
13 by striking “proceeds from the sale of this section”
14 and inserting “proceeds from the sale of such prop-
15 erty under this section”.

16 (3) CORRECTION OF INCORRECT WORD.—Sec-
17 tions 1425 through 1427, 1541 through 1544 and
18 1546(a) of title 18, United States Code, are each
19 amended by striking “to facility” and inserting “to
20 facilitate”.

21 (4) CORRECTING ERRONEOUS AMENDATORY
22 LANGUAGE ON EXECUTED AMENDMENT.—Effective
23 on the date of the enactment of Public Law 103–
24 322, section 60003(a)(13) of Public Law 103–322 is

1 amended by striking “\$1,000,000 or imprisonment”
2 and inserting “\$1,000,000 and imprisonment”.

3 (5) INSERTION OF MISSING WORD.—Section
4 3286 of title 18, United States Code, is amended by
5 inserting “section” before “2332b”.

6 (6) CORRECTION OF REFERENCE TO SHORT
7 TITLE OF LAW.—Section 2332d(a) of title 18,
8 United States Code, is amended by inserting “of
9 1979” after “Export Administration Act”.

10 (7) ELIMINATION OF TYPO.—Section 1992(b)
11 of title 18, United States Code, is amended by strik-
12 ing “term or years” and inserting “term of years”.

13 (8) SPELLING CORRECTION.—Section 2339A(a)
14 of title 18, United States Code, is amended by strik-
15 ing “or an escape” and inserting “of an escape”.

16 (9) SECTION 3553.—Section 3553(e) of title 18,
17 United States Code, is amended by inserting “a” be-
18 fore “minimum”.

19 (10) MISPLACED WORDS IN STATEMENT OF
20 PENALTY.—Section 2251(d) of title 18, United
21 States Code, is amended by striking “or imprisoned
22 not less than 10 years nor more than 20 years, and
23 both” and inserting “and imprisoned not less than
24 10 nor more than 20 years”.

1 (b) MARGINS, PUNCTUATION, AND SIMILAR ER-
2 RORS.—

3 (1) MARGIN ERROR.—Section 1030(c)(2) of
4 title 18, United States Code, is amended so that the
5 margins of subparagraph (B) and each of its
6 clauses, are moved 2 ems to the left.

7 (2) CORRECTING CAPITALIZATION IN LAN-
8 GUAGE TO BE STRICKEN.—Effective on the date of
9 its enactment, section 607(g)(2) of the Economic
10 Espionage Act of 1996 is amended by striking “ter-
11 ritory” and inserting “Territory”.

12 (3) CORRECTING PARAGRAPHING.—The mate-
13 rial added to section 521(a) of title 18, United
14 States Code, by section 607(q) of the Economic Es-
15 pionage Act of 1996 is amended to appear as a
16 paragraph indented 2-ems from the left margin.

17 (4) SUBSECTION PLACEMENT CORRECTION.—
18 Section 1513 of title 18, United States Code, is
19 amended by transferring subsection (d) so that it
20 appears following subsection (c).

21 (5) INSERTION OF PARENTHETICAL DESCRIP-
22 TIONS.—Section 2332b(g)(5) of title 18, United
23 States Code, is amended—

24 (A) by inserting “(relating to certain
25 killings in Federal facilities)” after “930(c)”;

1 (B) by inserting “(relating to wrecking
2 trains)” after “1992”; and

3 (C) by inserting “(relating to use of chemi-
4 cal weapons)” after “2332c”.

5 (6) CORRECTION TO ALLOW FOR INSERTION OF
6 NEW SUBPARAGRAPH.—Section 1956(c)(7) of title
7 18, United States Code, is amended—

8 (A) by striking “or” at the end of subpara-
9 graph (D);

10 (B) by striking the period at the end of
11 subparagraph (E) and inserting “; or”; and

12 (C) in subparagraph (F), by striking
13 “Any” and inserting “any”.

14 (7) REDESIGNATION OF DUPLICATE PARA-
15 GRAPH.—Section 982(a) of title 18, United States
16 Code, is amended by redesignating the second para-
17 graph (6) as paragraph (7).

18 (8) CORRECTION OF CONFUSING SUBDIVISION
19 DESIGNATION.—Section 1716 of title 18, United
20 States Code, is amended—

21 (A) in the first undesignated paragraph, by
22 inserting “(j)(1)” before “Whoever”;

23 (B) in the second undesignated para-
24 graph—

1 (i) by striking “not more than
 2 \$10,000” and inserting “under this title”;
 3 and

4 (ii) by inserting “(2)” at the begin-
 5 ning of that paragraph;

6 (C) by inserting “(3)” at the beginning of
 7 the third undesignated paragraph; and

8 (D) by redesignating subsection (j) as sub-
 9 section (k).

10 (9) PUNCTUATION CORRECTION IN SECTION
 11 1091.—Section 1091(b)(1) of title 18, United States
 12 Code, is amended by striking “subsection (a)(1),”
 13 and inserting “subsection (a)(1)”.

14 (10) PUNCTUATION CORRECTION IN SECTION
 15 2311.—Section 2311 of title 18, United States Code,
 16 is amended by striking the period after “carcasses
 17 thereof” the second place that term appears and in-
 18 serting a semicolon.

19 (11) SYNTAX CORRECTION.—Section 115(b)(2)
 20 of title 18 is amended by striking “, attempted kid-
 21 napping, or conspiracy to kidnap of a person” and
 22 inserting “or attempted kidnapping of, or a conspir-
 23 acy to kidnap, a person”.

24 (c) ELIMINATION OF REDUNDANCIES.—

1 (1) ELIMINATION OF REDUNDANT PROVI-
2 SION.—Section 2516(1) of title 18, United States
3 Code, is amended—

4 (A) by striking the first paragraph (p);
5 and

6 (B) by inserting “or” at the end of para-
7 graph (o).

8 (2) ELIMINATION OF DUPLICATE AMEND-
9 MENTS.—Effective on the date of its enactment,
10 paragraphs (1), (2), and (4) of section 601(b), para-
11 graph (2) of section 601(d), paragraphs (2) and (6)
12 of section 601(f), paragraphs (1) and (2)(A) of sec-
13 tion 601(j), paragraphs (1) and (2) of section
14 601(k), subsection (d) of section 602, paragraph (4)
15 of section 604(b), and subsection (r) of section 605
16 of the Economic Espionage Act of 1996 are re-
17 pealed.

18 (3) ELIMINATION OF EXTRA COMMA.—Section
19 1956(c)(7)(D) of title 18, United States Code, is
20 amended—

21 (A) by striking “Code,,” and inserting
22 “Code,”; and

23 (B) by striking “services),,” and inserting
24 “services),”.

1 (4) REPEAL OF SECTION GRANTING DUPLICA-
2 TIVE AUTHORITY.—

3 (A) Section 3503 of title 18, United States
4 Code, is repealed.

5 (B) The table of sections at the beginning
6 of chapter 223 of title 18, United States Code,
7 is amended by striking the item relating to sec-
8 tion 3503.

9 (5) ELIMINATION OF OUTMODED REFERENCE
10 TO PAROLE.—Section 929(b) of title 18, United
11 States Code, is amended by striking the last sen-
12 tence.

13 (d) CORRECTION OF OUTMODED FINE AMOUNTS.—

14 (1) IN TITLE 18, UNITED STATES CODE.—

15 (A) IN SECTION 665.—Section 665(c) of
16 title 18, United States Code, is amended by
17 striking “a fine of not more than \$5,000” and
18 inserting “a fine under this title”.

19 (B) IN SECTIONS 1924, 2075, 2113(B), AND
20 2236.—

21 (i) Section 1924(a) of title 18, United
22 States Code, is amended by striking “not
23 more than \$1,000,” and inserting “under
24 this title”.

1 (ii) Sections 2075, 2113(b), and 2236
2 of title 18, United States Code, are each
3 amended by striking “not more than
4 \$1,000” and inserting “under this title”.

5 (C) IN SECTION 372 AND 752.—Sections
6 372 and 752(a) of title 18, United States Code,
7 are each amended by striking “not more than
8 \$5,000” and inserting “under this title”.

9 (D) IN SECTION 924(e)(1).—Section
10 924(e)(1) of title 18, United States Code, is
11 amended by striking “not more than \$25,000”
12 and inserting “under this title”.

13 (2) IN THE CONTROLLED SUBSTANCES ACT.—

14 (A) IN SECTION 401.—Section 401(e) of
15 the Controlled Substances Act (21 U.S.C.
16 841(e)) is amended—

17 (i) in paragraph (1), by striking “and
18 shall be fined not more than \$10,000” and
19 inserting “or fined under title 18, United
20 States Code, or both”; and

21 (ii) in paragraph (2), by striking “and
22 shall be fined not more than \$20,000” and
23 inserting “or fined under title 18, United
24 States Code, or both”.

1 (B) IN SECTION 402.—Section 402(c)(2) of
2 the Controlled Substances Act (21 U.S.C.
3 842(c)) is amended—

4 (i) in subparagraph (A), by striking
5 “of not more than \$25,000” and inserting
6 “under title 18, United States Code”; and

7 (ii) in subparagraph (B), by striking
8 “of \$50,000” and inserting “under title
9 18, United States Code”.

10 (C) IN SECTION 403.—Section 403(d) of
11 the Controlled Substances Act (21 U.S.C.
12 843(d)) is amended—

13 (i) by striking “of not more than
14 \$30,000” each place that term appears
15 and inserting “under title 18, United
16 States Code”; and

17 (ii) by striking “of not more than
18 \$60,000” each place it appears and insert-
19 ing “under title 18, United States Code”.

20 (e) CROSS REFERENCE CORRECTIONS.—

21 (1) CROSS REFERENCE CORRECTIONS OCCA-
22 SIONED BY ENACTMENT OF INTERVENING LAW.—

23 (A) SECTION 3583.—Section 3583(d) of
24 title 18, United States Code, is amended by
25 striking “section 3563(b)(1) through (b)(10)

1 and (b)(12) through (b)(20)” and inserting
2 “paragraphs (1) through (9) and (11) through
3 (19) of section 3563(b)”.

4 (B) SECTION 3563.—Section 3563(a)(2) of
5 title 18, United States Code, is amended by
6 striking “, (b)(3), or (b)(13)” and inserting “or
7 (b)(12)”.

8 (2) SECTION 3664.—Section 3664(o)(1)(C) of
9 title 18, United States Code, is amended by striking
10 “section 3664(d)(3)” and inserting “subsection
11 (d)(5)”.

12 (3) CHAPTER 228.—Section 3592(c)(1) of title
13 18, United States Code, is amended by striking
14 “section 36” and inserting “section 37”.

15 (4) CORRECTING ERRONEOUS CROSS REF-
16 ERENCE IN CONTROLLED SUBSTANCES ACT.—Sec-
17 tion 511(a)(10) of the Controlled Substances Act
18 (21 U.S.C. 881(a)(10)) is amended by striking
19 “1822 of the Mail Order Drug Paraphernalia Con-
20 trol Act” and inserting “422”.

21 (5) CORRECTION TO REFLECT CROSS REF-
22 ERENCE CHANGE MADE BY OTHER LAW.—Effective
23 on the date of its enactment, section 601(c)(3) of
24 the Economic Espionage Act of 1996 is amended by
25 striking “247(d)” and inserting “247(e)”.

1 (6) TYPOGRAPHICAL AND TYPEFACE ERROR IN
2 TABLE OF CHAPTERS.—The item relating to chapter
3 123 in the table of chapters at the beginning of part
4 I of title 18, United States Code, is amended—

5 (A) by striking “2271” and inserting
6 “2721”; and

7 (B) so that the item appears in bold face
8 type.

9 (7) CORRECTION OCCASIONED BY ENACTMENT
10 OF INTERVENING LAW.—Section 3563(a) of title 18,
11 United States Code, is amended by striking “para-
12 graph (4)” each place it appears and inserting
13 “paragraph (5)”.

14 (8) SECTION 3565.—Section 3565(b)(3) of title
15 18, United States Code, is amended by striking
16 “3563(a)(4)” and inserting “3563(a)(5)”.

17 (9) SECTION 4104.—Section 4104(d) of title 18,
18 United States Code, is amended by striking “section
19 3653 of this title and rule 32(f) of” and inserting
20 “section 3565 of this title and the applicable provi-
21 sions of”.

22 (10) ERROR IN AMENDATORY LANGUAGE.—Ef-
23 fective on the date of its enactment, section 583 of
24 the Foreign Operations, Export Financing, and Re-
25 lated Programs Appropriations Act, 1998 (111 Stat.

1 2436) is amended by striking “Section 2401” and
 2 inserting “Section 2441”.

3 (11) ERROR IN CROSS REFERENCE TO COURT
 4 RULES.—The first sentence of section 3593(c) of
 5 title 18, United States Code, is amended by striking
 6 “rule 32(c)” and inserting “rule 32”.

7 (12) CORRECTION OF ERRONEOUS CITE IN
 8 AMENDATORY LANGUAGE.—Effective on the date of
 9 the enactment of section 102 of the Economic Espio-
 10 nage Act of 1996, such section is amended by strik-
 11 ing “Section 2516(1)(c)” and inserting “Section
 12 2516(1)(a)”.

13 (13) SECTION 1836.—Section 1836(a) of title
 14 18, United States Code, is amended by striking
 15 “this section” and inserting “this chapter”.

16 (14) CORRECTION OF ERRONEOUS CITE IN
 17 CHAPTER 119.—Section 2510(10) of title 18, United
 18 States Code, is amended by striking “shall have”
 19 and all that follows through “United States Code;”
 20 and inserting “has the meaning given that term in
 21 section 3 of the Communications Act of 1934;”.

22 (f) TABLES OF SECTIONS CORRECTIONS.—

23 (1) CONFORMING TABLE OF SECTIONS TO
 24 HEADING OF SECTION.—The item relating to section
 25 1837 in the table of sections at the beginning of

1 chapter 90 of title 18, United States Code, is
2 amended by striking “Conduct” and inserting “Ap-
3 plicability to conduct”.

4 (2) CONFORMING HEADING TO TABLE OF SEC-
5 TIONS ENTRY.—The heading of section 1920 of title
6 18, United States Code, is amended by striking
7 “**employee’s**” and inserting “**employees**”.

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