

105TH CONGRESS  
1ST SESSION

# S. 352

To require the United States Sentencing Commission to amend the Federal sentencing guidelines to provide an enhanced penalty for follow-on bombings.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 1997

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To require the United States Sentencing Commission to amend the Federal sentencing guidelines to provide an enhanced penalty for follow-on bombings.

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 “Police and Rescue  
5       Squad Protection Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act—

8               (1) the term “explosive” has the same meaning  
9       as in section 844(j) of title 18, United States Code;

1           (2) the term “public safety officer” has the  
 2           same meaning as in section 1204 of the Omnibus  
 3           Crime Control and Safe Streets Act of 1968 (42  
 4           U.S.C. 3796b); and

5           (3) the term “weapon of mass destruction” has  
 6           the same meaning as in section 2232a(b) of title 18,  
 7           United States Code.

8   **SEC. 3. FOLLOW-ON BOMBINGS.**

9           (a) SENTENCING ENHANCEMENT.—Pursuant to its  
 10          authority under section 994(p) of title 28, United States  
 11          Code, the United States Sentencing Commission shall  
 12          amend the Federal sentencing guidelines to provide an ap-  
 13          propriate sentencing enhancement for any offense in which  
 14          the defendant uses, or attempts or conspires to use, an  
 15          explosive or weapon of mass destruction with the intent  
 16          to injure any public safety officer responding to, inves-  
 17          tigating, or attending to any individual injured by, the use  
 18          or attempted use of a different explosive or weapon of  
 19          mass destruction.

20          (b) CONSIDERATIONS.—Any amendment made pur-  
 21          suant to subsection (a), or any policy statement interpret-  
 22          ing an amendment made pursuant to that subsection, shall  
 23          provide that a defendant has acted with the intent to in-  
 24          jure a public safety officer if the defendant uses, or at-  
 25          tempts or conspires to use, an explosive or a weapon of

1 mass destruction in close proximity, in both time and loca-  
2 tion, to another explosive or weapon of mass destruction.

3 (c) CONSISTENCY.—In carrying out this section, the  
4 United States Sentencing Commission shall—

5 (1) ensure that there is reasonable consistency  
6 with other Federal sentencing guidelines; and

7 (2) avoid duplicative punishment for substan-  
8 tially the same offense.

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