

# Union Calendar No. 266

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3120

[Report No. 104-549]

To amend title 18, United States Code, with respect to witness retaliation,  
witness tampering and jury tampering.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 1996

Mr. FOX of Pennsylvania introduced the following bill; which was referred to  
the Committee on the Judiciary

MAY 1, 1996

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 italic]

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## A BILL

To amend title 18, United States Code, with respect to  
witness retaliation, witness tampering and jury tampering.

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

3       ~~That title 18, United States Code, is amended—~~

4               (1) ~~in section 1513,~~ by adding at the end the

5       following:

1       “(e) If the retaliation occurred because of attendance  
2 at or testimony in a criminal case, the maximum term of  
3 imprisonment which may be imposed for the offense under  
4 this section shall be the higher of that otherwise provided  
5 by law or the maximum term that could have been im-  
6 posed for any offense charged in such case.”;

7           (2) in section 1512, by adding at the end the  
8 following:

9       “(i) If the offense under this section occurs in connec-  
10 tion with a trial of a criminal case, the maximum term  
11 of imprisonment which may be imposed for the offense  
12 shall be the higher of that otherwise provided by law or  
13 the maximum term that could have been imposed for any  
14 offense charged in such case.”; and

15           (3) in section 1503, by adding at the end the  
16 following: “If the offense under this section occurs  
17 in connection with a trial of a criminal case, the  
18 maximum term of imprisonment which may be im-  
19 posed for the offense shall be the higher of that oth-  
20 erwise provided by law or the maximum term that  
21 could have been imposed for any offense charged in  
22 such case.”.

23 *That title 18, United States Code, is amended—*

24           (1) *in section 1513—*

1                   (A) by redesignating subsection (c) as sub-  
2                   section (d); and

3                   (B) by adding at the end the following:

4                   “(c) If the retaliation occurred because of attendance  
5 at or testimony in a criminal case, the maximum term of  
6 imprisonment which may be imposed for the offense under  
7 this section shall be the higher of that otherwise provided  
8 by law or the maximum term that could have been imposed  
9 for any offense charged in such case.”;

10                  (2) in section 1512, by adding at the end the fol-  
11                  lowing:

12                  “(i) If the offense under this section occurs in connec-  
13 tion with a trial of a criminal case, the maximum term  
14 of imprisonment which may be imposed for the offense shall  
15 be the higher of that otherwise provided by law or the maxi-  
16 mum term that could have been imposed for any offense  
17 charged in such case.”; and

18                  (3) in section 1503(a), by adding at the end the  
19                  following: “If the offense under this section occurs in  
20                  connection with a trial of a criminal case, and the  
21                  act in violation of this section involves the threat of  
22                  physical force or physical force, the maximum term of  
23                  imprisonment which may be imposed for the offense  
24                  shall be the higher of that otherwise provided by law

- 1 *or the maximum term that could have been imposed*
- 2 *for any offense charged in such case.”.*



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