

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

# H. R. 4689

To disapprove certain sentencing guideline amendments.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2002

Mr. SMITH of Texas (for himself, Mr. SENSENBRENNER, Mr. HYDE, Mr. GEKAS, Mr. COBLE, Mr. GALLEGLY, Mr. GOODLATTE, Mr. BRYANT, Mr. CHABOT, Mr. BARR of Georgia, Mr. JENKINS, Mr. CANNON, Mr. GRAHAM, Mr. BACHUS, Mr. HOSTETTLER, Mr. GREEN of Wisconsin, Mr. KELLER, Mr. ISSA, Ms. HART, Mr. FLAKE, and Mr. PENCE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To disapprove certain sentencing guideline amendments.

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 “Fairness in Sentencing  
5       Act of 2002”.

1 **SEC. 2. DISAPPROVAL OF AMENDMENTS RELATING TO**  
2 **PROVIDING A MAXIMUM BASE OFFENSE**  
3 **LEVEL UNDER SECTION 2D1.1(a)(3) IF THE DE-**  
4 **FENDANT RECEIVES A MITIGATING ROLE AD-**  
5 **JUSTMENT UNDER SECTION 3B1.2.**

6 Amendment number 4 of the “Amendments to the  
7 Sentencing Guidelines, Policy Statements, and Official  
8 Commentary”, submitted by the United States Sentencing  
9 Commission to Congress on May 1, 2002, is disapproved  
10 and shall not take effect to the extent it—

11 (1) amends section 2D1.1(a)(3) of the sen-  
12 tencing guidelines; and

13 (2) amends the Commentary to section 3B1.2  
14 captioned “Application Notes”.

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