

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1763

To increase criminal penalties relating to terrorist murders, deny Federal benefits to terrorists, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

Mr. CARTER (for himself, Mr. GREEN of Wisconsin, and Mr. GOHMERT) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To increase criminal penalties relating to terrorist murders, deny Federal benefits to terrorists, 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 “Terrorist Penalties En-  
5        hancement Act of 2005”.

1 **SEC. 2. PENALTIES FOR TERRORIST OFFENSES RESULTING**  
2 **IN DEATH; DENIAL OF FEDERAL BENEFITS TO**  
3 **TERRORISTS.**

4 (a) IN GENERAL.—Chapter 113B of title 18, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

7 **“§ 2339E. Terrorist offenses resulting in death**

8 “(a) Whoever, in the course of committing a terrorist  
9 offense, engages in conduct that results in the death of  
10 a person, shall be punished by death or imprisoned for  
11 any term of years or for life.

12 “(b) As used in this section, the term ‘terrorist of-  
13 fense’ means—

14 “(1) a Federal felony offense that is—

15 “(A) a Federal crime of terrorism as de-  
16 fined in section 2332b(g) except to the extent  
17 such crime is an offense under section 1363; or

18 “(B) an offense under this chapter, section  
19 175, 175b, 229, or 831, or section 236 of the  
20 Atomic Energy Act of 1954; or

21 “(2) a Federal offense that is an attempt or  
22 conspiracy to commit an offense described in para-  
23 graph (1).

24 **“§ 2339F. Denial of Federal benefits to terrorists**

25 “(a) An individual or corporation who is convicted of  
26 a terrorist offense (as defined in section 2339E) shall, as

1 provided by the court on motion of the Government, be  
2 ineligible for any or all Federal benefits for any term of  
3 years or for life.

4 “(b) As used in this section, the term ‘Federal ben-  
5 efit’ has the meaning given that term in section 421(d)  
6 of the Controlled Substances Act, and also includes any  
7 assistance or benefit described in section 115(a) of the  
8 Personal Responsibility and Work Opportunity Reconcili-  
9 ation Act of 1996, with the same limitations and to the  
10 same extent as provided in section 115 of that Act with  
11 respect to denials of benefits and assistance to which that  
12 section applies.”.

13 (b) CONFORMING AMENDMENT TO TABLE OF SEC-  
14 TIONS.—The table of sections at the beginning of the  
15 chapter 113B of title 18, United States Code, is amended  
16 by adding at the end the following new items:

“2339D. Terrorist offenses resulting in death.  
“2339E. Denial of federal benefits to terrorists.”.

17 (c) AGGRAVATING FACTOR IN DEATH PENALTY  
18 CASES.—Section 3592(c)(1) of title 18, United States  
19 Code, is amended by inserting “section 2339D (terrorist  
20 offenses resulting in death),” after “destruction),”.



1 the information. The meaning of the term ‘especially heinous, cruel, or depraved’, as used in the factor set forth  
2 nous, cruel, or depraved’, as used in the factor set forth  
3 in former section 46503(c)(2)(B)(iv) of title 49, United  
4 States Code, or its predecessor, shall be narrowed by adding the limiting language ‘in that it involved torture or  
5 ing the limiting language ‘in that it involved torture or  
6 serious physical abuse to the victim’, and shall be construed as when that term is used in section 3592(c)(6)  
7 strued as when that term is used in section 3592(c)(6)  
8 of title 18, United States Code.”.

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