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114TH CONGRESS
2^D SESSION

H. R. 4002

[Report No. 114–889]

To amend title 18, United States Code, to make various improvements in Federal criminal law, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2015

Mr. SENSENBRENNER (for himself, Mr. GOODLATTE, Mr. CONYERS, Mr. LABRADOR, Ms. JACKSON LEE, and Mr. COLLINS of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

DECEMBER 23, 2016

Additional sponsors: Mr. FORBES, Mr. BISHOP of Michigan, and Mr. GOHMERT

DECEMBER 23, 2016

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 18, United States Code, to make various improvements in Federal criminal law, 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 “Criminal Code Im-
 5 provement Act of 2015”.

6 **SEC. 2. REVISION OF GENERAL PROVISIONS FOR TITLE 18,**

7 **UNITED STATES CODE.**

8 Chapter 1 of title 18, United States Code, is amended
 9 to read as follows:

10 **“CHAPTER 1—GENERAL PROVISIONS**

“Subchapter	
“A. Definitions	1
“B. Principal and derivative criminal responsibility	5
“C. Criminal states of mind	11
“D. Defenses	15
“E. Derivation of offenses from relevant State offences in special jurisdiction	20
“F. Other General Provisions	21

11 **“SUBCHAPTER A—DEFINITIONS**

“Sec.

“1. Definitions for title.

12 **“§ 1. Definitions for title**

13 “In this title, the following definitions apply unless
 14 otherwise provided:

15 “(1) The term ‘United States’ when used in a
 16 territorial sense, includes all places and waters, con-
 17 tinental or insular, subject to the jurisdiction of the
 18 United States.

19 “(2) The term ‘department’ means one of the
 20 executive departments enumerated in section 1 of

1 title 5, unless the context shows that such term was
2 intended to describe the executive, legislative, or ju-
3 dicial branches of the Government.

4 “(3) The term ‘agency’ includes any depart-
5 ment, independent establishment, commission, ad-
6 ministration, authority, board, or bureau of the
7 United States or any corporation in which the
8 United States has a proprietary interest, unless the
9 context shows that such term was intended to be
10 used in a more limited sense.

11 “(4) The term ‘State’ means a State of the
12 United States, the District of Columbia, or any com-
13 monwealth, territory, or possession of the United
14 States.

15 “(5) The term ‘special maritime and territorial
16 jurisdiction of the United States’ is as follows:

17 “(A) The high seas, any other waters with-
18 in the admiralty and maritime jurisdiction of
19 the United States and out of the jurisdiction of
20 any particular State, and any vessel belonging
21 in whole or in part to the United States or any
22 citizen thereof, or to any corporation created by
23 or under the laws of the United States, or of
24 any State, when such vessel is within the admi-
25 ralty and maritime jurisdiction of the United

1 States and out of the jurisdiction of any par-
2 ticular State.

3 “(B) Any vessel registered, licensed, or en-
4 rolled under the laws of the United States, and
5 being on a voyage upon the waters of any of the
6 Great Lakes, or any of the waters connecting
7 them, or upon the Saint Lawrence River where
8 the same constitutes the International Bound-
9 ary Line.

10 “(C) Any lands reserved or acquired for
11 the use of the United States, and under the ex-
12 clusive or concurrent jurisdiction thereof, or any
13 place purchased or otherwise acquired by the
14 United States by consent of the legislature of
15 the State in which the same shall be, for the
16 erection of a fort, magazine, arsenal, dockyard,
17 or other needful building.

18 “(D) Any island, rock, or key containing
19 deposits of guano, which may, at the discretion
20 of the President, be considered as appertaining
21 to the United States.

22 “(E) Any aircraft belonging in whole or in
23 part to the United States, or any citizen there-
24 of, or to any corporation created by or under
25 the laws of the United States, or any State,

1 while such aircraft is in flight over the high
2 seas, or over any other waters within the admi-
3 ralty and maritime jurisdiction of the United
4 States and out of the jurisdiction of any par-
5 ticular State.

6 “(F) Any vehicle used or designed for
7 flight or navigation in space and on the registry
8 of the United States pursuant to the Treaty on
9 Principles Governing the Activities of States in
10 the Exploration and Use of Outer Space, In-
11 cluding the Moon and Other Celestial Bodies
12 and the Convention on Registration of Objects
13 Launched into Outer Space, while that vehicle
14 is in flight, which is from the moment when all
15 external doors are closed on Earth following
16 embarkation until the moment when one such
17 door is opened on Earth for disembarkation or
18 in the case of a forced landing, until the com-
19 petent authorities take over the responsibility
20 for the vehicle and for persons and property
21 aboard.

22 “(G) Any place outside the jurisdiction of
23 any nation with respect to an offense by or
24 against a national of the United States.

1 “(H) To the extent permitted by inter-
2 national law, any foreign vessel during a voyage
3 having a scheduled departure from or arrival in
4 the United States with respect to an offense
5 committed by or against a national of the
6 United States.

7 “(I) With respect to offenses committed by
8 or against a national of the United States as
9 that term is used in section 101 of the Immi-
10 gration and Nationality Act—

11 “(i) the premises of United States
12 diplomatic, consular, military, or other
13 United States Government missions or en-
14 tities in foreign states, including the build-
15 ings, parts of buildings, and land appur-
16 tenant or ancillary thereto or used for pur-
17 poses of those missions or entities, irre-
18 spective of ownership; and

19 “(ii) residences in foreign states and
20 the land appurtenant or ancillary thereto,
21 irrespective of ownership, used for pur-
22 poses of those missions or entities or used
23 by United States personnel assigned to
24 those missions or entities.

1 “(J) Nothing in subparagraph (I) super-
2 sedes any treaty or international agreement
3 with which this clause conflicts. Subparagraph
4 (I) does not apply with respect to an offense
5 committed by a person described in section
6 3261(a).

7 “(6) The term ‘vessel of the United States’
8 means a vessel belonging in whole or in part to the
9 United States, or any citizen thereof, or any cor-
10 poration created by or under the laws of the United
11 States, or of any State.

12 “(7) The term ‘obligation or other security of
13 the United States’ includes all bonds, certificates of
14 indebtedness, national bank currency, Federal Re-
15 serve notes, Federal Reserve bank notes, coupons,
16 United States notes, Treasury notes, gold certifi-
17 cates, silver certificates, fractional notes, certificates
18 of deposit, bills, checks, or drafts for money, drawn
19 by or upon authorized officers of the United States,
20 stamps and other representatives of value, of what-
21 ever denomination, issued under any Act of Con-
22 gress, and canceled United States stamps.

23 “(8) The term ‘foreign government’ except in
24 sections 112, 878, 970, 1116, and 1201, includes
25 any government, faction, or body of insurgents with-

1 in a country with which the United States is at
2 peace, irrespective of recognition by the United
3 States.

4 “(9) The term ‘obligation or other security of
5 any foreign government’ includes uncanceled stamps,
6 whether or not demonetized.

7 “(10) The term ‘interstate commerce’ means
8 commerce between or among more than one State.

9 “(11) The term ‘foreign commerce’ means com-
10 merce with a foreign country.

11 “(12) The term ‘Postal Service’ means the
12 United States Postal Service established under title
13 39, and every officer and employee of that Service,
14 whether or not such officer or employee has taken
15 the oath of office.

16 “(13) The term ‘crime of violence’ means—

17 “(A) an offense that has as an element the
18 use, attempted use, or threatened use of phys-
19 ical force against the person or property of an-
20 other; or

21 “(B) any other offense that is a felony and
22 that, by its nature, involves a substantial risk
23 that physical force against the person or prop-
24 erty of another may be used in the course of
25 committing the offense.

1 “(14) The term ‘organization’ means a person
2 other than an individual.

3 “(15) The term ‘petty offense’ means a Class B
4 misdemeanor, a Class C misdemeanor, or an infrac-
5 tion, for which the maximum fine is no greater than
6 the amount set forth for such an offense in section
7 3571(b)(6) or (7) in the case of an individual or sec-
8 tion 3571(c)(6) or (7) in the case of an organization.

9 “(16) The term ‘financial institution’ means—

10 “(A) an insured depository institution (as
11 defined in section 3(c)(2) of the Federal De-
12 posit Insurance Act);

13 “(B) a credit union with accounts insured
14 by the National Credit Union Share Insurance
15 Fund;

16 “(C) a Federal home loan bank or a mem-
17 ber, as defined in section 2 of the Federal
18 Home Loan Bank Act, of the Federal home
19 loan bank system;

20 “(D) a System institution of the Farm
21 Credit System, as defined in section 5.35(3) of
22 the Farm Credit Act of 1971;

23 “(E) a small business investment company,
24 as defined in section 103 of the Small Business
25 Investment Act of 1958;

1 “(F) a depository institution holding com-
2 pany (as defined in section 3(w)(1) of the Fed-
3 eral Deposit Insurance Act;

4 “(G) a Federal Reserve bank or a member
5 bank of the Federal Reserve System;

6 “(H) an organization operating under sec-
7 tion 25 or section 25A of the Federal Reserve
8 Act;

9 “(I) a branch or agency of a foreign bank
10 (as such terms are defined respectively in sec-
11 tion 1(b) of the International Banking Act of
12 1978); or

13 “(J) a mortgage lending business or any
14 person or entity that makes in whole or in part
15 a federally related mortgage loan as defined in
16 section 3 of the Real Estate Settlement Proce-
17 dures Act of 1974.

18 “(17) The term ‘mortgage lending business’
19 means an organization which finances or refinances
20 any debt secured by an interest in real estate, in-
21 cluding private mortgage companies and any subsidi-
22 aries of such organizations, and whose activities af-
23 fect interstate or foreign commerce.

24 “(18) The term ‘court of the United States’ in-
25 cludes the District Court of Guam, the District

1 Court for the Northern Mariana Islands, and the
2 District Court of the Virgin Islands.

3 “(19) The term ‘Federal health care offense’
4 means a violation of, or a criminal conspiracy to vio-
5 late—

6 “(A) section 669, 1035, 1347, or 1518 of
7 this title or section 1128B of the Social Secu-
8 rity Act; or

9 “(B) section 287, 371, 664, 666, 1001,
10 1027, 1341, 1343, 1349, or 1954 of this title,
11 section 301 of the Federal Food, Drug, and
12 Cosmetic Act, section 501 of the Employee Re-
13 tirement Income Security Act of 1974, or sec-
14 tion 411, 518, or 511 of the Employee Retire-
15 ment Income Security Act of 1974, if the viola-
16 tion or conspiracy relates to a health care ben-
17 efit program.

18 “(20) The term ‘health care benefit program’
19 means any public or private plan or contract, affect-
20 ing interstate commerce or foreign commerce, under
21 which any medical benefit, item, or service is pro-
22 vided to any individual, and includes any individual
23 or entity who is providing a medical benefit, item, or
24 service for which payment may be made under the
25 plan or contract.

1 “(21) The term ‘seaport’ means all piers,
2 wharves, docks, and similar structures, adjacent to
3 any waters subject to the jurisdiction of the United
4 States, to which a vessel may be secured, including
5 areas of land, water, or land and water under and
6 in immediate proximity to such structures, buildings
7 on or contiguous to such structures, and the equip-
8 ment and materials on such structures or in such
9 buildings.

10 “(22) The term ‘serious bodily injury’ means
11 bodily injury which involves—

12 “(A) a substantial risk of death;

13 “(B) extreme physical pain;

14 “(C) protracted and obvious disfigurement;

15 or

16 “(D) protracted loss or impairment of the
17 function of a bodily member, organ, or mental
18 faculty.

19 “(23) The term ‘bodily injury’ means—

20 “(A) a cut, abrasion, bruise, burn, or dis-
21 figurement;

22 “(B) physical pain;

23 “(C) illness;

24 “(D) impairment of the function of a bod-
25 ily member, organ, or mental faculty; or

1 “(E) any other injury to the body, no mat-
2 ter how temporary.

3 “SUBCHAPTER B—PRINCIPAL AND DERIVATIVE
4 CRIMINAL RESPONSIBILITY

“Sec.

“5. Principals.

“6. Accessory after the fact.

“7. Misprision of felony.

“8. Use of minors in crimes of violence.

5 **“§ 5. Principals**

6 “(a) Whoever commits an offense against the United
7 States or aids, abets, counsels, commands, induces, or pro-
8 cures its commission, is punishable as a principal.

9 “(b) Whoever willfully causes an act to be done which
10 if directly performed by him or another would be an of-
11 fense against the United States, is punishable as a prin-
12 cipal.

13 **“§ 6. Accessory after the fact**

14 “(a) Whoever, knowing that an offense against the
15 United States has been committed, receives, relieves, com-
16 forts, or assists the offender in order to hinder or prevent
17 his apprehension, trial, or punishment, is an accessory
18 after the fact.

19 “(b) Except as otherwise expressly provided by any
20 Act of Congress, an accessory after the fact shall be im-
21 prisoned not more than one-half the maximum term of im-
22 prisonment or (notwithstanding section 3571) fined not
23 more than one-half the maximum fine prescribed for the

1 punishment of the principal, or both; or if the principal
2 is punishable by life imprisonment or death, the accessory
3 shall be imprisoned not more than 15 years.

4 **“§ 7. Misprision of felony**

5 “Whoever, having knowledge of the actual commis-
6 sion of a felony cognizable by a court of the United States,
7 conceals and does not as soon as possible make known
8 the same to some judge or other person in civil or military
9 authority under the United States, shall be fined under
10 this title or imprisoned not more than three years, or both.

11 **“§ 8. Use of minors in crimes of violence**

12 “(a) DEFINITIONS.—In this section—

13 “(1) the term ‘minor’ means a person who has
14 not reached 18 years of age; and

15 “(2) the term ‘uses’ means employs, hires, per-
16 suades, induces, entices, or coerces.

17 “(b) PENALTIES.—Any person who is 18 years of age
18 or older, who intentionally uses a minor to commit a crime
19 of violence for which such person may be prosecuted in
20 a court of the United States, or to assist in avoiding detec-
21 tion or apprehension for such an offense, shall—

22 “(1) for the first conviction, be subject to twice
23 the maximum term of imprisonment and twice the
24 maximum fine that would otherwise be authorized
25 for the offense; and

1 “(2) for each subsequent conviction, be subject
2 to 3 times the maximum term of imprisonment and
3 3 times the maximum fine that would otherwise be
4 authorized for the offense.

5 “SUBCHAPTER C—CRIMINAL STATES OF MIND

“Sec.

“11. Default state of mind proof requirement in Federal criminal cases.

“12. Stolen or counterfeit nature of property for certain crimes defined.

6 “§ 11. **Default state of mind proof requirement in Fed-**
7 **eral criminal cases**

8 “‘If no state of mind is required by law for a Federal
9 criminal offense—

10 “(1) the state of mind the Government must
11 prove is knowing; and

12 “(2) if the offense consists of conduct that a
13 reasonable person in the same or similar cir-
14 cumstances would not know, or would not have rea-
15 son to believe, was unlawful, the Government must
16 prove that the defendant knew, or had reason to be-
17 lieve, the conduct was unlawful.

18 “§ 12. **Stolen or counterfeit nature of property for**
19 **certain crimes defined**

20 “(a) Wherever in this title it is an element of an of-
21 fense that—

22 “(1) any property was embezzled, robbed, sto-
23 len, converted, taken, altered, counterfeited, falsely
24 made, forged, or obliterated; and

1 “(2) the defendant knew that the property was
2 of such character;
3 such element may be established by proof that the defend-
4 ant, after or as a result of an official representation as
5 to the nature of the property, believed the property to be
6 embezzled, robbed, stolen, converted, taken, altered, coun-
7 terfeited, falsely made, forged, or obliterated.

8 “(b) In this section, the term ‘official representation’
9 means any representation made by a Federal law enforce-
10 ment officer (as defined in section 115) or by another per-
11 son at the direction or with the approval of such an officer.

12 “SUBCHAPTER D—INSANITY DEFENSE

 “15. Insanity defenses

13 “§ 15. Insanity defense

14 “(a) IN GENERAL.—It is an affirmative defense to
15 a prosecution under any Federal statute that, at the time
16 of the commission of the acts constituting the offense, the
17 defendant, as a result of a severe mental disease or defect,
18 was unable to appreciate the nature and quality or the
19 wrongfulness of his acts. Mental disease or defect does not
20 otherwise constitute a defense.

21 “(b) BURDEN OF PROOF FOR INSANITY DEFENSE.—
22 The defendant has the burden of proving the defense of
23 insanity by clear and convincing evidence.

1 “SUBCHAPTER E—DERIVATION OF OFFENSES
2 FROM RELEVANT STATE OFFENSES IN SPE-
3 CIAL JURISDICTION

“Sec.

“20. Laws of States adopted for areas within Federal jurisdiction.

4 “§ 20. Laws of States adopted for areas within Fed-
5 eral jurisdiction

6 “(a) Whoever within the special maritime and terri-
7 torial jurisdiction of the United States or on, above, or
8 below any portion of the territorial sea of the United
9 States not within the jurisdiction of any State is guilty
10 of any act or omission which, although not made punish-
11 able by any enactment of Congress, would be punishable
12 if committed or omitted within the jurisdiction of the State
13 in which such place is situated, by the laws thereof in force
14 at the time of such act or omission, shall be guilty of a
15 like offense and subject to a like punishment.

16 “(b)(1) Subject to paragraph (2) and for purposes
17 of subsection (a) of this section, that which may or shall
18 be imposed through judicial or administrative action under
19 the law of a State for a conviction for operating a motor
20 vehicle under the influence of a drug or alcohol, shall be
21 considered to be a punishment provided by that law. Any
22 limitation on the right or privilege to operate a motor vehi-
23 cle imposed under this subsection shall apply only to the

1 special maritime and territorial jurisdiction of the United
2 States.

3 “(2)(A) In addition to any term of imprisonment pro-
4 vided for operating a motor vehicle under the influence
5 of a drug or alcohol imposed under the law of a State,
6 the punishment for such an offense under this section
7 shall include an additional term of imprisonment of not
8 more than 1 year, or if serious bodily injury of a minor
9 is caused, not more than 5 years, or if death of a minor
10 is caused, not more than 10 years, and an additional fine
11 under this title, or both, if—

12 “(i) a minor (other than the offender) was
13 present in the motor vehicle when the offense was
14 committed; and

15 “(ii) the law of the State in which the offense
16 occurred does not provide an additional term of im-
17 prisonment under the circumstances described in
18 clause (i).

19 “(B) For the purposes of subparagraph (A), the term
20 ‘minor’ means a person less than 18 years of age.

21 “(c) Whenever any waters of the territorial sea of the
22 United States lie outside the territory of any State, such
23 waters (including the airspace above and the seabed and
24 subsoil below, and artificial islands and fixed structures
25 erected thereon) shall be deemed, for purposes of sub-

1 section (a), to lie within the area of the State that it would
2 lie within if the boundaries of such State, Commonwealth,
3 territory, possession, or district were extended seaward to
4 the outer limit of the territorial sea of the United States.

5 “SUBCHAPTER F—OTHER GENERAL
6 PROVISIONS

“Sec.

“21. Non-preemption.

“22. Extraterritorial jurisdiction over derivative offenses.

7 **“§ 21. Non-preemption**

8 “‘The existence of a Federal criminal offense does not
9 preclude the application of a State or local law to the con-
10 duct proscribed by the offense, unless the law specifically
11 so provides or the State or local law requires conduct con-
12 stituting the Federal criminal offense.

13 **“§ 22. Extraterritorial jurisdiction over derivative of-
14 fenses**

15 “‘If extraterritorial jurisdiction exists for an offense
16 defined by a provision of law, then extraterritorial jurisdic-
17 tion also exists for any offense arising under subchapter
18 B as a result of conduct with respect the offense so de-
19 fined.’”.

20 **SEC. 3. CONFORMING AMENDMENTS TO ELIMINATE REP-
21 ETITION IN THE DEFINITION OF “STATE”.**

22 Title 18, United States Code, is amended—

23 (1) in section 31(a), by striking paragraph (9);

1 (2) in section 37(e), by striking “, and the
2 term” and all that follows through the end of the
3 subsection and inserting a period;

4 (3) in section 207(j)(7)(C)—

5 (A) by inserting “or” at the end of clause

6 (v);

7 (B) by striking “; and” at the end of
8 clause (vi) and inserting a period; and

9 (C) by striking clause (vii);

10 (4) in section 224(b), by striking “, territory,
11 Commonwealth, or possession” each place it ap-
12 pears;

13 (5) in section 228(f)—

14 (A) by inserting “; and” at the end of
15 paragraph (1); and

16 (B) by striking paragraph (2);

17 (6) in section 232, by striking paragraph (8);

18 (7) in section 242, by striking “, Territory,
19 Commonwealth, Possession, or District”;

20 (8) in section 245, by striking subsection (d);

21 (9) in section 248(e), by striking paragraph (6).

22 (10) in section 249(c)—

23 (A) by inserting “and” at the end of para-
24 graph (3);

1 (B) by striking “; and” at the end of para-
2 graph (4) and inserting a period; and

3 (C) by striking paragraph (5);

4 (11) in section 372, by striking “, Territory,
5 Possession, or District”;

6 (12) in section 402, by striking the last para-
7 graph;

8 (13) in section 491, by striking “, Common-
9 wealth of Puerto Rico, territory, possession, or the
10 District of Columbia”;

11 (14) in section 513(c)—

12 (A) by inserting “and” at the end of para-
13 graph (3)(E);

14 (B) by striking “; and” at the end of para-
15 graph (4) and inserting a period; and

16 (C) by striking paragraph (5);

17 (15) in section 521(a), by striking “‘State’
18 means” and all that follows through “United
19 States.”;

20 (16) in section 595—

21 (A) in the heading for that section, by
22 striking “, **State, or Territorial**” and in-
23 serting “**or State**”; and

1 (B) by striking “, Territory, or Possession
2 of the United States” each other place it ap-
3 pears;

4 (17) in the item relating to section 595 in the
5 table of sections at the beginning of chapter 29, by
6 striking “, State, or Territorial” and inserting “or
7 State”;

8 (18) in section 601(b)—

9 (A) by inserting “and” at the end of para-
10 graph (1);

11 (B) by striking “; and” at the end of para-
12 graph (2) and inserting a period; and

13 (C) by striking paragraph (3);

14 (19) in section 666—

15 (A) by inserting “and” at the end of para-
16 graph (3); and

17 (B) by striking paragraph (4);

18 (20) in section 793(h)(1), by striking the last
19 sentence;

20 (21) in section 794(d)(1), by striking the last
21 sentence;

22 (22) in section 798(d), by striking paragraph
23 (5);

24 (23) in section 831(f)(7), by striking “, State,”
25 and all that follows through “of the United States”;

1 (24) in section 836, by striking the penultimate
2 paragraph;

3 (25) in section 841, by striking the last sen-
4 tence of paragraph (b);

5 (26) in section 891, by striking paragraph (8);

6 (27) in section 921(a), by striking the last sen-
7 tence of paragraph (2);

8 (28) in the last sentence of section 1014, by
9 striking “of the United States” and all that follows
10 through the end of that sentence, and inserting a pe-
11 riod;

12 (29) in section 1020, by striking “or Terri-
13 tory”;

14 (30) in section 1028(d)—

15 (A) by inserting “and” at the end of para-
16 graph (10); and

17 (B) by striking paragraph (11);

18 (31) in section 1029(f), by striking the last sen-
19 tence;

20 (32) in section 1030(e), by striking paragraph
21 (3);

22 (33) in section 1033—

23 (A) by inserting “and” at the end of para-
24 graph (2);

1 (B) by striking “; and” at the end of para-
2 graph (3) and inserting a period; and

3 (C) by striking paragraph (4);

4 (34) in section 1073, by striking the last sen-
5 tence of the first paragraph;

6 (35) in section 1074(b)—

7 (A) by striking “, Territory, Common-
8 wealth, or possession of the United States”;
9 and

10 (B) by striking “they would” and inserting
11 “it would”;

12 (36) in section 1084, by striking subsection (e);

13 (37) in section 1121, by striking subsection (c);

14 (38) in section 1162—

15 (A) by striking “or Territories”; and

16 (B) by striking “or Territory” each place
17 it appears;

18 (39) in section 1202, by striking subsection (e);

19 (40) in section 1262, by striking “, Territory,
20 District, or Possession” each place it appears;

21 (41) in section 1265, by striking “, Territory,
22 District or Possession”;

23 (42) in section 1307(c), by striking “(1)
24 ‘State’” and all that follows through “and (2)”;

1 (43) in section 1511(b), by striking paragraph
2 (3);

3 (44) in section 1541, by striking the last para-
4 graph;

5 (45) in section 1546(c), by striking the last sen-
6 tence;

7 (46) in section 1715, by striking “, Territory,
8 Commonwealth, Possession, or District” each place
9 it appears;

10 (47) in section 1716, by striking subsection (k);

11 (48) in section 1716E, by striking subsection
12 (i);

13 (49) in section 1761, by striking subsection (e);

14 (50) in section 1838, by striking “, State,” and
15 all that follows through “territory” and inserting “or
16 State”;

17 (51) in section 1951(b)(3)—

18 (A) by striking “any Territory or Posses-
19 sion of the United States” and inserting “any
20 territory or possession of the United States”;
21 and

22 (B) by striking “, Territory, Possession, or
23 the District of Columbia”;

24 (52) in section 1952(b)—

25 (A) by striking “(i)”; and

1 (B) by striking “and (ii) the term” and all
2 that follows through “possession of the United
3 States”;

4 (53) in section 1953(c), by striking “, Common-
5 wealth of Puerto Rico, territory, possession, or the
6 District of Columbia”;

7 (54) in section 1953(d)—

8 (A) by inserting “and” at the end of para-
9 graph (4)(B);

10 (B) by striking “; and” at the end of para-
11 graph (5) and inserting a period; and

12 (C) by striking paragraph (6);

13 (55) in section 1955(b), by striking paragraph
14 (6);

15 (56) in section 1956(c)—

16 (A) by inserting “and” at the end of para-
17 graph (7)(F); and

18 (B) by striking paragraph (8);

19 (57) in section 1958(b)—

20 (A) by inserting “and” at the end of para-
21 graph (1);

22 (B) by striking “; and” at the end of para-
23 graph (2) and inserting a period; and

24 (C) by striking paragraph (3);

25 (58) in section 1960(b)—

1 (A) by inserting “and” at the end of para-
2 graph (1)(C);

3 (B) by striking “; and” at the end of para-
4 graph (2) and inserting a period; and

5 (C) by striking paragraph (3);

6 (59) in section 1992(d), by striking paragraph
7 (14);

8 (60) in section 2246—

9 (A) by inserting “and” at the end of para-
10 graph (4);

11 (B) by striking “; and” at the end of para-
12 graph (5) and inserting a period; and

13 (C) by striking paragraph (6);

14 (61) in section 2265A(b)—

15 (A) by striking “; and” at the end of para-
16 graph (1)(B); and

17 (B) by striking paragraph (2);

18 (62) in section 2266, by striking paragraph (8);

19 (63) in section 2281(c), by striking “, and the
20 term ‘State’” and all that follows through the end
21 of subsection (c), and inserting a period;

22 (64) in section 2293(b), by striking paragraph
23 (2);

24 (65) in section 2313—

25 (A) by striking “(a)”; and

- 1 (B) by striking subsection (b);
- 2 (66) in section 2315, by striking the penul-
- 3 timate paragraph;
- 4 (67) in section 2341, by striking paragraph (4);
- 5 (68) in section 2384, by striking “or Terri-
- 6 tory”;
- 7 (69) in section 2385, by striking “, Territory,
- 8 District or Possession thereof,”;
- 9 (70) in section 2386(B)(2)(c), by striking “,
- 10 Territory, District, or possession of the United
- 11 States”;
- 12 (71) in section 2426(b)—
- 13 (A) by striking “; and” at the end of para-
- 14 graph (1)(B); and
- 15 (B) by striking paragraph (2);
- 16 (72) in section 2510, by striking paragraph (3);
- 17 (73) in section 3077, by striking paragraph (5);
- 18 (74) in section 3127—
- 19 (A) by inserting “and” at the end of para-
- 20 graph (4);
- 21 (B) by striking “; and” at the end of para-
- 22 graph (5), and inserting a period; and
- 23 (C) by striking paragraph (6);
- 24 (75) in section 3156—

1 (A) by inserting “and” at the end of para-
2 graph (3);

3 (B) by striking “; and” at the end of para-
4 graph (4)(C), and inserting a period; and

5 (C) by striking paragraph (5);

6 (76) in section 3182—

7 (A) by striking “State or Territory” each
8 place it appears, including in the section head-
9 ing, and inserting “State”; and

10 (B) by striking “State, District, or Terri-
11 tory” each place it appears, including in the
12 section heading, and inserting “State”;

13 (77) in the item relating to section 3182 in the
14 table of sections for chapter 209—

15 (A) by striking “State or Territory” each
16 place it appears and inserting “State”; and

17 (B) by striking “State, District, or Terri-
18 tory” each place it appears and inserting
19 “State”;

20 (78) in section 3183—

21 (A) by striking “, **Territory, or Pos-**
22 **session**” in the heading; and

23 (B) by striking “, Territory, District, or
24 possession of the United States”;

1 (79) in the item relating to section 3183 in the
2 table of sections for chapter 209, by striking “, Ter-
3 ritory, or Possession”;

4 (80) in section 3194, by striking “or Terri-
5 tory”;

6 (81) in section 3481, by striking “, District,
7 Possession or Territory”;

8 (82) by striking section 3528 and the item re-
9 lating to that section in the table of sections at the
10 beginning of chapter 224;

11 (83) in section 3559(c)(2)—

12 (A) by inserting “and” at the end of sub-
13 paragraph (F)(ii); and

14 (B) by striking subparagraph (G);

15 (84) in section 3559(e)(2)—

16 (A) by inserting “and” at the end of sub-
17 paragraph (C);

18 (B) by striking “; and” at the end of sub-
19 paragraph (D), and inserting a period; and

20 (C) by striking subparagraph (E);

21 (85) in section 3563(b)(20), by striking “, the
22 District of Columbia, or any other possession or ter-
23 ritory of the United States,”;

24 (86) in section 4002, by striking “, Territory,”;

25 (87) in section 4003—

1 (A) by striking “or Territory,”; and

2 (B) by striking “, Territory,”;

3 (88) in section 4013(b), by striking “, terri-
4 tory,”;

5 (89) in section 4101, by striking paragraph (j);

6 (90) in section 5003—

7 (A) in subsection (a), by striking “or terri-
8 tory” each place it appears; and

9 (B) by striking subsection (d); and

10 (91) in section 5032, by striking the second
11 sentence in the second paragraph.

12 **SEC. 4. CONFORMING AMENDMENTS TO ELIMINATE REP-**
13 **ETITIOUS DEFINITIONS OF “SERIOUS BODILY**
14 **INJURY”.**

15 Title 18, United States Code, is amended—

16 (1) in section 37(a), by striking “(as defined in
17 section 1365 of this title)”;

18 (2) in section 38(b)(2), by striking “(as defined
19 in section 1365)”;

20 (3) in section 48(a)(1)—

21 (A) by striking “(as defined in section
22 1365 and including” and inserting “or”; and

23 (B) by striking the close parenthesis;

24 (4) in section 113(b), by striking paragraph
25 (2);

1 (5) in section 115(b)(1)(iv)—

2 (A) by striking “(as that term is defined in
3 section 1365 of this title, and including” and
4 inserting “or”; and

5 (B) by striking the close parenthesis and
6 inserting a comma;

7 (6) in section 249(c)(1), by striking “section
8 1365(h)(4) of this title” and inserting “section 1”;

9 (7) in section 1111(c)—

10 (A) by inserting “and” at the end of para-
11 graph (4); and

12 (B) by striking paragraph (5);

13 (8) in section 1347(a), by striking “(as defined
14 in section 1365 of this title)”;

15 (9) in section 1365(h)—

16 (A) by inserting “and” at the end of para-
17 graph (1);

18 (B) by striking the semicolon at the end of
19 paragraph (2) and inserting a period; and

20 (C) by striking paragraphs (3) and (4);

21 (10) in section 1841, by striking “(as defined in
22 section 1365)”;

23 (11) in section 1992(d), by striking paragraph
24 (12);

1 (12) in subparagraph (2) of the third undesig-
2 nated paragraph of section 2119—

3 (A) by striking “(as defined in section
4 1365 of this title, including” and inserting
5 “or”; and

6 (B) by striking the close parenthesis;

7 (13) in section 2199(2)—

8 (A) by striking “occurs (as defined under
9 section 1365, including”; and

10 (B) by striking the close parenthesis and
11 inserting “occurs”;

12 (14) in section 2237(b)(3), by striking “(as de-
13 fined in section 1365)”;

14 (15) in section 2291(a)(7), by striking “, as de-
15 fined in section 1365(h)(3)”;

16 (16) in section 2332b(g), by striking paragraph
17 (3);

18 (17) in section 2332f(e), by striking paragraph
19 (1);

20 (18) in section 2339C(e), by striking paragraph
21 (11);

22 (19) in section 2339D(c), by striking paragraph
23 (2); and

1 (20) in section 3559, in each of subsections
2 (c)(3)(A)(ii) and (f)(3), by striking “(as defined in
3 section 1365)”.

4 **SEC. 5. ELIMINATION OF OUTMODED REFERENCES TO THE**
5 **CANAL ZONE.**

6 Title 18, United States Code, is amended—

7 (1) in section 702, by striking “or in the Canal
8 Zone”;

9 (2) in section 841(b), by striking “(not includ-
10 ing the Canal Zone) each place it appears”; and

11 (3) in section 921(a)(2), by striking “(not in-
12 cluding the Canal Zone) each place it appears”.

13 **SEC. 6. INVENTORY AND INDEX OF FEDERAL CRIMINAL OF-**
14 **FENSES.**

15 (a) IN GENERAL.—Chapter 31 of title 28, United
16 States Code, is amended by adding at the end the fol-
17 lowing:

18 **“§ 530E. Inventory and index of Federal criminal of-**
19 **fenses**

20 “The Attorney General shall—

21 “(1) develop, maintain, and keep up to date a
22 current inventory and current subject matter index
23 of all Federal criminal offenses, including violations
24 of agency rules or regulations that by Federal stat-
25 ute constitute or define Federal criminal offenses;

1 “(2) design the inventory and index to which
2 paragraph (1) refers to include the text of all Fed-
3 eral criminal offenses to which paragraph (1) refers
4 and otherwise to maximize its usefulness to members
5 of the public seeking to ensure their compliance with
6 Federal criminal statutes and attorneys advising
7 members of the public with respect to such compli-
8 ance; and

9 “(3) beginning not later than one year after the
10 date of enactment of this section, make available to
11 the public at no charge, through the Internet and by
12 such other means as the Attorney General deter-
13 mines appropriate, the inventory and index to which
14 paragraph (1) refers.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of chapter 31 of title 28, United States
17 Code, is amended by adding at the end the following new
18 item:

“530E. Inventory and index of Federal criminal offenses.”.

Union Calendar No. 699

114TH CONGRESS
2^D SESSION

H. R. 4002

[Report No. 114-889]

A BILL

To amend title 18, United States Code, to make various improvements in Federal criminal law, and for other purposes.

DECEMBER 23, 2016

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed