

**Calendar No. 243**

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1332**

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**A BILL**

To clarify the application of certain Federal criminal laws to territories, possessions, and commonwealths, and for other purposes.

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NOVEMBER 16, 1995

Reported with an amendment

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### IN THE SENATE OF THE UNITED STATES

OCTOBER 18, 1995

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

NOVEMBER 16, 1995

Reported by Mr. HATCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To clarify the application of certain Federal criminal laws to territories, possessions, and commonwealths, 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 “Possessions and Terri-  
5 tories Criminal Law Clarification Act”.

1 **SEC. 2. APPLICATION OF VARIOUS OFFENSES TO POSSES-**  
2 **SIONS AND TERRITORIES.**

3 (a) Sections 241 and 242 of title 18, United States  
4 Code, are each amended by striking “any State, Territory,  
5 or District” and inserting “any State, Territory, Common-  
6 wealth, Possession, or District”.

7 (b) Sections 793(h)(1) and 794(d)(1) of title 18,  
8 United States Code, are each amended by adding at the  
9 end the following: “For the purposes of this subsection,  
10 the term ‘State’ includes a State of the United States, the  
11 District of Columbia, and any commonwealth, territory,  
12 or possession of the United States.”.

13 (c) Section 925(a)(5) of title 18, United States Code,  
14 is amended by striking “For the purpose of paragraphs  
15 (3) and (4)” and inserting “For the purpose of paragraph  
16 (3)”.

17 (d) Sections 1014 and 2113(g) of title 18, United  
18 States Code, are each amended by adding at the end the  
19 following: “The term ‘State-chartered credit union’ in-  
20 cludes a credit union chartered under the laws of a State  
21 of the United States, the District of Columbia, or any  
22 commonwealth, territory, or possession of the United  
23 States.”.

24 (e) Section 1073 of title 18, United States Code, is  
25 amended by adding at the end of the first paragraph the  
26 following: “For the purposes of clause (3) of this para-

1 graph, the term ‘State’ includes a State of the United  
2 States, the District of Columbia, and any commonwealth,  
3 territory, or possession of the United States.”.

4 (f) Section 1715 of title 18, United States Code, is  
5 amended by striking “State, Territory, or District” each  
6 place those words appear and inserting “State, Territory,  
7 Commonwealth, Possession, or District”.

8 (g) Section 1716 of title 18, United States Code, is  
9 amended—

10 (1) in subsection (g)(2) by striking “State, Ter-  
11 ritory, or the District of Columbia” and inserting  
12 “State”;

13 (2) in subsection (g)(3) by striking “the munici-  
14 pal government of the District of Columbia or of the  
15 government of any State or territory, or any county,  
16 city, or other political subdivision of a State” and in-  
17 serting “any State, or any political subdivision of a  
18 State”; and

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

20 “(j) For purposes of this section, the term ‘State’ in-  
21 cludes a State of the United States, the District of Colum-  
22 bia, and any commonwealth, territory, or possession of the  
23 United States.”.

1       (h) Section 1761 of title 18, United States Code, is  
2 amended by adding at the end the following new sub-  
3 section:

4       “(d) For the purposes of this section, the term ‘State’  
5 means a State of the United States and any common-  
6 wealth, territory, or possession of the United States.”.

7       (i) Section 3156(a) of title 18, United States Code,  
8 is amended—

9           (1) by striking “and” at the end of paragraph  
10       (3);

11           (2) by striking the period and inserting “; and”  
12       at the end of paragraph (4); and

13           (3) by adding at the end the following new  
14       paragraph:

15           “(5) the term ‘State’ includes a State of the  
16       United States, the District of Columbia, and any  
17       commonwealth, territory, or possession of the United  
18       States.”.

19       (j) Section 102 of the Controlled Substances Act (21  
20 U.S.C. 802) is amended—

21           (1) by amending paragraph (26) to read as fol-  
22       lows:

23           “(26) The term ‘State’ means a State of the  
24       United States, the District of Columbia, and any

1 commonwealth, territory, or possession of the United  
2 States.”; and

3 (2) by redesignating paragraph (43), as added  
4 by section 90105(d) of the Violent Crime Control  
5 and Law Enforcement Act of 1994, as paragraph  
6 (44).

7 (k) Section 1121 of title 18, United States Code, is  
8 amended by adding at the end the following new sub-  
9 section:

10 “(e) For the purposes of this section, the term ‘State’  
11 means a State of the United States, the District of Colum-  
12 bia, and any commonwealth, territory, or possession of the  
13 United States.”.

14 (l) Section 228(d)(2) of title 18, United States Code,  
15 is amended by inserting “commonwealth,” before “posses-  
16 sion or territory of the United States”.

17 (m) Section 1546(e) of title 18, United States Code,  
18 is amended by adding at the end the following: “For pur-  
19 poses of this section, the term ‘State’ means a State of  
20 the United States, the District of Columbia, and any com-  
21 monwealth, territory, or possession of the United States.”.

22 (n) Section 1541 of title 18, United States Code, is  
23 amended—

24 (1) in the first undesignated paragraph, by  
25 striking “or possession”; and

1           (2) by adding at the end the following new  
2 paragraph:

3           “For purposes of this section, the term ‘State’ means  
4 a State of the United States, the District of Columbia,  
5 and any commonwealth, territory, or possession of the  
6 United States.”.

7           (o) Section 37(e) of title 18, United States Code, is  
8 amended in the final sentence by inserting before the pe-  
9 riod the following: “, and the term ‘State’ means a State  
10 of the United States, the District of Columbia, and any  
11 commonwealth, territory, or possession of the United  
12 States”.

13          (p) Section 2281(e) of title 18, United States Code,  
14 is amended in the final sentence by inserting before the  
15 period the following: “, and the term ‘State’ means a State  
16 of the United States, the District of Columbia, and any  
17 commonwealth, territory, or possession of the United  
18 States”.

19          (q) Section 521(a) of title 18, United States Code,  
20 is amended by adding at the end the following: “‘State’  
21 means a State of the United States, the District of Colum-  
22 bia, and any commonwealth, territory, or possession of the  
23 United States.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Possessions and Terri-*  
3 *ories Criminal Law Clarification Act”.*

4 **SEC. 2. APPLICATION OF VARIOUS OFFENSES TO POSSES-**  
5 **SIONS AND TERRITORIES.**

6 *(a) Sections 241 and 242 of title 18, United States*  
7 *Code, are each amended by striking “any State, Territory,*  
8 *or District” and inserting “any State, Territory, Common-*  
9 *wealth, Possession, or District”.*

10 *(b) Sections 793(h)(1) and 794(d)(1) of title 18, Unit-*  
11 *ed States Code, are each amended by adding at the end the*  
12 *following: “For the purposes of this subsection, the term*  
13 *‘State’ includes a State of the United States, the District*  
14 *of Columbia, and any commonwealth, territory, or posses-*  
15 *sion of the United States.”.*

16 *(c) Section 925(a)(5) of title 18, United States Code,*  
17 *is amended by striking “For the purpose of paragraphs (3)*  
18 *and (4)” and inserting “For the purpose of paragraph (3)”.*

19 *(d) Sections 1014 and 2113(g) of title 18, United*  
20 *States Code, are each amended by adding at the end the*  
21 *following: “The term ‘State-chartered credit union’ includes*  
22 *a credit union chartered under the laws of a State of the*  
23 *United States, the District of Columbia, or any common-*  
24 *wealth, territory, or possession of the United States.”.*

25 *(e) Section 1073 of title 18, United States Code, is*  
26 *amended by adding at the end of the first paragraph the*

1 following: “For the purposes of clause (3) of this paragraph,  
2 the term ‘State’ includes a State of the United States, the  
3 District of Columbia, and any commonwealth, territory, or  
4 possession of the United States.”.

5 (f) Section 1715 of title 18, United States Code, is  
6 amended by striking “State, Territory, or District” each  
7 place those words appear and inserting “State, Territory,  
8 Commonwealth, Possession, or District”.

9 (g) Section 1716 of title 18, United States Code, is  
10 amended—

11 (1) in subsection (g)(2) by striking “State, Terri-  
12 tory, or the District of Columbia” and inserting  
13 “State”;

14 (2) in subsection (g)(3) by striking “the municipi-  
15 pal government of the District of Columbia or of the  
16 government of any State or territory, or any county,  
17 city, or other political subdivision of a State” and in-  
18 serting “any State, or any political subdivision of a  
19 State”; and

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

21 “(j) For purposes of this section, the term ‘State’ in-  
22 cludes a State of the United States, the District of Colum-  
23 bia, and any commonwealth, territory, or possession of the  
24 United States.”.

1       (h) Section 1761 of title 18, United States Code, is  
2 amended by adding at the end the following new subsection:

3       “(d) For the purposes of this section, the term ‘State’  
4 means a State of the United States and any commonwealth,  
5 territory, or possession of the United States.”.

6       (i) Section 3156(a) of title 18, United States Code, is  
7 amended—

8           (1) by striking “and” at the end of paragraph  
9 (3);

10          (2) by striking the period and inserting “; and”  
11 at the end of paragraph (4); and

12          (3) by adding at the end the following new para-  
13 graph:

14           “(5) the term ‘State’ includes a State of the  
15 United States, the District of Columbia, and any  
16 commonwealth, territory, or possession of the United  
17 States.”.

18       (j) Section 102 of the Controlled Substances Act (21  
19 U.S.C. 802) is amended—

20           (1) by amending paragraph (26) to read as fol-  
21 lows:

22           “(26) The term ‘State’ means a State of the  
23 United States, the District of Columbia, and any  
24 commonwealth, territory, or possession of the United  
25 States.”; and

1           (2) by redesignating paragraph (43), as added  
2           by section 90105(d) of the Violent Crime Control and  
3           Law Enforcement Act of 1994, as paragraph (44).

4           (k) Section 1121 of title 18, United States Code, is  
5           amended by adding at the end the following new subsection:

6           “(c) For the purposes of this section, the term ‘State’  
7           means a State of the United States, the District of Colum-  
8           bia, and any commonwealth, territory, or possession of the  
9           United States.”.

10          (l) Section 228(d)(2) of title 18, United States Code,  
11          is amended by inserting “commonwealth,” before “posses-  
12          sion or territory of the United States”.

13          (m) Section 1546(c) of title 18, United States Code,  
14          is amended by adding at the end the following: “For pur-  
15          poses of this section, the term ‘State’ means a State of the  
16          United States, the District of Columbia, and any common-  
17          wealth, territory, or possession of the United States.”.

18          (n) Section 1541 of title 18, United States Code, is  
19          amended—

20                 (1) in the first undesignated paragraph, by  
21                 striking “or possession”; and

22                 (2) by adding at the end the following new para-  
23                 graph:

24                 “*For purposes of this section, the term ‘State’ means*  
25                 *a State of the United States, the District of Columbia, and*

1 *any commonwealth, territory, or possession of the United*  
2 *States.”.*

3 *(o) Section 37(c) of title 18, United States Code, is*  
4 *amended in the final sentence by inserting before the period*  
5 *the following: “, and the term ‘State’ means a State of the*  
6 *United States, the District of Columbia, and any common-*  
7 *wealth, territory, or possession of the United States”.*

8 *(p) Section 2281(c) of title 18, United States Code, is*  
9 *amended in the final sentence by inserting before the period*  
10 *the following: “, and the term ‘State’ means a State of the*  
11 *United States, the District of Columbia, and any common-*  
12 *wealth, territory, or possession of the United States”.*

13 *(q) Section 521(a) of title 18, United States Code, is*  
14 *amended by adding at the end the following: “‘State’ means*  
15 *a State of the United States, the District of Columbia, and*  
16 *any commonwealth, territory, or possession of the United*  
17 *States.”.*

18 **SEC. 3. EFFECTIVE DATE.**

19 *This Act and the amendments made by this Act shall*  
20 *apply to offenses committed on or after the date of enact-*  
21 *ment of this Act.*