

108TH CONGRESS  
1ST SESSION

# S. 1604

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

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2003

Mr. SPECTER introduced the following bill; which was read twice and 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 2003”.

6 **SEC. 2. PENALTIES FOR TERRORIST MURDERS.**

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

1 **“§ 2339D. Terrorist offenses resulting in death**

2       “(a) PENALTY.—A person who, in the course of com-  
3 mitting a terrorist offense, engages in conduct that results  
4 in the death of a person, shall be punished by death or  
5 imprisoned for any term of years or for life.

6       “(b) TERRORIST OFFENSE DEFINED.—In this sec-  
7 tion, the term ‘terrorist offense’ means—

8               “(1) international or domestic terrorism as de-  
9 fined in section 2331;

10              “(2) a Federal crime of terrorism as defined in  
11 section 2332b(g);

12              “(3) an offense under this chapter;

13              “(4) section 175, 175b, 229, or 831 of this  
14 title;

15              “(5) section 236 of the Atomic Energy Act of  
16 1954 (42 U.S.C. 2284); or

17              “(6) an attempt or conspiracy to commit an of-  
18 fense described in paragraph (1), (2), (3), (4), or  
19 (5).”.

20       (b) CHAPTER ANALYSIS.—The chapter analysis of  
21 chapter 113B of title 18, United States Code, is amended  
22 by inserting at the end the following:

“2339D. Terrorist offenses resulting in death.”.

23       (c) AGGRAVATING FACTORS.—

1           (1) IN GENERAL.—Section 3591(a)(1) of title  
2           18, United States Code, is amended by striking “or  
3           section 2381” and inserting “2339D, or 2381”.

4           (2) CONFORMING AMENDMENT.—Section  
5           3592(b) of title 18, United States Code, is amend-  
6           ed—

7                   (A) in the heading, by striking “AND  
8                   TREASON” and inserting “, TREASON, AND TER-  
9                   RORISM”; and

10                   (B) in paragraph (1)—

11                           (i) in the heading, by striking “OR  
12                           TREASON” and inserting “, TREASON, OR  
13                           TERRORISM”; and

14                           (ii) by striking “or treason” and in-  
15                           serting “, treason, or terrorism”.

16 **SEC. 3. DENIAL OF FEDERAL BENEFITS TO TERRORISTS.**

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

20 **“§ 2339E. Denial of Federal benefits to terrorists**

21           “(a) IN GENERAL.—Any individual who is convicted  
22           of a Federal crime of terrorism (as defined in section  
23           2332b(g)) shall, as provided by the court on motion of  
24           the Government, be ineligible for any or all Federal bene-  
25           fits for any term of years or for life.

1           “(b) FEDERAL BENEFIT DEFINED.—As used in this  
2 section, ‘Federal benefit’ has the meaning given that term  
3 in section 421(d) of the Controlled Substances Act (21  
4 U.S.C. 862(d)).”.

5           (b) CHAPTER ANALYSIS.—The chapter analysis of  
6 chapter 113B of title 18, United States Code, is amended  
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