

118TH CONGRESS
2D SESSION

H. R. 10256

To authorize sentencing enhancements for certain criminal offenses directed by or coordinated with foreign governments.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 2024

Mrs. WAGNER (for herself, Mr. SCHNEIDER, Mr. MORAN, and Mr. MOSKOWITZ) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize sentencing enhancements for certain criminal offenses directed by or coordinated with foreign governments.

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 “Deterring External
5 Threats and Ensuring Robust Responses to Egregious and
6 Nefarious Criminal Endeavors Act” or the “DETER-
7 RENCE Act”.

8 **SEC. 2. KIDNAPPING.**

9 Section 1201 of title 18, United States Code, is
10 amended—

1 (1) by redesignating subsection (h) as sub-
2 section (i);

3 (2) by inserting after subsection (g) the fol-
4 lowing:

5 “(h) SENTENCE ENHANCEMENTS FOR OFFENSES DI-
6 RECTED BY OR COORDINATED WITH FOREIGN GOVERN-
7 MENTS.—

8 “(1) IN GENERAL.—The sentence of a person
9 convicted of an offense under subsection (a) may be
10 increased by up to 10 years if such offense was com-
11 mitted knowingly at the direction of or in coordina-
12 tion with a foreign government or an agent of a for-
13 eign government.

14 “(2) CONSPIRACY.—The sentence of a person
15 convicted of conspiring to commit a violation of sub-
16 section (a) as part of a conspiracy under the ele-
17 ments specified in subsection (c) may be increased
18 by up to 10 years if—

19 “(A) 1 or more of the persons involved in
20 such conspiracy were knowingly acting in co-
21 ordination with a foreign government or an
22 agent of a foreign government; and

23 “(B) the person convicted of conspiring to
24 commit a violation of subsection (a) knew that
25 1 or more of the persons involved in such con-

1 spiracy were knowingly acting in coordination
2 with a foreign government or an agent of a for-
3 eign government.

4 “(3) ATTEMPT.—The sentence of a person con-
5 victed of an attempt to violate subsection (a) may be
6 increased by up to 5 years if such attempt was
7 knowingly at the direction of or in coordination with
8 a foreign government or an agent of a foreign gov-
9 ernment.”; and

10 (3) in subsection (i), as so designated, by in-
11 serting “DEFINITION.—” before “As used in this
12 section”.

13 **SEC. 3. USE OF INTERSTATE COMMERCE FACILITIES IN**
14 **THE COMMISSION OF MURDER-FOR-HIRE.**

15 (a) IN GENERAL.—Section 1958 of title 18, United
16 States Code, is amended—

17 (1) by redesignating subsection (b) as sub-
18 section (c);

19 (2) by inserting after subsection (a) the fol-
20 lowing:

21 “(b) SENTENCE ENHANCEMENTS FOR OFFENSES DI-
22 RECTED BY OR COORDINATED WITH FOREIGN GOVERN-
23 MENTS.—The sentence of a person convicted of an offense
24 under subsection (a)—

1 “(1) may be increased by up to 5 years, if such
2 offense was committed knowingly at the direction of
3 or in coordination with a foreign government or an
4 agent of a foreign government; and

5 “(2) may be increased by up to 10 years—

6 “(A) if such offense was committed know-
7 ingly at the direction of or in coordination with
8 a foreign government or an agent of a foreign
9 government; and

10 “(B) personal injury results.”; and

11 (3) in subsection (c), as so redesignated, by in-
12 serting “DEFINITIONS.—” before “As used in this
13 section”.

14 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

15 (1) Section 2332b(g)(2) of title 18, United
16 States Code, is amended by striking “section
17 1958(b)(2)” and inserting “section 1958”.

18 (2) Section 1010A(d) of the Controlled Sub-
19 stances Import and Export Act (21 U.S.C. 960a(d))
20 is amended by striking “section 1958(b)(1)” and in-
21 serting “section 1958”.

1 **SEC. 4. INFLUENCING, IMPEDING, OR RETALIATING**
2 **AGAINST A FEDERAL OFFICIAL BY THREAT-**
3 **ENING OR INJURING A FAMILY MEMBER.**

4 Section 115(b) of title 18, United States Code, is
5 amended by adding at the end the following:

6 “(5) The sentence of a person convicted of an
7 offense under subsection (a), if such offense was
8 committed knowingly at the direction of or in coordi-
9 nation with a foreign government or an agent of a
10 foreign government—

11 “(A) may be increased by up to 5 years if
12 the offense committed was an assault involving
13 physical contact with the victim of that assault
14 or the intent to commit another felony;

15 “(B) may be increased by up to 10 years
16 if—

17 “(i) the offense committed was an as-
18 sult resulting in bodily injury (including
19 serious bodily injury (as that term is de-
20 fined in section 1365 of this title));

21 “(ii) the offense involved any conduct
22 that, if the conduct occurred in the special
23 maritime and territorial jurisdiction of the
24 United States, would violate section 2241
25 or 2242 of this title; or

1 “(iii) a dangerous weapon was used
2 during and in relation to the offense; and
3 “(C) may be increased by up to 10 years
4 if the offense committed was a murder, at-
5 tempted murder, or conspiracy to murder.”.

6 **SEC. 5. STALKING.**

7 Section 2261A of title 18, United States Code, is
8 amended—

9 (1) by striking “Whoever—” and inserting “(a)
10 IN GENERAL.—Except as provided in subsection (b),
11 whoever—”; and

12 (2) by adding at the end the following:

13 “(b) ENHANCED PENALTIES FOR OFFENSES IN-
14 VOLVING FOREIGN GOVERNMENTS.—The sentence of a
15 person convicted of an offense under paragraph (1) or (2)
16 of subsection (a), if such offense was committed knowingly
17 at the direction of or in coordination with a foreign gov-
18 ernment or an agent of a foreign government—

19 “(1) may be increased by up to 5 years if—

20 “(A) serious bodily injury (including per-
21 manent disfigurement or life threatening bodily
22 injury) to the victim results;

23 “(B) the offender uses a dangerous weap-
24 on during the offense; or

1 “(C) the victim of the offense is under the
2 age of 18 years;

3 “(2) may be increased by up to 10 years if
4 death of the victim results; and

5 “(3) may be increased by up to 30 months in
6 any other case.”.

7 **SEC. 6. PROTECTION OF OFFICERS AND EMPLOYEES OF**
8 **THE UNITED STATES.**

9 Section 1114 of title 18, United States Code, is
10 amended—

11 (1) by redesignating subsection (b) as sub-
12 section (c); and

13 (2) by inserting after subsection (a) the fol-
14 lowing:

15 “(b) SENTENCE ENHANCEMENTS FOR OFFENSES DI-
16 RECTED BY OR COORDINATED WITH FOREIGN GOVERN-
17 MENTS.—The sentence of a person convicted of an offense
18 under subsection (a) may be increased by up to 10 years
19 if such offense was committed knowingly at the direction
20 of or in coordination with a foreign government or an
21 agent of a foreign government.”.

22 **SEC. 7. PRESIDENTIAL AND PRESIDENTIAL STAFF ASSAS-**
23 **SINATION, KIDNAPPING, AND ASSAULT.**

24 Section 1751 of title 18, United States Code, is
25 amended—

1 (1) by redesignating subsections (f) through (k)
2 as subsections (g) through (i), respectively; and

3 (2) by inserting after subsection (e) the fol-
4 lowing:

5 “(f)(1) The sentence of a person convicted of an of-
6 fense under subsection (a), (b), or (c) may be increased
7 by up to 10 years if such offense was committed knowingly
8 at the direction of or in coordination with a foreign gov-
9 ernment or an agent of a foreign government.

10 “(2) The sentence of a person convicted of conspiring
11 to kill or kidnap any individual designated in subsection
12 (a) as part of a conspiracy under the elements specified
13 in subsection (d) may be increased by up to 10 years if—

14 “(A) 1 or more of the persons involved in such
15 conspiracy were knowingly acting in coordination
16 with a foreign government or an agent of a foreign
17 government; and

18 “(B) the person convicted of conspiring to kill
19 or kidnap an individual designated in subsection (a)
20 knew that 1 or more of the persons involved in such
21 conspiracy were knowingly acting in coordination
22 with a foreign government or an agent of a foreign
23 government.

1 “(3) The sentence of a person convicted of an offense
2 under subsection (e) may be increased by up to 10 years
3 if—

4 “(A) the victim was any person designated in
5 subsection (a)(1); and

6 “(B) such offense was committed knowingly at
7 the direction of or in coordination with a foreign
8 government or an agent of a foreign government.

9 “(4) The sentence of a person convicted of an offense
10 under subsection (e) may be increased by up to 10 years
11 if—

12 “(A) the victim was any person designated in
13 subsection (a)(2); and

14 “(B) such offense was committed knowingly at
15 the direction of or in coordination with a foreign
16 government or an agent of a foreign government.

17 “(5) The sentence of a person convicted of an offense
18 under subsection (e) may be increased by up to 10 years
19 if—

20 “(A)(i) the offense involved the use of a dan-
21 gerous weapon; or

22 “(ii) personal injury resulted; and

1 “(B) such offense was committed knowingly at
2 the direction of or in coordination with a foreign
3 government or an agent of a foreign government.”.

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