

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3979

To amend title 18, United States Code, with respect to certain mandatory minimum sentences.

---

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1994

Mr. SCHUMER (for himself and Mr. HYDE) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 18, United States Code, with respect to certain mandatory minimum sentences.

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 “Mandatory Minimum  
5 Sentencing Reform Act of 1994”.

6 **SEC. 2. LIMITATION ON APPLICABILITY OF MANDATORY**  
7 **MINIMUM PENALTIES IN CERTAIN CASES.**

8 Section 3553 of title 18, United States Code, is  
9 amended by adding at the end the following:

1       “(f) LIMITATION ON APPLICABILITY OF STATUTORY  
2 MINIMUMS IN CERTAIN CASES.—Notwithstanding any  
3 other provision of law, in the case of an offense under sec-  
4 tion 401, 404, or 406 of the Controlled Substances Act  
5 or section 1010 or 1013 of the Controlled Substances Im-  
6 port and Export Act, the court shall impose a sentence  
7 pursuant to guidelines established by the United States  
8 Sentencing Commission, without regard to any statutory  
9 minimum sentence, if the court finds at sentencing that—

10           “(1) the defendant does not have more than 0  
11 criminal history points under the United States Sen-  
12 tencing Commission Guidelines Manual;

13           “(2) the defendant did not use violence or credi-  
14 ble threats of violence or possess a firearm or other  
15 dangerous weapon (or induce another participant to  
16 do so) in connection with the offense;

17           “(3) the offense did not result in death or seri-  
18 ous bodily injury to any person;

19           “(4) the defendant was not an organizer, lead-  
20 er, manager, or supervisor of others (as determined  
21 under the United States Sentencing Commission  
22 Guidelines Manual) in the offense; and

23           “(5) the defendant has provided to the Govern-  
24 ment all information the defendant has concerning

1 the offense or other criminal conduct related to the  
2 offense.”.

○