

.....
(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To amend title 18, United States Code, to further protect officers and employees of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CUELLAR introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 18, United States Code, to further protect officers and employees of the United States, 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 “Jaime Zapata and Vic-
5 tor Avila Federal Law Enforcement Protection Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) since the founding of the Nation, officers
2 and employees of the United States Government
3 have dutifully and faithfully served the United
4 States overseas, including in situations that place
5 them at serious risk of death or bodily harm, in
6 order to preserve, protect, and defend the interests
7 of the United States;

8 (2) securing the safety of such officers and em-
9 ployees while serving overseas is of paramount im-
10 portance and is also in furtherance of preserving,
11 protecting, and defending the interests of the United
12 States;

13 (3) Federal courts, including the United States
14 Court of Appeals for the Second Circuit, the United
15 States Court of Appeals for the Ninth Circuit, and
16 the United States Court of Appeals for the Eleventh
17 Circuit, have correctly interpreted section 1114 of
18 title 18, United States Code, to apply
19 extraterritorially to protect officers and employees of
20 the United States while the officers and employees
21 are serving abroad; and

22 (4) recently, in a case involving a violent attack
23 against Federal law enforcement officers Jaime Za-
24 pata and Victor Avila, a panel of a Federal court of
25 appeals held that section 1114 of title 18, United

1 States Code, does not apply extraterritorially, cre-
2 ating a split among the United States circuit courts
3 of appeals; and in light of the opinion described in
4 **【paragraph (4)】**, it has become necessary for Con-
5 gress to clarify the original intent that section 1114
6 of title 18, United States Code applies
7 extraterritorially.

8 **SEC. 3. PROTECTION OF OFFICERS AND EMPLOYEES OF**
9 **THE UNITED STATES.**

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

12 (1) by inserting “(A) IN GENERAL.—” before
13 “Whoever”; and

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

15 “(b) EXTRATERRITORIAL JURISDICTION.—There is
16 extraterritorial jurisdiction over the conduct prohibited by
17 this section.”.