

UNITED STATES OF AMERICA REPUBLIC

Continental Congress Assembled



PUBLIC LAW 111-55(a)

Amended: 19 April 2017

Proposed Amendment 2 July 2017 to add Sections 1509 through 1521.

OBSTRUCTION OF JUSTICE

Pursuant to the United States of America Republic Constitution Amendment 19, Section 2, Clause 2, wherein it states; *“The United States of America Republic shall make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States of America Republic, or any Department or Officer thereof”*, there shall hereby be designated “Obstruction of Justice” provisions to serve this purpose. This amendment shall go into immediate force.

Introduced as **Senate Joint Resolution 55(a)**, with **55** co-sponsors and as **House Joint Resolution 55(a)** with **55** co-sponsors, a request was delivered before the Continental Congress to honor and therefore establish laws for Obstruction of Justice.

The resolution suffered no amendments, no exclusions, no demands that it became law.

The 1st Continental Congress of the United States of America Republic publicly declared 2015 the national "Year of the United States of America Republic". The document known as Public Law **111-55(a)** was signed and enacted into law on **2 July 2017** by the following **SIGNATORIES to this Legislative Act in Attendance;**

General Congress Assembled, United States of America Republic

1. *President, Province of Illinois, Christopher-Cannon: Bey*
2. *Speaker of the House, Province of Missouri; Sharon-Green: El*
3. *USAR Secretary of State, Province of Missouri; Ross Woody Jr,: Bey*
4. *U.S.A.R. Attorney General - Province of Illinois, Taiwan Smith Bey*

5. *Chief Justice, Province of Illinois, Romulus Dorsey: El*
6. *Chief Justice, Province of Illinois, Emmett-Marshall*
7. *Att. General - Province of Illinois - Larry Taylor: Bey*
8. *Assistant Atty. General, Province of Khalifa, Antonyeo Robinson: El*
9. *Foreign Affairs Minister, Province of Texas, Rafael-Vazquez: El*
10. *Dir. of Business Development, Province of Khalifa, Dadrin Anderson: Bey*
11. *Governor, Province of Florida, Albert Terraine-Griffin: Bey*
12. *Governor, Province of Georgia, Mandel Williams: El*
13. *Governor, Province of Indiana, Dexter-Johnson: Bey*
14. *Governor, Province of Khalifa, G. Riller: El*
15. *Governor, Province of Louisiana, Eric Wannamaker: Bey*
16. *Governor, Province of Maryland - Altie Archer: Bey*
17. *Governor, Province of Minnesota, Vicie Christine-Williams: Bey*
18. *Governor, Province of Missouri, Floyd-Harris: Bey*
19. *Governor, Province of New Jersey, Colin Hylton: El*
20. *Governor, Province of Tennessee, D. Maurice Parkam: Bey*
21. *Governor, Province of Virginia, Darnell Brown: Bey*
22. *Lt. Governor, Province of Georgia, Timothy Jackson: El*
23. *Lt. Governor, Province of Illinois, Rasit-Clady: Bey*
24. *Lt. Governor, Province of Nevada, Victor-Pizarro: El*
25. *Lt. Governor, Province of Virginia, Rich Wilson: Bey*
26. *Assistant Governor, Province of Georgia, Christopher Hill: Bey*
27. *Assistant Governor, Province of Virginia, Joseph-Middleton: Bey*
28. *Secretary of State, Province of Arizona, Stephanie-Clark: Bey*
29. *Secretary of State, Province of Khalifa, Demeitric Mason: El*
30. *Secretary of State, Province of Georgia, Maureen Willis: El*
31. *Secretary of State, Province of Illinois, Lewanda Hazelett: Bey*
32. *Secretary of State, Province of No. Carolina, Trevis-Haskins: El*
33. *Governor, Province of Michigan, Napoleon-Kendall: Bey*
34. *Public Minister, Province of Florida, William L.-Salter III,: Bey*
35. *Public Minister, Province of Missouri, Linda Ann-Bashful: El*
36. *Public Minister, Province of Ontario, Canada, Steven Richards: Bey*
37. *Representative, Province of Colorado, Ajoa Nash-Conner: Bey*
38. *Representative , Province of Minnesota, Yashmall: Bey (Kevin Scatfe: Bey)*
39. *Senator, Province of Colorado, Kalayon: El*
40. *Senator, Province of Georgia, Ronnell-Gray: Bey*
41. *Senator/Liaison, Province of Georgia, Tara-Hill: Bey*
42. *Senator, Province of Illinois, Clayton Ronald-Henderson: El*
43. *Senator, Province of Illinois, J. Sept: El*
44. *Senator, Province of Michigan, George-Bond: Bey*
45. *Vicegerent Commissioner, Province of Illinois, Leslie-Atkins: El*
46. *Vicegerent Chief, Province of Illinois, Saadiq: Bey*
47. *Vicegerent Captain, Province of Illinois, Steven Segura Bey*
48. *Vicegerent, Province of Arizona, Jorge-Bravo: Bey*
49. *Vicegerent, Province of Colorado, Evelyn-Gordon: Bey*

50. *Vicegerent Commissioner, Province of Michigan, Damon-Lewis: El*
51. *Vicegerent Commissioner, Province of Minnesota, Bryce Lee-Williams: Bey*
52. *Vicegerent Commissioner, Province of Ohio, Andwele-Montgomery: Bey*
53. *Vicegerent, Province of Georgia, Akiil: Bey*
54. *Vicegerent, Province of Ohio, Dana-Coggins: Bey*
55. *Vicegerent, Province of Ohio, Daryl Van-Brown: Bey*

It reads as follows:

PUBLIC LAW 111-55(a), on 2 July 2017

JOINT RESOLUTION

Authorizing and requesting the President

to proclaim and establish provisions in accordance with the **Constitution** and **Laws** of the **United States of America Republic**.

WHEREAS, the United States of America Republic, being a perpetual corporation is an autonomous State government lawfully incorporated and chartered for the benefit and protection of “We The Moorish American People”, by its Declaration, National Constitution and By-Laws, and aforementioned Articles;

WHEREAS the United States of America Republic’s official language is the English language;

WHEREAS the Moorish American People have made a unique contribution in shaping the United States of America Republic as a distinctive and blessed nation of people and citizens;

WHEREAS the Moorish American People are a People of deeply-held religious convictions springing from the Holy Scriptures of the Holy Koran of the Moorish Science Temple of America and the Learning, Teachings and Truth of the Holy Prophet Noble Drew Ali. The Holy Prophet Noble Drew Ali led his People back to the Principles and standards of their ancient forefathers’ Free National Principles and Standards;

WHEREAS the Principles of Love, Truth, Peace, Freedom and Justice inspired concepts of civil government that are contained in our Declaration of Independence and Constitution of the United States of America Republic;

WHEREAS the Moorish American People, are now in great comprehension that, as a Nation of People being Nationwide in scope to achieve peace as well as unity as a single harmonious Nation, there must be uniform Laws for the Nation. The **Constitution** and **Laws** of the **United States of America Republic** are "*the Rock on which our Republic rests*";

WHEREAS the history of our Nation clearly illustrates the value of a Nation to be able to create and pass its own Laws are beneficial to a Society to Enforce the Laws of the Nation. This is not to remove or change **The Moorish American People** from voluntarily applying and extending the learning, teachings and truth of the Holy Koran of the

Moorish Science Temple of America in the lives of individuals, families, or in their society as a nation of People;

WHEREAS this Nation now faces great challenges that will test this Nation as it has never been tested before; and

WHEREAS that renewing our knowledge of Law, Divine and National and having faith in Our Universal Creator through Holy Scriptures of the Holy Koran of the Moorish Science Temple of America, the Holy Bible and the Great Qu'ran of Mohammed as we honor all the divine Prophets Jesus, Mohammed, Buddha and Confucius. Therefore, the **Constitution and Laws of the United States of America Republic** and knowledge of the aforementioned Holy Scriptures can only strengthen our nation. I, President Christopher H- Cannon: Bey, therefore establish with the consent of the Continental Congress the provisions as the **Laws** of the **United States of America Republic**:

NOW, THEREFORE, be it Resolved by the Continental Congress of the United States of America Republic in Continental Congress assembled, That the President is authorized and requested to designate the administration of said laws.

LEGISLATIVE HISTORY-**PL.111 Res.:55(a)**
CONGRESSIONAL RECORD, Vol. #**(2017)**:

2 July 2017 considered and
passed by the Continental
Congress.

TITLE I - CRIMINAL CODE

CHAPTER 44

OBSTRUCTION OF JUSTICE

<u>Section No.</u>	<u>Description</u>
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1502.	Resistance to extradition agent.
1503.	Influencing or injuring officer or juror generally.
1504.	Influencing juror by writing.
1505.	Obstruction of proceedings before departments, agencies, and committees.
1506.	Theft or alteration of record or process; false bail.
1507.	Picketing or parading.
1508.	Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting.
1509.	Obstruction of court orders.
1510.	Obstruction of criminal investigations.
1511.	Obstruction of State or local law enforcement.
1512.	Tampering with a witness, victim, or an informant.
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1514.	Civil action to restrain harassment of a victim or witness.
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1515.	Definitions for certain provisions; general provision.
1516.	Obstruction of National audit.
1517.	Obstructing examination of financial institution.
1518.	Obstruction of criminal investigations of health care offenses.
1519.	Destruction, alteration, or falsification of records in National investigations and bankruptcy.
1520.	Destruction of corporate audit records.
1521.	Retaliating against a National judge or National law enforcement officer by false claim or slander of title.

TITLE I - CRIMINAL CODE

CHAPTER 44

OBSTRUCTION OF JUSTICE

SECTION 1501. Assault on process server

Whoever knowingly and willfully obstructs, resists, or opposes any officer of the United States of America Republic, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ or process of any court of the United States of America Republic, or United States of America Republic magistrate judge; or

Whoever assaults, beats, or wounds any officer or other person duly authorized, knowing him to be such officer, or other person so duly authorized, in serving or executing any such writ, rule, order, process, warrant, or other legal or judicial writ or process—

Shall, except as otherwise provided by law, be fined under this title or imprisoned not more than one year, or both.

SECTION 1502. Resistance to extradition agent

Whoever knowingly and willfully obstructs, resists, or opposes an extradition agent of the United States of America Republic in the execution of his duties, shall be fined under this title or imprisoned not more than one year, or both.

SECTION 1503. Influencing or injuring officer or juror generally

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States of America Republic, or officer who may be serving at any examination or other proceeding before any United States of America Republic Chief Judge, Judge or other committing judicial official, in the discharge of his duty, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, magistrate judge, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be punished as provided in subsection (b). If the offense under this section occurs in connection with a trial of a criminal case, and the act in violation of this section involves the threat of physical force or physical force, the maximum term of imprisonment which may be imposed for the offense shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

The punishment for an offense under this section is—

in the case of a killing, the punishment provided in sections 1111 and 1112;

in the case of an attempted killing, or a case in which the offense was committed against a petit juror and in which a class A or B felony was charged, imprisonment for not more than 20 years, a fine under this title, or both; and

in any other case, imprisonment for not more than 10 years, a fine under this title, or both.

SECTION 1504. Influencing juror by writing

Whoever attempts to influence the action or decision of any grand or petit juror of any court of the United States of America Republic upon any issue or matter pending before such juror, or before the jury of which he is a member, or pertaining to his duties, by writing or sending to him any written communication, in relation to such issue or matter, shall be fined under this title or imprisoned not more than six months, or both.

Nothing in this section shall be construed to prohibit the communication of a request to appear before the grand jury.

SECTION 1505. Obstruction of proceedings before departments, agencies, and committees

Whoever, with intent to avoid, evade, prevent, or obstruct compliance, in whole or in part, with any civil investigative demand duly and properly made under any antitrust civil processes, willfully withholds, misrepresents, removes from any place, conceals, covers up, destroys, mutilates, alters, or by other means falsifies any documentary material, answers to written interrogatories, or oral testimony, which is the subject of such demand; or attempts to do so or solicits another to do so; or

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States of America Republic, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both.

SECTION 1506. Theft or alteration of record or process; false bail

Whoever feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States of America Republic, whereby any judgment is reversed, made void, or does not take effect; or

Whoever acknowledges, or procures to be acknowledged in any such court, any recognizance, bail, or judgment, in the name of any other person not privy or consenting to the same—

Shall be fined under this title or imprisoned not more than five years, or both.

SECTION 1507. Picketing or parading

Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States of America Republic, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined under this title or imprisoned not more than one year, or both.

Nothing in this section shall interfere with or prevent the exercise by any court of the United States of America Republic of its power to punish for contempt.

SECTION 1508. Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting

Whoever knowingly and willfully, by any means or device whatsoever—

records, or attempts to record, the proceedings of any grand or petit jury in any court of the United States of America Republic while such jury is deliberating or voting; or

listens to or observes, or attempts to listen to or observe, the proceedings of any grand or petit jury of which he is not a member in any court of the United States of America Republic while such jury is deliberating or voting—

shall be fined under this title or imprisoned not more than one year, or both.

Nothing in paragraph (a) of this section shall be construed to prohibit the taking of notes by a grand or petit juror in any court of the United States of America Republic in connection with and solely for the purpose of assisting him in the performance of his duties as such juror.

SECTION 1509 - Obstruction of court orders

Whoever, by threats or force, willfully prevents, obstructs, impedes, or interferes with, or willfully attempts to prevent, obstruct, impede, or interfere with, the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States of America Republic, shall be fined under this title or imprisoned not more than one year, or both.

No injunctive or other civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime.

SECTION 1510 - Obstruction of criminal investigations

(a) Whoever willfully endeavors by means of bribery to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States of America Republic by any person to a criminal investigator shall be fined under this title, or imprisoned not more than five years, or both.

(b) (1) Whoever, being an officer of a financial institution, with the intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a subpoena for records of that financial institution, or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than 5 years, or both.

(2) Whoever, being an officer of a financial institution, directly or indirectly notifies—

(A) a customer of that financial institution whose records are sought by a subpoena for records; or

(B) any other person named in that subpoena;

about the existence or contents of that subpoena or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than one year, or both.

(3) As used in this subsection—

(A) the term “an officer of a financial institution” means an officer, director, partner, employee, agent, or attorney of or for a financial institution; and

(B) the term “subpoena for records” means a Province grand jury subpoena or a Department of Justice subpoena (issued under section 3486 of title 1), for customer records that has been served relating to a violation of, or a conspiracy to violate—

(i) section 215, 656, 657, 1005, 1006, 1007, 1014, 1344, 1956, 1957, or

(ii) section 1341 or 1343 affecting a financial institution.

(c) As used in this section, the term “criminal investigator” means any individual duly authorized by a department, agency, or armed force of the United States of America Republic to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States of America Republic.

(d) (1)Whoever—

(A) acting as, or being, an officer, director, agent or employee of a person engaged in the business of insurance whose activities affect interstate commerce, or

(B) is engaged in the business of insurance whose activities affect interstate commerce or is involved (other than as an insured or beneficiary under a policy of insurance) in a transaction relating to the conduct of affairs of such a business, with intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a subpoena for records of that person engaged in such business or information that has been furnished to a Province grand jury in response to that subpoena, shall be fined as provided by this title or imprisoned not more than 5 years, or both.

(2)As used in paragraph (1), the term “subpoena for records” means a Province grand jury subpoena for records that has been served relating to a violation of, or a conspiracy to violate, section 1033 of this title.

(e) Whoever, having been notified of the applicable disclosure prohibitions or confidentiality requirements of [certain “acts” and “sections” to be determined] knowingly and with the intent to obstruct an investigation or judicial proceeding violates such prohibitions or requirements applicable by law to such person shall be imprisoned for not more than five years, fined under this title, or both.

SECTION 1511 - Obstruction of State or local law enforcement

(a)It shall be unlawful for two or more persons to conspire to obstruct the enforcement of the criminal laws of a State or political subdivision thereof, with the intent to facilitate an illegal gambling business if—

(1) one or more of such persons does any act to effect the object of such a conspiracy;

(2) one or more of such persons is an official or employee, elected, appointed, or otherwise, of such State or political subdivision; and

(3) one or more of such persons conducts, finances, manages, supervises, directs, or owns all or part of an illegal gambling business.

(b)As used in this section—

(1)“illegal gambling business” means a gambling business which—

(i) is a violation of the law of a State or political subdivision in which it is conducted;

(ii) involves five or more persons who conduct, finance, manage, supervise, direct, or own all or part of such business; and

(iii) has been or remains in substantially continuous operation for a period in excess of thirty days or has a gross revenue of \$2,000 in any single day.

(2) “gambling” includes but is not limited to pool-selling, bookmaking, maintaining slot machines, roulette wheels, or dice tables, and conducting lotteries, policy, bolita or numbers games, or selling chances therein.

(3) “State” means any State of the United States of America Republic, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States of America Republic.

(c) This section shall not apply to any bingo game, lottery, or similar game of chance conducted by an organization exempt from tax under paragraph (3) of subsection (c) of section 501 of the U.S.A.R. Revenue Laws as amended, if no part of the gross receipts derived from such activity inures to the benefit of any private shareholder, member, or employee of such organization, except as compensation for actual expenses incurred by him in the conduct of such activity.

(d) Whoever violates this section shall be punished by a fine under this title or imprisonment for not more than five years, or both.

SECTION 1512 - Tampering with a witness, victim, or an informant

(a) (1) Whoever kills or attempts to kill another person, with intent to—

(A) prevent the attendance or testimony of any person in an official proceeding;

(B) prevent the production of a record, document, or other object, in an official proceeding; or

(C) prevent the communication by any person to a law enforcement officer or judge of the United States of America Republic of information relating to the commission or possible commission of a Province offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(2) Whoever uses physical force or the threat of physical force against any person, or attempts to do so, with intent to—

(A) influence, delay, or prevent the testimony of any person in an official proceeding;

(B) cause or induce any person to—

(i) withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(ii) alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding;

(iii) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(iv) be absent from an official proceeding to which that person has been summoned by legal process; or

(C) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of America Republic of information relating to the commission or possible commission of a Province offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings;

shall be punished as provided in paragraph (3).

(3)The punishment for an offense under this subsection is—

(A) in the case of a killing, the punishment provided in sections 1111 and 1112;

(B) in the case of—

(i) an attempt to murder; or

(ii) the use or attempted use of physical force against any person; imprisonment for not more than 30 years; and

(C) in the case of the threat of use of physical force against any person, imprisonment for not more than 20 years.

(b) Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(1) influence, delay, or prevent the testimony of any person in an official proceeding;

(2) cause or induce any person to—

(A) withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;

(C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(D) be absent from an official proceeding to which such person has been summoned by legal process; or

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of America Republic of information relating to the commission or possible commission of a Province offense or a violation of conditions of probation [1] supervised release,,[1] parole, or release pending judicial proceedings;

shall be fined under this title or imprisoned not more than 20 years, or both.

(c) Whoever corruptly—

(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or

(2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(d) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—

- (1)** attending or testifying in an official proceeding;
 - (2)** reporting to a law enforcement officer or judge of the United States of America Republic the commission or possible commission of a Province offense or a violation of conditions of probation¹ supervised release,,¹ parole, or release pending judicial proceedings;
 - (3)** arresting or seeking the arrest of another person in connection with a Province offense; or
 - (4)** causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceeding;
- or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

(e) In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

(f) For the purposes of this section—

- (1)** an official proceeding need not be pending or about to be instituted at the time of the offense; and
- (2)** the testimony, or the record, document, or other object need not be admissible in evidence or free of a claim of privilege.

(g) In a prosecution for an offense under this section, no state of mind need be proved with respect to the circumstance—

- (1)** that the official proceeding before a judge, court, magistrate judge, grand jury, or government agency is before a judge or court of the United States of America Republic, a United States of America Republic magistrate judge, a bankruptcy judge, a Province grand jury, or a Province Government agency; or
- (2)** that the judge is a judge of the United States of America Republic of America Republic or that the law enforcement officer is an officer or employee of the National Government or a person authorized to act for or on behalf of the National Government or serving the National Government as an adviser or consultant.

(h) There is extraterritorial National jurisdiction over an offense under this section.

- (i)** A prosecution under this section or section 1503 may be brought in the district in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected or in the district in which the conduct constituting the alleged offense occurred.

(j) If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment which may be imposed for the offense shall be the

higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

(k) Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

SECTION 1513 - Retaliating against a witness, victim, or an informant

(a) (1) Whoever kills or attempts to kill another person with intent to retaliate against any person for—

(A) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

(B) providing to a law enforcement officer any information relating to the commission or possible commission of a National offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings, shall be punished as provided in paragraph (2).

(2) The punishment for an offense under this subsection is—

(A) in the case of a killing, the punishment provided in sections 1111 and 1112; and

(B) in the case of an attempt, imprisonment for not more than 30 years.

(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—

(1) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

(2) any information relating to the commission or possible commission of a National offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings given by a person to a law enforcement officer; or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(c) If the retaliation occurred because of attendance at or testimony in a criminal case, the maximum term of imprisonment which may be imposed for the offense under this section shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

(d) There is extraterritorial National jurisdiction over an offense under this section.

(e) Whoever knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any National offense, shall be fined under this title or imprisoned not more than 10 years, or both.

(f) Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

(g) A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.

SECTION 1514 - Civil action to restrain harassment of a victim or witness

(a)(1) A United States of America Republic district court, upon application of the attorney for the Government, shall issue a temporary restraining order prohibiting harassment of a victim or witness in a National criminal case if the court finds, from specific facts shown by affidavit or by verified complaint, that there are reasonable grounds to believe that harassment of an identified victim or witness in a National criminal case exists or that such order is necessary to prevent and restrain an offense under section 1512 of this title, other than an offense consisting of misleading conduct, or under section 1513 of this title.

(2)

(A) A temporary restraining order may be issued under this section without written or oral notice to the adverse party or such party's attorney in a civil action under this section if the court finds, upon written certification of facts by the attorney for the Government, that such notice should not be required and that there is a reasonable probability that the Government will prevail on the merits.

(B) A temporary restraining order issued without notice under this section shall be endorsed with the date and hour of issuance and be filed forthwith in the office of the clerk of the court issuing the order.

(C) A temporary restraining order issued under this section shall expire at such time, not to exceed 14 days from issuance, as the court directs; the court, for good cause shown before expiration of such order, may extend the expiration date of the order for up to 14 days or for such longer period agreed to by the adverse party.

(D) When a temporary restraining order is issued without notice, the motion for a protective order shall be set down for hearing at the earliest possible time and takes precedence over all matters except older matters of the same character, and when such motion comes on for hearing, if the attorney for the Government does not proceed with the application for a protective order, the court shall dissolve the temporary restraining order.

(E) If on two days notice to the attorney for the Government, excluding intermediate weekends and holidays, or on such shorter notice as the court may prescribe, the adverse party appears and moves to dissolve or modify the temporary restraining order, the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require.

(F) A temporary restraining order shall set forth the reasons for the issuance of such order, be specific in terms, and describe in reasonable detail (and not by reference to the complaint or other document) the act or acts being restrained.

- (b)** **(1)** A United States of America Republic district court, upon motion of the attorney for the Government, or its own motion, shall issue a protective order prohibiting harassment of a victim or witness in a National criminal case or investigation if the court, after a hearing, finds by a preponderance of the evidence that harassment of an identified victim or witness in a National criminal case or investigation exists or that such order is necessary to prevent and restrain an offense under section 1512 of this title, other than an offense consisting of misleading conduct, or under section 1513 of this title.
- (2)** In the case of a minor witness or victim, the court shall issue a protective order prohibiting harassment or intimidation of the minor victim or witness if the court finds evidence that the conduct at issue is reasonably likely to adversely affect the willingness of the minor witness or victim to testify or otherwise participate in the National criminal case or investigation. Any hearing regarding a protective order under this paragraph shall be conducted in accordance with paragraphs (1) and (3), except that the court may issue an ex parte emergency protective order in advance of a hearing if exigent circumstances are present. If such an ex parte order is applied for or issued, the court shall hold a hearing not later than 14 days after the date such order was applied for or is issued.
- (3)** At the hearing referred to in paragraph (1) of this subsection, any adverse party named in the complaint shall have the right to present evidence and cross-examine witnesses.
- (4)** A protective order shall set forth the reasons for the issuance of such order, be specific in terms, describe in reasonable detail the act or acts being restrained.
- (5)** The court shall set the duration of effect of the protective order for such period as the court determines necessary to prevent harassment of the victim or witness but in no case for a period in excess of three years from the date of such order's issuance. The attorney for the Government may, at any time within ninety days before the expiration of such order, apply for a new protective order under this section, except that in the case of a minor victim or witness, the court may order that such protective order expires on the later of 3 years after the date of issuance or the date of the eighteenth birthday of that minor victim or witness.
- (c)** Whoever knowingly and intentionally violates or attempts to violate an order issued under this section shall be fined under this title, imprisoned not more than 5 years, or both.
- (d)** **(1)** As used in this section—
- (A)** the term “course of conduct” means a series of acts over a period of time, however short, indicating a continuity of purpose;
- (B)** the term “harassment” means a serious act or course of conduct directed at a specific person that—
- (i)** causes substantial emotional distress in such person; and
- (ii)** serves no legitimate purpose;
- (C)** the term “immediate family member” has the meaning given that term in section 115 and includes grandchildren;

(D)the term “intimidation” means a serious act or course of conduct directed at a specific person that—

- (i)** causes fear or apprehension in such person; and
- (ii)** serves no legitimate purpose;

(E) the term “restricted personal information” has the meaning give [1] that term in section 119;

(F) the term “serious act” means a single act of threatening, retaliatory, harassing, or violent conduct that is reasonably likely to influence the willingness of a victim or witness to testify or participate in a National criminal case or investigation; and

(G) the term “specific person” means a victim or witness in a National criminal case or investigation, and includes an immediate family member of such a victim or witness.

(2)For purposes of subparagraphs (B)(ii) and (D)(ii) of paragraph (1), a court shall presume, subject to rebuttal by the person, that the distribution or publication using the Internet of a photograph of, or restricted personal information regarding, a specific person serves no legitimate purpose, unless that use is authorized by that specific person, is for news reporting purposes, is designed to locate that specific person (who has been reported to law enforcement as a missing person), or is part of a government-authorized effort to locate a fugitive or person of interest in a criminal, antiterrorism, or national security investigation.

SECTION § 1514A - Civil action to protect against retaliation in fraud cases

(a)WHISTLEBLOWER PROTECTION FOR EMPLOYEES OF PUBLICLY TRADED COMPANIES.—No company with a class of securities registered under any act or that is required to file reports under any act including any subsidiary or affiliate whose financial information is included in the consolidated financial statements of such company, or nationally recognized statistical rating organization (as defined in said act) or any officer, employee, contractor, subcontractor, or agent of such company or nationally recognized statistical rating organization, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee—

(1)to provide information, cause information to be provided, or otherwise assist in an investigation regarding any conduct which the employee reasonably believes constitutes a violation of section 1341, 1343, 1344, or 1348, any rule or regulation of the Securities and Exchange Commission, or any provision of National law relating to fraud against shareholders, when the information or assistance is provided to or the investigation is conducted by—

- (A)** a National regulatory or law enforcement agency;
- (B)** any Member of Congress or any committee of Congress; or
- (C)** a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct); or

(2) to file, cause to be filed, testify, participate in, or otherwise assist in a proceeding filed or about to be filed (with any knowledge of the employer) relating to an alleged violation of any rule or regulation for securities, or any provision of National law relating to fraud against shareholders.

(b) ENFORCEMENT ACTION.—

(1) IN GENERAL.—A person who alleges discharge or other discrimination by any person in violation of subsection (a) may seek relief under subsection (c), by—

(A) filing a complaint with the Secretary of Labor; or

(B) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States of America Republic, which shall have jurisdiction over such an action without regard to the amount in controversy.

(2) PROCEDURE.—

(A) In general.—

An action under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States of America Republic Code.

(B) Exception.—

Notification made under section 42121(b)(1) of title 49, United States of America Republic Code, shall be made to the person named in the complaint and to the employer.

(C) Burdens of proof.—

An action brought under paragraph (1)(B) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States of America Republic Code.

(D) Statute of limitations.—

An action under paragraph (1) shall be commenced not later than 180 days after the date on which the violation occurs, or after the date on which the employee became aware of the violation.

(E) Jury trial.—

A party to an action brought under paragraph (1)(B) shall be entitled to trial by jury.

(c) REMEDIES.—

(1) IN GENERAL.—

An employee prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the employee whole.

(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

(A) reinstatement with the same seniority status that the employee would have had, but for the discrimination;

- (B)** the amount of back pay, with interest; and
- (C)** compensation for any special damages sustained as a result of the discrimination, including litigation costs, expert witness fees, and reasonable attorney fees.

(d) RIGHTS RETAINED BY EMPLOYEE.—

Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any National or State law, or under any collective bargaining agreement.

(e) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

(1) WAIVER OF RIGHTS AND REMEDIES.—

The rights and remedies provided for in this section may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

(2) PREDISPUTE ARBITRATION AGREEMENTS.—

No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this section.

SECTION 1515 - Definitions for certain provisions; general provision

(a) As used in sections 1512 and 1513 of this title and in this section—

(1) the term “official proceeding” means—

(A) a proceeding before a judge or court of the United States of America Republic, a United States of America Republic magistrate judge, a bankruptcy judge, a judge of the United States of America Republic Tax Court, a special trial judge of the Tax Court, a judge of the United States of America Republic Court of National Claims, or a National grand jury;

(B) a proceeding before the Congress;

(C) a proceeding before a National Government agency which is authorized by law; or

(D) a proceeding involving the business of insurance whose activities affect interstate commerce before any insurance regulatory official or agency or any agent or examiner appointed by such official or agency to examine the affairs of any person engaged in the business of insurance whose activities affect interstate commerce;

(2) the term “physical force” means physical action against another, and includes confinement;

(3) the term “misleading conduct” means—

(A) knowingly making a false statement;

(B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally

concealing a material fact, and thereby creating a false impression by such statement;

(C)with intent to mislead, knowingly submitting or inviting reliance on a writing or recording that is false, forged, altered, or otherwise lacking in authenticity;

(D) with intent to mislead, knowingly submitting or inviting reliance on a sample, specimen, map, photograph, boundary mark, or other object that is misleading in a material respect; or

(E)knowingly using a trick, scheme, or device with intent to mislead;

(4)the term “law enforcement officer” means an officer or employee of the National Government, or a person authorized to act for or on behalf of the National Government or serving the National Government as an adviser or consultant—

(A) authorized under law to engage in or supervise the prevention, detection, investigation, or prosecution of an offense; or

(B)serving as a probation or pretrial services officer under this title;

(5)the term “bodily injury” means—

(A)a cut, abrasion, bruise, burn, or disfigurement;

(B)physical pain;

(C) illness;

(D) impairment of the function of a bodily member, organ, or mental faculty; or

(E) any other injury to the body, no matter how temporary; and

(6) the term “corruptly persuades” does not include conduct which would be misleading conduct but for a lack of a state of mind.

(b) As used in section 1505, the term “corruptly” means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.

This chapter does not prohibit or punish the providing of lawful, bona fide, legal representation services in connection with or anticipation of an official proceeding.

SECTION 1516 - Obstruction of National audit

(a) Whoever, with intent to deceive or defraud the United States of America Republic, endeavors to influence, obstruct, or impede a National auditor in the performance of official duties relating to a person, entity, or program receiving in excess of \$100,000, directly or indirectly, from the United States of America Republic in any 1 year period under a contract or subcontract, grant, or cooperative agreement, or relating to any property that is security for a mortgage note that is insured, guaranteed, acquired, or held by the Secretary of Housing and Urban Development pursuant to any Act administered by the Secretary, or relating to any property that is

security for a loan that is made or guaranteed under any housing act shall be fined under this title, or imprisoned not more than 5 years, or both.

(b)For purposes of this section—

(1) the term “Province auditor” means any person employed on a full- or part-time or contractual basis to perform an audit or a quality assurance inspection for or on behalf of the United States of America Republic; and

(2) the term “in any 1 year period” has the meaning given to the term “in any one-year period” in section 666.

SECTION 1517 - Obstructing examination of financial institution

Whoever corruptly obstructs or attempts to obstruct any examination of a financial institution by an agency of the United States of America Republic with jurisdiction to conduct an examination of such financial institution shall be fined under this title, imprisoned not more than 5 years, or both.

SECTION 1518 - Obstruction of criminal investigations of health care offenses

(a)Whoever willfully prevents, obstructs, misleads, delays or attempts to prevent, obstruct, mislead, or delay the communication of information or records relating to a violation of a Province health care offense to a criminal investigator shall be fined under this title or imprisoned not more than 5 years, or both.

(b)As used in this section the term “criminal investigator” means any individual duly authorized by a department, agency, or armed force of the United States of America Republic to conduct or engage in investigations for prosecutions for violations of health care offenses.

SECTION 1519 - Destruction, alteration, or falsification of records in Province investigations and bankruptcy

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States of America Republic or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

SECTION 1520 - Destruction of corporate audit records

(a) **(1)** Any accountant who conducts an audit of an issuer of securities shall maintain all audit or review work papers for a period of 5 years from the end of the fiscal period in which the audit or review was concluded.

(2) A securities commission shall promulgate, within 180 days, after adequate notice and an opportunity for comment, such rules and regulations, as are reasonably necessary, relating to the retention of relevant records such as work papers, documents that form the basis of an audit or review, memoranda, correspondence, communications, other documents, and records (including electronic records) which are created, sent, or received in connection with an audit or review and contain conclusions, opinions, analyses, or financial data relating to such an audit or review, which is conducted by any accountant who conducts an audit of an issuer of securities to which any section applies. The Commission may, from time to time, amend or supplement the rules and regulations that it is required to promulgate under this section, after adequate notice and an opportunity for comment, in order to ensure that such rules and regulations adequately comport with the purposes of this section.

- (b) Whoever knowingly and willfully violates subsection (a)(1), or any rule or regulation promulgated by the any securities act which law shall prohibit such action, shall be fined under this title, imprisoned not more than 10 years, or both.
- (c) Nothing in this section shall be deemed to diminish or relieve any person of any other duty or obligation imposed by Province or National law or regulation to maintain, or refrain from destroying, any document.

SECTION 1521 - Retaliating against a Province judge or Province law enforcement officer by false claim or slander of title

Whoever files, attempts to file, or conspires to file, in any public record or in any private record which is generally available to the public, any false lien or encumbrance against the real or personal property of an individual described in section 1114, on account of the performance of official duties by that individual, knowing or having reason to know that such lien or encumbrance is false or contains any materially false, fictitious, or fraudulent statement or representation, shall be fined under this title or imprisoned for not more than 10 years, or both.

[End of Resolution]