

§2A2.1

(c) Cross References

- (1) If the offense resulted in the death of a victim, apply §2A1.1 (First Degree Murder).
- (2) If the offense resulted in an attempted murder or assault with intent to commit murder, apply §2A2.1 (Assault with Intent to Commit Murder; Attempted Murder).

Commentary

Statutory Provisions: 18 U.S.C. §§ 351(d), 371, 373, 1117, 1751(d).

<i>Historical Note</i>	Effective November 1, 1990 (amendment 311). Amended effective November 1, 2004 (amendment 663).
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2. ASSAULT

§2A2.1. Assault with Intent to Commit Murder; Attempted Murder

(a) Base Offense Level:

- (1) **33**, if the object of the offense would have constituted first degree murder; or
- (2) **27**, otherwise.

(b) Specific Offense Characteristics

- (1) If (A) the victim sustained permanent or life-threatening bodily injury, increase by **4** levels; (B) the victim sustained serious bodily injury, increase by **2** levels; or (C) the degree of injury is between that specified in subdivisions (A) and (B), increase by **3** levels.
- (2) If the offense involved the offer or the receipt of anything of pecuniary value for undertaking the murder, increase by **4** levels.

Commentary

Statutory Provisions: 18 U.S.C. §§ 113(a)(1), 351(c), 1113, 1116(a), 1751(c), 1841(a)(2)(C), 1992(a)(7), 2199, 2291. For additional statutory provision(s), see Appendix A (Statutory Index).