**6.22 Jury Consideration of Punishment**

The punishment provided by law for this crime is for the court to decide. You may not consider punishment in deciding whether the government has proved its case against the defendant beyond a reasonable doubt.

**Comment**

In *United States v. Lynch*, 903 F.3d 1061, 1081 (9th Cir. 2018), the Ninth Circuit rejected a challenge to this instruction.

*Revised Sept. 2019*