

106TH CONGRESS
2D SESSION

H. R. 4827

To amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2000

Mr. HORN (for himself, Mr. McCOLLUM, Mr. BARCIA, Ms. BERKLEY, Mr. COOK, Mr. CLEMENT, Mr. GREEN of Texas, Mr. GARY MILLER of California, Mrs. MYRICK, Mr. RAMSTAD, Mr. SMITH of Washington, and Mr. VISCLOSKY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, 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 “Enhanced Federal Se-
5 curity Act of 2000”.

1 **SEC. 2. ENTRY BY FALSE PRETENSES TO ANY REAL PROP-**
2 **ERTY, VESSEL, OR AIRCRAFT OF THE UNITED**
3 **STATES, OR SECURE AREA OF AIRPORT.**

4 (a) IN GENERAL.—Chapter 47 of title 18, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 1036. Entry by false pretenses to any real property,**
8 **vessel, or aircraft of the United States or**
9 **secure area of any airport**

10 “(a) Whoever, by any fraud or false pretense, enters
11 or attempts to enter—

12 “(1) any real property belonging in whole or in
13 part to, or leased by, the United States;

14 “(2) any vessel or aircraft belonging in whole or
15 in part to, or leased by, the United States; or

16 “(3) any secure area of any airport;

17 shall be punished as provided in subsection (b) of this sec-
18 tion.

19 “(b) The punishment for an offense under subsection
20 (a) of this section is—

21 “(1) a fine under this title or imprisonment for
22 not more than five years, or both, if the offense is
23 committed with the intent to commit any crime; or

24 “(2) a fine under this title or imprisonment for
25 not more than two years, or both, in any other case.

26 “(c) As used in this section—

1 “(1) the term ‘secure area’ means an area ac-
 2 cess to which is restricted by the airport authority
 3 or a public agency; and

4 “(2) the term ‘airport’ has the meaning given
 5 such term in section 47102 of title 49.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
 7 at the beginning of chapter 47 of title 18, United States
 8 Code, is amended by adding at the end the following new
 9 item:

“1036. Entry by false pretenses to any real property, vessel, or aircraft of the
 United States or secure area of any airport.”.

10 **SEC. 3. POLICE BADGES.**

11 (a) IN GENERAL.—Chapter 33 of title 18, United
 12 States Code, is amended by adding at the end the fol-
 13 lowing:

14 **“§ 716. Police badges**

15 “(a) Whoever—

16 “(1) knowingly transfers, transports, or re-
 17 ceives, in interstate or foreign commerce, a counter-
 18 feit police badge;

19 “(2) knowingly transfers, in interstate or for-
 20 eign commerce, a genuine police badge to an indi-
 21 vidual, knowing that such individual is not author-
 22 ized to possess it under the law of the place in which
 23 the badge is the official badge of the police;

1 “(3) knowingly receives a genuine police badge
2 in a transfer prohibited by paragraph (2); or

3 “(4) being a person not authorized to possess a
4 genuine police badge under the law of the place in
5 which the badge is the official badge of the police,
6 knowingly transports that badge in interstate or for-
7 eign commerce;

8 shall be fined under this title or imprisoned not more than
9 six months, or both.

10 “(b) It is a defense to a prosecution under this sec-
11 tion that the badge is used or is intended to be used
12 exclusively—

13 “(1) in a collection or exhibit;

14 “(2) for decorative purposes; or

15 “(3) for a dramatic presentation, such as a the-
16 atrical, film, or television production.

17 “(c) As used in this section—

18 “(1) the term ‘genuine police badge’ means an
19 official badge issued by public authority to identify
20 an individual as a law enforcement officer having po-
21 lice powers; and

22 “(2) the term ‘counterfeit police badge’ means
23 an item that so resembles a police badge that it
24 would deceive an ordinary individual into believing it
25 was a genuine police badge.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 33 of title 18, United States
3 Code, is amended by adding at the end the following new
4 item:

“716. Police badges.”.

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