

Public Law 106-547
106th Congress

An Act

Dec. 19, 2000
[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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Enhanced
Federal Security
Act of 2000.
18 USC 700 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Enhanced Federal Security Act of 2000”.

SEC. 2. ENTRY BY FALSE PRETENSES TO ANY REAL PROPERTY, VESSEL, OR AIRCRAFT OF THE UNITED STATES, OR SECURE AREA OF AIRPORT.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

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

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

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

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

“(3) any secure area of any airport,

shall be punished as provided in subsection (b) of this section.

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

“(1) a fine under this title or imprisonment for not more than 5 years, or both, if the offense is committed with the intent to commit a felony; or

“(2) a fine under this title or imprisonment for not more than 6 months, or both, in any other case.

“(c) As used in this section—

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

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

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

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

SEC. 3. POLICE BADGES.

(a) IN GENERAL.—Chapter 33 of title 18, United States Code, is amended by adding at the end the following:

“§ 716. Police badges

“(a) Whoever—

“(1) knowingly transfers, transports, or receives, in interstate or foreign commerce, a counterfeit police badge;

“(2) knowingly transfers, in interstate or foreign commerce, a genuine police badge to an individual, knowing that such individual is not authorized to possess it under the law of the place in which the badge is the official badge of the police;

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

“(4) being a person not authorized to possess a genuine police badge under the law of the place in which the badge is the official badge of the police, knowingly transports that badge in interstate or foreign commerce,

shall be fined under this title or imprisoned not more than 6 months, or both.

“(b) It is a defense to a prosecution under this section that the badge is used or is intended to be used exclusively—

“(1) as a memento, or in a collection or exhibit;

“(2) for decorative purposes;

“(3) for a dramatic presentation, such as a theatrical, film, or television production; or

“(4) for any other recreational purpose.

“(c) As used in this section—

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

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

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

“716. Police badges.”

Approved December 19, 2000.

LEGISLATIVE HISTORY—H.R. 4827:

HOUSE REPORTS: No. 106-913 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 2, considered and passed House.

Dec. 6, considered and passed Senate.