

107TH CONGRESS  
1ST SESSION

# S. 1672

To prevent terrorist hoaxes and false reports.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 2001

Mr. EDWARDS introduced the following bill; which was read twice and referred  
to the Committee on the Judiciary

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## A BILL

To prevent terrorist hoaxes and false reports.

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 “Punishing Terrorist  
5       Hoaxes Act of 2001”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) the expert resources available to the Gov-  
9       ernment to deal with Federal crimes involving actual  
10      or potential chemical, biological, and nuclear weap-  
11      ons are limited;

1           (2) false reporting of such crimes almost invari-  
 2           ably requires the attention of Federal investigative,  
 3           scientific, and public health officers and employees,  
 4           thereby dangerously impairing the Government's  
 5           ability to deal with real situations;

6           (3) recent episodes amply demonstrate that  
 7           even isolated false reports can have a substantial ad-  
 8           verse effect on interstate and foreign commerce,  
 9           causing needless worry or even panic in the general  
 10          public, and encouraging copycat episodes; and

11          (4) a comprehensive prohibition on such false  
 12          reports is necessary to preserve scarce and vital Fed-  
 13          eral resources, to avoid substantial adverse effects  
 14          on interstate and foreign commerce, and to protect  
 15          the national security of the United States.

16 **SEC. 3. TERRORIST HOAXES, FALSE REPORTS, AND RES-**  
 17 **TITUTION.**

18          Chapter 41 of title 18, United States Code, is amend-  
 19          ed by inserting after section 880 the following:

20 **“§ 881. Terrorist hoaxes and false information**

21          “(a) CRIMINAL VIOLATIONS.—

22                 “(1) KNOWING.—Whoever knowingly conveys or  
 23          communicates information or material relating to  
 24          the existence of activity that would constitute a vio-  
 25          lation of section 175, 229, 831, or 2332a of this

1 title, knowing the information or material to be false  
2 or fraudulent, under circumstances in which a recipi-  
3 ent of such information or material is reasonably  
4 likely to believe that activity is taking place or will  
5 take place that violates section 175, 229, 831, or  
6 2332a, shall be fined under this title or imprisoned  
7 not more than 6 years, or both.

8 “(2) KNOWING AND WITH INTENT TO CAUSE  
9 FEAR.—Whoever knowingly, and with intent to  
10 cause fear, conveys or communicates information or  
11 material relating to the existence of activity that  
12 would constitute a violation of section 175, 229,  
13 831, or 2332a of this title, knowing the information  
14 or material to be false or fraudulent, under cir-  
15 cumstances in which such information or material is  
16 reasonably likely to cause a response by govern-  
17 mental agencies, and under circumstances in which  
18 a recipient of such information or material is reason-  
19 ably likely to believe that activity is taking place or  
20 will take place that violates section 175, 229, 831,  
21 or 2332a, shall be fined under this title or impris-  
22 oned not more than 6 years, or both.

23 “(b) REIMBURSEMENT.—

24 “(1) IN GENERAL.—The court, in imposing a  
25 sentence on a defendant who has been convicted of

1 an offense under subsection (a), shall order the de-  
2 fendant to reimburse any party incurring expenses  
3 incident to the investigation of the offense, for those  
4 expenses, including the cost of any response made by  
5 any Federal, State, or local government agency to  
6 protect public health or safety.

7 “(2) LIABILITY.—A person ordered to make re-  
8 imbursement under paragraph (1) shall be jointly  
9 and severally liable for such expenses with each  
10 other person, if any, who is ordered to make reim-  
11 bursement under that paragraph for the same ex-  
12 penses.”.

13 **SEC. 4 CONFORMING AMENDMENT.**

14 The analysis of chapter 41 of title 18, United States  
15 Code, is amended by adding after the item for section 880  
16 the following:

“881. Terrorist hoaxes and false information.”.

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