

Union Calendar No. 320

109TH CONGRESS
2^D SESSION

H. R. 4132

[Report No. 109-564]

To amend title 18, United States Code, to provide penalties for officers and employees of the Federal Bureau of Investigation who obtain knowledge of criminal conduct within the jurisdiction of State and local prosecutors and fail to so inform those prosecutors.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2005

Mr. DELAHUNT (for himself and Mr. DANIEL E. LUNGREN of California) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 14, 2006

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To amend title 18, United States Code, to provide penalties for officers and employees of the Federal Bureau of Investigation who obtain knowledge of criminal conduct within the jurisdiction of State and local prosecutors and fail to so inform those prosecutors.

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 “Law Enforcement Co-
5 operation Act of 2005”.

6 **SEC. 2. F.B.I. FAILURE TO INFORM STATE AND LOCAL OFFI-**
7 **CIALS OF CRIMES WITHIN THEIR JURISDIC-**
8 **TION.**

9 (a) IN GENERAL.—Chapter 73 (relating to obstruc-
10 tion of justice) of title 18, United States Code, is amended
11 by adding at the end the following:

12 **“§ 1521. F.B.I. failure to inform State and local offi-**
13 **cial of crimes within their jurisdiction**

14 “Whoever, being an officer or employee of the Fed-
15 eral Bureau of Investigation, obtains knowledge in the
16 course of official duty pertaining to a crime of violence
17 that violates the law of a State or other place within the
18 United States, and knowingly fails promptly to so inform
19 the chief law enforcement officer of the State or other
20 place, and any local prosecuting official that officer or em-
21 ployee reasonably should know has jurisdiction over the
22 matter, shall be fined under this title or imprisoned not
23 more than 5 years, or both. It shall be the duty of such
24 officer or employee promptly to notify the Attorney Gen-

1 eral that such officer or employee has provided informa-
 2 tion pursuant to this section.”.

3 (b) ~~CLERICAL AMENDMENT.~~—The table of sections
 4 at the beginning of chapter 73 of title 18, United States
 5 Code, is amended by adding at the end the following new
 6 item:

“1521. F.B.I. failure to inform State and local officials of crimes within their
 jurisdiction”.

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Law Enforcement Co-
 9 operation Act of 2006”.*

10 **SEC. 2. F.B.I. FAILURE TO INFORM STATE AND LOCAL OFFI-
 11 CIALS OF CRIMES WITHIN THEIR JURISDIC-
 12 TION.**

13 (a) *IN GENERAL.*—Chapter 73 (relating to obstruction
 14 of justice) of title 18, United States Code, is amended by
 15 adding at the end the following:

16 **“§ 1521. F.B.I. failure to inform State and local offi-
 17 cials of crimes within their jurisdiction**

18 *“(a) FAILURE TO INFORM STATE AND LOCAL OFFI-
 19 CIALS.—Whoever, being an officer or employee of the Fed-
 20 eral Bureau of Investigation, obtains information that a
 21 confidential informant or other individual has committed
 22 a serious violent felony (as defined in section 3559 of title
 23 18) in violation of State or local law and knowingly and
 24 intentionally fails to promptly inform the chief State law*

1 *enforcement officer and local prosecuting official, shall be*
2 *fined under this title or imprisoned not more than 5 years,*
3 *or both.*

4 “(b) *NOTIFICATION TO THE ATTORNEY GENERAL.—*
5 *The Federal Bureau of Investigation shall notify the Attor-*
6 *ney General that such officer or employee has provided in-*
7 *formation pursuant to this section.”.*

8 “(b) *CLERICAL AMENDMENT.—The table of sections at*
9 *the beginning of chapter 73 of title 18, United States Code,*
10 *is amended by adding at the end the following new item:*

“1521. F.B.I. failure to inform State and local officials of crimes within their ju-
isdiction.”.

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