

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2000

Mr. BECERRA. Mr. Speaker, on June 10 and 11, 2000, I was detained with business in my District, and therefore unable to cast my votes on rollcall numbers 373 through 385. Had I been present for the votes, I would have voted “aye” on rollcall votes 375, 377, 379, 380, 381, 382, and 385; and “nay” on rollcall votes 373, 374, 376, 378, 383, and 384.

ENHANCED FEDERAL SECURITY ACT OF 2000, H.R. 4827

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2000

Mr. HORN. Mr. Speaker, today I am introducing the Enhanced Federal Security Act of 2000. H.R. 4827 seeks to prohibit those who abuse forms of false identification, including the law enforcement badge, from committing crimes against innocent people. This legislation is an expanded and improved version of my earlier proposal, the Police Badge Fraud Prevention Act, H.R. 2633.

The Enhanced Federal Security Act prohibits entry under fraudulent or false pretense to Federal Government buildings and the secure area of any airport. It also bans the interstate and foreign trafficking of counterfeit and genuine police badges, among those not authorized to possess such a badge.

H.R. 4827 addresses serious issues of security and public safety. Recently, the General Accounting Office conducted an undercover investigation of security in Federal Government buildings at the request of Representative BILL MCCOLLUM, Chairman of the Subcommittee on Crime. This investigation revealed critical lapses in policy at these government buildings which allowed unauthorized individuals access to secure areas, placing not only the individuals in those areas in danger, but jeopardizing national security. These undercover agents flashed fake law enforcement badges, which were easily obtained through the Internet, to penetrate secure areas in 19 government offices and two major airports.

Criminals can just as easily purchase badges, such as those used in the undercover investigation, over the Internet and through mail order catalogs. The ease with which the General Accounting Office agents were able to enter sensitive areas in Federal Government buildings and secure parts of airports suggests that the same opportunity exists for criminals to assume false identities and engage in criminal behavior.

Fake badges and other forms of false identification are dangerous when used to commit crimes against innocent people who trust in the authority of law enforcement officials.

In two separate incidents in Tampa, FL, an unidentified man attempted to abduct a young boy by using a fake police badge.

In Chicago, IL, sheriff's police are investigating a series of home invasions and sexual

assaults against women by a man who flashes a police badge to get into victims' homes.

We must take action to prevent misuse of police badges and other forms of false identification to commit crimes. Beyond raising stakes for would-be criminals, a federal law is essential in addressing the interstate problem posed by increasing sales of counterfeit badges over the internet and through mail order catalogs.

With the capable assistance of Representative MCCOLLUM and the Subcommittee on Crime, as well as the support of the Corrections Day Advisory Group, I believe that we are taking the necessary measures to prevent criminal activity involving the misuse of the law enforcement badge and other false identifications. I encourage my colleagues to support the Enhanced Federal Security Act of 2000.

I am delighted to have the support of the following cosponsors: Representatives BILL MCCOLLUM, JAMES A. BARCIA, SHELLEY BERKLEY, MERRILL COOK, BOB CLEMENT, GENE GREEN, GARY MILLER, SUE MYRICK, JIM RAMSTAD, ADAM SMITH, and PETER J. VISCOSKY.

I submit for the RECORD the revised bill, H.R. 4827.

H.R. 4827

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

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 five years, or both, if the offense is committed with the intent to commit any crime; or

“(2) a fine under this title or imprisonment for not more than two years, 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 six 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) in a collection or exhibit;

“(2) for decorative purposes; or

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

“(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.”

SENSE OF CONGRESS STRONGLY OBJECTING TO EFFORT TO EXPEL HOLY SEE FROM UNITED NATIONS

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2000

Mr. WELDON of Florida. Mr. Speaker, I rise in strong support of H. Con. Res. 253, which expresses the support of the Vatican retaining its status as a permanent observer at the United Nations. It is a tragedy that in the last few months, anti-Catholic pro-abortion groups have been attempting to remove the Holy See from its longstanding position of an observer at the U.N.

This is an attempt by extremists to silence the Vatican's defense of the family and the unborn. The Holy See has been a part of the U.N. since the beginning, over 50 years ago. In addition, the Holy See has formal diplomatic relations with 169 nations, including the United States and it maintains 179 permanent diplomatic missions abroad. I commend the Holy See for its commitment to the family, the unborn and serving the poor. The Holy See's contribution to the U.N. is very valuable. The Vatican's role is essential and vital for preserving family values and protecting life, particularly the most vulnerable.