

# Union Calendar No. 548

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4827

[Report No. 106-913]

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.

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## 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

SEPTEMBER 28, 2000

Additional sponsors: Mr. INSLEE, Mr. KUYKENDALL, Mr. HOLDEN, Mr. BEREUTER, Mr. PASCRELL, Mr. DREIER, Mr. BILBRAY, and Mr. CAMP

SEPTEMBER 28, 2000

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 *italic*]

[For text of introduced bill, see copy of bill as introduced on July 12, 2000]

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## 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 Secu-*  
 5 *rity Act of 2000”.*

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

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

11 **“§ 1036. Entry by false pretenses to any real property,**  
 12 **vessel, or aircraft of the United States or**  
 13 **secure area of any airport**

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

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

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

20                *“(3) any secure area of any airport;*

21 *shall be punished as provided in subsection (b) of this sec-*  
 22 *tion.*

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

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

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

8       “(c) *As used in this section—*

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

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

14       (b) *CLERICAL AMENDMENT.—The table of sections at*  
15 *the beginning of chapter 47 of title 18, United States Code,*  
16 *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.”.*

17 **SEC. 3. POLICE BADGES.**

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

20 **“§ 716. Police badges**

21       “(a) *Whoever—*

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

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

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

8           “(4) being a person not authorized to possess a  
9           genuine police badge under the law of the place in  
10          which the badge is the official badge of the police,  
11          knowingly transports that badge in interstate or for-  
12          eign commerce;

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

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

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

18                  “(2) for decorative purposes;

19                  “(3) for a dramatic presentation, such as a the-  
20                  atrical, film, or television production; or

21                  “(4) for any other recreational purpose.

22          “(c) As used in this section—

23                  “(1) the term ‘genuine police badge’ means an of-  
24                  ficial badge issued by public authority to identify an

1       *individual as a law enforcement officer having police*  
2       *powers; and*

3               “(2) the term ‘counterfeit police badge’ means an  
4       *item that so resembles a police badge that it would de-*  
5       *ceive an ordinary individual into believing it was a*  
6       *genuine police badge.”.*

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

      “716. *Police badges.*”.

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