

106TH CONGRESS
2^D SESSION

H. R. 5429

To amend title 18, United States Code, to protect and promote the public safety and interstate commerce by establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive and destructive conduct that is intended to injure, intimidate, or interfere with persons seeking to operate animal enterprises, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2000.

Mr. CUNNINGHAM introduced the following bill; which was referred to the Committee on Judiciary

A BILL

To amend title 18, United States Code, to protect and promote the public safety and interstate commerce by establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive and destructive conduct that is intended to injure, intimidate, or interfere with persons seeking to operate animal enterprises, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Researchers and
3 Farmers Freedom From Terrorism Act of 2000”.

4 **SEC. 2. RESEARCHERS AND FARMERS FREEDOM FROM**
5 **TERRORISM.**

6 Section 1961(1)(B) of title 18, United States Code,
7 is amended by inserting “43 (relating to animal enterprise
8 terrorism), section” after “Section”.

9 **SEC. 3. ENHANCEMENT OF PENALTIES FOR ANIMAL ENTER-**
10 **PRISE TERRORISM.**

11 Section 43 of title 18, United States Code, is
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2), by striking “inten-
15 tionally” each place it appears; and

16 (B) by striking “one year” and inserting
17 “five years”;

18 (2) in subsection (b)—

19 (A) by redesignating paragraph (2) as
20 paragraph (3);

21 (B) by inserting after paragraph (1) the
22 following new paragraph (2):

23 “(2) EXPLOSIVES OR ARSON.—Whoever in the
24 course of a violation of subsection (a) maliciously
25 damages or destroys, or attempts to damage or de-
26 stroy, by means of fire or an explosive, any building,

1 vehicle, or other real or personal property used by
 2 the animal enterprise shall be imprisoned for not
 3 less than 5 years and not more than 20 years, fined
 4 under this title, or both.”; and

5 (C) in paragraph (3), as so redesignated,
 6 by striking “under this title and” and all that
 7 follows through the period and inserting “under
 8 this title, imprisoned for life or for any term of
 9 years, or sentenced to death.”; and

10 (3) in subsection (d)(1)—

11 (A) by striking “or” at the end of subpara-
 12 graph (B);

13 (B) by inserting “or” at the end of sub-
 14 paragraph (C); and

15 (C) by adding at the end the following:

16 “(D) the offices or headquarters of any en-
 17 terprise or event described in subparagraph (A),
 18 (B). or (C);”.

19 **SEC. 4. NATIONAL ANIMAL TERRORISM AND**
 20 **ECOTERRORISM INCIDENT CLEARINGHOUSE.**

21 (a) **IN GENERAL.**—The Director shall establish and
 22 maintain a national clearinghouse for information on inci-
 23 dents of crime and terrorism—

24 (1) committed against or directed at any animal
 25 enterprise;

1 (2) committed against or directed at any com-
2 mercial activity because of the perceived impact or
3 effect of such commercial activity on the environ-
4 ment; or

5 (3) committed against or directed at any person
6 because of such person's perceived connection with
7 or support of any enterprise or activity described in
8 paragraph (1) or (2).

9 (b) CLEARINGHOUSE.—The clearinghouse established
10 under subsection (a) shall—

11 (1) accept, collect, and maintain information on
12 incidents described in subsection (a) that is sub-
13 mitted to the clearinghouse by Federal, State, and
14 local law enforcement agencies, by law enforcement
15 agencies of foreign countries, and by victims of such
16 incidents;

17 (2) collate and index such information for pur-
18 poses of cross-referencing; and

19 (3) upon request from a Federal, State, or local
20 law enforcement agency, or from a law enforcement
21 agency of a foreign country, provide such informa-
22 tion to assist in the investigation of an incident de-
23 scribed in subsection (a).

1 (c) SCOPE OF INFORMATION.—The information
2 maintained by the clearinghouse for each incident shall,
3 to the extent practicable, include—

- 4 (1) the date, time, and place of the incident;
- 5 (2) details of the incident;
- 6 (3) any available information on suspects or
7 perpetrators of the incident; and
- 8 (4) any other relevant information.

9 (d) DESIGN OF CLEARINGHOUSE.—The clearing-
10 house shall be designed for maximum ease of use by par-
11 ticipating law enforcement agencies.

12 (e) PUBLICITY.—The Director shall publicize the ex-
13 istence of the clearinghouse to law enforcement agencies
14 by appropriate means.

15 (f) RESOURCES.—In establishing and maintaining
16 the clearinghouse, the Director may—

- 17 (1) through the Attorney General, utilize the re-
18 sources of any other department or agency of the
19 Federal Government; and
- 20 (2) accept assistance and information from pri-
21 vate organizations or individuals.

22 (g) COORDINATION.—The Director shall carry out
23 the Director's responsibilities under this section in co-
24 operation with the Director of the Bureau of Alcohol, To-
25 bacco and Firearms.

1 (h) DEFINITIONS.—In this section:

2 (1) The term “animal enterprise” has the same
3 meaning as in section 43 of title 18, United States
4 Code.

5 (2) The term “Director” means the Director of
6 the Federal Bureau of Investigation.

7 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
8 hereby authorized to be appropriated for fiscal years 2001,
9 2002, 2003, 2004, and 2005 such sums as are necessary
10 to carry out this section.

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