

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2541

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2001

Received; read twice and referred to the Committee on Foreign Relations

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## AN ACT

To enhance the authorities of special agents and provide limited authorities to uniformed officers responsible for the protection of domestic Department of State occupied facilities.

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 “Enhanced Protective  
3 Activities Act of 2001”.

4 **SEC. 2. STATE DEPARTMENT SPECIAL AGENT AUTHORI-**  
5 **TIES.**

6 Section 37(a) of the State Department Basic Au-  
7 thorities Act of 1956 (22 U.S.C. 2709(a)) is amended—

8 (1) by striking paragraph (2) and inserting the  
9 following:

10 “(2) in the course of performing the functions  
11 set forth in paragraphs (1) and (3), obtain and exe-  
12 cute search and arrest warrants, as well as obtain  
13 and serve subpoenas and summonses, issued under  
14 the authority of the United States;”;

15 (2) in paragraph (3)(F) by inserting “or Presi-  
16 dent-elect” after “President”; and

17 (3) by striking paragraph (5) and inserting the  
18 following:

19 “(5) in the course of performing the functions  
20 set forth in paragraphs (1) and (3), make arrests  
21 without warrant for any offense against the United  
22 States committed in the presence of the special  
23 agent, or for any felony cognizable under the laws  
24 of the United States if the special agent has reason-  
25 able grounds to believe that the person to be ar-  
26 rested has committed or is committing such felony.”.

1 **SEC. 3. INTERFERENCE WITH PROTECTIVE FUNCTIONS.**

2 (a) GENERALLY.—Chapter 7 of title 18, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 **“§ 117. Interference with protective functions**

6 “(a) Whoever knowingly and willfully obstructs, re-  
7 sists, or interferes with a Federal law enforcement agent  
8 engaged in the performance of the protective functions au-  
9 thorized by section 37 of the State Department Basic Au-  
10 thorities Act of 1956 (22 U.S.C. 2709) shall be fined  
11 under this title or imprisoned not more than one year, or  
12 both.

13 “(b) Whoever engages in any conduct—

14 “(1) directed against an individual entitled to  
15 protection under section 37 of the State Department  
16 Basic Authorities Act of 1956 (22 U.S.C. 2709, and

17 “(2) which would constitute a violation of sec-  
18 tion 112 or 878 if such individual were a foreign of-  
19 ficial, an official guest, or an internationally pro-  
20 tected person, shall be subject to the same penalties  
21 as are provided for such conduct directed against an  
22 individual subject to protection under such section.”.

1           (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 7 of title 18, United States  
3 Code, is amended by adding at the end the following:

“117. Interference with protective functions.”.

Passed the House of Representatives November 13,  
2001.

Attest:

JEFF TRANDAHL,

*Clerk.*