

Union Calendar No. 184

107TH CONGRESS
1ST SESSION

H. R. 3209

[Report No. 107-306]

To amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2001

Mr. SMITH of Texas (for himself, Mr. SENSENBRENNER, Mr. CONYERS, Mr. WOLF, Mr. SCOTT, and Mr. FERGUSON) introduced the following bill; which was referred to the Committee on the Judiciary

NOVEMBER 29, 2001

Additional sponsors: Mr. HEFLEY, Mr. WATTS of Oklahoma, Mr. GOODLATTE, Mr. KELLER, Mr. COBLE, Mr. GREEN of Wisconsin, Mr. SCHIFF, Mr. SWEENEY, Mr. OXLEY, and Mr. BRADY of Texas

NOVEMBER 29, 2001

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 November 1, 2001]

A BILL

To amend title 18, United States Code, with respect to false communications about certain criminal violations, 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 “Anti-Hoax Terrorism*
5 *Act of 2001”.*

6 **SEC. 2. HOAXES AND RECOVERY COSTS.**

7 *(a) PROHIBITION ON HOAXES.—Chapter 47 of title 18,*
8 *United States Code, is amended by inserting after section*
9 *1036 the following:*

10 **“§ 1037. False information and hoaxes**

11 *“(a) CRIMINAL VIOLATION.—Whoever engages in any*
12 *conduct, with intent to convey false or misleading informa-*
13 *tion, under circumstances where such information may rea-*
14 *sonably be believed and where such information concerns*
15 *an activity which would constitute a violation of section*
16 *175, 229, 831, or 2332a, shall be fined under this title or*
17 *imprisoned not more than 5 years, or both.*

18 *“(b) CIVIL ACTION.—Whoever engages in any conduct,*
19 *with intent to convey false or misleading information,*
20 *under circumstances where such information concerns an*
21 *activity which would constitute a violation of section 175,*
22 *229, 831, or 2332a, is liable in a civil action to any party*
23 *incurring expenses incident to any emergency or investiga-*
24 *tive response to that conduct, for those expenses.*

1 “(c) *REIMBURSEMENT.*—*The court, in imposing a sen-*
2 *tence on a defendant who has been convicted of an offense*
3 *under subsection (a), shall order the defendant to reimburse*
4 *any party incurring expenses incident to any emergency*
5 *or investigative response to that conduct, for those expenses.*
6 *A person ordered to make reimbursement under this sub-*
7 *section shall be jointly and severally liable for such expenses*
8 *with each other person, if any, who is ordered to make reim-*
9 *bursement under this subsection for the same expenses. An*
10 *order of reimbursement under this subsection shall, for the*
11 *purposes of enforcement, be treated as a civil judgment.”.*

12 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
13 *the beginning of chapter 47 of title 18, United States Code,*
14 *is amended by adding after the item for section 1036 the*
15 *following:*

“1037. *False information and hoaxes.*”.

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