

110TH CONGRESS  
1ST SESSION

# H. R. 919

To amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2007

Mr. WILSON of South Carolina (for himself, Mr. NORWOOD, Mr. WICKER, Mr. SESSIONS, Mr. SOUDER, Mr. BARTLETT of Maryland, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mrs. MUSGRAVE, Mr. GOODE, Mr. GARY G. MILLER of California, Mr. SAM JOHNSON of Texas, Mr. GARRETT of New Jersey, and Mr. PENCE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), 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 “Freedom From Union  
5       Violence Act of 2007”.

1 **SEC. 2. INTERFERENCE WITH COMMERCE BY THREATS OR**  
2 **VIOLENCE.**

3 Section 1951 of title 18, United States Code, is  
4 amended to read as follows:

5 **“§ 1951. Interference with commerce by threats or vi-**  
6 **olence**

7 “(a) PROHIBITION.—Except as provided in sub-  
8 section (c), whoever in any way or degree obstructs,  
9 delays, or affects commerce or the movement of any article  
10 or commodity in commerce, by robbery or extortion, or at-  
11 tempts or conspires so to do, or commits or threatens  
12 physical violence to any person or property in furtherance  
13 of a plan or purpose to do anything in violation of this  
14 section, shall be fined not more than \$100,000, imprisoned  
15 for a term of not more than 20 years, or both.

16 “(b) DEFINITIONS.—For purposes of this section—

17 “(1) the term ‘commerce’ means any—

18 “(A) commerce within the District of Co-  
19 lumbia, or any territory or possession of the  
20 United States;

21 “(B) commerce between any point in a  
22 State, territory, possession, or the District of  
23 Columbia and any point outside thereof;

24 “(C) commerce between points within the  
25 same State through any place outside that  
26 State; and

1           “(D) other commerce over which the  
2           United States has jurisdiction;

3           “(2) the term ‘extortion’ means the obtaining of  
4           property from any person, with the consent of that  
5           person, if that consent is induced—

6           “(A) by actual or threatened use of force  
7           or violence, or fear thereof;

8           “(B) by wrongful use of fear not involving  
9           force or violence; or

10          “(C) under color of official right;

11          “(3) the term ‘labor dispute’ has the same  
12          meaning as in section 2(9) of the National Labor  
13          Relations Act (29 U.S.C. 152(9)); and

14          “(4) the term ‘robbery’ means the unlawful tak-  
15          ing or obtaining of personal property from the per-  
16          son or in the presence of another, against his or her  
17          will, by means of actual or threatened force or vio-  
18          lence, or fear of injury, immediate or future—

19                 “(A) to his or her person or property, or  
20                 property in his or her custody or possession; or

21                 “(B) to the person or property of a relative  
22                 or member of his or her family, or of anyone in  
23                 his or her company at the time of the taking or  
24                 obtaining.

25          “(c) EXEMPTED CONDUCT.—

1           “(1) IN GENERAL.—Subsection (a) does not  
2 apply to any conduct that—

3           “(A) is incidental to otherwise peaceful  
4 picketing during the course of a labor dispute;

5           “(B) consists solely of minor bodily injury,  
6 or minor damage to property, or threat or fear  
7 of such minor injury or damage; and

8           “(C) is not part of a pattern of violent con-  
9 duct or of coordinated violent activity.

10           “(2) STATE AND LOCAL JURISDICTION.—Any  
11 violation of this section that involves any conduct de-  
12 scribed in paragraph (1) shall be subject to prosecu-  
13 tion only by the appropriate State and local authori-  
14 ties.

15           “(d) EFFECT ON OTHER LAW.—Nothing in this sec-  
16 tion shall be construed—

17           “(1) to repeal, amend, or otherwise affect—

18           “(A) section 6 of the Clayton Act (15  
19 U.S.C. 17);

20           “(B) section 20 of the Clayton Act (29  
21 U.S.C. 52);

22           “(C) any provision of the Norris-  
23 LaGuardia Act (29 U.S.C. 101 et seq.);

24           “(D) any provision of the National Labor  
25 Relations Act (29 U.S.C. 151 et seq.); or

1           “(E) any provision of the Railway Labor  
2           Act (45 U.S.C. 151 et seq.); or

3           “(2) to preclude Federal jurisdiction over any  
4           violation of this section, on the basis that the con-  
5           duct at issue—

6           “(A) is also a violation of State or local  
7           law; or

8           “(B) occurred during the course of a labor  
9           dispute or in pursuit of a legitimate business or  
10          labor objective.”.

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