

107TH CONGRESS
1ST SESSION

H. R. 3209

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

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 41 of title
8 18, United States Code, is amended by inserting after sec-
9 tion 880 the following:

1 **“§ 881. False information and hoaxes**

2 “(a) CRIMINAL VIOLATION.—Whoever engages in
3 any conduct—

4 “(1) knowing that the conduct is likely to im-
5 part the false impression that activity is or will take
6 place that violates section 175, 229, 831, or 2332a;
7 and

8 “(2) that causes an emergency response by gov-
9 ernmental agencies to that activity;

10 shall be fined under this title or imprisoned not more than
11 five years, or both.

12 “(b) CIVIL ACTION.—Whoever engages in any con-
13 duct, knowing that the conduct imparts the false impres-
14 sion that activity is or will take place that violates section
15 175, 229, 831, or 2332a, is liable in a civil action to any
16 party incurring expenses incident to the investigation of
17 the conduct, for those expenses, including the cost of any
18 response made by any military or civilian agency to protect
19 public health or safety.

20 **“§ 882. Reimbursement of costs**

21 “(a) CONVICTED DEFENDANT.—The court, in impos-
22 ing a sentence on a defendant who has been convicted of
23 an offense under section 881(a), shall order the defendant
24 to reimburse any party incurring expenses incident to the
25 investigation of the offense, for those expenses, including

1 the cost of any response made by any military or civilian
2 agency to protect public health or safety.

3 “(b) JOINTLY AND SEVERALLY LIABLE.—A person
4 ordered to make reimbursement under subsection (a) shall
5 be jointly and severally liable for such expenses with each
6 other person, if any, who is ordered to make reimburse-
7 ment under that subsection for the same expenses.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of chapter 41 of title 18, United States
10 Code, is amended by adding after the item for section 880
11 the following:

“881. False information and hoaxes.

“882. Reimbursement of costs.”.

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