

104TH CONGRESS  
2D SESSION

# H. R. 3960

To combat terrorism.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

Mr. HYDE (for himself, Mr. CONYERS, Mr. MCCOLLUM, Mr. SCHUMER, Mr. CANADY of Florida, and Mr. HEINEMAN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To combat terrorism.

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 “Antiterrorism Law En-  
5       forcement Enhancement Act of 1996”.

6       **SEC. 2. MULTIPOINT WIRETAP AUTHORITY.**

7       (a) Section 2518(11)(b)(ii) of title 18, United States  
8       Code, is amended by striking “of a purpose, on the part  
9       of that person, to thwart interception by changing facili-  
10      ties.” and inserting “that the person had the intent to  
11      thwart interception or that the person’s actions and con-

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1 duct would have the effect of thwarting interception from  
2 a specified facility.”.

3 (b) Section 2518(11)(b)(iii) of such Code is amended  
4 to read as follows:

5 “(iii) the judge finds that such showing  
6 has been adequately made.”.

7 (c) The amendments made by subsections (a) and (b)  
8 of this section shall be effective 1 day after the enactment  
9 of this Act.

10 **SEC. 3. REVISION TO EXISTING AUTHORITY FOR EMER-**  
11 **GENCY WIRETAPS.**

12 (a) **GROUND FOR INTERCEPTION.**—Section  
13 2518(7)(a) of title 18, United States Code, is amended—

14 (1) by striking “or” at the end of paragraph

15 (a)(ii);

16 (2) by inserting “or” at the end of subpara-  
17 graph (iii); and

18 (3) by adding the following new subparagraph:

19 “(iv) an act of terrorism (as defined in sec-  
20 tion 3077(1) of this title),”.

1 **SEC. 4. PEN REGISTERS AND TRAP AND TRACE DEVICES IN**  
2 **FOREIGN COUNTERINTELLIGENCE INVES-**  
3 **TIGATIONS.**

4 (a) APPLICATION.—Section 3122(b)(2) of title 18,  
5 United States Code, is amended by inserting “or foreign  
6 counterintelligence” after “criminal”.

7 (b) ORDER.—

8 (1) Section 3123(a) of title 18, United States  
9 Code, is amended by inserting “or foreign counter-  
10 intelligence” after “criminal”.

11 (2) Section 3123(b)(1) of title 18, United  
12 States Code, is amended in subparagraph (B), by  
13 striking “criminal”.

14 **SEC. 5. ADDITION OF TERRORIST OFFENSES AS RICO**  
15 **PREDICATES.**

16 (a) TITLE 18 OFFENSES.—Section 1961(1)(B) of  
17 title 18 of the United States Code is amended by—

18 (1) inserting “32 (relating to the destruction of  
19 aircraft), section 37 (relating to violence at inter-  
20 national airports), section 115 (relating to influenc-  
21 ing, impeding, or retaliating against a Federal offi-  
22 cial by threatening or injuring a family member),  
23 section” after “Section”;

24 (2) inserting “section 351 (relating to Congres-  
25 sional or Cabinet officer assassination,” after “sec-  
26 tion 224 (relating to sports bribery),”;

1           (3) inserting “section 831 (relating to prohib-  
2           ited transactions involving nuclear materials), sec-  
3           tion 844(f) or (i) (relating to destruction by explo-  
4           sives or fire of government property or property af-  
5           fecting interstate or foreign commerce),” after “sec-  
6           tion 664 (relating to embezzlement from pension and  
7           welfare funds),”;

8           (4) inserting “section 930(e) (relating to violent  
9           attacks against Federal buildings), section 956 (re-  
10          lating to conspiracy to kill, kidnap, maim, or injure  
11          certain property in a foreign country),” after “sec-  
12          tions 891–894 (relating to extortionate credit trans-  
13          actions),”;

14          (5) inserting “section 1111 (relating to mur-  
15          der), section 1114 (relating to murder of United  
16          States law enforcement officials), section 1116 (re-  
17          lating to murder of foreign officials, official guests,  
18          or internationally protected persons), section 1203  
19          (relating to hostage taking),” after “section 1084  
20          (relating to the transmission of gambling informa-  
21          tion),”;

22          (6) inserting “section 1361 (relating to willful  
23          injury of government property), section 1363 (relat-  
24          ing to destruction of property within the special

1 maritime and territorial jurisdiction),” after “section  
2 1344 (relating to financial institution fraud),”;

3 (7) inserting “section 1751 (relating to Presi-  
4 dential assassination),” after “sections 1581–1588  
5 (relating to peonage and slavery),”;

6 (8) inserting “section 1992 (relating to train  
7 wrecking), section 2280 (relating to violence against  
8 maritime navigation), section 2281 (relating to vio-  
9 lence against maritime fixed platforms),” after “sec-  
10 tion 1958 (relating to use of interstate commerce fa-  
11 cilities in the commission of murder-for-hire),”; and

12 (9) inserting “section 2332 (relating to terrorist  
13 acts abroad against United States nationals), section  
14 2332a (relating to use of weapons of mass destruc-  
15 tion), section 2332b (relating to acts of terrorism  
16 transcending national boundaries), section 2332c  
17 (relating to use of chemical weapon), section 2339A  
18 (relating to providing material support to terror-  
19 ists),” after “2321 (relating to trafficking in certain  
20 motor vehicles or motor vehicle parts),”.

21 (b) NON-TITLE 18 OFFENSE.—Section 1961(1) of  
22 title 18 of the United States Code is amended—

23 (1) by striking “or” before “(E)”;

24 (2) by striking “or” before “(F); and

1           (3) by inserting at the end the following: “or  
2           (G) section 46502 of title 49, United States Code;”.

3           (c) LIMITATION TO CIVIL RICO.—The amendments  
4 made by this section shall not apply with respect to section  
5 1964(c) of title 18, United States Code.

6 **SEC. 6. INTERCEPTIONS OF COMMUNICATIONS.**

7           (a) AUTHORIZATION OF INTERCEPTIONS IN CERTAIN  
8 TERRORISM RELATED OFFENSES.—Section 2516(1) of  
9 title 18, United States Code, is amended—

10           (1) by striking “and” at the end of subpara-  
11 graph (n);

12           (2) by redesignating subparagraph (o) as sub-  
13 paragraph (q); and

14           (3) by inserting after subparagraph (n) the fol-  
15 lowing:

16           “(o) any violation of section 956 or section 960 (re-  
17 lating to certain actions against foreign nations), section  
18 1114 (relating to protection of officers and employees of  
19 the United States), section 1116 (relating to murder of  
20 foreign officials, official guests, or internationally pro-  
21 tected persons), section 2332 (relating to terrorist acts  
22 abroad), section 2332a (relating to weapons of mass de-  
23 struction), section 2332b (relating to acts of terrorism  
24 transcending national boundaries), section 2339A (relat-  
25 ing to providing material support to terrorists), section 37

1 (relating to violence at international airports) of title 18,  
2 United States Code; or

3 “(p) any felony violation of section 842 (relating to  
4 explosives) of this title; and”.

5 (b) REPORTS CONCERNING INTERCEPTED COMMU-  
6 NICATIONS.—Subsection (6) of section 2518 of title 18,  
7 United States Code is amended to read as follows:

8 “(6) Whenever an order authorizing intercep-  
9 tion is entered under this chapter, the order shall re-  
10 quire the attorney for the Government to file a re-  
11 port with the judge who issued the order showing  
12 what progress has been made toward achievement of  
13 the authorized objective and the need for continued  
14 interception. Such report shall be made 15 days  
15 after the interception has begun. No other reports  
16 shall be made to the judge under this subsection.”.

17 **SEC. 7. JURISDICTION FOR LAWSUITS AGAINST TERRORIST**  
18 **STATES.**

19 Section 1605(a)(7)(B)(ii) of title 28, United States  
20 Code, is amended by striking “the claimant or victim was  
21 not a national” and inserting “neither the claimant nor  
22 the victim were nationals”.

23 **SEC. 8. CLERICAL AMENDMENTS RELATING TO CRIME.**

24 (a) CORRECTING ERROR IN AMENDATORY INSTRUC-  
25 TIONS.—Section 107(b) of the Antiterrorism and Effective

1 Death Penalty Act of 1996 is amended by striking “IV”  
2 and inserting “VI”.

3 (b) CORRECTING ERROR IN DESCRIPTION OF PROVI-  
4 SION AMENDED.—With respect to subparagraph (F) only  
5 of paragraph (1) of section 205(a) of the Antiterrorism  
6 and Effective Death Penalty Act of 1996, the reference  
7 at the beginning of such paragraph to “subsection (a)(1)”  
8 shall be deemed a reference to “subsection (a)”.

9 (c) ADDITION OF MISSING REFERENCE.—Section  
10 725(2) of the Antiterrorism and Effective Death Penalty  
11 Act of 1996 is amended by inserting “(2)” after “sub-  
12 section (b)”.

13 (d) CONFORMING AMENDMENT TO TABLE OF SEC-  
14 TIONS.—The table of sections at the beginning of chapter  
15 203 of title 18, United States Code, is amended by insert-  
16 ing after the item relating to section 3059A the following  
17 new item:

“3059B. General reward authority.”.

18 (e) INSERTION OF MISSING PUNCTUATION.—Section  
19 6005(b)(3) of title 18, United States Code, is amended  
20 by adding a period at the end.

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