

AMENDMENT TO H.R. 842
OFFERED BY MR. PERRY OF PENNSYLVANIA

Add at the end of the bill the following:

1 **SEC. 303. INTERFERENCE WITH COMMERCE BY THREATS**
2 **OR 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;

1 “(B) commerce between any point in a
2 State, territory, possession, or the District of
3 Columbia and any point outside thereof;

4 “(C) commerce between points within the
5 same State through any place outside that
6 State; and

7 “(D) other commerce over which the
8 United States has jurisdiction;

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

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

14 “(B) by wrongful use of fear not involving
15 force or violence; or

16 “(C) under color of official right;

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

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

1 “(A) to his or her person or property, or
2 property in his or her custody or possession; or

3 “(B) to the person or property of a relative
4 or member of his or her family, or of anyone in
5 his or her company at the time of the taking or
6 obtaining.

7 “(c) EXEMPTED CONDUCT.—

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

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

12 “(B) consists solely of minor bodily injury,
13 or minor damage to property, or threat or fear
14 of such minor injury or damage; and

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

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

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

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

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

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

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

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

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

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

14 “(A) is also a violation of State or local
15 law; or

16 “(B) occurred during the course of a labor
17 dispute or in pursuit of a legitimate business or
18 labor objective.”.

