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by [Rebecca Vesely](#)

12:09pm 20.Jun.97.PDT The Senate has voted 94-0 to tack onto a Defense Department spending bill an amendment that would prohibit the distribution of bomb-making instructions in the United States.

Although the word "Internet" is not mentioned in the four-page amendment, the legislation would outlaw Web sites, newspapers, zines, and books that publish instructions on how to make a bomb - such as [The Anarchist's Cookbook](#) and [The Terrorist Handbook](#). Violators would face fines and prison sentences of up to 20 years.

Sponsored by Senator Dianne Feinstein (D-California), who has been trying to get the legislation on the books since 1995, the amendment passed Thursday is narrowly written to include only the distribution of material that has an "intent to harm."

In April, the Justice Department released a study that found there indeed is a connection between the availability of bomb-making instructions and the actual making of bombs. It also concluded that legislation criminalizing the publication of such information, if narrowly written, would not be a violation of the First Amendment. The Justice Department determined that the distribution of such materials is not a basic free-speech right, but an obstruction of justice.

The Senate will vote on the defense bill early next week. The bill - and the amendment - will then go to a House conference committee. x

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FEINSTEIN (AND BIDEN) AMENDMENT NO. 419 (Senate - June 19, 1997)

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Mrs. FEINSTEIN (for herself and Mr. **Biden**) proposed an amendment to the bill, S. 936, supra; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1074. CRIMINAL PROHIBITION ON THE DISTRIBUTION OF CERTAIN INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.

(a) Unlawful Conduct: Section 842 of title 18, United States Code, is amended by adding at the end the following:

‘(f) Distribution of Information Relating to Explosives, Destructive Devices, and Weapons of Mass Destruction:

‘(1) **Definitions:** In this subsection--

‘(A) the term ‘destructive device’ has the same meaning as in section 921(a)(4);

‘(B) the term ‘explosive’ has the same meaning as in section 844(j); and

‘(C) the term ‘weapon of mass destruction’ has the same meaning as in section 2332a(c)(2).

‘(2) **Prohibition:** It shall be unlawful for any person--

‘(A) to teach or demonstrate the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute by any means information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, with the intention that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a Federal criminal offense or a State or local criminal offense affecting interstate commerce; or

‘(B) to teach or demonstrate to any person the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass

destruction, knowing that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal criminal offense or a State or local criminal offense affecting interstate commerce.'.

(b) **Penalties:** Section 844 of title 18, United States Code, is amended--

(1) in subsection (a), by striking 'person who violates subsections' and inserting the following: 'person who--

'(1) violations subsections';

(2) by striking the period at the end and inserting '; and'; and

(3) by adding at the end the following;

'(20 violates subsection (1)(2) of section 842 of this chapter, shall be fined under this title, imprisoned not more than 20 years, or both.'; and

(2) in subsection (j), by striking 'and (i)' and inserting '(i), and(1)'.

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S.AMDT.419

AMENDS: S.936

SPONSOR: Sen Feinstein, (introduced 06/19/97)

To prohibit the distribution of certain information relating to explosives, destructive devices, and weapons of mass destruction.

TEXT OF AMENDMENT: CR S6006

STATUS:

Jun 19, 97 Proposed by Senator Feinstein.

Jun 19, 97 Amendment SP 419 agreed to in Senate by Yea-Nay Vote. 94-0. Record Vote No: 110.

COSPONSOR:

Sen Biden - 06/19/97