

112TH CONGRESS  
1ST SESSION

# H. R. 313

To amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2011

Mr. SMITH of Texas (for himself and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Drug Trafficking Safe  
3 Harbor Elimination Act of 2011”.

4 **SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES**

5 **ACT TO CLARIFY CONSPIRACIES CONDUCTED**

6 **WITHIN THE UNITED STATES MAY BE CRIMI-**

7 **NALLY PROSECUTED IN THE UNITED STATES.**

8 Section 406 of the Controlled Substances Act (21  
9 U.S.C. 846) is amended by—

10 (1) inserting “(a)” before “Any”; and

11 (2) inserting at the end the following:

12 “(b) Whoever, within the United States, conspires  
13 with one or more persons, or aids or abets one or more  
14 persons, regardless of where such other persons are lo-  
15 cated, to engage in conduct at any place outside the  
16 United States that would constitute a violation of this title  
17 if committed within the United States, shall be subject to  
18 the same penalties that would apply to such conduct if  
19 it were to occur within the United States.”.

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