

111TH CONGRESS
2^D SESSION

H. R. 5231

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2010

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

A BILL

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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 2010”.

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 commit at any place outside the United States
16 an act that would constitute a violation of this title if com-
17 mitted within the United States, shall be subject to the
18 same penalties that would apply to such act if it were to
19 occur within the United States.”.

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