

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5932

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Received; read twice and referred to the Committee on the Judiciary

---

## AN ACT

To establish the Organized Retail Theft Investigation and Prosecution Unit in the Department of Justice, 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 “Organized Retail Theft  
3 Investigation and Prosecution Act of 2010”.

4 **SEC. 2. ORGANIZED RETAIL THEFT INVESTIGATION AND**  
5 **PROSECUTION UNIT.**

6 (a) ESTABLISHMENT.—Not later than 180 days after  
7 the date of enactment of this Act, the Attorney General  
8 shall establish the Organized Retail Theft Investigation  
9 and Prosecution Unit (hereinafter in this Act referred to  
10 as the “ORTIP Unit”).

11 (b) COMPOSITION.—The ORTIP Unit shall include  
12 representatives from the Federal Bureau of Investigation,  
13 United States Immigration and Customs Enforcement,  
14 the United States Secret Service, the United States Postal  
15 Inspection Service, prosecutors, and any other personnel  
16 necessary to carry out the duties of the ORTIP Unit.

17 (c) DUTIES.—The duties of the ORTIP Unit are as  
18 follows:

19 (1) To investigate and prosecute those instances  
20 of organized retail theft over which the Department  
21 of Justice has jurisdiction.

22 (2) To assist State and local law enforcement  
23 agencies in investigating and prosecuting organized  
24 retail theft.

25 (3) To consult with key stakeholders, including  
26 retailers and online marketplaces, to obtain informa-

1       tion about instances of and trends in organized re-  
2       tail theft.

3   **SEC. 3. DEFINITION.**

4       In this Act, the term “organized retail theft”  
5   means—

- 6           (1) the obtaining of retail merchandise by ille-  
7       gal means for the purpose of reselling or otherwise  
8       placing such merchandise back into the stream of  
9       commerce; or
- 10          (2) aiding or abetting the commission of or con-  
11       spiring to commit any of the acts described in para-  
12       graph (1).

13   **SEC. 4. REPORT.**

14       Not later than 1 year after the date of enactment  
15   of this Act, the Attorney General shall submit a report  
16   containing recommendations on how retailers, online busi-  
17   nesses, and law enforcement agencies can help prevent and  
18   combat organized retail theft to the Chairs and Ranking  
19   Members of the Committee on the Judiciary of the House  
20   of Representatives and of the Committee on the Judiciary  
21   of the Senate. The Attorney General shall make the report  
22   available to the public on the web site of the Department  
23   of Justice.

