

116TH CONGRESS
1ST SESSION

S. 25

To reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as “El Chapo”), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall.

IN THE SENATE OF THE UNITED STATES

JANUARY 3, 2019

Mr. CRUZ introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as “El Chapo”), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall.

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 “Ensuring Lawful Col-
3 lection of Hidden Assets to Provide Order Act” or the
4 “EL CHAPO Act”.

5 **SEC. 2. USE OF CERTAIN FORFEITED CRIMINAL PROCEEDS**
6 **FOR BORDER SECURITY MEASURES.**

7 Notwithstanding any other provision of law, any ille-
8 gally obtained profits resulting from any criminal drug
9 trafficking enterprise led by Joaquin Archivaldo Guzman
10 Loera (commonly known as “El Chapo”), which are crimi-
11 nally forfeited to the United States Government as a re-
12 sult of the conviction of Mr. Guzman Loera in a district
13 court of the United States, shall be reserved for security
14 measures along the border between the United States and
15 Mexico, including the completion of a wall along such bor-
16 der, for the purpose of stemming the flow of illegal nar-
17 cotics into the United States and furthering the security
18 of the United States.

19 **SEC. 3. USE OF FORFEITED CRIMINAL PROCEEDS OF**
20 **OTHER CONVICTED CARTEL MEMBERS.**

21 (a) DEFINITION.—In this section, the term “member
22 of a drug cartel” means an individual engaging in a con-
23 tinuing criminal enterprise involving knowingly and inten-
24 tionally distributing a controlled substance, intending and
25 knowing that the substance would be unlawfully imported

1 into the United States from a place outside of the United
2 States.

3 (b) USE OF PROCEEDS.—Notwithstanding any other
4 provision of law, any funds that are criminally forfeited
5 to the United States Government as the result of a felony
6 conviction in a district court of the United States of a
7 member of a drug cartel shall be reserved for security
8 measures along the border between the United States and
9 Mexico, including the completion of a wall along such bor-
10 der, for the purpose of stemming the flow of illegal nar-
11 cotics into the United States and furthering the security
12 of the United States.

○