

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 313

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## AN ACT

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

7                    **ACT TO CLARIFY CONSPIRACIES CONDUCTED**  
8                    **WITHIN THE UNITED STATES MAY BE CRIMI-**  
9                    **NALLY PROSECUTED IN THE UNITED STATES.**

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

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

13                    (2) inserting at the end the following:

14        “(b) Whoever, within the United States, conspires  
15 with one or more persons, or aids or abets one or more  
16 persons, regardless of where such other persons are lo-  
17 cated, to engage in conduct at any place outside the  
18 United States that would constitute a violation of this  
19 title, other than a violation of section 404(a), if committed  
20 within the United States, shall be subject to the same pen-

1 alties that would apply to such conduct if it were to occur  
2 within the United States.”.

Passed the House of Representatives December 13,  
2011.

Attest:

*Clerk.*

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