

112TH CONGRESS  
1ST SESSION

# S. 1672

To amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to 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 SENATE OF THE UNITED STATES

OCTOBER 6, 2011

Mr. CONRAD (for himself and Mr. SESSIONS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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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 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)(1) There is jurisdiction of conduct described in  
13 paragraph (2) and any person within the United States  
14 that commits such conduct shall be subject to the same  
15 penalties that would apply to the activities described in  
16 paragraph (2) if the activities were to occur in the United  
17 States.

18 “(2) Conduct described in this paragraph is conduct  
19 in which a person within the United States conspires with,  
20 or aids or abets, 1 or more persons, without regard to  
21 where such other persons are located, to engage in activi-  
22 ties at any place outside the United States that would con-  
23 stitute a violation of this title (except for a violation of  
24 section 404) if committed within the United States.”.

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