

AMENDMENT TO DIVISION B OF RULES
COMMITTEE PRINT 116-60
OFFERED BY MR. ROY OF TEXAS

At the end of division B (before the short title), insert the following:

1 SEC. _____. (a) DEFINITIONS.—In this section—

2 (1) the term “criminal regulatory offense”
3 means a Federal regulation that is enforceable by a
4 criminal penalty; and

5 (2) the term “criminal statutory offense”
6 means a criminal offense under a Federal statute.

7 (b) REPORT ON CRIMINAL STATUTORY OFFENSES.—

8 Not later than 1 year after the date of enactment of this
9 section, the Attorney General shall submit to the Com-
10 mittee on the Judiciary of the Senate and the Committee
11 on the Judiciary of the House of Representatives a report,
12 which shall include—

13 (1) a list of all criminal statutory offenses, in-
14 cluding a list of the elements for each criminal stat-
15 utory offense; and

16 (2) for each criminal statutory offense listed
17 under paragraph (1)—

1 (A) the potential criminal penalty for the
2 criminal statutory offense;

3 (B) the number of prosecutions for the
4 criminal statutory offense brought by the De-
5 partment of Justice each year for the 15-year
6 period preceding the date of enactment of this
7 section; and

8 (C) the mens rea requirement for the
9 criminal statutory offense.

10 (c) REPORT ON CRIMINAL REGULATORY OF-
11 FENSES.—

12 (1) REPORTS.—Not later than 1 year after the
13 date of enactment of this section, the head of each
14 Federal agency described in paragraph (2) shall sub-
15 mit to the Committee on the Judiciary of the Senate
16 and the Committee on the Judiciary of the House of
17 Representatives a report, which shall include—

18 (A) a list of all criminal regulatory of-
19 fenses enforceable by the agency; and

20 (B) for each criminal regulatory offense
21 listed under subparagraph (A)—

22 (i) the potential criminal penalty for a
23 violation of the criminal regulatory offense;

24 (ii) the number of violations of the
25 criminal regulatory offense referred to the

1 Department of Justice for prosecution in
2 each of the years during the 15-year period
3 preceding the date of enactment of this
4 section; and

5 (iii) the mens rea requirement for the
6 criminal regulatory offense.

7 (2) AGENCIES DESCRIBED.—The Federal agen-
8 cies described in this paragraph are the Department
9 of Agriculture, the Department of Commerce, the
10 Department of Education, the Department of En-
11 ergy, the Department of Health and Human Serv-
12 ices, the Department of Homeland Security, the De-
13 partment of Housing and Urban Development, the
14 Department of the Interior, the Department of
15 Labor, the Department of Transportation, the De-
16 partment of the Treasury, the Commodity Futures
17 Trading Commission, the Consumer Product Safety
18 Commission, the Equal Employment Opportunity
19 Commission, the Export-Import Bank of the United
20 States, the Farm Credit Administration, the Federal
21 Communications Commission, the Federal Deposit
22 Insurance Corporation, the Federal Election Com-
23 mission, the Federal Labor Relations Authority, the
24 Federal Maritime Commission, the Federal Mine
25 Safety and Health Review Commission, the Federal

1 Trade Commission, the National Labor Relations
2 Board, the National Transportation Safety Board,
3 the Nuclear Regulatory Commission, the Occupa-
4 tional Safety and Health Review Commission, the
5 Office of Compliance, the Postal Regulatory Com-
6 mission, the Securities and Exchange Commission,
7 the Securities Investor Protection Corporation, the
8 Environmental Protection Agency, the Small Busi-
9 ness Administration, the Federal Housing Finance
10 Agency, and the Office of Government Ethics.

11 (d) INDEX.—Not later than 2 years after the date
12 of enactment of this section—

13 (1) the Attorney General shall establish a pub-
14 lically accessible index of each criminal statutory of-
15 fense listed in the report required under subsection
16 (b) and make the index available and freely acces-
17 sible on the website of the Department of Justice;
18 and

19 (2) the head of each agency described in sub-
20 section (c)(2) shall establish a publically accessible
21 index of each criminal regulatory offense listed in
22 the report required under subsection (c)(1) and
23 make the index available and freely accessible on the
24 website of the agency.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to require or authorize appropria-
3 tions.

