

H.R.3199

PUBLIC LAW 109-177 - MARCH 9, 2006

USA PATRIOT Improvement and Reauthorization Act of 2005
(Enrolled as Agreed to or Passed by Both House and Senate)

SEC. 307. THEFT OF INTERSTATE OR FOREIGN SHIPMENTS OR VESSELS.

(a) Theft of Interstate or Foreign Shipments- Section 659 of title 18, United States Code, is amended—

(1) in the first undesignated paragraph—

(A) by inserting 'trailer,' after 'motortruck,';

(B) by inserting 'air cargo container,' after 'aircraft,'; and

(C) by inserting ', or from any intermodal container, trailer, container freight station, warehouse, or freight consolidation facility,' after 'air navigation facility';

(2) in the fifth undesignated paragraph, by striking 'in each case' and all that follows through 'or both' the second place it appears and inserting 'be fined under this title or imprisoned not more than 10 years, or both, but if the amount or value of such money, baggage, goods, or chattels is less than \$1,000, shall be fined under this title or imprisoned for not more than 3 years, or both'; and

(3) by inserting after the first sentence in the eighth undesignated paragraph the following: 'For purposes of this section, goods and chattel shall be construed to be moving as an interstate or foreign shipment at all points between the point of origin and the final destination (as evidenced by the waybill or other shipping document of the shipment), regardless of any temporary stop while awaiting transshipment or otherwise.'

(b) Stolen Vessels-

(1) IN GENERAL- Section 2311 of title 18, United States Code, is amended by adding at the end the following, as a new undesignated paragraph: 'Vessel' means any watercraft or other contrivance used or designed for transportation or navigation on, under, or immediately above, water.'

(2) TRANSPORTATION AND SALE OF STOLEN VESSELS-

- (A) TRANSPORTATION- Section 2312 of title 18, United States Code, is amended by striking `motor vehicle or aircraft' and inserting `motor vehicle, vessel, or aircraft'.
 - (B) SALE- Section 2313(a) of title 18, United States Code, is amended by striking `motor vehicle or aircraft' and inserting `motor vehicle, vessel, or aircraft'.
- (c) Review of Sentencing Guidelines- Pursuant to section 994 of title 28, United States Code, the United States Sentencing Commission shall review the Federal Sentencing Guidelines to determine whether sentencing enhancement is appropriate for any offense under section 659 or 2311 of title 18, United States Code, as amended by this title.
- (d) Annual Report of Law Enforcement Activities- The Attorney General shall annually submit to Congress a report, which shall include an evaluation of law enforcement activities relating to the investigation and prosecution of offenses under section 659 of title 18, United States Code, as amended by this title.
- (e) Reporting of Cargo Theft - The Attorney General shall take the steps necessary to ensure that reports of cargo theft collected by Federal, State, and local officials are reflected as a separate category in the Uniform Crime Reporting System, or any successor system, by no later than December 31, 2006.