(Original Signature of Member)
114TH CONGRESS H. R.
To ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives.
IN THE HOUSE OF REPRESENTATIVES
Ms. Kuster introduced the following bill; which was referred to the Committee on
A BILL
To ensure United States jurisdiction over offenses committed
by United States personnel stationed in Canada in fur-
therance of border security initiatives.
1 Be it enacted by the Senate and House of Representa-

2 tives of the United States of America in Congress assembled,

Commerce, and National Security Act of 2016".

This Act may be cited as the "Promoting Travel,

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SECTION 1. SHORT TITLE.

1	SEC. 2. JURISDICTION OVER OFFENSES COMMITTED BY
2	CERTAIN UNITED STATES PERSONNEL STA-
3	TIONED IN CANADA.
4	(a) AMENDMENT.—Chapter 212A of title 18, United
5	States Code, is amended—
6	(1) in the chapter heading, by striking
7	"TRAFFICKING IN PERSONS"; and
8	(2) by adding after section 3272 the following:
9	"§ 3273. Offenses committed by certain United States
10	personnel stationed in Canada in further-
11	ance of border security initiatives
12	"(a) In General.—Whoever, while employed by the
13	Department of Homeland Security or the Department of
14	Justice and stationed or deployed in Canada pursuant to
15	a treaty, executive agreement, or bilateral memorandum
16	in furtherance of a border security initiative, engages in
17	conduct (or conspires or attempts to engage in conduct)
18	in Canada that would constitute an offense for which a
19	person may be prosecuted in a court of the United States
20	had the conduct been engaged in within the United States
21	or within the special maritime and territorial jurisdiction
22	of the United States shall be fined or imprisoned, or both,
23	as provided for that offense.
24	"(b) Definition.—In this section, the term 'em-
25	ployed by the Department of Homeland Security or the
26	Department of Justice' means—

1	"(1) being employed as a civilian employee, a
2	contractor (including a subcontractor at any tier), or
3	an employee of a contractor (or a subcontractor at
4	any tier) of the Department of Homeland Security
5	or the Department of Justice;
6	"(2) being present or residing in Canada in
7	connection with such employment; and
8	"(3) not being a national of or ordinarily resi-
9	dent in Canada.".
10	(b) Technical and Conforming Amendments.—
11	Part II of title 18, United States Code, is amended—
12	(1) in the table of chapters, by striking the item
13	relating to chapter 212A and inserting the following:
	"212A. Extraterritorial jurisdiction over certain offenses
14	and
15	(2) in the table of sections for chapter 212A, by
16	inserting after the item relating to section 3272 the
17	following:
	"3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives.".
18	(e) Rule of Construction.—Nothing in this sec-
19	tion or the amendments made by this section shall be con-
20	strued to infringe upon or otherwise affect the exercise
21	of prosecutorial discretion by the Department of Justice
22	in implementing this section and the amendments made
23	by this section.