

117TH CONGRESS  
1ST SESSION

# H. R. 5597

To direct the Attorney General of the United States to submit to the Congress  
a report on Federal criminal offenses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2021

Mr. ROY (for himself, Mr. JEFFRIES, and Mr. TRONE) introduced the  
following bill; which was referred to the Committee on the Judiciary

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## A BILL

To direct the Attorney General of the United States to  
submit to the Congress a report on Federal criminal  
offenses, 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 “Count the Crimes to  
5       Cut Act of 2021”.

6       **SEC. 2. REPORT ON FEDERAL CRIMINAL OFFENSES.**

7       (a) DEFINITIONS.—In this section—

8               (1) the term “criminal regulatory offense”  
9       means a Federal regulation that is enforceable by a  
10       criminal penalty; and

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

3           (b) REPORT ON CRIMINAL STATUTORY OFFENSES.—

4 Not later than 1 year after the date of enactment of this  
5 Act, the Attorney General shall submit to the Committee  
6 on the Judiciary of the Senate and the Committee on the  
7 Judiciary of the House of Representatives a report, which  
8 shall include—

9           (1) a list of all criminal statutory offenses, in-  
10 cluding a list of the elements for each criminal stat-  
11 utory offense; and

12           (2) for each criminal statutory offense listed  
13 under paragraph (1)—

14           (A) the potential criminal penalty for the  
15 criminal statutory offense;

16           (B) the number of prosecutions for the  
17 criminal statutory offense brought by the De-  
18 partment of Justice each year for the 15-year  
19 period preceding the date of enactment of this  
20 Act; and

21           (C) the mens rea requirement for the  
22 criminal statutory offense.

23           (c) REPORT ON CRIMINAL REGULATORY OF-  
24 FENSES.—

1           (1) REPORTS.—Not later than 1 year after the  
2           date of enactment of this Act, the head of each Fed-  
3           eral agency described in paragraph (2) shall submit  
4           to the Committee on the Judiciary of the Senate and  
5           the Committee on the Judiciary of the House of  
6           Representatives a report, which shall include—

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

9                   (B) for each criminal regulatory offense  
10                  listed under subparagraph (A)—

11                          (i) the potential criminal penalty for a  
12                          violation of the criminal regulatory offense;

13                          (ii) the number of violations of the  
14                          criminal regulatory offense referred to the  
15                          Department of Justice for prosecution in  
16                          each of the years during the 15-year period  
17                          preceding the date of enactment of this  
18                          Act; and

19                          (iii) the mens rea requirement for the  
20                          criminal regulatory offense.

21           (2) AGENCIES DESCRIBED.—The Federal agen-  
22           cies described in this paragraph are the Department  
23           of Agriculture, the Department of Commerce, the  
24           Department of Education, the Department of En-  
25           ergy, the Department of Health and Human Serv-

1        ices, the Department of Homeland Security, the De-  
2        partment of Housing and Urban Development, the  
3        Department of the Interior, the Department of  
4        Labor, the Department of Transportation, the De-  
5        partment of the Treasury, the Commodity Futures  
6        Trading Commission, the Consumer Product Safety  
7        Commission, the Equal Employment Opportunity  
8        Commission, the Export-Import Bank of the United  
9        States, the Farm Credit Administration, the Federal  
10       Communications Commission, the Federal Deposit  
11       Insurance Corporation, the Federal Election Com-  
12       mission, the Federal Labor Relations Authority, the  
13       Federal Maritime Commission, the Federal Mine  
14       Safety and Health Review Commission, the Federal  
15       Trade Commission, the National Labor Relations  
16       Board, the National Transportation Safety Board,  
17       the Nuclear Regulatory Commission, the Occupa-  
18       tional Safety and Health Review Commission, the  
19       Office of Compliance, the Postal Regulatory Com-  
20       mission, the Securities and Exchange Commission,  
21       the Securities Investor Protection Corporation, the  
22       Environmental Protection Agency, the Small Busi-  
23       ness Administration, the Federal Housing Finance  
24       Agency, and the Office of Government Ethics.

1 (d) INDEX.—Not later than 2 years after the date  
2 of enactment of this Act—

3 (1) the Attorney General shall establish a pub-  
4 lically accessible index of each criminal statutory of-  
5 fense listed in the report required under subsection  
6 (b) and make the index available and freely acces-  
7 sible on the website of the Department of Justice;  
8 and

9 (2) the head of each agency described in sub-  
10 section (c)(2) shall establish a publically accessible  
11 index of each criminal regulatory offense listed in  
12 the report required under subsection (c)(1) and  
13 make the index available and freely accessible on the  
14 website of the agency.

15 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
16 tion shall be construed to require or authorize appropria-  
17 tions.

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