

111TH CONGRESS
2^D SESSION

H. R. 5524

To amend the Tariff Act of 1930 to prohibit the importation into the United States of plastinated human remains from the People's Republic of China.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2010

Mr. AKIN introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Tariff Act of 1930 to prohibit the importation into the United States of plastinated human remains from the People's Republic of China.

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. PROHIBITION ON IMPORTATION OF**
4 **PLASTINATED HUMAN REMAINS FROM THE**
5 **PEOPLE'S REPUBLIC OF CHINA.**

6 (a) AMENDMENT.—Part I of title III of the Tariff
7 Act of 1930 (19 U.S.C. 1304 et seq.) is amended by in-
8 serting after section 308 the following:

1 **“SEC. 308A. PROHIBITION ON IMPORTATION OF**
2 **PLASTINATED HUMAN REMAINS FROM THE**
3 **PEOPLE’S REPUBLIC OF CHINA.**

4 “(a) DEFINITIONS.—In this section:

5 “(1) CUSTOMS LAWS.—The term ‘customs laws
6 of the United States’ means any other law or regula-
7 tion enforced or administered by U.S. Customs and
8 Border Protection of the Department of Homeland
9 Security.

10 “(2) PERSON.—The term ‘person’ includes any
11 individual, partnership, corporation, association, or-
12 ganization, business trust, government entity, or
13 other entity subject to the jurisdiction of the United
14 States.

15 “(3) PLASTINATED HUMAN REMAINS.—The
16 term ‘plastinated human remains’ means human re-
17 mains, including tissues, organs, and other body
18 parts, that are preserved from decay by replacing
19 the water and fats in the human remains with a
20 polymer.

21 “(4) SECRETARY.—The term ‘Secretary’ means
22 the Secretary of Homeland Security.

23 “(5) UNITED STATES.—The term ‘United
24 States’ means the customs territory of the United
25 States, as defined in general note 2 of the Har-
26 monized Tariff Schedule of the United States.

1 “(b) PROHIBITION.—It shall be unlawful for any per-
2 son to import into the United States any plastinated
3 human remains from the People’s Republic of China.

4 “(c) PENALTIES.—

5 “(1) CIVIL PENALTIES.—Any person who vio-
6 lates any provision of this section or any regulation
7 issued under this section may, in addition to any
8 other civil or criminal penalty that may be imposed
9 under title 18, United States Code, or any other
10 provision of law, be assessed a civil penalty by the
11 designated authority of not more than—

12 “(A) \$10,000 for each separate knowing
13 and intentional violation;

14 “(B) \$5,000 for each separate grossly neg-
15 ligent violation; or

16 “(C) \$3,000 for each separate negligent
17 violation.

18 “(2) FORFEITURE.—Any plastinated human re-
19 mains imported contrary to the provisions of this
20 section or any regulation issued under this section
21 shall be subject to forfeiture to the United States.

22 “(d) ENFORCEMENT.—The Secretary shall enforce
23 the provisions of this section with respect to the prohibi-
24 tion under subsection (b).

1 “(e) REGULATIONS.—Not later than 270 days after
2 the date of the enactment of this section, the Secretary
3 shall, after notice and opportunity for comment, issue reg-
4 ulations to carry out the provisions of this section.

5 “(f) COORDINATION WITH OTHER LAWS.—Nothing
6 in this section shall be construed as superseding or lim-
7 iting in any manner the functions and responsibilities of
8 the Secretary under the customs laws of the United
9 States.”.

10 (b) EFFECTIVE DATE.—Section 308A of the Tariff
11 Act of 1930, as added by subsection (a), applies with re-
12 spect to the importation of plastinated human remains
13 from the People’s Republic of China on or after the date
14 of the enactment of this Act.

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