

116TH CONGRESS
1ST SESSION

H. R. 4635

To amend title 18, United States Code, to include Guam for purposes of statutes prohibiting trafficking in contraband cigarettes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2019

Mr. SAN NICOLAS introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, to include Guam for purposes of statutes prohibiting trafficking in contraband cigarettes, 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 “Guam Cigarette Tax
5 Enforcement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) There are many examples of disparities
9 within Federal law in its application to the United

1 States territories, including within the Federal
2 criminal code.

3 (2) The territory of Guam has lost significant
4 revenue due to prolific trafficking of contraband
5 cigarettes onto the island.

6 (3) Since Guam had increased its tobacco tax
7 by 200 percent in 2010, local numbers have indi-
8 cated that at least 98 million cigarettes are untaxed
9 every three years, amounting to a loss of approxi-
10 mately \$14.6 million.

11 (4) Given its proximity to Asian countries
12 where tobacco products, including cigarettes, are in-
13 credibly inexpensive, the propensity for cigarette
14 trafficking leading to tax evasion is greater.

15 (5) Without the assistance of Federal enforce-
16 ment and resources, Guam remains vulnerable to
17 cigarette trafficking and is at a high risk for tax
18 evasion.

19 **SEC. 3. GUAM INCLUDED FOR PURPOSES OF STATUTES**
20 **PROHIBITING TRAFFICKING IN CONTRABAND**
21 **CIGARETTES.**

22 Section 2341 of title 18, United States Code, is
23 amended in paragraph (4), by inserting after “the Com-
24 monwealth of Puerto Rico,” the following: “Guam,”.

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