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REPORT
110–353

# WAR PROFITEERING PREVENTION ACT OF 2007

SEPTEMBER 27, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. CONYERS, from the Committee on the Judiciary, submitted the following

# R E P O R T

[To accompany H.R. 400]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 400) to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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## THE AMENDMENT

The amendment is as follows:
Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "War Profiteering Prevention Act of 2007".

**SEC. 2. PROHIBITION OF PROFITEERING.**

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

**"§ 1040. War profiteering and fraud**

"(a) PROHIBITION.—

"(1) IN GENERAL.—Whoever, in any matter involving a contract or the provision of goods or services to the United States or a provisional authority, in connection with a mission of the United States Government overseas, knowingly—

"(A)(i) executes or attempts to execute a scheme or artifice to defraud the United States or that authority; or

"(ii) materially overvalues any good or service with the intent to defraud the United States or that authority;

shall be fined under paragraph (2), imprisoned not more than 20 years, or both; or

"(B) in connection with the contract or the provision of those goods or services—

"(i) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

"(ii) makes any materially false, fictitious, or fraudulent statements or representations; or

"(iii) makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious or fraudulent statement or entry;

shall be fined under paragraph (2) imprisoned not more than 10 years, or both.

"(2) FINE.—A person convicted of an offense under paragraph (1) may be fined the greater of—

"(A) $1,000,000; or

"(B) if such person derives profits or other proceeds from the offense, not more than twice the gross profits or other proceeds.

"(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

"(c) VENUE.—A prosecution for an offense under this section may be brought—

"(1) as authorized by chapter 211 of this title;

"(2) in any district where any act in furtherance of the offense took place; or

"(3) in any district where any party to the contract or provider of goods or services is located.".

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"1040. War profiteering and fraud.".

(b) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by striking "or 1030" and inserting "1030, or 1040".

(c) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting "section 1040 (relating to war profiteering and fraud)," after "liquidating agent of financial institution),".

(d) RICO.—Section 1961(1) of title 18, United States Code, is amended by inserting "section 1040 (relating to war profiteering and fraud)," after "in connection with access devices),".

## PURPOSE AND SUMMARY

H.R. 400, "The War Profiteering Prevention Act of 2007," strengthens the tools available to Federal law enforcement to combat contracting fraud during times of war, military action, or relief or reconstruction activities. The bill creates a new criminal fraud offense in title 18 of the United States Code to prohibit fraudulent acts involving the provision of goods or services in connection with a mission of the United States Government overseas. It also makes this new offense a predicate crime for criminal forfeiture, as well as for Federal money laundering and racketeering offenses.

## BACKGROUND AND NEED FOR THE LEGISLATION

Over the past 4 years, war profiteering and reconstruction fraud have become a significant problem during the engagement of United States forces in Iraq and Afghanistan. The United States has devoted more than $50 billion to contractors for relief and re-

construction activities in Iraq alone, with billions of these dollars unaccounted for.[1] For example, the Special Inspector General for Iraq Reconstruction outlined in a report that the former Coalition Provisional Authority in Iraq could not account for nearly $8.8 billion.[2]

Private contractors have been used to a greater extent during these war-time activities than at any time in our history. The exigencies of war overseas, however, often make oversight of these contractors more difficult, and expenditures are often made with fewer audit and other controls than during normal government procurement. As a result, the provision of goods and services during these military actions, as well as during relief and reconstruction activities, are more vulnerable to acts of fraud and abuse.

Inspectors General have opened hundreds of investigations into fraud, waste, and abuse in Iraq, Kuwait, and Afghanistan involving, among other things, illegal kickbacks, bid-rigging, embezzlement, and fraudulent over-billing. The Special Inspector General for Iraq Reconstruction has more than 70 open and active investigations regarding contracting fraud and abuse in the war, with a number of them having been referred to the Department of Justice.[3] These investigations have uncovered crimes committed by employees of large and small government contractors in Iraq and Afghanistan, and many of these investigations involve abuse of the "cost-plus" and "no-bid" contracts used during times of emergency, such as military, relief, or reconstruction activities. In addition, private whistleblowers have filed numerous civil claims involving contractors in Iraq under the False Claims Act.[4] Considering the vast amount of evidence and investigations, there have been relatively few prosecutions for reconstruction fraud.

The lack of prosecutions—successful or otherwise—underscores the inadequacies in current law. There is currently no Federal criminal law specifically targeted at prohibiting contracting fraud during times of war, military action, or relief or reconstruction activities. Under current law, such fraudulent activities do not constitute a criminal offense by those who take advantage of exigent circumstances in times of emergency. Moreover, no Federal law provides enhanced criminal punishment for fraudulent acts during times of war, or relief or reconstruction activities.

In addition, none of the current fraud statutes explicitly extend extraterritorial jurisdiction for fraud offenses during times of war, military action, or relief or reconstruction activities. In the famous Custer Battles case, one contractor in Iraq was found guilty of 37 counts of fraud, including false billing, and was ordered to pay more than $10 million in damages. A Federal judge subsequently overturned the decision on a technicality that the contracts were let through the Coalition Provisional Authority, which the court

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[1] Steve Kroft, Billions Wasted in Iraq?, 60 Minutes, Feb. 12, 2006, available at http://www.cbsnews.com/stories/2006/02/09/60minutes/printable1302378.shtml.

[2] Special Inspector General for Iraq Reconstruction, Report to Congress (Jan. 30, 2005), available at http://www.sigir.mil/reports/QuarterlyReports/Jan05/SIGIR%20Jan05%20-%20Report%20to%20Congress.pdf

[3] *See War Profiteering and Other Contractor Crimes Committed Overseas: Hearing Before the Subcomm. on Crime, Terrorism, and Homeland Security of the H. Comm. on the Judiciary,* 110th Cong. (2007) (testimony of Stuart W. Bowen).

[4] There are an estimated 50 such cases pending against Iraq contractors, including large firms like Kellogg Brown and Root. *See* Yochi Dreazen, *Attorney Pursues Iraq Contractor Fraud,* WALL ST. J., Apr. 19, 2006, at B1.

held not to be part of the United States government, thereby barring the application of United States fraud laws.[5]

To address these gaps in existing law, Rep. Neil Abercrombie (D-HI) introduced H.R. 400, the "War Profiteering Prevention Act of 2007," on February 2, 2007. A companion bill to this measure was introduced by Senator Patrick Leahy (D-VT) as S. 119.

## HEARINGS

The Committee's Subcommittee on Crime, Terrorism, and Homeland Security held 1 day of hearings on H.R. 400 on June 19, 2007. Testimony was received from the Honorable Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; Thomas F. Gimble, Principal Deputy Inspector General, United States Department of Defense; Barry M. Sabin, Deputy Assistant Attorney General, United States Department of Justice; and Alan Grayson, Grayson & Kubli, P.C.

## COMMITTEE CONSIDERATION

On July 24, 2007, the Subcommittee on Crime, Terrorism, and Homeland Security met in open session and ordered the bill, H.R. 400, favorably reported, by voice vote, a quorum being present. On August 1, 2007, the Committee met in open session and ordered the bill, favorably reported with an amendment, by voice vote, a quorum being present.

## COMMITTEE VOTES

In compliance with clause 3(b) of Rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 400.

## COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of Rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

## NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of Rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 400, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

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[5] Renae Merle, *Verdict Against Iraq Contractor Overturned,* WASH. POST, Aug. 19, 2006, at D1.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, August 10, 2007.*

Hon. JOHN CONYERS, Jr., *Chairman,*
*Committee on the Judiciary,*
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 400, the War Profiteering Prevention Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226–2860.

Sincerely,

PETER R. ORSZAG,
DIRECTOR.

Enclosure

cc: Honorable Lamar S. Smith.
Ranking Member

*H.R. 400—War Profiteering Prevention Act of 2007.*

CBO estimates that implementing H.R. 400 would have no significant cost to the Federal Government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.

H.R. 400 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

H.R. 400 would make it a Federal crime to commit fraudulent acts while providing goods or services for a U.S. mission overseas. Because the bill would establish a new offense, the Government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that H.R. 400 would apply to a relatively small number of offenders, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under H.R. 400 could be subject to criminal fines, the Federal Government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent. CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected.

Persons prosecuted and convicted under the bill also could be subject to the seizure of certain assets by the Federal Government. Proceeds from the sale of such assets would be deposited into the Assets Forfeiture Fund and spent from that fund, mostly in the same year. Thus, enacting H.R. 400 could increase both revenues deposited into the fund and direct spending from the fund. However, CBO estimates that any increased revenues or spending would be negligible.

On May 2, 2007, CBO transmitted a cost estimate for S. 119, the War Profiteering Prevention Act of 2007, as ordered reported by

the Senate Committee on the Judiciary on April 25, 2007. The two bills are similar and the cost estimates are identical.

The CBO staff contact for this estimate is Mark Grabowicz, who can be reached at 226–2860. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

## PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of Rule XIII of the Rules of the House of Representatives, H.R. 400, as amended, is intended to punish and deter the practice of profiteering and fraud relating to military action, relief, and reconstruction efforts.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8, clauses 10, 14, 16, and 18 of the Constitution.

## ADVISORY ON EARMARKS

In accordance with clause 9 of Rule XXI of the Rules of the House of Representatives, H.R. 400 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

## SECTION-BY-SECTION ANALYSIS

The following discussion describes the bill as reported by the Committee.

*Sec. 1. Short title.* Section 1 sets forth the short title of the bill as the "War Profiteering Prevention Act of 2007."

*Sec. 2. Prohibition of Profiteering.* Section 2 creates a new criminal offense in title 18 of the United States Code for fraudulent acts involving contracts or the provision of goods or services in connection with a mission of the United States Government overseas. Such missions would include war, military actions, and relief or reconstruction activities. This would include circumstances where war was declared, or where the Executive Branch was engaged in any military action with or without congressional authorization. This would also include relief or reconstruction activities, whether or not a war or military action was undertaken. This provision applies not only to any contract with the United States government overseas, but also to any provisional authority, such as the Coalition Provisional Authority in Iraq.

An offense under this provision may be committed by engaging in fraudulent conduct or making a materially false statement. Pursuant to this provision, it is a crime to execute or attempt to execute a scheme or artifice to defraud the United States or to materially overvalue any good or service with the specific intent to defraud.

Section 2 is intended to prohibit schemes to defraud the United States, including efforts to exploit "cost plus" or "no-bid" contracts by materially overvaluing goods or services with the specific intent to defraud. On the other hand, section 2 is not intended to prohibit or punish contractors providing goods or services in the normal

course of business. To that end, the legislation specifically provides that violators may only be criminally liable if they materially overvalue any good or service "with the intent to defraud." This requirement ensures that no contractor may be prosecuted for this offense based on the contractor's merely negligent or innocently mistaken conduct. Accordingly, a person's conduct must be undertaken knowingly to constitute an offense under this provision.

The material false statement provisions make it a crime to: (1) falsify, conceal, or coverup by any trick, scheme, or device a material fact; (2) make any materially false, fictitious, or fraudulent statements or representations; or (3) make or use any materially false writing or document knowing it contains a false, fictitious, or fraudulent statement. This language is consistent with other materially-false-statement provisions under Federal law such as sections 1001 and 1035 of title 18 of the United States Code.

Section 2 explicitly provides for extraterritorial jurisdiction, and the provision is intended to extend jurisdiction for such offenses to the full extent of United States law. This is intended to ensure that offenses committed outside the United States, even by non-United States nationals, can be prosecuted. Furthermore, consistent with other Federal fraud provisions, the United States Government need not be a victim or incur any losses from an offense under this provision, provided the conduct satisfies the other requisite elements of the offense.

Section 2 establishes venue for the offense as authorized by existing Federal statutes,[6] including extradition, in any district where any act in furtherance of the offense took place, or where any party to the contract or the provider of goods or services is located.

A violation of the fraud component of this provision is punishable by imprisonment for up to 20 years, and a violation of the materially-false-statement component of this provision is punishable by imprisonment for up to 10 years. All violations are subject to fines of up to $1 million, or twice the gross profits or other proceeds of the offense, whichever is greater. In addition, any unlawful proceeds may be subject to criminal forfeiture, and the new offense constitutes a predicate crime for money laundering (18 U.S.C. § 1956(c)(7)) and for racketeering offenses (18 U.S.C. § 1961(1)).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

## TITLE 18, UNITED STATES CODE

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# PART I—CRIMES

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[6] *See* 18 U.S.C.A. §§ 3231–3244 (2006).

## CHAPTER 46—FORFEITURE

* * * * * * *

### § 982. Criminal forfeiture

(a)(1) * * *

(2) The court, in imposing sentence on a person convicted of a violation of, or a conspiracy to violate—

(A) * * *

(B) section 471, 472, 473, 474, 476, 477, 478, 479, 480, 481, 485, 486, 487, 488, 501, 502, 510, 542, 545, 842, 844, 1028, 1029, [or 1030] *1030, or 1040* of this title, shall order that the person forfeit to the United States any

* * * * * * *

## CHAPTER 47—FRAUD AND FALSE STATEMENTS

Sec.
1001. Statements or entries generally.

* * * * * * *
*1040. War profiteering and fraud.*

* * * * * * *

### *§ 1040. War profiteering and fraud*

*(a) PROHIBITION.—*

*(1) IN GENERAL.—Whoever, in any matter involving a contract or the provision of goods or services to the United States or a provisional authority, in connection with a mission of the United States Government overseas, knowingly—*

*(A)(i) executes or attempts to execute a scheme or artifice to defraud the United States or that authority; or*

*(ii) materially overvalues any good or service with the intent to defraud the United States or that authority;*

*shall be fined under paragraph (2), imprisoned not more than 20 years, or both; or*

*(B) in connection with the contract or the provision of those goods or services—*

*(i) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;*

*(ii) makes any materially false, fictitious, or fraudulent statements or representations; or*

*(iii) makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious or fraudulent statement or entry;*

*shall be fined under paragraph (2) imprisoned not more than 10 years, or both.*

*(2) FINE.—A person convicted of an offense under paragraph (1) may be fined the greater of—*

*(A) $1,000,000; or*

*(B) if such person derives profits or other proceeds from the offense, not more than twice the gross profits or other proceeds.*

*(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.*

*(c) VENUE.—A prosecution for an offense under this section may be brought—*

*(1) as authorized by chapter 211 of this title;*

*(2) in any district where any act in furtherance of the offense took place; or*

*(3) in any district where any party to the contract or provider of goods or services is located.*

* * * * * * *

## CHAPTER 95—RACKETEERING

* * * * * * *

### § 1956. Laundering of monetary instruments

(a) * * *

* * * * * * *

(c) As used in this section—

(1) * * *

* * * * * * *

(7) the term "specified unlawful activity" means—

(A) * * *

* * * * * * *

(D) an offense under section 32 (relating to the destruction of aircraft), section 37 (relating to violence at international airports), section 115 (relating to influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member), section 152 (relating to concealment of assets; false oaths and claims; bribery), section 175c (relating to the variola virus), section 215 (relating to commissions or gifts for procuring loans), section 351 (relating to congressional or Cabinet officer assassination), any of sections 500 through 503 (relating to certain counterfeiting offenses), section 513 (relating to securities of States and private entities), section 541 (relating to goods falsely classified), section 542 relating to entry of goods by means of false statements), section 545 (relating to smuggling goods into the United States), section 549 (relating to removing goods from Customs custody), section 554 (relating to smuggling goods from the United States), section 641 (relating to public money, property, or records), section 656 (relating to theft, embezzlement, or misapplication by bank officer or employee), section 657 (relating to lending, credit, and insurance institutions), section 658 (relating to property mortgaged or pledged to farm credit agencies), section 666 (relating to theft or bribery concerning programs receiving Federal funds), section 793, 794, or 798 (relating to espionage), section 831 (relating to prohibited transactions involving nuclear materials), section 844 (f) or (i) (relating to destruction by explosives or fire of Government property or property affecting interstate or foreign commerce), section 875 (relating to interstate communications), section 922(1) (relating to the unlawful importation of firearms), section 924(n) (relating to firearms trafficking), section 956 (relating to conspiracy to

kill, kidnap, maim, or injure certain property in a foreign country), section 1005 (relating to fraudulent bank entries), 1006(relating to fraudulent Federal credit institution entries), 1007(relating to Federal Deposit Insurance transactions), 1014(relating to fraudulent loan or credit applications), section 1030 (relating to computer fraud and abuse), 1032(relating to concealment of assets from conservator, receiver, or liquidating agent of financial institution), *section 1040 (relating to war profiteering and fraud),* section 1111 (relating to murder), section 1114 (relating to murder of United States law enforcement officials), section 1116 (relating to murder of foreign officials, official guests, or internationally protected persons), section 1201 (relating to kidnaping), section 1203 (relating to hostage taking), section 1361 (relating to willful injury of Government property), section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction), section 1708 (theft from the mail), section 1751 (relating to Presidential assassination), section 2113 or 2114 (relating to bank and postal robbery and theft), section 2280 (relating to violence against maritime navigation), section 2281 (relating to violence against maritime fixed platforms), section 2319 (relating to copyright infringement), section 2320 (relating to trafficking in counterfeit goods and services), section 2332 (relating to terrorist acts abroad against United States nationals), section 2332a (relating to use of weapons of mass destruction), section 2332b (relating to international terrorist acts transcending national boundaries), section 2332g (relating to missile systems designed to destroy aircraft), section 2332h (relating to radiological dispersal devices), section 2339A or 2339B (relating to providing material support to terrorists), section 2339C (relating to financing of terrorism), or section 2339D (relating to receiving military-type training from a foreign terrorist organization) of this title, section 46502 of title 49, United States Code, a felony violation of the Chemical Diversion and Trafficking Act of 1988 (relating to precursor and essential chemicals), section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) (relating to aviation smuggling), section 422 of the Controlled Substances Act (relating to transportation of drug paraphernalia), section 38(c) (relating to criminal violations) of the Arms Export Control Act, section 11 (relating to violations) of the Export Administration Act of 1979, section 206 (relating to penalties) of the International Emergency Economic Powers Act, section 16 (relating to offenses and punishment) of the Trading with the Enemy Act, any felony violation of section 15 of the Food Stamp Act of 1977 (relating to food stamp fraud) involving a quantity of coupons having a value of not less than $5,000, any violation of section 543(a)(1) of the Housing Act of 1949 (relating to equity skimming), any felony violation of the Foreign Agents Registration Act of 1938, any felony violation of the Foreign Corrupt Practices Act,

or section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122) (relating to prohibitions governing atomic weapons)

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## CHAPTER 96—RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

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### § 1961. Definitions

As used in this chapter—

(1) "racketeering activity" means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act indictable under section 659 is felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891–894 (relating to extortionate credit transactions), section 1028 (relating to fraud and related activity in connection with identification documents), section 1029 (relating to fraud and related activity in connection with access devices), *section 1040 (relating to war profiteering and fraud),* section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale of naturalization or citizenship papers), sections 1461–1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of State or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 1513 (relating to retaliating against a witness, victim, or an informant), section 1542 (relating to false statement in application and use of passport), section 1543 (relating to forgery or false use of passport), section 1544 (relating to misuse of passport), section 1546 (relating to fraud and misuse of visas, permits, and other documents), sections 1581–1592 (relating to peonage, slavery, and trafficking in persons)., section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), section 1953 (relating to interstate transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in prop-

erty derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), section 1960 (relating to illegal money transmitters), sections 2251, 2251A, 2252, and 2260 (relating to sexual exploitation of children), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property) , section 2318 (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2319A (relating to unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances), section 2320 (relating to trafficking in goods or services bearing counterfeit marks), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341–2346 (relating to trafficking in contraband cigarettes), sections 2421–24 (relating to white slave traffic), sections 175–178 (relating to biological weapons), sections 229-F (relating to chemical weapons), section 831 (relating to nuclear materials),(C) any act which is indictable under title 29, United States Code, section 186 (dealing with restrictions on payments and loans to labor organizations) or section 501(c) (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11 (except a case under section 157 of this title), fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), punishable under any law of the United States, (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act, (F) any act which is indictable under the Immigration and Nationality Act, section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose) if the act indictable under such section of such Act was committed for the purpose of financial gain, or (G) any act that is indictable under any provision listed in section 2332b(g)(5)(B);

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