

110TH CONGRESS
2D SESSION

H. R. 5677

To amend the Tariff Act of 1930 to prohibit the importation into the United States of plastinated human remains.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2008

Mr. AKIN (for himself and Mr. WOLF) 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.

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.**

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

8 **“SEC. 308A. PROHIBITION ON IMPORTATION OF**
9 **PLASTINATED HUMAN REMAINS.**

10 “(a) DEFINITIONS.—In this section:

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

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

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

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

19 “(5) UNITED STATES.—The term ‘United
20 States’ means the customs territory of the United
21 States, as defined in general note 2 of the Har-
22 monized Tariff Schedule of the United States.

23 “(b) PROHIBITION.—It shall be unlawful for any per-
24 son to import into the United States any plastinated
25 human remains.

1 “(c) PENALTIES.—

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

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

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

13 “(C) \$3,000 for each separate negligent
14 violation.

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

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

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

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

6 (b) EFFECTIVE DATE.—Section 308A of the Tariff
7 Act of 1930, as added by subsection (a), applies with re-
8 spect to the importation of plastinated human remains on
9 or after the date of the enactment of this Act.

○