

HR 1555

FAIR Act

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Mar 15, 2017

Current Status: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Mar 31, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/1555>

Sponsor

Name: Rep. Walberg, Tim [R-MI-7]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors (55 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Mar 15, 2017
Rep. Ellison, Keith [D-MN-5]	D · MN		Mar 15, 2017
Rep. McClintonck, Tom [R-CA-4]	R · CA		Mar 15, 2017
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 20, 2017
Rep. Cohen, Steve [D-TN-9]	D · TN		Mar 20, 2017
Rep. Cole, Tom [R-OK-4]	R · OK		Mar 20, 2017
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Mar 20, 2017
Rep. Massie, Thomas [R-KY-4]	R · KY		Mar 20, 2017
Rep. Moolenaar, John R. [R-MI-4]	R · MI		Mar 20, 2017
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Mar 20, 2017
Rep. Speier, Jackie [D-CA-14]	D · CA		Mar 20, 2017
Rep. Takano, Mark [D-CA-41]	D · CA		Mar 20, 2017
Rep. Weber, Randy K., Sr. [R-TX-14]	R · TX		Mar 20, 2017
Rep. Brady, Robert A. [D-PA-1]	D · PA		Mar 22, 2017
Rep. Mooney, Alexander X. [R-WV-2]	R · WV		Mar 22, 2017
Rep. Moore, Gwen [D-WI-4]	D · WI		Mar 22, 2017
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Mar 27, 2017
Rep. O'Rourke, Beto [D-TX-16]	D · TX		Mar 27, 2017
Rep. Pearce, Stevan [R-NM-2]	R · NM		Apr 4, 2017
Rep. Rokita, Todd [R-IN-4]	R · IN		Apr 4, 2017
Rep. Ryan, Tim [D-OH-13]	D · OH		Apr 4, 2017
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 4, 2017
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Apr 4, 2017
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Apr 4, 2017
Rep. Mullin, Markwayne [R-OK-2]	R · OK		Apr 25, 2017
Rep. Russell, Steve [R-OK-5]	R · OK		Apr 26, 2017
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		May 3, 2017
Rep. Labrador, Raul R. [R-ID-1]	R · ID		May 17, 2017
Rep. Yoho, Ted S. [R-FL-3]	R · FL		May 17, 2017
Rep. Emmer, Tom [R-MN-6]	R · MN		May 24, 2017
Rep. Lewis, Jason [R-MN-2]	R · MN		May 24, 2017
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Jun 7, 2017
Rep. Polis, Jared [D-CO-2]	D · CO		Jun 20, 2017
Rep. Bishop, Mike [R-MI-8]	R · MI		Jun 27, 2017
Rep. Harper, Gregg [R-MS-3]	R · MS		Jul 20, 2017
Rep. Hastings, Alcee L. [D-FL-20]	D · FL		Jul 24, 2017
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Jul 24, 2017
Rep. Posey, Bill [R-FL-8]	R · FL		Jul 24, 2017
Rep. Webster, Daniel [R-FL-11]	R · FL		Jul 24, 2017
Rep. Young, Don [R-AK-At Large]	R · AK		Jul 24, 2017
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Jul 25, 2017

Cosponsor	Party / State	Role	Date Joined
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Jul 25, 2017
Rep. Beyer, Donald S., Jr. [D-VA-8]	D · VA		Jul 27, 2017
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Jul 27, 2017
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Jul 27, 2017
Rep. DeSantis, Ron [R-FL-6]	R · FL		Jul 27, 2017
Rep. Roe, David P. [R-TN-1]	R · TN		Jul 27, 2017
Rep. Boyle, Brendan F. [D-PA-13]	D · PA		Aug 25, 2017
Rep. McEachin, A. Donald [D-VA-4]	D · VA		Sep 5, 2017
Rep. Mitchell, Paul [R-MI-10]	R · MI		Sep 8, 2017
Rep. Lowenthal, Alan S. [D-CA-47]	D · CA		Oct 11, 2017
Rep. Meng, Grace [D-NY-6]	D · NY		Dec 11, 2017
Rep. Smith, Jason [R-MO-8]	R · MO		Dec 11, 2017
Rep. Rohrabacher, Dana [R-CA-48]	R · CA		Dec 13, 2017
Rep. Davidson, Warren [R-OH-8]	R · OH		May 8, 2018

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Mar 17, 2017
Financial Services Committee	House	Referred To	Mar 15, 2017
Judiciary Committee	House	Referred to	Mar 31, 2017
Ways and Means Committee	House	Referred To	Mar 15, 2017

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
115 S 642	Identical bill	Mar 15, 2017: Read twice and referred to the Committee on the Judiciary.

Fifth Amendment Integrity Restoration Act of 2017 or the FAIR Act

This bill modifies general rules governing civil forfeiture proceedings to: (1) ensure that a person contesting a civil forfeiture has legal representation without regard to whether the property subject to forfeiture is being used by such person as a primary residence; (2) increase the federal government's burden of proof in civil forfeiture proceedings to clear and convincing evidence; (3) require the government, in addition to showing a substantial connection between the seized property and an offense, to establish by clear and convincing evidence that the owner of any interest in the seized property used the property with intent to facilitate the offense or knowingly consented or was willfully blind to the use of the property by another in connection with the offense; and (4) expand the proportionality criteria used by a court to determine whether a civil forfeiture was constitutionally excessive.

To remove incentives for carrying out civil forfeitures, the bill requires proceeds from the disposition of seized property to be deposited into the General Fund of the Treasury, rather than to Department of Justice accounts for law enforcement activities.

The bill adds a *mens rea* requirement (i.e., a knowing violation) to the prohibition against structuring financial transactions to evade reporting requirements.

A court shall conduct a probable cause hearing to determine if there is a violation of the prohibition against structuring transactions to evade reporting requirements involving a monetary instrument and to return such instrument if probable cause is not established.

Actions Timeline

- **Mar 31, 2017:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Mar 17, 2017:** Referred to the Subcommittee on Health.
- **Mar 15, 2017:** Introduced in House
- **Mar 15, 2017:** Referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.