



December 12, 2023

The Honorable August Pfluger
Chairman
Subcommittee on Counterterrorism,
Law Enforcement, and Intelligence
U.S. House of Representatives
Washington, DC 20515

The Honorable Seth Magaziner
Ranking Member
Subcommittee on Counterterrorism,
Law Enforcement, and Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Pfluger and Ranking Member Magaziner:

Thank you for scheduling the upcoming hearing on, “*From Festive Cheer to Retail Fear: Addressing Organized Retail Crime*” and for your attention to this national crisis.

Communities and businesses large and small across the United States are facing a significant increase in organized retail crime that requires immediate action. More than half of small businesses reported theft in 2022 and believe that the problem is getting worse. In addition, earnings statements of major corporations over the past year show a nearly 100% growth in mentions of organized retail crime.¹

Last year, Congress took an important step to address this challenge by enacting the INFORM Act, which aimed to close off online markets for stolen goods by establishing verification requirements for third party online marketplace sellers.² In addition to the efforts in your Committee this Congress, Rep. Young Kim’s bipartisan bill, the Improving Federal Investigations of Organized Retail Crime Act (H.R. 316) is a positive federal response which would take important steps to increase coordination in response to this complex, multi-jurisdictional issue with a cohesive overall strategy and collaboration between retailers, anti-organized retail crime associations, and state-run retail crime task forces.³ The Chamber also supports Senator Grassley’s Combating Organized Retail Crime Act of 2023 (S. 140) as a key policy step in coordinating federal resources to combat this rising problem.

At the state level, there has been significant progress with 34 state laws increasing penalties and enforcement including in:

- **Virginia**, which passed a law to make organized retail theft a felony and make those convicted of the crime eligible for prison sentences of up to 20 years;⁴
- **Georgia**, which passed new laws to make it more difficult for organized gangs to sell stolen goods online;⁵

¹ https://www.uschamber.com/assets/documents/USCC-CrimeRisktoBusinessReport_FINAL.pdf

² <https://www.uschamber.com/economy/u-s-chamber-applauds-house-passage-of-inform-consumers-act>

³ <https://www.youtube.com/watch?v=IKQauAht02k>

⁴ <https://apnews.com/article/virginia-state-government-theft-business-crime-291f811d1fd952ee18125994461462e5>

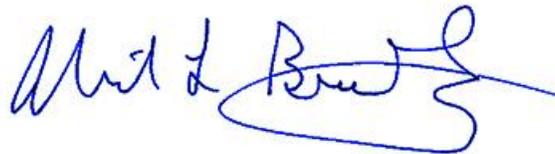
⁵ <https://www.wsav.com/now/new-georgia-laws-that-will-be-in-effect-starting-january/>

- **Minnesota**, which created a separate offense for organized retail theft with a possible sentence of 15 years depending on the value of the good stolen;⁶
- **Oregon**, which passed a law allowing for prosecutors to combine organized retail crime offenses happening across jurisdictions;⁷ and
- **North Carolina**, which made a felony of organized retail crimes that result in \$1,500 or more in damage.⁸

We encourage federal and state policymakers to work with innovative problem solvers like San Diego County District Attorney Summer Stephen and the leadership of the National District Attorney's Association (NDAA). The U.S. Chamber is proud to partner with DA Stephen and the NDAA in developing tools to combat retail crime including increased aggregation of offenses. We will continue to support leaders in this fight through increased penalties and enhanced prosecution tools across all 50 states.

We thank you again for holding this hearing on this issue of critical importance to the business community and look forward to engaging with you on this and other related anti-crime efforts. Please let us know how we can be helpful to your committee.

Sincerely,



Neil L. Bradley
Executive Vice President,
Chief Policy Officer, and
Head of Strategic Advocacy
U.S. Chamber of Commerce

cc: Members of the Subcommittee on Counterterrorism, Law Enforcement, and Intelligence

⁶ <https://www.fox9.com/news/minnesota-gun-safety-law-2023>

⁷ <https://www.kgw.com/article/news/politics/oregon-shoplifting-retail-theft-bill-governors-desk/283-3ed825cc-34cf-433a96f1-b0e42432c15c>

⁸ <https://myfox8.com/news/north-carolina/new-north-carolina-law-works-to-combat-rise-in-organized-retail-theft/>