

HILL ALERT



DUE PROCESS

INSTITUTE

Vote YES on the Count the Crimes to Cut Act, H.R. 2159

Due Process Institute urges members to vote YES on the Count the Crimes to Cut Act, H.R. 2159. This bill, which cleared the House Judiciary Committee in June by voice, would require the Department of Justice to produce a report identifying all federal crimes, including clarifying each law's legal elements and penalties, as well as the number of prosecutions in the past 15 years.

The federal criminal code is a sprawling, uncharted landscape containing hundreds of thousands of federal crimes and agency regulations that carry criminal penalties. For decades, Congress has over-federalized and over-criminalized federal criminal law, creating a reality in which literally any American can be prosecuted for a federal crime. What's worse is that Congress has no idea of the scope of the problem. To illustrate the breadth of the problem, the House Judiciary Committee's Over-Criminalization Task Force asked the Congressional Research Service (CRS) in 2013 to update its count of federal criminal offenses. However, [according to the chairman of the task force](#), "CRS' initial response to our request was that they lack the manpower and resources to accomplish this task." This level of opacity undermines basic due process and fair notice protections. The Count the Crimes to Cut Act confronts this problem head-on. This bill forces Congress to do the bare minimum any responsible steward of public power should do: inventory its own criminal laws.

When lawmakers don't know how many crimes their predecessors created, the federal government's power to police, prosecute, and incarcerate grows without restraint or accountability. The Count the Crimes to Cut Act gives Congress the visibility it needs to identify redundancies, outdated offenses, and provisions that are no longer grounded in any coherent public-safety rationale. An accurate count is not a symbolic exercise. It is the foundation for smarter lawmaking, targeted reform, and a criminal code aligned with modern realities rather than decades-old political reflexes. By compelling the Department of Justice to provide a comprehensive catalog of federal crimes, Congress can finally scrutinize which offenses genuinely require federal intervention and which would be better handled by state and local authorities. In an era marked by mistrust of institutions and a justified suspicion of executive overreach, this is the kind of transparency that strengthens the rule of law rather than eroding it.

Finally, the Count the Crimes to Cut Act creates the conditions for real bipartisan wins: fewer duplicative statutes, clearer enforcement authority, and a federal criminal code that

ordinary Americans can actually understand. Conservatives and progressives have long agreed that overcriminalization is both wasteful and unjust, but reforms stall without a baseline of facts. This bill supplies that baseline. It will enable Congress to eliminate dead-letter offenses, reduce regulatory clutter, and refocus federal enforcement resources where they are most needed. In short, it is a commonsense reform that restores accountability, enhances public safety, and moves the federal government closer to the transparent, limited institution the Constitution envisioned.

Due Process Institute encourages all Members to vote YES on the Count the Crimes to Cut Act, H.R. 2159.

Due Process Institute is a bipartisan nonprofit that works to honor, preserve, and restore principles of fairness in the criminal legal system. If you have any questions or concerns, please contact Vice President, Jason Pye at jason@idueprocess.org.