



February 14, 2023

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Republican Leader
United States Senate
Washington, DC 20510

RE: Support the Combating Organized Retail Crime Act of 2023 (S. 140)

Dear Majority Leader Schumer and Republican Leader McConnell:

On behalf of the National Retail Federation, I am writing to express our support for S. 140, the Combating Organized Retail Crime Act of 2023, which was recently introduced by Senators Chuck Grassley (R-Iowa) and Catherine Cortez Masto (D-Nev.). This legislation would help counter rising organized retail crime, which costs retailers billions in stolen merchandise and threatens the safety of retail workers and customers. **Please note that NRF will consider co-sponsorship of, and votes for, S. 140 as part of the Retail Opportunity Index for our voting scorecard.**

NRF, the world's largest retail trade association, passionately advocates for the people, brands, policies and ideas that help retail succeed. NRF empowers the industry that powers the economy. Retail is the nation's largest private-sector employer, contributing \$3.9 trillion to annual GDP and supporting one in four U.S. jobs — 52 million working Americans. For over a century, NRF has been a voice for every retailer and every retail job, educating, inspiring and communicating the powerful impact retail has on local communities and global economies.

Organized retail criminal (ORC) activity has increased across the U.S., particularly over the past two years. In [NRF's 2022 National Retail Security Survey](#), 26.5% of respondents indicated that they had seen an increase in ORC activity over the past year. Overall retail shrink, which ORC is a component of, totaled nearly \$100 billion in 2021. This not only has an economic impact on retailers, but also a broader effect in terms of the safety of store employees and customers. There have been numerous media reports of violent retail offenders, and the data sadly shows that more than 80% of respondents indicated that ORC offenders are more violent than in the previous year. These property crimes are endangering our employees, customers and the surrounding communities.

Retail loss prevention teams and state and local law enforcement have active efforts to investigate ORC groups and build cases but are frequently hampered by a lack of visibility into the scope of retail crime groups' broader activities, nationally and internationally. The Combating Organized Retail Crime Act of 2023 would help remedy this issue by creating an

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National Retail Federation

February 14, 2023

Page | 2

Organized Retail Crime Coordination Center at Homeland Security Investigations. The Center would align counter-ORC activities by developing national-level ORC intelligence, facilitating information sharing and cross-agency investigations and serving as a hub of expertise for training and technical assistance. The bill would also make changes to the U.S. criminal code to provide investigators and prosecutors increased enforcement tools for ORC-related activities.

American retailers and communities are facing severe economic and safety threats due to rising organized retail crime. The Combating Organized Retail Crime Act of 2023 would help address these issues by creating greater coordination and providing increased resources for law enforcement at all levels. We urge you to cosponsor S. 140 to support efforts to combat organized retail crime.

Sincerely,

A handwritten signature in black ink, appearing to read "David French". The signature is stylized with a large, sweeping initial "D" and a cursive "French".

David French
Senior Vice President
Government Relations

CC: Members of the U.S Senate