

105TH CONGRESS
1ST SESSION

S. 1162

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack cocaine offenses.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 11, 1997

Mr. ALLARD introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack cocaine offenses.

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. SHORT TITLE.**

4 This Act may be cited as the “Powder-Crack Cocaine
5 Penalty Equalization Act of 1997”.

6 **SEC. 2. TRAFFICKING.**

7 (a) 50-GRAM PENALTY.—Section 401(b)(1)(A) of the
8 Controlled Substances Act (21 U.S.C. 841(b)(1)(A)) is
9 amended—

1 (1) in clause (ii), by striking “5 kilograms” and
2 inserting “50 grams”;

3 (2) by striking clause (iii); and

4 (3) by redesignating clauses (iv) through (viii)
5 as clauses (iii) through (vii), respectively.

6 (b) 5-GRAM PENALTY.—Section 401(b)(1)(B) of the
7 Controlled Substances Act (21 U.S.C. 841(b)(1)(B)) is
8 amended—

9 (1) in clause (ii), by striking “500 grams” and
10 inserting “5 grams”;

11 (2) by striking clause (iii); and

12 (3) by redesignating clauses (iv) through (viii)
13 as clauses (iii) through (vii), respectively.

14 **SEC. 3. POSSESSION.**

15 Section 404(a) of the Controlled Substances Act (21
16 U.S.C. 844(a)) is amended by striking “cocaine base” and
17 inserting “any controlled substance described in section
18 401(b)(1)(A)(ii)”.

19 **SEC. 4. IMPORT AND EXPORT.**

20 (a) 50-GRAM PENALTY.—Section 1010(b)(1) of the
21 Controlled Substances Import and Export Act (21 U.S.C.
22 960(b)(1)) is amended—

23 (1) in subparagraph (B), by striking “5 kilo-
24 grams” and inserting “50 grams”;

25 (2) by striking subparagraph (C); and

1 (3) by redesignating subparagraphs (D)
2 through (H) as subparagraphs (C) through (G), re-
3 spectively.

4 (b) 5-GRAM PENALTY.—Section 1010(b)(2) of the
5 Controlled Substances Import and Export Act (21 U.S.C.
6 960(b)(2)) is amended—

7 (1) in subparagraph (B), by striking “500
8 grams” and inserting “5 grams”;

9 (2) by striking subparagraph (C); and

10 (3) by redesignating subparagraphs (D)
11 through (H) as subparagraphs (C) through (G), re-
12 spectively.

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