

108TH CONGRESS
1ST SESSION

H. R. 1435

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2003

Mr. RANGEL introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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

A BILL

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to 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 “Crack-Cocaine Equi-
5 table Sentencing Act of 2003”.

1 **SEC. 2. TRAFFICKING AMENDMENTS.**

2 (a) 50 GRAM PENALTY.—Section 401(b)(1)(A) of the
3 Controlled Substances Act (21 U.S.C. 841(b)(1)(A)) is
4 amended by striking clause (iii).

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

8 **SEC. 3. POSSESSION AMENDMENT.**

9 Section 404(a) of the Controlled Substances Act (21
10 U.S.C. 844(a)) is amended by striking the sentence that
11 begins “Notwithstanding the preceding sentence”.

12 **SEC. 4. IMPORTATION AMENDMENTS.**

13 (a) 50 GRAM PENALTY.—Section 1010(b)(1) of the
14 Controlled Substances Import and Export Act (21 U.S.C.
15 960(b)(1)) is amended by striking out subparagraph (C).

16 (b) 5 GRAM PENALTY.—Section 1010(b)(2) of the
17 Controlled Substances Import and Export Act (21 U.S.C.
18 960(b)(2)) is amended by striking out subparagraph (C).

19 **SEC. 5. SENTENCING COMMISSION TO AMEND GUIDELINES.**

20 Not later than 30 days after the date of the enact-
21 ment of this Act, the United States Sentencing Commis-
22 sion shall promulgate such amendments to the Sentencing
23 Guidelines as are necessary to conform those Guidelines
24 to the amendments made by this Act.

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