

111TH CONGRESS
1ST SESSION

H. R. 18

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 HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. BARTLETT 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 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 2009”.

1 **SEC. 2. TRAFFICKING.**

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—

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

7 (2) by striking clause (iii).

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

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

13 (2) by striking clause (iii).

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”; and

25 (2) by striking subparagraph (C).

1 (b) 5-GRAM PENALTY.—Section 1010(b)(2) of the
2 Controlled Substances Import and Export Act (21 U.S.C.
3 960(b)(2)) is amended—

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

6 (2) by striking subparagraph (C).

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