

105TH CONGRESS  
1ST SESSION

# H. R. 41

To provide a sentence of death for certain importations of significant quantities of controlled substances.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. GINGRICH introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on 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 provide a sentence of death for certain importations of significant quantities of controlled substances.

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 “Drug Importer Death  
5 Penalty Act of 1997”.

1 **SEC. 2. INCREASED PENALTIES FOR INTERNATIONAL DRUG**  
2 **TRAFFICKING.**

3 Section 1010 of the Controlled Substances Import  
4 and Export Act (21 U.S.C. 960) is amended by adding  
5 at the end the following:

6 “(e)(1) Notwithstanding any other provision of law,  
7 the court shall sentence a person convicted of a violation  
8 of subsection (a), consisting of bringing into the United  
9 States a mixture or substance—

10 “(A) which is described in subsection (b)(1);  
11 and

12 “(B) in an amount the Attorney General by  
13 rule has determined is equal to 100 usual dosage  
14 amounts of such mixture or substance;

15 to imprisonment for life without possibility of release. If  
16 the defendant has violated this subsection on more than  
17 one occasion and the requirements of chapter 228 of title  
18 18, United States Code, are satisfied, the court shall sen-  
19 tence the defendant to death.

20 “(2) The maximum fine that otherwise may be im-  
21 posed, but for this subsection, shall not be reduced by op-  
22 eration of this subsection.”.

23 **SEC. 3. CONFORMING AMENDMENTS TO TITLE 18, UNITED**  
24 **STATES CODE.**

25 (a) INCLUSION OF OFFENSE.—Section 3591(b) of  
26 title 18, United States Code, is amended—

1           (1) by striking “or” at the end of paragraph  
2           (1);

3           (2) by striking the comma and inserting “; or”  
4           at the end of paragraph (2); and

5           (3) by inserting after paragraph (2) the follow-  
6           ing:

7           “(3) an offense described in section 1010(e)(1)  
8           of the Controlled Substances Import and Export  
9           Act;”.

10          (b) **ADDITIONAL AGGRAVATING FACTOR.**—Section  
11 3592(d) of title 18, United States Code, is amended by  
12 inserting after paragraph (8) the following:

13           “(9) **SECOND IMPORTATION OFFENSE.**—The of-  
14           fense consisted of a second or subsequent violation  
15           of section 1010(a) of the Controlled Substances Im-  
16           port and Export Act consisting of bringing a con-  
17           trolled substance into the United States.”.

○