

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.

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## 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

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## 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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