

111TH CONGRESS  
1ST SESSION

# H. R. 3245

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act regarding penalties for cocaine offenses, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2009

Mr. SCOTT of Virginia (for himself, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. CONYERS, Mr. RANGEL, Mr. NADLER of New York, Ms. ZOE LOFGREN of California, Mr. PIERLUISI, Mr. WEINER, Mr. COHEN, Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. GRIJALVA, Mr. PAUL, Mr. MORAN of Virginia, Ms. NORTON, and Mr. QUIGLEY) 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 regarding penalties for cocaine offenses, and for other purposes.

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 “Fairness in Cocaine  
5 Sentencing Act of 2009”.

1 **SEC. 2. ELIMINATION OF INCREASED PENALTIES FOR CO-**  
2 **CAINE OFFENSES WHERE THE COCAINE IN-**  
3 **VOLVED IS COCAINE BASE.**

4 (a) CONTROLLED SUBSTANCES ACT.—The following  
5 provisions of the Controlled Substances Act (21 U.S.C.  
6 801 et seq.) are repealed:

- 7 (1) Clause (iii) of section 401(b)(1)(A).
- 8 (2) Clause (iii) of section 401(b)(1)(B).
- 9 (3) The sentence beginning “Notwithstanding  
10 the preceding sentence” in section 404(a).

11 (b) CONTROLLED SUBSTANCES IMPORT AND EXPORT  
12 ACT.—The following provisions of the Controlled Sub-  
13 stances Import and Export Act (21 U.S.C. 951 et seq.)  
14 are repealed:

- 15 (1) Subparagraph (C) of section 1010(b)(1).
- 16 (2) Subparagraph (C) of section 1010(b)(2).

○