II

104TH CONGRESS

2D SESSION S. 1790 To amend the Controlled Substances Act to increase the penalties for the manufacture, distribution, and possession of marihuana, and for other purposes.

IN THE SENATE OF THE UNITED STATES MAY 22, 1996 Mr. MCCONNELL introduced the following bill; which was read twice and

referred to the Committee on the Judiciary

A BILL
To amend the Controlled Substances Act to increase the
penalties for the manufacture, distribution, and posses-
sion of marihuana, 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 ‘‘Enhanced Marihuana

5 Penalty Act of 1996’’.
6 SEC. 2. FINDINGS.
7 The Congress finds that—

8 (1) the number of children in the United States
9 between 12 and 17 years of age using marihuana in-

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1 creased from 1,600,000 in 1992 to 2,900,000 in
2 1994, which constitutes an 80 percent increase;

3 (2) currently, one-third of all high school sen-
4 iors smoke marihuana;
5 (3) the perception of the dangers of using mari-

6 huana is declining among youthful marihuana smok-
7 ers;
8 (4) scientific research has demonstrated that—

9 (A) marihuana impairs short-term mem-

10 ory, core motor functions, and the ability to
11 concentrate;
12 (B) THC, the principal psychoactive ingre-

13 dient of marihuana, may cause drug depend-
14 ency;
15 (C) regular marihuana use may cause

16 chronic bronchitis, increased frequency of acute
17 chest illness, heightened risk of pulmonary in-

18 fection, and lung disease; and
19 (D) prenatal exposure to marihuana may

20 cause impaired intellectual ability in young chil-
21 dren;
22 (5) children between the ages of 12 and 17 who

23 use marihuana are 85 times more likely to use co-
24 caine than children who do not use marihuana;

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1 (6) there are 39,000,000 children in the United
2 States who are younger than 10 years old, and ne-

3 glect of our Nation’s marihuana problem will lead to
4 the creation of a new generation of drug abusers,

5 prone to criminal and other socially deviant behav-
6 ior; and
7 (7) existing penalties for trafficking in mari-

8 huana are inadequate to deter those who sell mari-

9 huana to our Nation’s most vulnerable citizens.

10 SEC. 3. PENALTIES.

11 (a) CONTROLLED SUBSTANCES ACT.—Section
12 401(b)(1) of the Controlled Substances Act (21 U.S.C.
13 841(b)(1)) is amended—

14 (1) in subparagraph (A)(vii), by striking ‘‘1000
15 kilograms’’ and inserting ‘‘100 kilograms’’;

16 (2) in subparagraph (B)(vii), by striking ‘‘100
17 kilograms’’ and inserting ‘‘10 kilograms’’; and

18 (3) in subparagraph (D), by striking ‘‘50 kilo-
19 grams’’ and inserting ‘‘10 kilograms’’.
20 (b) CONTROLLED SUBSTANCES IMPORT AND EXPORT

21 ACT.—Section 1010(b) of the Controlled Substances Im-
22 port and Export Act (21 U.S.C. 960(b)) is amended—

23 (1) in paragraph (1)(G), by striking ‘‘1000 kilo-
24 grams’’ and inserting ‘‘100 kilograms’’;

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1 (2) in paragraph (2)(G), by striking ‘‘100 kilo-
2 grams’’ and inserting ‘‘10 kilograms’’; and

3 (3) in paragraph (4), by striking ‘‘50 kilo-
4 grams’’ and inserting ‘‘10 kilograms’’.

5 SEC. 4. AMENDMENT OF SENTENCING GUIDELINES.

6 The United States Sentencing Commission shall
7 amend the Federal Sentencing Guidelines to reflect the

8 amendments made by this Act.

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