

104TH CONGRESS
2D SESSION

S. 2125

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 1996

Mr. LOTT introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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 1996”.

6 **SEC. 2. INCREASED PENALTIES FOR INTERNATIONAL DRUG**
7 **TRAFFICKING.**

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

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

5 “(A) which is described in subsection (b)(1);
6 and

7 “(B) in an amount the Attorney General by
8 rule has determined is equal to 100 usual dosage
9 amounts of such mixture or substance;
10 to imprisonment for life without possibility of release. If
11 the defendant has violated this subsection on more than
12 one occasion and the requirements of chapter 228 of title
13 18, United States Code, are satisfied, the court shall sen-
14 tence the defendant to death.

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

18 **SEC. 3. CONFORMING AMENDMENTS TO TITLE 18, UNITED**

19 **STATES CODE.**

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

22 (1) by striking “or” at the end of paragraph
23 (1);

1 (2) by striking the comma at the end of para-
2 graph (2) and inserting “; or” at the end of para-
3 graph (2); and

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

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

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

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

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