

**AMENDMENT TO H.R. 467, AS REPORTED
OFFERED BY MR. BUCK OF COLORADO**

Redesignate sections 2 through 6 as sections 101 through 105, respectively.

Insert before section 101, as redesignated, the following:

1 **TITLE I—HALT FENTANYL**

On page 19, lines 6, 7, and 24, page 20, line 1, and page 21, lines 4, 5, 7, and 11, strike “this Act” each place it appears and insert “this title”.

At the end of the bill, add the following:

2 **TITLE II—STOP PILLS THAT KILL**

3 **SEC. 201. DEFINITION.**

4 In this title, the term “counterfeit fentanyl or meth-

5 amphetamine substance” means a substance that—

6 (1) contains fentanyl, any analogue of fentanyl,

7 or methamphetamine; and

8 (2) is marketed, sold, or falsely bears the trade-

9 mark, trade name, or other identifying mark, im-

10 print, number, or any likeness thereof of another

11 product.

1 **SEC. 202. PROHIBITED ACTS.**

2 Section 403(d)(2) of the Controlled Substances Act
3 (21 U.S.C. 843(d)(2)) is amended, in the matter pre-
4 ceding subparagraph (A), by inserting “, fentanyl, an ana-
5 logue of fentanyl, or a counterfeit substance” after “meth-
6 amphetamine”.

7 **SEC. 203. COMPREHENSIVE PLAN.**

8 Not later than 180 days after the date of enactment
9 of this title, the Administrator of the Drug Enforcement
10 Administration shall establish and implement an operation
11 and response plan to address counterfeit fentanyl or meth-
12 amphetamine substances that includes—

13 (1) strategies to enable and empower Federal
14 law enforcement efforts to investigate and seize
15 counterfeit fentanyl or methamphetamine sub-
16 stances;

17 (2) specific ways that education and prevention
18 efforts to stop the use of counterfeit fentanyl or
19 methamphetamine substances will be increased, in-
20 cluding how—

21 (A) ongoing efforts, such as Operation En-
22 gage, are effective in increasing education and
23 prevention; and

24 (B) how the efforts described in subpara-
25 graph (A) are tailored to youth and teen access;
26 and

1 (3) an audit of current campaigns, including
2 the “One Pill Can Kill” campaign, on counterfeit
3 fentanyl or methamphetamine substances, including
4 a review of data and other available information on
5 how such campaigns can be tailored, adjusted, or
6 improved to better address the flow of counterfeit
7 fentanyl or methamphetamine substances.

8 **SEC. 204. REPORT TO CONGRESS.**

9 (a) REPORT.—Not later than 1 year after the date
10 of enactment of this title, and every year thereafter, the
11 Attorney General, in consultation with the Administrator
12 of the Drug Enforcement Administration and Director of
13 the Office of National Drug Control Policy, shall submit
14 to Congress a report on information regarding the collec-
15 tion and prosecutions of counterfeit fentanyl or meth-
16 amphetamine substances.

17 (b) CONTENTS.—The report required under sub-
18 section (a) shall include the following:

19 (1) Data on the aggregate number of counter-
20 feit fentanyl or methamphetamine substances seized
21 and collected by Federal law enforcement agencies.

22 (2) A breakdown on how many counterfeit
23 fentanyl or methamphetamine substances are in pill
24 form.

1 (3) A breakdown on which illicit substances are
2 present in the counterfeit fentanyl or methamphet-
3 amine substances that are in pill form.

4 (4) Data outlining where and when counterfeit
5 fentanyl or methamphetamine substances were
6 seized.

7 (5) Data on the charges filed against those
8 manufacturing, distributing, or dispensing, or pos-
9 sessed with the intent to distribute or dispense a
10 counterfeit fentanyl or methamphetamine substance,
11 particularly in pill form, pursuant to paragraph (1)
12 or (2) of section 401(a) of the Controlled Substances
13 Act (21 U.S.C. 841(a)), unless disclosure of such
14 data would require unsealing an indictment or would
15 undermine investigations and charges brought by the
16 Department of Justice.

17 (6) Data on the convictions and sentences
18 against those who are found guilty under paragraph
19 (1) or (2) of section 401(a) of the Controlled Sub-
20 stances Act (21 U.S.C. 841(a)) as it pertains to
21 counterfeit fentanyl or methamphetamine sub-
22 stances, particularly those in pill form.

23 (7) Any prevention measures that the Depart-
24 ment of Justice, Drug Enforcement Administration,
25 or Office of National Drug Control Policy are under-

- 1 taking to limit and reduce the spread of counterfeit
- 2 fentanyl or methamphetamine substances in pill
- 3 form, including ongoing public awareness campaigns.

