

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**36**

**OFFERED BY MR. KUSTOFF OF TENNESSEE**

At the end of subtitle C of title XVII, insert the following new section:

1 **SEC. 17\_\_\_.** **UNLAWFUL POSSESSION OF PILL PRESS**  
2 **MOLDS.**

3 (a) **PROHIBITION.**—Section 401 of the Controlled  
4 Substances Act (21 U.S.C. 841) is amended by adding at  
5 the end the following:

6 “(i) **OFFENSE REGARDING UNLAWFUL POSSESSION**  
7 **OF PILL PRESS MOLDS.**—

8 “(2) **IN GENERAL.**—Whoever, with intent to  
9 manufacture in violation of this title a counterfeit  
10 substance in schedule I or II in a capsule, tablet, or  
11 other form for distribution, knowingly possesses a  
12 pill press mold, shall be imprisoned not more than  
13 20 years and fined in accordance with title 18,  
14 United States Code.

15 “(3) **DEFINITIONS.**—In this subsection, the  
16 term ‘pill press mold’ means any punch, die, plate,  
17 stone, or other object designed to print, imprint, or  
18 reproduce on a controlled substance (or the con-

1 tainer or labeling thereof) the trademark, trade  
2 name, or other identifying mark, imprint, number,  
3 or device, or any likeness thereof, of a manufacturer,  
4 distributor, or dispenser other than the person or  
5 persons who in fact manufactured, created, distrib-  
6 uted, or dispensed such product, thereby rendering  
7 it a counterfeit substance.”.

8 (b) SENTENCING GUIDELINES.—Pursuant to its au-  
9 thority under section 994 of title 28, United States Code,  
10 and in accordance with this section, the United States  
11 Sentencing Commission shall review and amend, as appro-  
12 priate, the Federal sentencing guidelines and policy state-  
13 ments to ensure that the guidelines provide for a penalty  
14 enhancement of not less than 2 offense levels above the  
15 offense level otherwise applicable for a violation of section  
16 401(a) of the Controlled Substances Act (21 U.S.C.  
17 841(a)) if the defendant is found, in connection with such  
18 violation of section 401(a), to be in violation of section  
19 401(i) of the Controlled Substances Act, as added by sub-  
20 section (a).

