

119TH CONGRESS  
1ST SESSION**S.** \_\_\_\_\_

To amend the Controlled Substances Act to prohibit certain acts related to fentanyl, analogues of fentanyl, and counterfeit substances, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To amend the Controlled Substances Act to prohibit certain acts related to fentanyl, analogues of fentanyl, and counterfeit substances, 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 “Stop Pills That Kill  
5       Act”.

**6 SEC. 2. DEFINITION.**

7       In this Act, the term “counterfeit fentanyl or meth-  
8       amphetamine substance” means a substance that—

(1) contains fentanyl, any analogue of fentanyl, or methamphetamine; and

3 (2) is marketed, sold, or falsely bears the trade-  
4 mark, trade name, or other identifying mark, im-  
5 print, number, or any likeness thereof of another  
6 product.

### 7 SEC. 3. PROHIBITED ACTS.

8 Section 403(l)(2) of the Controlled Substances Act  
9 (21 U.S.C. 843(d)(2)) is amended, in the matter pre-  
10 ceding subparagraph (A), by inserting “; fentanyl, an ana-  
11 logue of fentanyl, or a counterfeit substance” after “methi-  
12 amphetamine”.

### 13 SEC. 4. COMPREHENSIVE PLAN.

14 Not later than 180 days after the date of enactment  
15 of this Act, the Administrator of the Drug Enforcement  
16 Administration shall establish and implement an operation  
17 and response plan to address counterfeit fentanyl or meth-  
18 amphetamine substances that includes—

19 (1) strategies to enable and empower Federal  
20 law enforcement efforts to investigate and seize  
21 counterfeit fentanyl or methamphetamine sub-  
22 stances;

(2) specific ways that education and prevention efforts to stop the use of counterfeit fentanyl or

1       methamphetamine substances will be increased, in-  
2       cluding how—

3               (A) ongoing efforts, such as Operation En-  
4               gage, are effective in increasing education and  
5               prevention; and

6               (B) how the efforts described in subpara-  
7               graph (A) are tailored to youth and teen access;  
8               and

9               (3) an audit of current campaigns, including  
10       the “One Pill Can Kill” campaign, on counterfeit  
11       fentanyl or methamphetamine substances, including  
12       a review of data and other available information on  
13       how the campaigns can be tailored, adjusted, or im-  
14       proved to better address the flow of counterfeit  
15       fentanyl or methamphetamine substances.

16 **SEC. 5. REPORT TO CONGRESS.**

17       (a) REPORT.—Not later than 1 year after the date  
18       of enactment of this Act, and every year thereafter, the  
19       Attorney General, in consultation with the Administrator  
20       of the Drug Enforcement Administration and Director of  
21       the Office of National Drug Control Policy, shall submit  
22       to Congress a report on information regarding the collec-  
23       tion and prosecutions of counterfeit fentanyl or meth-  
24       amphetamine substances.

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

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

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

(3) A breakdown on which illicit substances are present in the counterfeit fentanyl or methamphetamine substances that are in pill form.

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

15 (5) Data on the charges filed against those  
16 manufacturing, distributing, or dispensing, or pos-  
17 sessing with the intent to distribute or dispense, a  
18 counterfeit fentanyl or methamphetamine substance,  
19 particularly in pill form, pursuant to paragraph (1)  
20 or (2) of section 401(a) of the Controlled Substances  
21 Act (21 U.S.C. 841(a)), unless disclosure of the data  
22 would—

23 (A) require unsealing an indictment; or

24 (B) undermine investigations and changes

25 brought by the Department of Justice.

7 (7) Any prevention measures that the Department  
8 of Justice, Drug Enforcement Administration,  
9 or Office of National Drug Control Policy are under-  
10 taking to limit and reduce the spread of counterfeit  
11 fentanyl or methamphetamine substances in pill  
12 form, including ongoing public awareness campaigns.