

Chuck Grassley  
S.L.C.

119TH CONGRESS  
1ST SESSION

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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

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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 (1) contains fentanyl, any analogue of fentanyl,  
2 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(d)(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 “meth-  
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;

23 (2) specific ways that education and prevention  
24 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.

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

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

12 (4) Data outlining where and when counterfeit  
13 fentanyl or methamphetamine substances were  
14 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 charges  
25 brought by the Department of Justice.

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

7           (7) Any prevention measures that the Depart-  
8           ment 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.