

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8005
OFFERED BY M . _____

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stop Pills That Kill
3 Act”.

4 SEC. 2. DEFINITIONS.

5 In this Act, the term “counterfeit pill containing
6 fentanyl, methamphetamine, or an illicit synthetic sub-
7 stance” means a substance in pill or tablet form that—

(1) is a counterfeit substance, as defined in section 102(7) of the Controlled Substances Act (21 U.S.C. 802(7)); and

(2) contains fentanyl, an analog of fentanyl, a fentanyl-related substance, methamphetamine, an illicit depressant or stimulant substance, an illicit narcotic, or an illicit synthetic opioid.

15 SEC. 3. PROHIBITED ACTS.

Section 403(d)(2) of the Controlled Substances Act (21 U.S.C. 843(d)(2)) is amended, in the matter preceding subparagraph (A), by inserting “, fentanyl, an ana-

1 logue of fentanyl, or a fentanyl-related substance” after
2 “methamphetamine”.

3 **SEC. 4. COMPREHENSIVE PLAN.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, the Administrator of the
6 Drug Enforcement Administration shall establish and im-
7 plement an operation and response plan to address coun-
8 terfeit pills containing fentanyl, methamphetamine, or an
9 illicit synthetic substance.

10 (b) CONTENTS.—The plan required under subsection
11 (a) shall include—

12 (1) strategies to enable and empower Federal
13 law enforcement efforts to investigate and seize
14 counterfeit pills containing fentanyl, methamphet-
15 amine, or an illicit synthetic substance;

16 (2) specific ways that education and prevention
17 efforts to stop the use of counterfeit pills containing
18 fentanyl, methamphetamine, or an illicit synthetic
19 substance will be increased, including—

20 (A) how ongoing efforts, such as Operation
21 Engage, are effective in increasing education
22 and prevention; and

23 (B) how such ongoing efforts are tailored
24 to youth and teen access; and

1 (3) an audit of current campaigns on counter-
2 feit pills containing fentanyl, methamphetamine, or
3 an illicit synthetic substance, including a review of
4 data and other available information on how the
5 campaigns can be tailored, adjusted, or improved to
6 better address the flow of such counterfeit pills.

7 **SEC. 5. REPORT TO CONGRESS.**

8 (a) REPORT.—Not later than 1 year after the date
9 of enactment of this Act, and every year thereafter
10 through fiscal year 2031, the Attorney General, in con-
11 sultation with the Administrator of the Drug Enforcement
12 Administration and the Director of the Office of National
13 Drug Control Policy, shall submit to Congress a report
14 containing information regarding the collection of counter-
15 feit pills containing fentanyl, methamphetamine, or an il-
16 licit synthetic substance and prosecutions undertaken in
17 connection with such counterfeit pills.

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

20 (1) Data on the aggregate number of counter-
21 feit pills containing fentanyl, methamphetamine, or
22 an illicit synthetic substance that have been seized
23 and collected by Federal law enforcement agencies.

24 (2) A description of pharmaceutical markings
25 used for counterfeit pills containing fentanyl, meth-

1 amphetamine, or an illicit synthetic substance, in-
2 cluding how the markings compare to required label-
3 ing for products approved by the Food and Drug
4 Administration.

5 (3) A breakdown of which illicit substances are
6 present in counterfeit pills containing fentanyl,
7 methamphetamine, or an illicit synthetic substance.

8 (4) Data outlining the geographic origin and
9 points of seizure of counterfeit pills containing
10 fentanyl, methamphetamine, or an illicit synthetic
11 substance.

12 (5) Data on the charges filed pursuant to para-
13 graph (1) or (2) of section 401(a) of the Controlled
14 Substances Act (21 U.S.C. 841(a)) in relation to
15 counterfeit pills containing fentanyl, methamphet-
16 amine, or an illicit synthetic substance, unless disclo-
17 sure of the data would—

18 (A) require unsealing an indictment; or

19 (B) undermine investigations and charges
20 brought by the Department of Justice.

21 (6) Data on the convictions and sentences
22 against those who are found guilty under paragraph
23 (1) or (2) of section 401(a) of the Controlled Sub-
24 stances Act (21 U.S.C. 841(a)) as it pertains to

1 counterfeit pills containing fentanyl, methamphet-
2 amine, or an illicit synthetic substance.

3 (7) Any prevention measures that the Depart-
4 ment of Justice, the Drug Enforcement Administra-
5 tion, or the Office of National Drug Control Policy
6 are undertaking to limit and reduce the spread of
7 counterfeit pills containing fentanyl, methamphet-
8 amine, or an illicit synthetic substance, including on-
9 going public awareness campaigns.

Amend the title so as to read: “A bill to amend the Controlled Substances Act to prohibit certain acts related to fentanyl, analogues of fentanyl, and fentanyl-related substances, and for other purposes.”.

