AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5455
OFFERED BY M_.

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Terry Technical Correction Act”.

2 SEC. 2. APPLICATION OF FAIR SENTENCING ACT OF 2010.

Section 404 of the First Step Act of 2018 (21 U.S.C. 841 note) is amended—

(1) in subsection (a)—

(A) by striking “‘covered offense’ means” and inserting the following: “‘covered offense’—

“(1) means”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(2) includes a violation, involving cocaine base, of—

“(A) section 3113 of title 5, United States Code;
“(B) section 401(b)(1)(C) of the Controlled Substances Act (21 U.S.C. 841(b)(1)(C));

“(C) section 404(a) of the Controlled Substances Act (21 U.S.C. 844(a));

“(D) section 406 of the Controlled Substances Act (21 U.S.C. 846);

“(E) section 408 of the Controlled Substances Act (21 U.S.C. 848);

“(F) subsection (b) or (c) of section 409 of the Controlled Substances Act (21 U.S.C. 849);

“(G) subsection (a) or (b) of section 418 of the Controlled Substances Act (21 U.S.C. 859);

“(H) subsection (a), (b), or (c) of section 419 of the Controlled Substances Act (21 U.S.C. 860);

“(I) section 420 of the Controlled Substances Act (21 U.S.C. 861);

“(J) section 1010(b)(3) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(3));

“(K) section 1010A of the Controlled Substances Import and Export Act (21 U.S.C. 960a);
“(L) section 90103 of the Violent Crime
Control and Law Enforcement Act of 1994 (34
U.S.C. 12522);
“(M) section 70503 or 70506 of title 46,
United States Code; or
“(N) any attempt, conspiracy or solicita-
tion to commit an offense described in subpara-
graphs (A) through (M).”;
(2) in subsection (e), by inserting “A motion
made under this section that was denied after a
court determination that a violation described in
subsection (a)(2) was not a covered offense shall not
be considered a denial after a complete review of the
motion on the merits within the meaning of this sec-
tion.” after the period at the end of the second sen-
tence.