

Drug & Alcohol Abuse Prevention Policy

The purpose of the Drug and Alcohol Abuse prevention regulations is to implement section 22 of the Drug-Free Schools and Communities Act Amendments of 1989, which added section 1213 to the Higher Education Act. These Amendments require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education (**IHE**) must certify that it has adopted and implemented a drug prevention program as described in this part.



2026

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Drug and Alcohol Prevention Program

The Drug Free Schools and Communities Act Amendment of 1989 requires Midwest Institute to certify that it has adopted and implemented a drug and alcohol abuse prevention program as a condition of receiving federal funds and financial assistance. The law further requires the annual distribution of written policies to each enrolled student. In accordance with the Drug Free Schools and Communities Act Amendment of 1989 and Midwest Institute's mission, this document restates the school's commitment to maintaining an environment which is free of impairment and encourages both academic, professional and personal growth and development.

The Midwest Institute Drug and Alcohol Prevention Program is distributed to students during new student orientation and to new employees upon hire. It is accessible online at <https://www.midwestinstitute.edu/student-consumer-information/> under Drug and Alcohol Prevention Program link

Midwest Institutes distributes a notice annually to students and employees and are directed to the link to the digital version of this policy

Policy Statement:

This policy statement applies to all students enrolled in Midwest Institute campus site listed below and including students taking classes within the schools Online/Distance Learning Programs:

Midwest Institute 4260 Shoreline Dr. Earth City MO. 63045

It is the goal of Midwest Institute to protect the public health and environment of its members by promoting an environment free of illicit drug use and alcohol abuse. The manufacture, distribution, possession or use of illicit drugs, and the unlawful possession, use or distribution of alcohol on any Midwest Institute Campus or at any Midwest Institute event is prohibited.

Standards of Conduct – Illicit Drugs

- The unlawful manufacture, possession, distribution, or use of illicit drugs on any Midwest Institute Campus or site by Midwest Institute students, employees, or their guests is strictly prohibited

Standards of Conduct – Alcohol

- Federal legislation prohibits the unlawful possession, use or distribution of alcohol. The laws of all states are in compliance with federal law, which prohibits persons less than 21 years of age from the possession or use of alcohol. The unlawful manufacture, possession, distribution, or use of alcohol on any Midwest Institute Campus or site by Midwest Institute students, employees, or their guests is strictly prohibited

Definitions:

1. Illegal drugs are defined a substance or substances defined and regulated under the provisions of the Federal Controlled Substance Act and of Missouri Revised Statutes Chapter 579 Controlled Substance Offenses <https://revisor.mo.gov/main/OneChapter.aspx?chapter=579>), and includes but is not limited to CNS depressants, CNS stimulants, hallucinogens, other illegal drugs such as PCP and cocaine or crack.
2. "Use of a drug" includes possession of drug paraphernalia; use, possession, manufacture, sale or distribution, on or off campus, of any one or more illegal drugs as before mentioned. It also includes misuse of prescription medication.
3. "On campus means any building, facility, grounds or other property owned, leased or controlled by Midwest Institute and any building, facility, grounds or other property owned, leased or controlled by Midwest Institute affiliates during an externship.
4. Authorities are defined as the St. Louis County Police Department and any respondents associated with the department who enforces Missouri Law.

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Legal Sanctions:

Drugs: In the United States the manufacture possession, sale, distribution and use of illicit drugs is prohibited by city, county, state, and federal law. Sanctions range from small fines to life imprisonment, depending on the type of drug and several other factors (See Chart One).

In countries other than the United States, sanctions vary. Contact the office of the campus director for specific information if applicable.

Alcohol: Each state has specific statutes which detail sanctions for the illegal purchase or possession of intoxicating liquor. For example, in the state of Missouri, violation of state statutes governing the use or possession of alcohol may result in fines of between \$50 and \$1000 and/or imprisonment for a maximum of one year. County and municipal ordinances contain similar prohibitions and sanctions. Contact the office of the campus director for information regarding provision of applicable ordinances and statutes at your particular campus location.

Online Blended Programs: Students enrolled in online/hybrid programs are reminded that they may be subject to arrest and legal sanctions for drug and alcohol offenses under the laws of their particular country, state, or county in addition to Midwest Institute action.

For Additional Information See Attached:

[Drug Offenses: Maximum Fines and Terms of Imprisonment for Violation of the Federal Controlled Substances Act and Related Laws](#)

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Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol:

If you think it is safe to engage in "recreational" drug use or "social" drinking, you could be dead wrong. The fact is that drugs and alcohol are toxic to your body and if abused can have catastrophic consequences on your health. Some drugs, such as crack, are so toxic that even one experimental use can be fatal. When it comes to drugs and alcohol, what you don't know cannot only hurt you, it can kill you.

Midwest Institute believes that the better informed you are about the health risks associated with the use of illicit drugs and the abuse of alcohol, the more likely you are to avoid these substances altogether or to seek help if you become the victim of a chemical dependence. Therefore, the following is a summary of the various health risks associated with alcohol abuse and use of specific types of drugs. This summary is not intended to be an exhaustive or final statement of all possible consequences to your health of substance abuse, but rather is intended to increase your awareness of the grave risks involved in this kind of behavior.

Alcohol Use and Abuse

Alcohol-related automobile accidents are the number one cause of death among people ages 15 through 24. Approximately 50 percent of all youthful deaths from drowning, fires, suicide, and homicide are alcohol-related. Furthermore, alcohol and other drug use is often a factor in date rape.

Repeated use of alcohol can lead to physical and psychological dependence. Dependent persons who suddenly stop drinking are likely to suffer withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents have an increased risk of becoming alcoholics themselves.

Use of Illicit Drugs

Drugs interfere with the brain's ability to take in, sort, and synthesize information. They distort perception, which can lead users to harm themselves or others. Drug use also affects sensation and impairs memory. In addition to these general effects, specific health risks associated with particular types of drugs are discussed below.

Cocaine/Crack: Cocaine use is the fastest growing drug problem in the United States. One reason for this is the ready availability of cocaine in a cheap but potent form called crack or rock. Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body Temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Injecting cocaine with contaminated equipment can cause Acquired Immune Deficiency Syndrome (AIDS), hepatitis, and other diseases.

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Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly thus leading to higher and higher doses to produce the desired effect.

Crack or freebase rock is a purified form of cocaine that is smoked. Crack is far more addictive than heroin or barbiturates. Repeated use of crack can lead to addiction within a few days. Once addicted, many users have turned to stealing, prostitution, and drug dealing in order to support their habit. The effects of crack are felt within 10 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. Continued use can produce violent behavior and psychotic states similar to schizophrenia.

Cocaine in any form, but particularly in the purified form known as crack, can cause sudden death from cardiac arrest or respiratory failure.

Marijuana: Marijuana use causes a substantial increase in the heart rate, bloodshot eyes, a dry mouth and throat, increased appetite, and it may impair short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that motivation and cognition may be altered, making the acquisition of new information difficult. When marijuana contains 2 percent Tetrahydrocannabinol (THC), it can cause severe psychological damage, including paranoia and psychosis. Since the early 1980s, most marijuana has contained from 4 to 6 percent THC - two or three times the amount capable of causing serious damage.

Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco smoke.

Long-term users of marijuana may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of their lives.

Narcotics: Narcotics such as heroin, codeine, and morphine often cause drowsiness, nausea, and vomiting. Users also may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may result in diseases such as AIDS, endocarditis, and hepatitis. For pregnant women, addiction can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

Amphetamines/Other Stimulants: Amphetamines (speed, uppers) and other stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure.

In addition to the physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions and paranoia.

Barbiturates/Other Depressants: Barbiturates (downers), methaqualone (Quaaludes), tranquilizers (valium), and other depressants have many of the same effects as alcohol. Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks.

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The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety, to convulsions and death.

Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after they are born. Birth defects and behavioral problems also may result.

Hallucinogens: Phencyclidine (PCP, Angel Dust) interrupts the functions of the part of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries. The effects of PCP are unpredictable and can vary, but users frequently report a sense of distance and estrangement. Time and body movements are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic users of PCP report persistent memory problems and speech difficulties. Mood disorders - depression, anxiety, and violent behavior - also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, as well as heart and lung failure.

Lysergic acid: LSD, Acid, mescaline, and psilocybin (mushrooms) cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline, and psilocybin. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects or flashbacks can occur even after use has ceased.

Designer Drugs: Designer drugs are produced by underground chemists who attempt to avoid legal definitions of controlled substances by altering their molecular structure. These drugs can be several hundred times stronger than the drugs they are designed to imitate. Some of the designer drugs have been known to cause permanent brain damage with a single dose.

Many of the so-called designer drugs are related to amphetamines and have mild stimulant properties but are mostly euphorants. They can cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. As little as one dose can cause severe neurochemical brain damage. Narcotic designer drugs can cause symptoms such as those in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage.

Inhalants: The immediate negative effects of inhalants (laughing gas, whippets) include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage.

Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops.

Long-term use can cause weight loss, fatigue, electrolyte imbalance, and muscle fatigue. Repeated sniffing of concentrated vapors over time can permanently damage the nervous system.

Anabolic Steroids: Steroid users subject themselves to more than 70 side effects ranging in severity from liver cancer to acne and including psychological as well as physical reactions. The liver and the cardiovascular and reproductive systems are most seriously affected by steroid use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Physical effects in both sexes include jaundice, purple or

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red spots on the body, swelling of feet or lower legs, trembling, unexplained darkening of the skin, and persistent unpleasant breath odor. Psychological effects in both sexes include very aggressive behavior known as "roid rage" and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

Help Centers:

The Center for substance Abuse Treatment and Referral Hotline:

- 1-800-662-HELP (4357)

Narcotics Anonymous

- St. Louis 314-830-3232
- St. Charles 636-697-8406
- Metro East 618 – 398-9409

National Council on Alcoholism & Drug Abuse:

- St. Louis Area 314-962-3456

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Penalties for Policy Violation:

Different disciplinary procedures are applicable to faculty, staff, and students. Violations of the standards of conduct will be dealt with on a case-by-case basis with the imposition of discipline being appropriate to the severity of the violation. For each group comprising the Midwest Institute community, there are certain common sanctions that could be applied in an appropriate case. These common sanctions include letters of reprimand, probation and severance of ties with Midwest Institute, through expulsion or termination. Normally, opportunity for referral to an appropriate rehabilitation program occurs and is usually associated with a first offense. Referral for prosecution will usually occur only for the most serious violations.

Midwest Institute will impose disciplinary sanction on students and employees (consistent with local, State and Federal law).

1.) Alcohol Misuse on Campus

- a. Students who violate the Midwest Institute Drug and Alcohol Policy are subject to the following sanctions:
 - i. **First Offense:** Parents of students under 21 years of age will be notified. Additional sanctions may include conduct withdrawal from program. If appropriate, removal from campus will be implemented and other restrictions may be assessed.
 - ii. **Second Offense:** Possible sanctions include required participation in an alcohol education activity, notification of parents for students less than 21 years of age and/or mandatory participation in the "Minor in Possession" course, which has a fee which is the sole responsibility of the student. Appropriate restrictions¹ and restitution² will be assessed if applicable.
 - iii. **Third Offense:** Conduct action may include withdrawal; notification of parents for students under 21 years of age; Student must provide proof of compliance with a personal counselor to be considered for reinstatement proceeding termination. Additional sanctions may include attendance at AA meetings and/or enrollment in an outpatient treatment program.

2.) Illegal Drug Possession/Misuse On Campus

- a. The following are Midwest Institute's sanctions for unlawful use, possession or distribution of controlled substances. This includes Medical Marijuana. Midwest Institute abides by Federal Law and prohibits the use of marijuana while attending any Program. This includes attending internship or clinic. Any student who tests positive for marijuana (THC) from a required drug test will not be allowed to attend internship and in violation of our policy. This will result in termination from the program. Note: Having a medical marijuana card does not exclude any student from this policy.
- b.
 - i. For the manufacture, sale or distribution of illegal drugs
 1. Termination from Midwest Institute and notification of legal authorities. Parents may also be notified for students under 21 years of age or older but who are dependents
 - ii. For the possession or use of drug paraphernalia and/or illegal drugs:
 1. **First Offense:** Immediate removal from campus; possible notification of parents for students under 21 years of age or who are older but dependents; 7 possible notification of appropriate legal authorities⁴ who are older but dependents; possible notification of appropriate legal authorities⁴.

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2. **Second Offense:** Termination from Midwest Institute; possible notification of parents for students under 21 years of age or who are older but dependents; possible notification of appropriate legal authorities.

Drug Free Workplace Policy

In compliance with the drug-free workplace requirements of Public Law 100-690 for recipients of federal contracts and grants, the following policy is in effect for Midwest Institute and is distributed to each employee annually no later than October 1st :

1. The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited by Midwest Institute on any property owned, leased, or controlled by Midwest Institute or during any activity conducted, sponsored, authorized by, or on behalf of Midwest Institute. A controlled substance shall include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802) or in the Missouri Uniform Controlled Substance Act (Missouri Revised Statutes Chapter 195, Drug Regulations, Section 195.010.1). This includes Medical Marijuana. Any employee who tests positive for marijuana (THC) from a required drug test will be in violation of our policy. This may result in termination. Note: Having a medical marijuana card does not exclude any employee from this policy.
2. Midwest Institute has and shall maintain a drug – free awareness program to inform employees concerning the following:
 - a. Drug counseling and rehabilitation programs
 - b. Maintenance of a drug-free workplace
 - c. Possible penalties for drug-abuse and rehabilitation violations
 - d. The dangers of drug abuse in the workplace
3. Any employee who is convicted by any Federal or state Court on an offense that constitutes a violation of paragraph one shall notify the President of Midwest Institute in writing of said conviction within five (5) days after the conviction occurs. Conviction, as defined in P.L.100-690 shall mean finding of guilt (including plea of nolo contendere) or imposition of sentence or both. Any employee who has been convicted by any Federal or State Court of an offense that constitutes a violation of paragraph one since completing his or her initial application shall notify the President immediately to avoid possible future complications.
4. In the event of a report of a conviction pursuant to paragraph four providing that the employee is working in a project or a program funded through a Federal contract or grant, Midwest Institute shall notify in writing within ten (10) days any Federal agency to whom such notification by Midwest Institute is required under P.L. 100-690.
5. In the event that an employee violates the provisions of paragraph one or receives a conviction as described in paragraph four, the respective employee shall be subject to appropriate disciplinary action which may include, but is not limited to, termination of employment. Midwest Institute shall also reserve the right to require that an employee as a condition of continued employment, to complete a drug treatment or rehabilitation program of a reasonable duration and nature, at the employee's own expense.
6. Midwest Institute shall make a good faith effort to ensure that paragraphs 1-5 are followed.
7. Each employee at Midwest Institute shall receive a copy of this policy and where to access at any time.



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Drug Offenses: Maximum Fines and Terms of Imprisonment for Violation of the Federal Controlled Substances Act and Related Laws

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Summary

This is a chart of the maximum fines and terms of imprisonment that may be imposed as a consequence of conviction for violation of the federal Controlled Substances Act (CSA) and other drug supply and drug demand related laws.

It lists the penalties for: heroin, cocaine, crack, PCP, LSD, marihuana (marijuana), amphetamine, methamphetamine, listed (precursor) chemicals, paraphernalia, date rape drugs, rave drugs, designer drugs, ecstasy, drug kingpins, as well as the other substances including narcotics and opiates assigned to Schedule I, Schedule II, Schedule III, Schedule IV, and Schedule V of the Controlled Substances Act and the Controlled Substances Import and Export Act (Title II and Title III of the Comprehensive Drug Abuse and Control Act).

It maps the penalty structure for violations of 21 U.S.C. 841 (drug trafficking), 21 U.S.C. 841(b)(5) (cultivation on federal property), 21 U.S.C. 841(b)(6) (environmental damage from illegal manufacturing), 21 U.S.C. 841(b)(7) (crime of violence), 21 U.S.C. 841(c) (offenses involving listed chemicals), 21 U.S.C. 841(d) (booby traps on federal lands), 21 U.S.C. 841(f) (distribution/possession of listed chemicals), 21 U.S.C. 841(g) (Internet sales of date rape drugs), 21 U.S.C. 841(h) (dispensing controlled substances that are prescription drugs by means of the Internet), 21 U.S.C. 842 (regulatory offenses), 21 U.S.C. 843 (communications-related offenses), 21 U.S.C. 844 (simple possession), 21 U.S.C. 846, 963 (attempt and conspiracy), 21 U.S.C. 849 (drug dealing at truck stops), 21 U.S.C. 848 (continuing criminal enterprises (CCE)), 21 U.S.C. 854, 855 (investment of illicit drug profits), 21 U.S.C. 856 (establishing manufacturing operations), 21 U.S.C. 858 (endangering human life), 21 U.S.C. 859 (distribution to infants, minors, children, juveniles, and those under 18 years of age), 21 U.S.C. 860 (distribution in school zones), 21 U.S.C. 861 (distribution to pregnant women), 21 U.S.C. 863 (trafficking in drug paraphernalia), 21 U.S.C. 864 (theft of anhydrous ammonia, or transportation of stolen anhydrous ammonia), 21 U.S.C. 865 (smuggling methamphetamine into the United States), 21 U.S.C. 960 (illicit drug import and export), 21 U.S.C. 960a (narco-terrorism), 21 U.S.C. 962 (recalcitrant drug smugglers), 21 U.S.C. 1906 (financial transactions with designated foreign narcotics traffickers), 18 U.S.C. 545 (smuggling goods into the United States), 18 U.S.C. 546 (smuggling goods into foreign countries), 18 U.S.C. 924(c) (firearms and armor piercing ammunition in connection to drug trafficking crime), 18 U.S.C. 924(e) (armed career criminals), 18 U.S.C. 1952 (Travel Act), 18 U.S.C. 1956 (money laundering), 18 U.S.C. 1957 (monetary transactions in property derived from unlawful activity), 18 U.S.C. 1959 (compensated crime of violence in aid of racketeering), 18 U.S.C. 1963 (racketeering (RICO)), 18 U.S.C. 2118 (robberies and burglaries involving controlled substances), 18 U.S.C. 3559(c) (three strikes), 19 U.S.C. 1590 (aviation smuggling), 26 U.S.C. 7201 (tax evasion), 26 U.S.C. 7203 (failure to file required returns), 26 U.S.C. 7206 (fraud and false statements), 31 U.S.C. 5322 (currency transaction reporting (smurfing)), 31 U.S.C. 5332 (bulk cash smuggling into or out of the United States), 46 U.S.C. 70506 (maritime drug law enforcement).

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Trafficking

Unlawful distribution, possession with intent to distribute, manufacture, importation and exportation, etc. (21 U.S.C. 841, 960, 962, and 46 U.S.C. 70506)¹

1st offense

<i>Substance</i>	<i>Amount</i>	<i>Fine</i>	<i>Imprisonment</i>
Heroin			
	1 kilogram ² or more	\$10/50 million	10 years to life
	100 to 999 grams	\$5/25 million	5 to 40 years
	Less than 100 grams	\$1/5 million	Up to 20 years
Coca leaf and derivatives			
	5 kilograms or more	\$10/50 million	10 years to life
	500 to 4999 grams	\$5/25 million	5 to 40 years
	Less than 500 grams	\$1/5 million	Up to 20 years
Ecgonine (a cocaine precursor)			
	5 kilograms or more	\$10/50 million	10 years to life
	500 to 4999 grams	\$5/25 million	5 to 40 years
	Less than 500 grams	\$1/5 million	Up to 20 years

¹ All trafficking offenses involving Schedule I and II substances (and gamma hydrobutyric acid and flunitrazepam) are subject to the same imprisonment penalty—20 years to life—if death or serious bodily injury results from the use of the substance involved. Unless otherwise indicated, weights apply to any mixture containing a detectable amount of the substance regardless of the weight of the substance in the mixture.

A reference to a fine of “\$5/25 million” means a fine of no more than \$5 million for an individual and no more than \$25 million for a defendant other than an individual. A reference to “10 years to life” means a term of imprisonment of not less than 10 years nor more than life.

The Synthetic Drug Abuse Prevention Act of 2012—Subtitle D of Title XI of the Food and Drug Administration Safety and Innovation Act (P.L. 112-144)—added “cannabimimetic agents” to Schedule I of the Controlled Substances Act and defined such term to mean one of five structural classes of synthetic cannabinoids (and their analogues). Synthetic cannabinoid products are sometimes referred to as “synthetic marijuana,” “Spice,” or “K2.” The act also added 11 synthetic stimulants and hallucinogens to Schedule I, including methylenedioxypyrovalerone (MDPV), a chemical ingredient found in designer drugs commonly referred to as “bath salts.” The criminal penalties applicable to unlawful trafficking of these synthetic drugs are the same as those described below the “Any other Schedule I substance” table rows. In addition, any offense listed in this report that refers to “all substances” now encompasses these synthetic drugs. Finally, because these particular synthetic drugs are now regulated as controlled substances, the simple possession statute and its associated penalties, 21 U.S.C. 844, applies to them.

The Designer Anabolic Steroid Control Act of 2014 (P.L. 113-260) expanded the definition of the term “anabolic steroid” under the CSA (21 U.S.C. 802(41)(A)) to include 25 specific over-the-counter body-building products that are often falsely marketed to consumers as all-natural dietary supplements when in fact they contain synthetic forms of testosterone. The act also amended the definition to include any drug or hormonal substance that has been created or manufactured with the intent of producing a drug or other substance that either promotes muscle growth or otherwise causes a pharmacological effect similar to testosterone, or the drug or substance has been marketed or promoted in any manner suggesting that consuming it will do either of those things. Anabolic steroids, listed as Schedule III controlled substances, may be prescribed by a physician for legitimate medical purposes such as to address low red blood cell count and deficiency in testosterone; however, they are also commonly illicitly used to enhance athletic performance or build muscles. The act thus is intended to regulate these particular “designer” chemicals by subjecting them to the same regulatory requirements and criminal penalties under the CSA that are applicable to any Schedule III substance.

² 1 kilogram is equal to 35.27 ounces; 1 gram is equal to 0.04 ounces.

Coca leaves, cocaine, or ecgonine containing cocaine base ("Crack," etc.)		
280 grams or more	\$10/50 million	10 years to life
28 to 279 grams	\$5/25 million	5 to 40 years
Less than 28 grams	\$1/5 million	Up to 20 years
PCP (phencyclidine)		
100 grams or more	\$10/50 million	10 years to life
10 to 99 grams	\$5/25 million	5 to 40 years
Less than 10 grams	\$1/5 million	Up to 20 years
Mixture or substance containing detectable amount of PCP		
1 kilogram or more	\$10/50 million	10 years to life
100 to 999 grams	\$5/25 million	5 to 40 years
Less than 100 grams	\$1/5 million	Up to 20 years
LSD (lysergic acid diethylamide)		
10 grams or more	\$10/50 million	10 years to life
1 to 9 grams	\$5/25 million	5 to 40 years
Less than 1 gram	\$1/5 million	Up to 20 years
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl, i.e., "synthetic heroin")		
400 grams or more (or 100 grams or more of a mixture or substance containing a detectable amount of any analogue of it)	\$10/50 million	10 years to life
40 to 399 grams (or 10-99 grams of a mixture containing a detectable amount of any analogue of it)	\$5/25 million	5 to 40 years
Less than 40 grams	\$1/5 million	Up to 20 years
Marihuana		
1000 kilograms or more or 1000 or more plants ³	\$10/50 million	10 years to life
100 to 999 kilograms or 100 to 999 plants	\$5/25 million	5 to 40 years
50 to 99 kilograms or 50 to 99 plants	\$1/5 million	Up to 20 years
Under 50 kilograms ⁴ , 10 kilograms of hashish, 1 kilogram of hashish oil, or 1 to 49 plants	\$250,000/\$1 million	Up to 5 years
Methamphetamine		
50 grams or more or 500 grams or more of a mixture	\$10/50 million	10 years to life

³ Unlike the penalties for manufacturing, distribution, dispensing, or possession, those for importation or exportation do not distinguish between quantities of marihuana plants in excess of 100. Importation or exportation of any marihuana plants in excess of 100 is subject to higher penalties than those for less than 50 kilograms of marihuana, etc.

⁴ Except in the case of 50 or more marihuana plants regardless of weight, and except that under Section 841(b)(4) distribution of a small amount of marihuana for no remuneration is treated as a simple possession offense and punished under Section 844, *infra*.

5 to 49 grams or 50 to 499 grams of a mixture	\$5/25 million	5 to 40 years
Less than 5 grams or less than 50 grams of a mixture	\$1/5 million	Up to 20 years
Gamma hydroxybutyric acid		
any weight	\$1/5 million	Up to 20 years
Flunitrazepam ⁵		
1 gram	\$1/5 million	Up to 20 years
Less than 1 gram	\$250,000/\$1 million	Up to 5 years
Any other Schedule I or II substance		
any weight	\$1/5 million	Up to 20 years
Any other Schedule III substance		
any weight	\$500,000/\$2.5 million	Up to 15 years ⁶
Any other Schedule IV substance		
any weight	\$250,000/\$1 million	Up to 5 years ⁷
Any Schedule V substance		
any weight	\$100,000/\$250,000	Up to 1 year
2 nd offense ⁸		
Heroin		
1 kilogram or more	\$20/75 million	20 years to life
100 to 999 grams	\$8/50 million	10 years to life
Less than 100 grams	\$2/10 million	Up to 30 years
Coca leaf and derivatives		
5 kilograms or more	\$20/75 million	20 years to life
500 to 4999 grams	\$8/50 million	10 years to life
Less than 500 grams	\$2/10 million	Up to 30 years
Ecgonine (a cocaine precursor)		
5 kilograms or more	\$20/75 million	20 years to life
500 to 4999 grams	\$8/50 million	10 years to life
Less than 500 grams	\$2/10 million	Up to 30 years
Coca leaves, cocaine, or ecgonine containing cocaine base ("Crack," etc.)		
280 grams or more	\$20/75 million	20 years to life
28 to 279 grams	\$8/50 million	10 years to life
Less than 28 grams	\$2/10 million	Up to 30 years

⁵ Importation or exportation of any quantity of flunitrazepam is subject to a fine of \$1/5 million and up to 20 years imprisonment.

⁶ *Id.*

⁷ *Id.*

⁸ A second offense is one committed after a prior conviction for a felony drug offense has become final.

PCP (phencyclidine)		
100 grams or more	\$20/75 million	20 years to life
10 to 99 grams	\$8/50 million	10 years to life
Less than 10 grams	\$2/10 million	Up to 30 years
Mixture or substance containing detectable amount of PCP		
1 kilogram or more	\$20/75 million	20 years to life
100 to 999 grams	\$8/50 million	10 years to life
Less than 100 grams	\$2/10 million	Up to 30 years
LSD(lysergic acid diethylamide)		
10 grams or more	\$20/75 million	20 years to life
1 to 9 grams	\$8/50 million	10 years to life
Less than 1 gram	\$2/10 million	Up to 30 years
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl, i.e., "synthetic heroin") 400 grams or more (or 100 grams or more of a mixture or substance containing a detectable amount of any analogue of it)		
	\$20/75 million	20 years to life
40 to 399 grams (or 10-99 grams of a mixture containing a detectable amount of any analogue of it)	\$8/50 million	10 years to life
Less than 40 grams	\$2/10 million	Up to 30 years
Marihuana		
1000 kilograms or more or 1000 or more plants)	\$20/75 million	20 years to life
100 to 999 kilograms or 100 to 999 plants)	\$8/50 million	10 years to life
50 to 99 kilograms or 50 to 99 plants ⁹	\$2/10 million	Up to 30 years
Less than 50 kilograms, ¹⁰ 10 kilograms of hashish, 1 kilogram of hashish oil, or 1 to 49 plants	\$500,000/\$2 million	Up to 10 years
Methamphetamine		
50 grams or more	\$20/75 million	20 years to life
5 to 49 grams	\$8/50 million	10 years to life
Less than 5 grams	\$2/10 million	Up to 30 years
Gamma hydroxybutyric acid		
any weight	\$2/10 million	Up to 30 years
Flunitrazepam ¹¹		
1 gram	\$2/10 million	Up to 30 years
Less than 1 gram	\$500,000/\$2 million	Up to 10 years

⁹ See *supra* note 3.

¹⁰ Except in the case of 50 or more marihuana plants regardless of weight and except that distribution of a small amount of marihuana is punishable as simple possession under Section 844, *infra*.

¹¹ See *supra* note 5.

Any other Schedule I or II substance		
any weight	\$2/10 million	Up to 30 years
Any other Schedule III substance		
any weight	\$1 million/\$5 million	Up to 30 years
Any other Schedule IV substance		
any weight	\$500,000/\$2 million	Up to 10 years
Any Schedule V substance		
any weight	\$200,000/\$500,000	Up to 4 years
3 rd offense		
A Schedule I or II substance singled out for special penalty treatment (as indicated above) in amounts constituting a top level offense	Same as 2 nd offense	Life
Cultivation on Federal property (21 U.S.C. 841(b)(5))		
Any offense		
All substances/all weights	Greater of \$500,000/ \$1 million or the maximum fine for distribution of the substance involved	Maximum term for distribution of the substance involved
Environmental damage on Federal property resulting from controlled substance manufacturing or distribution (21 U.S.C. 841(b)(6))		
Any offense ¹²		
All substances	Up to \$250,000	Up to 5 years
Offenses involving essential (listed) chemicals, generally (21 U.S.C. 841(c))		
Any offense ¹³		
List I chemicals [under 21 U.S.C. 802(34)]	Up to \$250,000	Up to 20 years
List II chemicals [under 21 U.S.C. 802(35)]	Up to \$250,000	Up to 10 years
Wrongful distribution or possession of essential (listed) chemicals (21 U.S.C. 841(f))		
Knowing unlawful distribution		
Listed chemicals [under 21 U.S.C. 802 (33)]	Up to \$250,000	Up to 5 years
Knowing possession of unreported listed chemicals		
Listed chemicals [under 21 U.S.C. 802 (33)]	Up to \$100,000	Up to 1 year

¹² Creating a serious hazard to human or animal life, or harming the environment, or causing water pollution as a result of using poisons, chemicals or other hazardous substances on Federal property while in the course of unlawfully manufacturing or otherwise distributing a controlled substance

¹³ Possession with intent to use for unauthorized manufacture of a controlled substance; possession or distribution knowing that the chemical will be used for unauthorized manufacture of a controlled substance; or, with intent of causing evasion of the record-keeping or reporting requirements of 21 U.S.C. 830 (or regulations pursuant thereto), receipt or distribution of a reportable amount in units small enough so that the making of records or filing of reports is not required.

Internet Sales of Date Rape Drugs (21 U.S.C. 841(g))

Knowingly using the Internet to distribute a date rape drug ¹⁴	Up to \$250,000	Up to 20 years
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Dispensing Controlled Substances by Means of the Internet (21 U.S.C. 841(h))

Knowingly or intentionally using the Internet to deliver, distribute, or dispense a controlled substance without a valid prescription ¹⁵ (or aiding or abetting such activity)	Sentences determined according to the penalties authorized under 21 U.S.C. 841(b) ¹⁶	
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Regulatory offenses & use of communications to facilitate distribution (21 U.S.C. 842, 843)**1st offense**

Generally ¹⁷	Up to \$100,000	Up to 1 year
Deception offenses, etc. ¹⁸	Up to \$250,000	Up to 4 years
Methamphetamine equipment offenses	Up to \$250,000	Up to 10 years
Advertisement offenses ¹⁹	Up to \$250,000	Up to 4 years
False labeling of anabolic steroids ²⁰	Up to \$100,000	Up to 1 year

¹⁴ “Date rape drug” means gamma hydroxybutyric acid (GHB) or any controlled substance analogue of GHB, including gamma butyrolactone (GBL) or 1,4-butanediol; ketamine; flunitrazepam; or any substance which the Attorney General designates, through a rulemaking proceeding, to be used in committing rape or sexual assault. 21 U.S.C. 841(g)(2)(A).

¹⁵ Examples of prohibited activities include knowingly or intentionally: (1) delivering, distributing, or dispensing a controlled substance by means of the Internet by an online pharmacy that is not validly registered with the Drug Enforcement Administration (DEA); (2) writing a prescription for a controlled substance for the purpose of delivery, distribution, or dispensation by means of the Internet; (3) serving as an agent, intermediary, or other entity that causes the Internet to be used to bring together a buyer and seller to engage in such distribution; (4) offering to fill a prescription for a controlled substance based solely on a consumer’s completion of an online medical questionnaire; and (5) making a material false, fictitious, or fraudulent statement or representation on the homepage of Internet sites operated by an online pharmacy regarding the pharmacy’s compliance with federal and state controlled substance laws. 21 U.S.C. 841(h)(2).

¹⁶ See pages 1-5 of this report for these penalties, which vary by type of substance, weight or other factual circumstances, and repeat offender status. 21 U.S.C. 841(h)(4).

¹⁷ Knowingly distributing a controlled substance to an unauthorized person by a registrant, removing required labels, unlawful use of information acquired during a controlled substance inspection, failing to keep required records, etc. For more information about these federal requirements pertaining to the lawful handling of controlled substances, see CRS Report RL34635, *The Controlled Substances Act: Regulatory Requirements*, by Brian T. Yeh, *The Controlled Substances Act: Regulatory Requirements*, by Brian T. Yeh.

¹⁸ To knowingly: use fictitious, revoked, suspended or expired registration number; obtain a controlled substance by fraud, forgery, or other form of deceit; provide false information; use labels and other markings to render a drug a counterfeit substance; unlawfully possess certain controlled substance manufacturing equipment; being a registrant, unlawfully distribute a controlled substance in the course of legitimate business; create or receive a mixture containing listed chemicals to evade regulatory requirements.

¹⁹ Knowingly placing in any newspaper, magazine, handbill, or other publications, any written advertisement that has the purpose of seeking or offering illegally to receive, buy, or distribute a schedule I controlled substance. 21 U.S.C. 843(c). However, this offense does not include any advertisement that merely advocates the use of a schedule I controlled substance and does not attempt to propose or facilitate an actual transaction in a schedule I controlled substance. *Id.* The Ryan Haight Online Pharmacy Consumer Protection Act of 2008, P.L. 110-425, creates an additional advertisement offense, new subsection 21 U.S.C. 843(c)(2): knowingly or intentionally using the Internet to advertise the sale of, or to offer to sell, distribute, or dispense a controlled substance in a manner that is not authorized by federal controlled substances law, including directing prospective buyers to online pharmacies that are not registered with the DEA. The penalties for the offense are the same as those for advertising in printed publications.

²⁰ Knowingly importing, exporting, manufacturing, dispensing, or possessing with intent to manufacture, distribute, or (continued...)

2nd offense		
Generally	Up to \$250,000	Up to 2 years
Deception offenses, etc.	Up to \$250,000	Up to 8 years
Methamphetamine equipment offenses	Up to \$60,000	Up to 20 years
Advertisement offenses	Up to \$250,000	Up to 8 years
Manufacturing or Distributing Controlled Substances Within 1000 Feet of a Truck Stop or Highway Rest Area (21 U.S.C. 849)		
1st offense		
All substances	Up to twice the penalties otherwise authorized	
2nd offense		
All substances	Up to three times the penalties otherwise authorized	
Distribution to persons under age 21 by those age 18 or older (21 U.S.C. 859)		
1st offense		
All substances	Up to twice the penalties otherwise authorized ²¹	
2nd offense		
All substances	Up to three times the penalties otherwise authorized	
Distribution or manufacturing in or near schools, colleges, or certain youth-centered recreational facilities (21 U.S.C. 860, 860a)²²		
1st offense		
All substances (except methamphetamine)	Up to twice the penalties otherwise authorized for distribution or manufacture but at least 1 year in prison ²³	

(...continued)

dispense, an anabolic steroid or product containing an anabolic steroid, unless such product either (1) bears a label that clearly identifies an anabolic steroid or product containing an anabolic steroid by the nomenclature used by the International Union of Pure and Applied Chemistry or (2) is approved by the U.S. Food and Drug Administration (FDA) and complies with applicable FDA labeling requirements. 21 U.S.C. 825(e), 842(a)(16); 842(c)(2)(A). A violation of this offense by an importer, exporter, manufacturer, or distributor is also subject to a civil penalty of up to \$500,000. 21 U.S.C. 842(c)(1)(C). A violation involving falsely labeled products containing anabolic steroids that are sold (or held for retail sale) directly to the consumer for personal use is subject to a civil penalty of up to \$1,000 per violation, where each package, container, or other separate unit containing an anabolic steroid is considered a separate violation. 21 U.S.C. 842(c)(1)(D).

²¹ Except that violation carries a mandatory minimum of no less than one year unless the offense involves marihuana in an amount of 5 grams or less.

²² The offense includes distribution or manufacturing in or on, or within 1,000 feet of the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within 100 feet of a public or private youth center, public swimming pool, or video arcade facility.

²³ Also, at least twice any term of supervised released otherwise authorized for a first offense. An exception to the mandatory one-year minimum is provided with respect to an offense involving 5 grams or less of marihuana. Where the statute provides for a different mandatory penalty, the higher prevails.

2 nd offense		
All substances (except methamphetamine)	Up to three times the penalties otherwise authorized for distribution or manufacture but at least 3 years in prison	
Any offense involving methamphetamine	Other sentence as imposed plus imprisonment for no more than 20 years	
Trafficking in drug paraphernalia (21 U.S.C. 863)		
Interstate or foreign sale and transportation of, or use of the mails to sell, drug paraphernalia	Up to \$250,000	Up to 3 years

Possession

Simple possession (21 U.S.C. 844)²⁴

1 st offense	Not less than \$1,000	Up to 1 year
2 nd offense ²⁵	Not less than \$2,500	15 days to 2 years
3 rd offense	Not less than \$5,000	90 days to 3 years
Any offense		
Flunitrazepam	Up to \$250,000	Up to 3 years

Controlled Substance Violations and Other Crimes/Activity

Attempt and conspiracy (21 U.S.C. 846, 963)

Any offense		
All substances	Same as penalties for the underlying offense	

Use of a controlled substance to commit a crime of violence (21 U.S.C. 841(b)(7))

Any offense ²⁶		
All substances	Up to \$250,000	Up to 20 years

Boobytraps on Federal property (21 U.S.C. 841(d))²⁷

1 st offense	Up to \$250,000	Up to 10 years
2 nd offense	Up to \$250,000	Up to 20 years

²⁴ If convicted of a simple possession offense, the defendant is required, if able, to pay the “reasonable costs” of the investigation and prosecution of the offense. Penalties for simple possession are also applicable to distribution of a “small amount” of marijuana for no remuneration.

²⁵ For purposes of the section under which the possession penalties are imposed, a prior conviction includes conviction of *any* offense under the Controlled Substances Act or the Controlled Substances Import and Export Act and any drug or narcotic offense chargeable under state law.

²⁶ Distributing a controlled substance to another with the intent to commit a crime of violence upon the victim.

²⁷ Assembly, maintenance, or placement—in connection with the manufacture, distribution, or dispensing of a controlled substance.

Continuing Criminal Enterprise (CCE) (“kingpin”)
(21 U.S.C. 848)²⁸
1st offense

All substances	Up to \$2 million	20 years to life
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2nd offense

All substances	Up to \$4 million	30 years to life
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Any offense, if the offender is a major participant, involving an enterprise that grosses \$10 million a year or more or involving 300 times²⁹ the amount of controlled substances required to trigger the most severe distribution penalties of 21 U.S.C. 841

All substances	Up to \$4 million	life
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Establishing manufacturing operations (21 U.S.C. 856)

Opening, maintaining, financing or making available a place for unlawful manufacture, distribution or use of controlled substances

All substances	Up to \$500,000	Up to 20 years
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Endangering human life while illegally manufacturing a controlled substance (21 U.S.C. 858)**Any offense**

All substances	Up to \$250,000	Up to 10 years
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Employment of persons under 18 years of age (for violation of the CSA) or unauthorized distribution to a pregnant individual (21 U.S.C. 861)**1st offense**

Generally	Up to twice the penalties otherwise authorized for the underlying offense but at least 1 year in prison ³⁰	
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2nd offense

Generally	Up to three times the penalties otherwise authorized for the underlying offense but at least 1 year in prison ³¹	
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Any offense

Use of person under 14 or distribution to a person under 18	Up to \$50,000	Up to 5 years
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²⁸ Under the statute, a person is considered to be engaged in a continuing criminal enterprise if (1) he commits any felony violation of the Controlled Substances Act or the Controlled Substances Import and Export Act, (2) the violation is a part of a continuing series of violations of those statutes (A) which are undertaken by the person in concert with five or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, and (B) from which such person obtains substantial income or resources.

Note that some violations carry the death penalty as discussed *supra*.

²⁹ Except in the case of methamphetamine, where these provisions apply to any enterprise that grosses \$5 million or more a year, or involves 200 times of the amount of controlled substances required under 21 U.S.C. 841.

³⁰ Also, at least twice any term of supervised release otherwise authorized for a first offense. Any higher mandatory penalty otherwise authorized for the offense would prevail.

³¹ Also, at least three times any term of supervised release otherwise authorized for a first offense. Penalties for third and subsequent offenses are governed by 21 U.S.C. 841(b)(1)(A).

Narco-Terrorism (21 U.S.C. 960a)

Engaging in prohibited drug activity knowing or intending to provide anything of pecuniary value to terrorists	Up to \$250,000	At least twice the minimum punishment authorized under 21 U.S.C. 841(b)(1)
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Theft of anhydrous ammonia, or transportation of stolen anhydrous ammonia with intent or knowledge that such will be used to manufacture a controlled substance (21 U.S.C. 864)

1 st offense	Up to \$250,000	Up to 4 years
2 nd offense	Up to \$250,000	Up to 8 years

Violation of regulations proscribing financial transactions with significant foreign narcotics traffickers (21 U.S.C. 1906)

Any offense (individual)	Up to \$250,000	Up to 10 years
Any offense (organization)	Up to \$10,000,000	
Any offense (organization officer or agent)	Up to \$5,000,000	Up to 30 years

Travel Act: use of interstate facilities in aid of a racketeering enterprise involving controlled substances (18 U.S.C. 1952)

Any substance and the intent to commit the following act:

A crime of violence in furtherance of the racketeering enterprise	Up to \$250,000	Up to 20 years, or any term of years or life if death results
Distributing the proceeds from the racketeering enterprise	Up to \$250,000	Up to 5 years
Promotion or facilitation of the racketeering enterprise	Up to \$250,000	Up to 5 years

Use or possession of firearms or armor piercing ammunition in connection to a drug trafficking crime (18 U.S.C. 924(c))³²1st offense involving a firearm

Generally		Not less than 5 years
If a firearm is brandished		Not less than 7 years
If a firearm is discharged		Not less than 10 years
If firearm is a short-barreled rifle, short-barreled shotgun, or semiautomatic assault weapon		Not less than 10 years
If firearm is a machinegun or destructive device, or equipped with a silencer/muffler		Not less than 30 years

2nd or subsequent offense involving a firearm

Generally		Not less than 25 years
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³² The penalties listed for this offense apply *in addition* to the punishment provided for the drug trafficking crime.

If firearm is a machinegun or destructive device, or equipped with a silencer/muffler		life
Any offense involving armor piercing ammunition		
Use or possession		Not less than 15 years
If such ammunition is used for murder		Any term of years or life
If such ammunition is used for manslaughter	Up to \$250,000	Up to 10 years
If such ammunition is used for manslaughter	Up to \$250,000	Up to 6 years
Robberies Involving Controlled Substances (18 U.S.C. 2118(a))		
Any offense		
Any quantity of a controlled substance in the care, custody, control, or possession of a DEA registrant, if (1) the replacement cost of such material is not less than \$500, (2) the robber (or person who attempted to rob the substance) traveled in interstate or foreign commerce or used any facility in interstate/foreign commerce to facilitate such unlawful taking, or (3) another person was killed or suffered significant bodily injury due to the robbery or attempted robbery	Up to \$250,000	Up to 20 years
If the person committing this offense assaults any person (or jeopardizes the life of any person) by using a dangerous weapon	Up to \$250,000	Up to 25 years
If the person committing this offense kills any person	Up to \$250,000	Any term of years or life
Burglaries Involving Controlled Substances (18 U.S.C. 2118(b))		
Any offense		
Any quantity of a controlled substance in the business premises or property of a DEA registrant, if (1) the replacement cost of such material is not less than \$500, (2) the burglar (or person who attempted to burglarize the premises) traveled in interstate or foreign commerce or used any facility in interstate/foreign commerce to facilitate such unlawful entry, or (3) another person was killed or suffered significant bodily injury due to the burglary or attempted burglary	Up to \$250,000	Up to 20 years
If the person committing this offense assaults any person (or jeopardizes the life of any person) by using a dangerous weapon	Up to \$250,000	Up to 25 years
If the person committing this offense kills any person	Up to \$250,000	Any term of years or life
Conspiracy to Commit Robbery or Burglary Involving Controlled Substances (18 U.S.C. 2118(d))		
Any offense		
If two or more persons conspire to violate 18 U.S.C. 2118(a) or 2118(b), and one or more of such persons performs any overt act to effect the object of the conspiracy	Up to \$250,000	Up to 10 years
Armed career criminal: possession of a firearm by a convicted felon or other disqualified person with 3 or more prior serious controlled substance convictions (drug crimes punishable by imprisonment for 10 years or more) or prior violent crime convictions (18 U.S.C. 924(e))		
Any offense		
All substances	Up to \$250,000	Not less than 15

		years
Three strikes: commission of a serious violent felony by an individual with a prior serious controlled substance conviction (drug kingpin or most seriously punished trafficking offense) and a prior serious violent felony conviction or 2 or more prior serious violent felony convictions (18 U.S.C. 3559(c))		
Any offense		
All substances	Up to \$250,000	life

Racketeering

Commission of a pattern of racketeering activity including one or more narcotic or dangerous drug felony to invest in, acquire, operate or participate in the affairs of an interstate enterprise ((RICO)(18 U.S.C. 1963))

Any offense

Narcotic and dangerous drugs	Up to \$250,000	Up to 20 years or life if the maximum for the predicate is life
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Compensated crime of violence in aid of RICO (18 U.S.C. 1959)

Any offense involving any substance and the following criminal act:

Murder	Up to \$250,000	life
Kidnapping	Up to \$250,000	Up to life in prison
Maiming	Up to \$250,000	Up to 30 years
Serious injury	Up to \$250,000	Up to 20 years
Threats	Up to \$250,000	Up to 5 years
Attempt or conspiracy to murder or kidnap	Up to \$250,000	Up to 10 years
Attempt or conspiracy to maim or commit a serious assault	Up to \$250,000	Up to 3 years

Smuggling

Smuggling Goods into the United States (18 U.S.C. 545)

Any offense

All substances	Up to \$250,000	Up to 20 years
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Smuggling Goods into Foreign Countries (18 U.S.C. 546)

Any offense

All substances	Up to \$250,000	Up to 2 years
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Smuggling methamphetamine or methamphetamine precursor chemicals into the United States while using facilitated entry programs (21 U.S.C. 865)

Any offense

Imprisonment Sentence for
Methamphetamine Offense Enhanced By

		Up to 15 years	
Smuggling a controlled substance by using an aircraft to transport it (19 U.S.C. 1590)³³			
Any offense			
All substances		Up to \$250,000	Up to 20 years

Laundering Money from Controlled Substance Violations

Laundering (18 U.S.C. 1956)

Any offense		
All substances	Up to greater of \$500,000 or 2X the amount of \$ laundered	Up to 20 years

Monetary traffic in property derived from unlawful activity (18 U.S.C. 1957)

Any offense		
All substances	Up to greater of \$250,000 or 2X the amount of \$ laundered	Up to 10 years

Currency transaction and transportation reporting (31 U.S.C. 5322)

1 st offense		
All substances	Up to \$250,000	Up to 5 years
2 nd offense		
All substances	Up to \$500,000	Up to 10 years

Bulk cash smuggling into or out of the United States (31 U.S.C. 5332)

Knowingly concealing more than \$10,000 across a U.S. border	Up to 5 years
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Investment of illicit drug profits (21 U.S.C. 854, 855)

Any offense		
All substances	Up to the greater of 2X profit/proceeds or \$50,000	Up to 10 years

³³ The Ultralight Aircraft Smuggling Prevention Act of 2012, P.L. 112-93, expanded the liability for this offense to include anyone who attempts or conspires to commit aviation smuggling, thus subjecting them to the same penalties as those who commit the crime. In addition, this law added a definition of “aircraft” to include ultralight vehicles which meet the characteristics described in 14 C.F.R. 103.1. Such ultralight vehicles (operated by a single occupant and weighing less than 254 pounds) have reportedly been used by drug traffickers to cross the Mexico-U.S. border in their effort to smuggle the drugs into the United States. See Aaron Cooper, *Gabrielle Giffords’ Anti-Drug Legislation Signed into Law*, Feb. 10, 2012, CNN, at http://articles.cnn.com/2012-02-10/politics/politics_giffords-ultralight-law_1_ultralights-traffickers-gabrielle-giffords?_s=PM:POLITICS.

Tax Offenses

Attempted evasion [concerning income from controlled substance violations] (26 U.S.C. 7201)

Any offense

All substances

Up to \$250,000 Up to 5 years

Willful failure to file return [concerning income for such violations] (26 U.S.C. 7203)

Any offense

All substances

Up to \$250,000 Up to 5 years

Fraud and false statements [concerning income from such violations] (26 U.S.C. 7206)

Any offense

All substances

Up to \$250,000 Up to 3 years

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