

**TABLE B  
Federal Trafficking Penalties**

CSA	PENALTY		Quantity	DRUG	Quantity	PENALTY	
	2nd Offense	1st Offense				1st Offense	2nd Offense
I  and  II	Not less than 10 years. Not more than life.	Not less than 5 years. Not more than 40 years.	{ 10-99 gm or 100-999 gm mixture	<b>METHAMPHETAMINE</b>	{ 100 gm or more or 1 kg <sup>1</sup> or more mixture	Not less than 10 years. Not more than life.	Not less than 20 years. Not more than life.
			{ 100-999 gm mixture	<b>HEROIN</b>	{ 1 kg or more mixture		
			{ 500-4,999 gm mixture	<b>COCAINE</b>	{ 5 kg or more mixture		
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years. Not more than life.	{ 5-49 gm mixture	<b>COCAINE BASE</b>	{ 50 gm or more mixture	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
			{ 10-99 gm or 100-999 gm mixture	<b>PCP</b>	{ 100 gm or more or 1 kg or more mixture		
	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$2 million individual, \$5 million other than individual.	{ 1-10 gm mixture	<b>LSD</b>	{ 10 gm or more mixture	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$8 million individual, \$20 million other than individual.
			{ 40-399 gm mixture	<b>FENTANYL</b>	{ 400 gm or more mixture		
		{ 10-99 gm mixture	<b>FENTANYL ANALOGUE</b>	{ 100 gm or more mixture			
	<b>Drug</b>	<b>Quantity</b>	<b>First Offense</b>		<b>Second Offense</b>		
	Others <sup>2</sup>	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury life. Fine \$2 million individual, \$10 million not individual.		
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.		
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.		
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.		Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.		

<sup>1</sup>Law as originally enacted states 100 gm. Congress requested to make technical correction to 1 kg. <sup>2</sup>Does not include marijuana, hashish, or hash oil (see separate chart).

**Federal Trafficking Penalties—Marijuana\***

As of January 1, 1996

<i>Quantity</i>	<i>Description</i>	<i>First Offense</i>	<i>Second Offense</i>
1,000 kg or more; or 1,000 or more plants	Marijuana	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg; or 100-999 plants	Marijuana	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg 50-99 plants	Marijuana	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
Less than 50 kg	Marijuana	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 individual, \$2 million other than individual.
10 kg or more	Hashish		
1 kg or more	Hashish Oil		

\*Includes Hashish and Hashish Oil

(Marijuana is a Schedule I Controlled Substance)

**Penalties for Possession:**

Federal penalties and sanctions for illegal possession of a controlled substance under 21 U.S.C. 844(a) are as follows:

For first conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- a) 1st crack conviction and the amount of crack possessed exceeds 5 grams.
- b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- c) 3rd of subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

**21 U.S.C. 853(a)(2) and 881(a)(7):**

Forfeiture of personal and real property used to possess or facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. [See special sentencing provisions re: crack]

**21 U.S.C. 881(a)(4):**

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

**21 U.S.C. 844(a):**

Civil fine of up to \$10,000.

**21 U.S.C. 853(a):**

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

**18 U.S.C. 922(g):**

Ineligible to receive or purchase a firearm.

**Miscellaneous:**

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc. are vested within the authorities of the individual Federal agencies.