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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Controlled Substances Act to better align such Act with modern medical knowledge, establish a new system for the scheduling of controlled substances, redelegate certain authorities, promote scientific research, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. COHEN introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Controlled Substances Act to better align such Act with modern medical knowledge, establish a new system for the scheduling of controlled substances, redelegate certain authorities, promote scientific research, 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 “Public Health and Re-
5 search Reforms in Controlled Substances Act of 2026”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—AMENDMENTS TO CONTROLLED SUBSTANCES ACT

- Sec. 101. Findings and declarations.
- Sec. 102. Definitions.
- Sec. 103. Authority and criteria for classification of substances.
- Sec. 104. Schedules of controlled substances.
- Sec. 105. Treatment of controlled substance analogues.
- Sec. 106. Rules and regulations.
- Sec. 107. Persons required to register.
- Sec. 108. Registration requirements.
- Sec. 109. Denial, revocation, or suspension of registration.
- Sec. 110. Quotas applicable to certain substances.
- Sec. 111. Records and reports of registrants.
- Sec. 112. Order forms.
- Sec. 113. Prescriptions.
- Sec. 114. Prohibited acts A—penalties.
- Sec. 115. Prohibited acts B—penalties.
- Sec. 116. Prohibited acts C—penalties.
- Sec. 117. Distribution to persons under age twenty-one.
- Sec. 118. Distribution in or near schools.
- Sec. 119. Denial of Federal benefits to drug traffickers and possessors.
- Sec. 120. Drug paraphernalia.
- Sec. 121. Administrative hearings.
- Sec. 122. Judicial review.

**TITLE II—AMENDMENTS TO CONTROLLED SUBSTANCES IMPORT
AND EXPORT ACT**

- Sec. 201. Exportation of controlled substances.
- Sec. 202. Exemption authority.
- Sec. 203. Registration requirements.
- Sec. 204. Prohibited acts A—penalties.

**TITLE III—AMENDMENTS TO OFFICE OF NATIONAL DRUG
CONTROL POLICY REAUTHORIZATION ACT OF 1998**

- Sec. 301. Definitions.
- Sec. 302. Appointment and duties of Director and Deputy Director.
- Sec. 303. Development, submission, implementation, and assessment of National Drug Control Strategy.
- Sec. 304. Federal evolving or emerging drug threat classification and response system; media campaign.

TITLE IV—MARIJUANA DESCHEDULING

- Sec. 401. Conforming amendments to other laws.
- Sec. 402. Effect on other law.
- Sec. 403. Public meetings.
- Sec. 404. Special rule for Federal employee testing.

TITLE V—REVISION OF UNITED STATES SENTENCING
GUIDELINES

Sec. 501. Revision of United States Sentencing Guidelines regarding sentencing
for drug offenses.

Sec. 502. Resentencing.

TITLE VI—EFFECTIVE DATE

Sec. 601. Effective date.

1 **TITLE I—AMENDMENTS TO**
2 **CONTROLLED SUBSTANCES ACT**

3 **SEC. 101. FINDINGS AND DECLARATIONS.**

4 Section 101 of the Controlled Substances Act (21
5 U.S.C. 801) is amended—

6 (1) in paragraph (1), by inserting “public” be-
7 fore “health”; and

8 (2) in paragraph (2), by striking “and posses-
9 sion and improper use of controlled substances have
10 a substantial and detrimental effect on the health
11 and general welfare of the American people” and in-
12 serting “and improper use of controlled substances
13 may represent a threat to public health”.

14 **SEC. 102. DEFINITIONS.**

15 Section 102 of the Controlled Substances Act (21
16 U.S.C. 802) is amended—

17 (1) by striking paragraph (1);

18 (2) by redesignating paragraphs (2) through
19 (60) as paragraphs (1) through (59), respectively;

20 (3) in paragraph (5), as so redesignated, by
21 striking “IV, or V” and inserting “or IV”;

1 (4) in paragraph (13), as so redesignated, by
2 striking “, except as used in schedule I(c) and
3 schedule II(a)(4). As used in schedule I(c), the term
4 ‘isomer’ means any optical, positional, or geometric
5 isomer. As used in schedule II(a)(4), the term ‘iso-
6 mer’ means any optical or geometric isomer”;

7 (5) in paragraph (22)(A), as so redesignated,
8 by striking “Attorney General” and inserting “Sec-
9 retary”;

10 (6) in paragraph (31), as so redesignated—

11 (A) in subparagraph (A), by striking
12 clauses (i) through (iii) and inserting the fol-
13 lowing:

14 “(i)(I) the chemical structure of which is sub-
15 stantially similar to the chemical structure of a con-
16 trolled substance in schedule I or II; and

17 “(II) which has a stimulant, depressant, or hal-
18 lucinogenic effect on the central nervous system that
19 is substantially similar to or greater than the stimu-
20 lant, depressant, or hallucinogenic effect on the cen-
21 tral nervous system of a controlled substance in
22 schedule I or II; or

23 “(ii) with respect to a particular person, which
24 such person represents or intends to have a stimu-
25 lant, depressant, or hallucinogenic effect on the cen-

1 tral nervous system that is substantially similar to
2 or greater than the stimulant, depressant, or hallu-
3 cinogenic effect on the central nervous system of a
4 controlled substance in schedule I or II.”; and

5 (B) in subparagraph (B), by striking
6 “paragraph (34) or (35)” and inserting “para-
7 graph (33) or (34)”;

8 (7) in paragraph (33), as so redesignated, by
9 striking “Attorney General” each place it appears
10 and inserting “Secretary”;

11 (8) in paragraph (34), as so redesignated, by
12 striking “Attorney General” each place it appears
13 and inserting “Secretary”;

14 (9) in paragraph (38)(A), as so redesignated—

15 (A) in the matter preceding clause (i)—

16 (i) by striking “Attorney General es-
17 tablishes” and inserting “Secretary, in
18 consultation with the Attorney General, es-
19 tablishes”; and

20 (ii) by striking “Attorney General, in
21 consultation with” and inserting “Sec-
22 retary, in consultation with the Attorney
23 General and”; and

1 (B) in clause (iii), by striking “Attorney
2 General” and inserting “Secretary, in consulta-
3 tion with the Attorney General,”;

4 (10) in paragraph (40)(A), as so redesignated,
5 in the matter following clause (lxxv), by striking
6 “Attorney General” and inserting “Secretary”;

7 (11) in paragraph (43), as so redesignated, by
8 striking “marihuana,”;

9 (12) in paragraph (44)(B), as so redesign-
10 nated—

11 (A) by striking “Attorney General” and in-
12 serting “Secretary”; and

13 (B) by striking “202(c)” and inserting
14 “202”;

15 (13) in paragraph (51)(B)(viii), as so redesign-
16 nated, by striking “, IV, or V” each place it appears
17 and inserting “or IV”;

18 (14) in paragraph (54), as so redesignated, by
19 striking “, IV, or V” each place it appears and in-
20 serting “or IV”;

21 (15) in paragraph (55), as so redesignated, by
22 striking “, IV, or V” each place it appears and in-
23 serting “or IV”; and

24 (16) by striking paragraph (59), as so redesign-
25 nated, and inserting the following:

1 “(59)(A) Except as provided in subparagraph (B),
2 the term ‘fentanyl-related substance’ means any substance
3 that is structurally related to fentanyl by 1 or more of
4 the following modifications:

5 “(i) By replacement of the phenyl portion of the
6 phenethyl group by any monocycle, whether or not
7 further substituted in or on the monocycle.

8 “(ii) By substitution in or on the phenethyl
9 group with alkyl, alkenyl, alkoxy, hydroxyl, halo,
10 haloalkyl, amino, or nitro groups.

11 “(iii) By substitution in or on the piperidine
12 ring with alkyl, alkenyl, alkoxy, ester, ether,
13 hydroxyl, halo, haloalkyl, amino, or nitro groups.

14 “(iv) By replacement of the aniline ring with
15 any aromatic monocycle whether or not further sub-
16 stituted in or on the aromatic monocycle.

17 “(v) By replacement of the N-propionyl group
18 with another acyl group.

19 “(B) A substance that satisfies the definition of the
20 term ‘fentanyl-related substance’ in subparagraph (A)
21 shall nonetheless not be treated as a fentanyl-related sub-
22 stance if the substance is controlled by action of the Sec-
23 retary under section 201.

24 “(C) The Secretary may by order publish in the Fed-
25 eral Register a list of substances that satisfy the definition

1 of the term ‘fentanyl-related substance’ in subparagraph
2 (A).

3 “(60) The term ‘drug-specific mortality’ means the
4 risk of death associated with single use consumption of
5 a drug or other substance.

6 “(61) The term ‘drug-related mortality’ means the
7 extent to which life is shortened by the use of a drug or
8 other substance.

9 “(62) The term ‘drug-specific damage’ means the ex-
10 tent to which use of a drug or other substance damages
11 a person’s physical health.

12 “(63) The term ‘drug-related damage’ means the ex-
13 tent to which use of a drug or substance contributes to
14 damage to a person’s physical health, including con-
15 sequences of use.

16 “(64) The term ‘withdrawal’ means a group of behav-
17 ioral and physical signs and symptoms that occur upon
18 discontinuation of drug or other substance consumption
19 that may have resulted from physical dependence or pre-
20 cipitation by a reversal agent for the drug or other sub-
21 stance’s pharmacological target.

22 “(65) The term ‘economic cost’ means—

23 “(A) a direct cost (such as a cost related to
24 health care, police interaction, social services, or
25 crime); and

1 “(B) an indirect cost (such as loss of produc-
2 tivity or absenteeism).

3 “(66)(A) The term ‘therapeutic value’ means the ex-
4 tent to which a drug or other substance provides a meas-
5 urable improvement in patient health.

6 “(B) The Secretary, through notice and comment
7 rulemaking, shall provide (and periodically update to in-
8 corporate new scientific evidence) additional specificity to
9 the definition in subparagraph (A) and provide cor-
10 responding evaluation criteria. In so doing, the Secretary
11 shall consider—

12 “(i) severity of the conditions and existence of
13 efficacious alternative interventions, which may be
14 influenced by the tolerability and accessibility of the
15 drug or other substance;

16 “(ii) improvements in health or health-related
17 metrics, which may include—

18 “(I) survival;

19 “(II) relief of pain;

20 “(III) reduction in anxiety, as measured by
21 the Generalized Anxiety Disorder 7–Item (or
22 any successor test) or such other tests;

23 “(IV) reduction in depression symptoms,
24 as assessed by the Patient Health Question-

1 naire-9 (or any successor test) or such other
2 tests;

3 “(V) reduction in post-traumatic stress
4 disorder symptoms, as assessed by the Clini-
5 cian-Administered PTSD Scale for DSM–5 (or
6 any successor test) or such other tests;

7 “(VI) reduction in substance use disorder
8 symptoms, as defined by the Diagnostic and
9 Statistical Manual of Mental Disorders; and

10 “(VII) patient-reported quality of life;

11 “(iii) safety profile, tolerability, and patient ad-
12 herence related to the administration of the drug or
13 other substance as prescribed; and

14 “(iv) such other facts as the Secretary deter-
15 mines appropriate.

16 “(C) The existence of an effective alternative drug
17 or other substance for a medical need shall not substan-
18 tially reduce the therapeutic value of a drug or other sub-
19 stance.

20 “(67) The term ‘benefit to society’ means, with re-
21 spect to a drug or other substance, any medical, scientific,
22 or other uses of the drug or other substance that may im-
23 prove public health or quality of life, as influenced by the
24 therapeutic value of the drug or other substance, or im-
25 prove social cohesion.

1 “(68) The term ‘multicriteria decision analysis’
2 means a mathematically driven model that scores options
3 across multiple criteria, assigns numerical weights to those
4 criteria, and aggregates the weighted scores through a de-
5 fined calculation to yield a comparative ranking for deci-
6 sion making in an outcome with multiple objectives.

7 “(69)(A) The term ‘threat to public health’ means,
8 with respect to a drug or other substance, the relative like-
9 lihood that development of a substance use disorder, mis-
10 use, or nonmedical use of the drug or other substance
11 would cause or contribute to harm to others, either indi-
12 vidually or collectively, and the chronicity and severity of
13 such harm.

14 “(B) The Secretary, through notice and comment
15 rulemaking, shall provide (and periodically update to in-
16 corporate new scientific evidence) additional specificity to
17 the definition in subparagraph (A) and provide cor-
18 responding evaluation criteria. In so doing, the Secretary
19 shall consider health problems associated with substance
20 use disorder, misuse, or nonmedical use of the drug or
21 other substance, including—

22 “(i) the rates of fatal and nonfatal overdoses
23 and poisonings;

24 “(ii) potentially fatal withdrawal syndromes;

1 “(iii) the relative frequency of emergency med-
2 ical service encounters (in comparison to other sub-
3 stances);

4 “(iv) emergency department visits including
5 hospitalization;

6 “(v) development of diagnosable substance-re-
7 lated clinical illness;

8 “(vi) the relative frequency of drug treatment
9 admissions;

10 “(vii) comparisons of national and subnational
11 trends; and

12 “(viii) other relevant public health or public
13 safety factors.

14 “(70) The term ‘substance use disorder’ means the
15 pattern of behavior from the recurrent use of drugs or
16 other substances that cause the criteria defined in the Di-
17 agnostic and Statistical Manual of Mental Disorders, 5th
18 edition, text revision (or any successor manual).

19 “(71) The term ‘misuse’ means the use of prescrip-
20 tion drugs in a manner or dose other than as prescribed.

21 “(72) The term ‘nonmedical use’—

22 “(A) means the use of a drug or other sub-
23 stance in a manner not directed by a health care
24 provider; and

25 “(B) includes misuse.”.

1 **SEC. 103. AUTHORITY AND CRITERIA FOR CLASSIFICATION**
2 **OF SUBSTANCES.**

3 Section 201 of the Controlled Substances Act (21
4 U.S.C. 811) is amended—

5 (1) in subsection (a)—

6 (A) by striking “Attorney General” each
7 place it appears and inserting “Secretary”;

8 (B) in paragraph (1)—

9 (i) in subparagraph (A), by striking
10 “a potential for abuse” and inserting “the
11 potential for development of a substance
12 use disorder (not including isolated or oc-
13 casional nontherapeutic purposes)”; and

14 (ii) in subparagraph (B), by striking
15 “schedule” and inserting “schedules”;

16 (C) in the matter following paragraph (2),
17 by striking “request of the Secretary, or (3)”
18 and inserting “request of the Attorney General,
19 (3) at the request of the Director of the Office
20 of National Drug Control Policy, or (4)”;

21 (2) by striking subsection (b) and inserting the
22 following:

23 “(b)(1) The Secretary shall, before initiating pro-
24 ceedings under subsection (a) to control a drug or other
25 substance or to remove a drug or other substance entirely
26 from the schedules—

1 “(A) request from the Attorney General a law
2 enforcement evaluation with respect to such drug or
3 other substance of the factor described in subsection
4 (c)(10);

5 “(B) make publicly available a scientific and
6 medical evaluation of the drug or other substance,
7 using the factors described in subsection (c), which
8 shall include the recommendations of the Secretary
9 with respect to the appropriate schedule, if any,
10 under which such drug or other substance should be
11 listed; and

12 “(C) after completion of such evaluation, re-
13 quest from the Committee established under para-
14 graph (3) a multicriteria decision analysis, which
15 shall—

16 “(i) include the recommendations of the
17 Committee with respect to the appropriate
18 schedule, if any, under which such drug or
19 other substance should be listed;

20 “(ii) descriptions of—

21 “(I) the evidence and data sources
22 used;

23 “(II) the numerical weights and the
24 reasons for choosing them;

1 “(III) the score assigned to each cri-
2 terion before the scores are aggregated;
3 and

4 “(IV) uncertainty ranges and sensi-
5 tivity analyses showing whether reasonable
6 changes in weights alter the result; and

7 “(iii) be made publicly available.

8 “(2) If the Committee recommends that a drug or
9 other substance not be controlled or not be removed, the
10 Secretary shall not so control or remove the drug or other
11 substance. Subject to the previous sentence, if the Sec-
12 retary determines that these facts and all other relevant
13 data constitute substantial evidence such as to warrant
14 control or substantial evidence that the drug or other sub-
15 stance should be removed entirely from the schedules, the
16 Secretary shall initiate proceedings for control or removal,
17 as the case may be, under subsection (a).

18 “(3)(A) The Secretary shall establish a Committee
19 for the purpose of conducting the evaluation and providing
20 the recommendations described in paragraph (1).

21 “(B) The Committee shall be composed of at least
22 15 and not more than 25 members, who shall be appointed
23 by the Secretary in consultation with the Director of the
24 Office of National Drug Control Policy. Such members
25 shall include the following:

1 “(i) At least 6 members with substantial exper-
2 tise in behavioral, molecular, or clinical pharma-
3 cology, selected from the membership of—

4 “(I) the American Society for Pharma-
5 cology and Experimental Therapeutics;

6 “(II) the College on Problems of Drug De-
7 pendence;

8 “(III) the American College of Neuro-
9 psychopharmacology;

10 “(IV) the American Society of Addiction
11 Medicine;

12 “(V) the Society of Biological Psychiatry;
13 and

14 “(VI) the American College of Medical
15 Toxicology.

16 “(ii) At least 5 members who—

17 “(I) are licensed, registered, or otherwise
18 permitted, by the United States or the jurisdic-
19 tion in which they practice, to prescribe con-
20 trolled substances in the course of professional
21 practice;

22 “(II) have significant expertise in addiction
23 medicine or medical toxicology; and

24 “(III) hold—

1 “(aa) a subspecialty board certifi-
2 cation in addiction medicine from the
3 American Board of Preventive Medicine;

4 “(bb) a board certification in addic-
5 tion medicine from the American Board of
6 Addiction Medicine;

7 “(cc) a subspecialty board certifi-
8 cation in addiction psychiatry from the
9 American Board of Psychiatry and Neu-
10 rology;

11 “(dd) a subspecialty board certifi-
12 cation in addiction medicine from the
13 American Osteopathic Association; or

14 “(ee) a subspecialty board certifi-
15 cation in medical toxicology from the
16 American College of Medical Toxicology.

17 “(iii) At least 2 members who work for a non-
18 profit organization that advocates for persons with
19 substance use disorders.

20 “(iv) At least 2 members who have a significant
21 publication record on epidemiological trends in
22 emerging or existing drugs.

23 “(v) At least 2 members who—

1 “(I) have significant experience in pro-
2 viding intensive case management to persons
3 with substance use disorders; and

4 “(II) hold State certifications in substance
5 use counseling.

6 “(C)(i) The Secretary shall ensure that the Com-
7 mittee meets regularly and at appropriate intervals so that
8 any matter to be reviewed can be presented to the Com-
9 mittee not more than 60 days after the matter is ready
10 for such review.

11 “(ii) Meetings of the Committee may be held using
12 electronic communication.

13 “(iii) The Secretary shall, as appropriate, provide
14 education and training to each new Committee member
15 before such member participates in the Committee’s activi-
16 ties, including education regarding—

17 “(I) requirements under this title and related
18 regulations of the Secretary; and

19 “(II) the administrative processes and proce-
20 dures related to Committee meetings.

21 “(iv) Committee members (other than officers or em-
22 ployees of the United States), while attending meetings
23 or conferences of the Committee or otherwise engaged in
24 its business, shall be entitled to receive compensation for
25 each day so engaged, including travel time, at rates to be

1 fixed by the Secretary, but not to exceed the daily equiva-
2 lent of the rate in effect for positions classified above
3 grade GS-15 of the General Schedule.

4 “(v) While serving away from their homes or regular
5 places of business, Committee members may be allowed
6 travel expenses (including per diem in lieu of subsistence)
7 as authorized by section 5703 of title 5, for persons in
8 the Government service employed intermittently.”;

9 (3) by striking subsection (c) and inserting the
10 following:

11 “(c) In making any finding under subsection (a) of
12 this section or under subsection (b) of section 202, the
13 Secretary shall consider the following factors with respect
14 to each drug or other substance proposed to be controlled
15 or removed from the schedules:

16 “(1) The state of current scientific knowledge
17 regarding the drug or other substance, including
18 routes of administration and pharmacological effects,
19 if known.

20 “(2) Its actual or relative pattern or potential
21 for nonmedical use, misuse, and developments of
22 substance use disorders.

23 “(3) Its history and current trends of nonmed-
24 ical use, misuse, and developments of substance use
25 disorders, including subnational geographical trends.

1 “(4) The nature of, and actual (or, if unknown,
2 the potential) magnitude of, threats to public health
3 related to misuse, nonmedical use, and developments
4 of substance use disorders, including drug-specific
5 mortality, drug-related mortality, drug-specific dam-
6 age, and drug-related damage.

7 “(5) Its therapeutic applications, including self-
8 reported therapeutic use, and extent of therapeutic
9 use and epidemiology of therapeutic use.

10 “(6) Prevalence of medical conditions or disease
11 that the drug or substance is used in, or has the po-
12 tential for use for, treatment for a currently met or
13 unmet therapeutic utility.

14 “(7) Whether the drug or other substance is an
15 immediate precursor of a substance already con-
16 trolled under this title.

17 “(8) Its marketing authorizations as a medic-
18 inal product.

19 “(9) Its industrial, agricultural, and veterinary
20 use.

21 “(10) Its illicit manufacture and traffic and re-
22 lated information.

23 “(11) What threat to public health, if any, from
24 scheduling the drug or other substance, including re-
25 placement by alternative drugs or substances.

1 “(12) The extent to which the drug or other
2 substance is used to reduce the severity of an indi-
3 vidual’s substance use disorder with respect to the
4 use of another scheduled drug or substance, along
5 with harms to the individual and society associated
6 with use of that other scheduled drug or substance.

7 “(13) Other medical and scientific matters rel-
8 evant for a recommendation on scheduling of the
9 drug or other substance.

10 “(14) Other such factors which relate to harms
11 to one’s self or society, benefits to self or society, in-
12 cluding economic costs.”;

13 (4) in subsection (d)—

14 (A) in paragraph (1), by striking “Attor-
15 ney General” and inserting “Secretary”;

16 (B) in paragraph (2), by striking “Sec-
17 retary of Health, Education, and Welfare” each
18 place it appears and inserting “Secretary of
19 Health and Human Services”;

20 (C) in paragraph (3)—

21 (i) by striking “Secretary of Health,
22 Education, and Welfare” each place it ap-
23 pears and inserting “Secretary of Health
24 and Human Services”;

1 (ii) in the matter preceding subpara-
2 graph (A), by striking “, after consultation
3 with the Attorney General,”;

4 (iii) in subparagraph (A), by striking
5 “recommend to the Attorney General that
6 he initiate proceedings for scheduling the
7 drug or substance, pursuant to subsections
8 (a) and (b) of this section,” and inserting
9 “prepare an analysis”;

10 (iv) in subparagraph (B), by striking
11 “recommend to the Attorney General that
12 he”; and

13 (v) in subparagraph (C)(i), by striking
14 “if he deems that additional controls are
15 necessary to protect the public health and
16 safety, recommend to the Attorney General
17 that he”;

18 (D) in paragraph (4)—

19 (i) by striking “Attorney General”
20 each place it appears and inserting “Sec-
21 retary of Health and Human Services”;

22 (ii) in subparagraph (A)—

23 (I) by striking “, after consulta-
24 tion with the Secretary of Health,
25 Education, and Welfare,”;

1 (II) by striking “, after consulta-
2 tion with the Secretary and” and in-
3 serting a comma;

4 (III) by striking “or V, whichever
5 is most appropriate” and inserting “,
6 as appropriate”; and

7 (IV) by striking “, after consulta-
8 tion with the Secretary,”; and

9 (iii) in subparagraph (B)—

10 (I) in the matter preceding clause

11 (i)—

12 (aa) by striking “, after con-
13 sultation with the Secretary of
14 Health, Education, and Welfare
15 and”;

16 (bb) by striking “or V,
17 whichever is most appropriate”
18 and inserting “, as appropriate”;
19 and

20 (cc) by striking “, after con-
21 sultation with the Secretary,”;

22 (II) in clause (ii), by striking “or
23 V”; and

24 (III) in the matter following
25 clause (ii), by striking “or V”; and

1 (E) in paragraph (5), by striking “Sec-
2 retary of Health, Education, and Welfare or the
3 Attorney General” and inserting “Secretary of
4 Health and Human Services”;

5 (5) in subsection (e), by striking “Attorney
6 General” each place it appears and inserting “Sec-
7 retary”;

8 (6) by striking subsection (f);

9 (7) by striking subsection (j);

10 (8) by redesignating subsections (g) through (i)
11 as subsections (f) through (h), respectively;

12 (9) in subsection (f), as so redesignated—

13 (A) by striking “Attorney General” each
14 place it appears and inserting “Secretary”;

15 (B) in paragraph (1), by striking “titles II
16 and III of the Comprehensive Drug Abuse Pre-
17 vention and Control Act (21 U.S.C. 802 et
18 seq.)” and inserting “this title and title III of
19 this Act”; and

20 (C) in paragraph (3)—

21 (i) by striking “abuse” each place it
22 appears and inserting “the development of
23 a substance use disorder”; and

24 (ii) in subparagraph (C), by striking
25 “Upon the recommendation of the Sec-

1 retary of Health and Human Services, a”
2 and inserting “A”;

3 (10) in subsection (g), as so redesignated—

4 (A) by striking paragraph (1) and insert-
5 ing the following:

6 “(1) Upon recommendation by the Director of the Of-
7 fice of National Drug Control Policy, the Secretary may,
8 by order, place a drug or other substance in schedules E
9 and I, II, III, or IV on a temporary basis as necessary
10 to avoid an imminent significant threat to public health.
11 Such drug or other substance may be so placed in sched-
12 ules E and I, II, III, or IV without regard to the require-
13 ments of subsection (b) relating to the Secretary of Health
14 and Human Services if the substance is not listed in any
15 other schedule in section 202 or if no exemption or ap-
16 proval is in effect for the substance under section 505 of
17 the Federal Food, Drug, and Cosmetic Act. Such an order
18 may not be issued before the expiration of 30 days from—

19 “(A) the date of the publication by the Sec-
20 retary of a notice in the Federal Register of the in-
21 tention to issue such order and the grounds upon
22 which such order is to be issued, and

23 “(B) the date the Director of the Office of Na-
24 tional Drug Control Policy has transmitted the no-
25 tice required by paragraph (4).”;

1 (B) in paragraph (2)—

2 (i) by striking “Attorney General”
3 and inserting “Secretary”; and

4 (ii) by adding at the end the fol-
5 lowing: “The Director of the Office of Na-
6 tional Drug Control Policy may terminate
7 such order if the Director finds that the
8 scheduling is no longer necessary to pro-
9 tect the public health.”;

10 (C) in paragraph (3)—

11 (i) by striking “Attorney General”
12 and inserting “Secretary”; and

13 (ii) by striking “paragraphs (4), (5),
14 and (6) of subsection (c), including actual
15 abuse, diversion from legitimate channels,
16 and clandestine importation, manufacture,
17 or distribution” and inserting “paragraphs
18 (3), (4), (6), (11), and (12) of subsection
19 (c)”; and

20 (D) in paragraph (4)—

21 (i) by striking “Attorney General shall
22 transmit notice of an order proposed to be
23 issued under paragraph (1)” and inserting
24 “Director of the Office of National Drug
25 Control Policy shall transmit notice of a

1 recommendation of the Director for an
2 order under paragraph (1)”;

3 (ii) by striking “Attorney General
4 shall take” and inserting “Secretary shall
5 take”; and

6 (iii) by striking “Secretary in re-
7 sponse” and inserting “Director of the Of-
8 fice of National Drug Control Policy in re-
9 sponse”; and

10 (11) in subsection (h), as so redesignated—

11 (A) in paragraph (1)—

12 (i) by striking “Attorney General”
13 each place it appears and inserting “Sec-
14 retary”; and

15 (ii) in subparagraph (B), by striking
16 “abuse” and inserting “the development of
17 a substance use disorder, nonmedical
18 use,”;

19 (B) in paragraph (2), by striking “Attor-
20 ney General” each place it appears and insert-
21 ing “Secretary”;

22 (C) by striking paragraph (3);

23 (D) by redesignating paragraphs (4)
24 through (6) as paragraphs (3) through (5), re-
25 spectively; and

1 (E) in paragraph (5), as so redesignated,
2 by striking “Attorney General” and inserting
3 “Secretary”.

4 **SEC. 104. SCHEDULES OF CONTROLLED SUBSTANCES.**

5 Section 202 of the Controlled Substances Act (21
6 U.S.C. 812) is amended—

7 (1) in subsection (a)—

8 (A) by striking the first sentence and in-
9 serting the following: “There are established
10 four schedules of controlled substances, to be
11 known as schedules I, II, III, and IV, and five
12 additional schedules, to be known as schedules
13 A, B, C, D, and E.”; and

14 (B) by striking “the two-year period begin-
15 ning one year after the date of enactment of
16 this title” and inserting “the two-year period
17 beginning on May 24, 2028,”;

18 (2) by striking subsection (b) and inserting the
19 following:

20 “(b) Except where control is required by United
21 States obligations under an international treaty, conven-
22 tion, or protocol, in effect on the date of enactment of
23 the Public Health and Research Reforms in Controlled
24 Substances Act of 2026, and except in the case of an im-
25 mediate precursor, a drug or other substance may not be

1 placed in any schedule unless the findings required for
2 such schedule are made with respect to such drug or other
3 substance. The placement of an immediate precursor, a
4 drug, or other substance in any of the schedules shall be
5 made to reasonably balance public health and safety with
6 therapeutic value. Each drug or other substance placed in
7 a schedule described in paragraph (1) shall also be placed
8 in a schedule described in paragraph (2). The findings re-
9 quired for each of the schedules are as follows:

10 “(1) SCHEDULES FOR POTENTIAL RISKS TO
11 USERS AND SOCIETY.—

12 “(A) SCHEDULE I.—The drug or other
13 substance presents a high risk of misuse or de-
14 velopment of a substance use disorder and the
15 consequences of the use of the drug or other
16 substance pose a particularly high threat to
17 public health.

18 “(B) SCHEDULE II.—The drug or other
19 substance presents a lower risk of misuse or de-
20 velopment of a substance use disorder than
21 those in schedule I and the consequences of the
22 use of the drug or other substance pose a
23 threat to public health less than the particularly
24 high threat to public health referred to in sub-
25 paragraph (A).

1 “(C) SCHEDULE III.—The drug or other
2 substance presents a lower risk of misuse or de-
3 velopment of a substance use disorder than
4 those in schedule II and the consequences of
5 the use of the drug or other substance pose a
6 threat to public health less than the threat to
7 public health referred to in subparagraph (B).

8 “(D) SCHEDULE IV.—The drug or sub-
9 stance presents a risk of misuse or development
10 of a substance use disorder lower than those in
11 schedule III and the consequences of the use of
12 the drug or other substance pose a threat to
13 public health less than the threat to public
14 health referred to in subparagraph (B).

15 “(2) SCHEDULES FOR THERAPEUTIC VALUE.—

16 “(A) SCHEDULE A.—The drug or other
17 substance has high therapeutic value.

18 “(B) SCHEDULE B.—The drug or other
19 substance has moderate therapeutic value.

20 “(C) SCHEDULE C.—The drug or other
21 substance has low therapeutic value.

22 “(D) SCHEDULE D.—The drug or other
23 substance is of limited therapeutic value.

1 “(E) SCHEDULE E.—The drug or other
2 substance is of unknown or has no therapeutic
3 value.”; and

4 (3) by striking subsection (c) and inserting the
5 following:

6 “(c)(1) Except as otherwise provided in this sub-
7 section, the Secretary shall reevaluate each drug or other
8 substance placed in a schedule pursuant to this title, as
9 in effect on the day before the date of enactment of the
10 Public Health and Research Reforms in Controlled Sub-
11 stances Act of 2026, to determine whether such drug or
12 other substance shall—

13 “(A) be placed in the schedules described in
14 subsection (b) pursuant to this title; or

15 “(B) be removed from the schedules under this
16 title.

17 “(2) Before a drug or other substance is placed in,
18 or removed from, a schedule under paragraph (1), the Sec-
19 retary shall publish the proposed placement or removal in
20 the Federal Register and accept public comments and pro-
21 vide opportunity for a hearing on the proposed placement
22 or removal for a period of not less than 60 days.

23 “(3) Not later than 2 years after the date of enact-
24 ment of the Public Health and Research Reforms in Con-
25 trolled Substances Act of 2026, the Secretary shall con-

1 duct the reevaluation described in paragraph (1) for each
2 of the following:

3 “(A) Fentanyl.

4 “(B) Cocaine.

5 “(C) Amphetamine.

6 “(D) Methylphenidate.

7 “(E) Methadone.

8 “(F) Methamphetamine.

9 “(G) Phencyclidine.

10 “(H) Ketamine.

11 “(I) 3,4-methylenedioxymethylamphetamine.

12 “(J) Buprenorphine.

13 “(K) Diazepam.

14 “(L) Flurazepam.

15 “(M) Anabolic steroids.

16 “(N) Lysergic acid diethylamide.

17 “(O) Psilocybin.

18 “(P) Psilocin.

19 “(Q) N,N-dimethyltryptamine.

20 “(R) 2,5-dimethoxy-4-methylamphetamine.

21 “(S) 4-Bromo-2,5-dimethoxyphenethylamine.

22 “(T) Zolpidem.

23 “(U) Phenobarbital.

24 “(V) Mescaline.

25 “(W) Ibogaine.

1 “(X) Diacetylmorphine.

2 “(Y) Morphine.

3 “(Z) Codeine.

4 “(AA) Oxycodone.

5 “(BB) Oxymorphone.

6 “(CC) Hydromorphone.

7 “(DD) Hydrocodone.

8 “(EE) Alprazolam.

9 “(FF) Clonazepam.

10 “(4)(A) Not later than 8 years after the date of en-
11 actment of the Public Health and Research Reforms in
12 Controlled Substances Act of 2026, the Secretary shall
13 conduct the reevaluation described in paragraph (1) for
14 each drug or other substance not listed in paragraphs (3)
15 or (6).

16 “(B) With respect to each drug or other substance
17 described in paragraph (1) but not listed in paragraph (3)
18 or (6), the Secretary shall designate the drug or other sub-
19 stance as—

20 “(i) a high-priority substance; or

21 “(ii) a low-priority substance.

22 “(C) In conducting the reevaluations required by
23 paragraph (1), the Secretary shall prioritize the reevalua-
24 tions of high-priority substances designated under sub-
25 paragraph (B).

1 “(D) For the purpose of designating drugs and other
 2 substances under subparagraph (B), not later than 1 year
 3 after the date of enactment of the Public Health and Re-
 4 search Reforms in Controlled Substances Act of 2026, the
 5 Secretary shall establish, by rule, a process for such des-
 6 ignation. Such process shall include—

7 “(i) the criteria that the Secretary will consider
 8 in making such designations;

9 “(ii) cost-benefit analysis, where appropriate;
 10 and

11 “(iii) a consideration of the relative potential
 12 for the development of a substance use disorder
 13 from the use of each drug or other substance, its
 14 therapeutic value, and its potential utility for treat-
 15 ment based on animal models or an application for
 16 an investigational new drug under section 505(i) of
 17 the Federal Food, Drug, and Cosmetic Act.

18 “(5) In the case that the Secretary fails to fulfill the
 19 requirements of paragraph (3) or (4)(A) with respect to
 20 a drug or other substance, the drug or other substance
 21 shall be placed in schedule I, II, III, or IV and schedule
 22 A, B, C, D, or E as follows:

“	Schedule I	Schedule II	Schedule III	Schedule IV
Schedule A	Fentanyl	Amphetamine, its salts, opti- cal isomers, and salts of its optical isomers	Ketamine	Lysergic acid diethylamide

		Methylphenidate Methylphenidate Methadone Hydrocodone Hydromorphone Oxymorphone Oxycodone Methamphetamine	3,4-methylenedioxy methamphetamine	Psilocybin Psilocin Buprenorphine Codeine
Schedule B	Cocaine Diacetylmorphine Morphine	Alprazolam	Diazepam Ibogaine Flurazepam Phenobarbital Clonazepam	Zolpidem Any substance in schedule V of section 202(c), as in effect on the day before the date of en- actment of the Public Health and Research Reforms in Con- trolled Sub- stances Act of 2026 Any substance in subsection (d) of schedule III of section 202(c), as in effect on the day before the date of en- actment of the Public Health and Research Reforms in Con- trolled Sub- stances Act of 2026
Schedule C			Anabolic steroids	
Schedule D		Phencyclidine		
Schedule E	2 benzylbenzimidazole opioid and its salts	Any novel ana- log of a sched- ule II sub- stance not placed in an- other schedule, as in effect on the day before the date of en- actment of the Public Health and Research Reforms in Controlled Sub- stances Act of 2026	Any novel ana- log of a sched- ule III sub- stance not placed in an- other schedule, as in effect on the day before the date of en- actment of the Public Health and Research Reforms in Controlled Sub- stances Act of 2026	Any substance in subsection (d) of schedule I of sec- tion 202(c), as in effect on the day before the date of enactment of the Public Health and Re- search Reforms in Controlled Substances Act of 2026

	Any substance in paragraphs (1) or (2) of subsection (e) of schedule I of section 202(e), as in effect on the day before the date of enactment of the Public Health and Research Reforms in Controlled Substances Act of 2026			N, N-Dimethyltryptamine 4-Bromo 2,5-dimethoxyphenethylamine Mescaline Peyote
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1 “(6) The Secretary shall remove marihuana and
2 tetrahydrocannabinols from the schedules under this title.
3 The previous sentence is retroactive and shall apply to any
4 offense committed, case pending, conviction entered, and,
5 in the case of a juvenile, any offense committed, case
6 pending, or adjudication of juvenile delinquency entered
7 before, on, or after the date of enactment of the Public
8 Health and Research Reforms in Controlled Substances
9 Act of 2026. For the purposes of this title, marihuana and
10 tetrahydrocannabinols shall each be deemed to be a drug
11 or other substance that does not meet the requirements
12 for inclusion in any schedule.

13 “(7) The Secretary may request the submission from
14 an interested entity of relevant information concerning a
15 drug or other substance as necessary to fulfill the require-
16 ments of this subsection. Such entity shall have 60 days
17 to comply with any such request.

1 “(8) In scheduling or rescheduling a controlled sub-
2 stance analogue under this section, the Secretary shall—

3 “(A) place such substance in the same or lesser
4 numerical schedule as the parent substance; and

5 “(B) place such substance in schedule E if the
6 therapeutic value of such analog is not established.”.

7 **SEC. 105. TREATMENT OF CONTROLLED SUBSTANCE ANA-**
8 **LOGUES.**

9 Section 203(a) of the Controlled Substances Act (21
10 U.S.C. 813(a)) is amended by striking “in schedule I” and
11 inserting the following: “in—

12 “(1) whichever of schedules I, II, III, and IV is
13 placed the drug or other substance from which the
14 controlled substance analogue is derived, as deter-
15 mined by the Secretary; and

16 “(2) schedule E.”.

17 **SEC. 106. RULES AND REGULATIONS.**

18 Section 301 of the Controlled Substances Act (21
19 U.S.C. 821) is amended to read as follows:

20 “RULES AND REGULATIONS

21 “SEC. 301.

22 “(a) Except with respect to the registration of sci-
23 entific investigators under section 302, the Attorney Gen-
24 eral is authorized to promulgate rules and regulations and
25 to charge reasonable fees relating to the registration and

1 control of the manufacture, distribution, and dispensing
2 of controlled substances and to listed chemicals.

3 “(b) The Secretary is authorized to promulgate rules
4 and regulations and to charge reasonable fees relating to
5 the registration of scientific investigators under section
6 302.”.

7 **SEC. 107. PERSONS REQUIRED TO REGISTER.**

8 Section 302 of the Controlled Substances Act (21
9 U.S.C. 822) is amended—

10 (1) in subsection (e)(4)—

11 (A) in subparagraph (A)(ii), by striking
12 “Attorney General” and inserting “Secretary”;

13 (B) in subparagraph (B), by striking “At-
14 torney General” and inserting “Secretary”; and

15 (C) in subparagraph (C), by striking “At-
16 torney General may, in consultation with the
17 Secretary” and inserting “Secretary may, in
18 consultation with the Attorney General”;

19 (2) in subsection (f)(2)(A), by striking “the
20 same schedule as the first controlled substance, or is
21 in a schedule with a higher numerical designation”
22 and inserting “another schedule with another nu-
23 merical or alphabetical designation”;

24 (3) by striking subsection (h);

1 (4) by redesignating subsection (i) as subsection
2 (h);
3 (5) in subsection (h), as so redesignated—
4 (A) in paragraph (1)(B)—
5 (i) in clause (i), by striking “Attorney
6 General” and inserting “Secretary”; and
7 (ii) in clause (iii), by striking “Attor-
8 ney General” and inserting “Secretary”;
9 (B) in paragraph (2)(A)(i), by striking
10 “Attorney General” and inserting “Secretary”;
11 and
12 (C) by striking paragraph (3); and
13 (6) by adding at the end the following:
14 “(i) Nothing in this section shall be construed to pre-
15 vent an institution of higher education from applying for
16 a registration for the purposes of conducting scientific re-
17 search.”.

18 **SEC. 108. REGISTRATION REQUIREMENTS.**

19 Section 303 of the Controlled Substances Act (21
20 U.S.C. 823) is amended—

21 (1) by striking subsection (c);
22 (2) by redesignating subsections (d) through (o)
23 as subsections (c) through (n), respectively;
24 (3) in subsection (d), as so redesignated—

1 (A) in the matter preceding paragraph (1),
2 by striking “, IV, or V” and inserting “or IV”;
3 and

4 (B) in paragraph (1), by striking “, IV, or
5 V” and inserting “or IV”;

6 (4) in subsection (e), as so redesignated, by
7 striking “, IV, or V” and inserting “or IV”;

8 (5) in subsection (f), as so redesignated—

9 (A) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A)—

12 (I) by striking “The Attorney
13 General shall register practitioners
14 (including pharmacies, as distin-
15 guished from pharmacists) to dis-
16 pense, or conduct research with,” and
17 inserting “The Attorney General shall
18 register practitioners (including phar-
19 macies, as distinguished from phar-
20 macists) who are not scientific inves-
21 tigators to dispense, and the Secretary
22 shall register practitioners who are
23 scientific investigators to conduct re-
24 search with,”;

1 (II) by striking “II, III, IV, or
2 V” and inserting “I, II, III, or IV”;

3 (III) by striking “and shall mod-
4 ify” and inserting “, and the Attorney
5 General shall modify”;

6 (IV) by striking “Attorney Gen-
7 eral may deny” and inserting “Attor-
8 ney General (or Secretary, as applica-
9 ble) may deny”; and

10 (V) by striking “Attorney Gen-
11 eral determines” and inserting “Attor-
12 ney General (or Secretary, as applica-
13 ble) determines”; and

14 (ii) in the matter following subpara-
15 graph (E), by striking “II, III, IV, or V”
16 and inserting “I, II, III, or IV”;

17 (B) by striking paragraph (2); and

18 (C) by redesignating paragraph (3) as
19 paragraph (2);

20 (6) in subsection (g), as so redesignated, by
21 striking “III, IV, or V” and inserting “II, III, or
22 IV”;

23 (7) in subsection (i), by striking “(e)” and in-
24 serting “(d)”;

25 (8) in subsection (j), as so redesignated—

1 (A) in paragraph (1)—

2 (i) in the matter preceding paragraph

3 (A), by striking “II, III, IV, or V” and in-

4 serting “I, II, III, or IV”; and

5 (ii) in subparagraph (B), by striking

6 “(g)” and inserting “(f)”;

7 (B) in paragraph (3), by striking “(g)”

8 and inserting “(f)”;

9 (C) in paragraph (4), by striking “II, III,

10 IV, or V” and inserting “I, II, III, or IV”; and

11 (D) in paragraph (13)—

12 (i) in subparagraph (H), by striking

13 “(g)” and inserting “(f)”;

14 (ii) in subparagraph (J)(ii), by strik-

15 ing “(g)” and inserting “(f)”;

16 (iii) in subparagraph (K), by striking

17 “(g)” and inserting “(f)”;

18 (9) in subsection (l), as so redesignated—

19 (A) in paragraph (1)—

20 (i) in the matter preceding subpara-

21 graph (A)—

22 (I) by striking “II, III, IV, or V”

23 and inserting “I, II, III, or IV”; and

24 (II) by inserting “and Secretary”

25 after “Attorney General”; and

1 (ii) in subparagraph (B), in the mat-
2 ter preceding clause (i), by striking “II,
3 III, IV, or V” and inserting “I, II, III, or
4 IV”;

5 (B) in paragraph (2)(A), by inserting “and
6 Secretary” after “Attorney General”; and

7 (C) in paragraph (3)(B), by striking “II,
8 III, IV, or V” and inserting “I, II, III, or IV”;
9 (10) in subsection (m), as so redesignated—

10 (A) by striking the subsection heading and
11 inserting the following: “SPECIAL PROVISIONS
12 FOR CONTINUITY OF RESEARCH FOR NEWLY
13 SCHEDULED SUBSTANCES”;

14 (B) in paragraph (1)—

15 (i) by striking “schedule I” and in-
16 serting “scheduled substances”; and

17 (ii) by striking “subparagraph (A) or
18 (B) of”;

19 (C) by striking paragraph (3) and insert-
20 ing the following:

21 “(3) EXPEDITED PROCEDURES FOR RE-
22 SEARCHER WITHOUT A CURRENT RESEARCH REG-
23 ISTRATION.—

24 “(A) IN GENERAL.—Subject to subsection
25 (C), a practitioner who is a scientific investi-

1 gator may conduct research under this sub-
2 section on and after the date that is 45 days
3 after the date on which the practitioner sends
4 a notice to the Secretary containing the fol-
5 lowing information, with respect to each sub-
6 stance with which the practitioner will conduct
7 research:

8 “(i) The chemical name of the sub-
9 stance.

10 “(ii) The quantity of the substance to
11 be used in the research.

12 “(iii) Demonstration that the research
13 is in the category described in paragraph
14 (2), which demonstration may be satis-
15 fied—

16 “(I) in the case of a grant, con-
17 tract, cooperative agreement, other
18 transaction, or intramural research
19 project, by identifying the sponsoring
20 agency and supplying the number of
21 the grant, contract, cooperative agree-
22 ment, other transaction, or project; or

23 “(II) in the case of an applica-
24 tion under section 505(i) of the Fed-
25 eral Food, Drug, and Cosmetic Act,

1 by supplying the application number
2 and the sponsor of record on the ap-
3 plication.

4 “(iv) Demonstration that the re-
5 searcher is authorized to conduct research
6 with respect to the substance under the
7 laws of the State in which the research will
8 take place.

9 “(B) SECRETARY ACTION.—The Secretary
10 shall—

11 “(i) treat notice received under sub-
12 paragraph (A) as a sufficient application
13 for a research registration; and

14 “(ii) not later than 45 days of receiv-
15 ing such a notice that contains all informa-
16 tion required under subparagraph (A)—

17 “(I) register the applicant; or

18 “(II) serve an order to show
19 cause upon the applicant in accord-
20 ance with section 304(c).

21 “(C) RESEARCH WITH LIMITED AMOUNTS
22 FOR PILOT STUDIES.—

23 “(i) IN GENERAL.—The Secretary
24 shall establish, within the National Insti-
25 tute on Drug Abuse, a process for expe-

1 dited approval of a registration under this
2 paragraph for well-qualified persons seek-
3 ing to conduct preclinical, nonhuman re-
4 search described in paragraph (2) with 1
5 or more scheduled substances—

6 “(I) using only a limited amount
7 of such substances (as the Secretary
8 may determine appropriate); and

9 “(II) consisting of only a single
10 set of experiments (as determined by
11 the Secretary).

12 “(ii) DESCRIPTION OF STORAGE.—To
13 be eligible for expedited approval under
14 this subparagraph, a person shall submit
15 to the Secretary a description of how the
16 person will store the scheduled substances
17 referred to in clause (i). The Secretary
18 shall establish guidelines for storage and
19 recordkeeping requirements that may be
20 less stringent than guidelines for storage
21 and recordkeeping requirements with re-
22 spect to other controlled substance reg-
23 istrations.

24 “(iii) TIMELINE.—The Secretary shall
25 approve or deny a request that is eligible

1 for expedited approval under this subpara-
2 graph not later than 15 days after the Sec-
3 retary receives such request.

4 “(iv) PROVISION BY NATIONAL INSTI-
5 TUTE ON DRUG ABUSE.—The Secretary,
6 acting through the Director of the Na-
7 tional Institute on Drug Abuse, shall pro-
8 vide to a person whose registration is ap-
9 proved under this subparagraph the
10 amounts of substances necessary to con-
11 duct the research for which the registra-
12 tion was approved.”;

13 (D) in paragraph (4), by striking “Attor-
14 ney General” and inserting “Secretary”; and

15 (E) in paragraph (5)—

16 (i) in the matter preceding subpara-
17 graph (A)—

18 (I) by striking “a schedule I”
19 and inserting “the scheduled”; and

20 (II) by striking “of schedule I”
21 and inserting “such”; and

22 (ii) in subparagraph (A), by striking
23 “Attorney General” and inserting “Sec-
24 retary”; and

25 (11) in subsection (n), as so redesignated—

1 (A) in paragraph (1), in the matter pre-
2 ceding subparagraph (A)—

3 (i) by striking “Attorney General”
4 each place it appears and inserting “Sec-
5 retary”; and

6 (ii) by striking “Drug Enforcement
7 Administration” and inserting “Depart-
8 ment of Health and Human Services”; and

9 (B) in paragraph (2), by striking “Attor-
10 ney General” and inserting “Secretary”.

11 **SEC. 109. DENIAL, REVOCATION, OR SUSPENSION OF REG-**
12 **ISTRATION.**

13 Section 304 of the Controlled Substances Act (21
14 U.S.C. 824) is amended—

15 (1) in subsection (a), in the manner preceding
16 paragraph (1), by inserting after “Attorney Gen-
17 eral” the following: “(or with respect to a practi-
18 tioner who is a scientific investigator, the Sec-
19 retary)”; and

20 (2) in subsections (b) through (h), by inserting
21 after “Attorney General” each place it appears the
22 following: “(or Secretary, as applicable)”.

23 **SEC. 110. QUOTAS APPLICABLE TO CERTAIN SUBSTANCES.**

24 Section 306 of the Controlled Substances Act (21
25 U.S.C. 826) is amended—

1 (1) in subsections (a) through (f), by striking
2 “Attorney General” each place it appears and insert-
3 ing “Secretary”;

4 (2) in subsection (h)(1)—

5 (A) by striking “Attorney General” each
6 place it appears and inserting “Secretary”; and

7 (B) in subparagraph (B)(ii)—

8 (i) by inserting “to the public” after
9 “written response”; and

10 (ii) by striking “Attorney General’s”
11 and inserting “Secretary’s”;

12 (3) in subsection (i)—

13 (A) in paragraph (1)—

14 (i) in subparagraph (A), by striking
15 “Attorney General by regulation” and in-
16 serting “Secretary by regulation”;

17 (ii) in subparagraph (B)(i), by insert-
18 ing “and the Director of the Office of Na-
19 tional Drug Control Policy” after “Sec-
20 retary of Health and Human Services”;
21 and

22 (iii) in subparagraph (C)—

23 (I) by striking “Attorney Gen-
24 eral” each place it appears and insert-
25 ing “Secretary”; and

1 (II) by striking “reductions” and
2 inserting “alterations”;

3 (B) in paragraph (2)—

4 (i) in subparagraph (A), by striking
5 “Attorney General, in consultation with
6 the Secretary of Health and Human Serv-
7 ices” and inserting “Secretary, in consulta-
8 tion with the Attorney General”; and

9 (ii) in subparagraph (B), by striking
10 “Attorney General” and inserting “Sec-
11 retary”; and

12 (C) in paragraph (3)—

13 (i) in the matter preceding subpara-
14 graph (A), by striking “Attorney General”
15 each place it appears and inserting “Sec-
16 retary”; and

17 (ii) in subparagraph (B), by striking
18 “Secretary of Health and Human Serv-
19 ices” and inserting “Attorney General”.

20 **SEC. 111. RECORDS AND REPORTS OF REGISTRANTS.**

21 Section 307 of the Controlled Substances Act (21
22 U.S.C. 827) is amended—

23 (1) in subsection (a)(2), by striking “Attorney
24 General” and inserting “Secretary”; and

25 (2) in subsection (c)(1)—

1 (A) in subparagraph (A), by striking “II,
2 III, IV, or V” and inserting “I, II, III, or IV”;
3 and

4 (B) in subparagraph (B), by striking “II,
5 III, IV, or V” and inserting “I, II, III, or IV”.

6 **SEC. 112. ORDER FORMS.**

7 Section 308(d) of the Controlled Substances Act (21
8 U.S.C. 828(d)) is amended—

9 (1) in paragraph (1)—

10 (A) by striking “The Attorney General
11 shall issue” and inserting “With respect to sci-
12 entific investigators conducting research with a
13 controlled substance, the Secretary, and with
14 respect to any other person, the Attorney Gen-
15 eral, shall issue”; and

16 (B) by striking “the Attorney General
17 shall, before” and inserting “the Secretary or
18 Attorney General, as applicable, shall, before”;
19 and

20 (2) in paragraph (2), by striking “Attorney
21 General” and inserting “Secretary or Attorney Gen-
22 eral, as applicable,”.

23 **SEC. 113. PRESCRIPTIONS.**

24 Section 309 of the Controlled Substances Act (21
25 U.S.C. 829) is amended—

1 (1) in subsection (a), by striking “schedule II”
2 each place it appears and inserting “schedule I or
3 II”;

4 (2) by striking subsection (c);

5 (3) by redesignating subsections (d) through (f)
6 as subsections (c) through (e), respectively;

7 (4) in subsection (c), as so redesignated, by
8 striking “abuse potential” and inserting “potential
9 for the development of a substance use disorder”;
10 and

11 (5) in subsection (e), as so redesignated—

12 (A) in the subsection heading, by striking
13 “SCHEDULE II” and inserting “SCHEDULE I
14 OR II”; and

15 (B) by striking “schedule II” each place it
16 appears and inserting “schedule I or II”.

17 **SEC. 114. PROHIBITED ACTS A—PENALTIES.**

18 Section 401 of the Controlled Substances Act (21
19 U.S.C. 841) is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (1)—

22 (i) by striking subparagraphs (A),
23 (B), and (D);

1 (ii) by redesignating subparagraphs
2 (C) and (E) as subparagraphs (A) and
3 (B), respectively;

4 (iii) in subparagraph (A), as so rededesignated—

6 (I) by striking “, except as provided in subparagraphs (A), (B), and
7 (D)”;

9 (II) by striking “less than twenty
10 years or”;

11 (III) by striking “\$1,000,000”
12 and inserting “\$10,000,000”;

13 (IV) by striking “\$5,000,000”
14 and inserting “\$50,000,000”;

15 (V) by striking “prior conviction
16 for a felony drug offense” and inserting
17 “prior conviction for a serious
18 drug felony”;

19 (VI) by striking “if death or serious
20 bodily injury results from the use
21 of such substance shall be sentenced
22 to life imprisonment” and inserting
23 “if death or serious bodily injury results
24 from the use of such substance

1 shall be sentenced to not more than
2 life imprisonment”;

3 (VII) by striking “\$2,000,000”
4 and inserting “\$20,000,000”;

5 (VIII) by striking “is an indi-
6 vidual or \$10,000,000” and inserting
7 “is an individual or \$75,000,000”;
8 and

9 (IX) by striking the last sen-
10 tence; and

11 (iv) in subparagraph (B), as so redes-
12 ignated—

13 (I) in clause (i)—

14 (aa) by striking “Except as
15 provided in subparagraphs (C)
16 and (D), in” and inserting “In”;

17 (bb) by striking “\$500,000”
18 and inserting “\$5,000,000”; and

19 (cc) by striking
20 “\$2,500,000” and inserting
21 “\$25,000,000”; and

22 (II) in clause (ii)—

23 (aa) by striking
24 “\$1,000,000” and inserting
25 “\$10,000,000”; and

1 (bb) by striking
2 “\$5,000,000” and inserting
3 “\$50,000,000”;

4 (B) in paragraph (2)—

5 (i) by striking “\$250,000” and insert-
6 ing “\$5,000,000”;

7 (ii) by striking “\$1,000,000” and in-
8 serting “\$25,000,000”;

9 (iii) by striking “\$500,000” and in-
10 serting “\$10,000,000”; and

11 (iv) by striking “\$2,000,000” and in-
12 serting “\$50,000,000”;

13 (C) by striking paragraphs (3) and (4);

14 (D) by redesignating paragraphs (5)
15 through (7) as paragraphs (3) through (5), re-
16 spectively;

17 (E) in paragraph (3), as so redesignated—

18 (i) in subparagraph (C), by striking
19 “\$500,000” and inserting “\$5,000,000”;
20 and

21 (ii) in subparagraph (D), by striking
22 “\$1,000,000” and inserting
23 “\$25,000,000”;

24 (F) in paragraph (4), as so redesignated,
25 by striking “in accordance with title 18, United

1 States Code,” and inserting “an amount not to
2 exceed the amount authorized in accordance
3 with title 18, United States Code, \$5,000,000
4 if the defendant is an individual, or
5 \$25,000,000 if the defendant is not an indi-
6 vidual,”; and

7 (G) in paragraph (5), as so redesignated—

8 (i) by amending the paragraph head-
9 ing to read as follows: “DISTRIBUTION TO
10 FACILITATE A CRIME OF VIOLENCE”;

11 (ii) by striking “section 16 of title
12 18” and inserting “section 16(a) of title
13 18, United States Code”; and

14 (iii) by striking “shall be imprisoned
15 not more than 20 years and fined in ac-
16 cordance with title 18, United States
17 Code” and inserting “shall be fined an
18 amount not to exceed the amount author-
19 ized in accordance with title 18, United
20 States Code, \$5,000,000 if the defendant
21 is an individual, or \$25,000,000 if the de-
22 fendant is not an individual, imprisoned
23 not more than 20 years, or both”; and

24 (2) by adding at the end the following:

25 “(i) PRIOR SCHEDULE V SUBSTANCES.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of this title or other Federal law, no per-
3 son shall be subject to a sentence for an offense
4 under this section or section 1010 with respect to a
5 prior schedule V substance that is greater than the
6 maximum sentence which was applicable on the day
7 before the date of enactment of the Public Health
8 and Research Reforms in Controlled Substances Act
9 of 2026.

10 “(2) PRIOR SCHEDULE V SUBSTANCE DE-
11 SCRIBED.—In this subsection, the term ‘prior sched-
12 ule V substance’ means a drug or other substance in
13 schedule V on the day before the date of enactment
14 of the Public Health and Research Reforms in Con-
15 trolled Substances Act of 2026.”.

16 **SEC. 115. PROHIBITED ACTS B—PENALTIES.**

17 Section 402(c)(2)(B) of the Controlled Substances
18 Act (21 U.S.C. 842(c)(2)(B)) is amended by striking “,
19 marihuana,”.

20 **SEC. 116. PROHIBITED ACTS C—PENALTIES.**

21 Section 403(d)(1) of the Controlled Substances Act
22 (21 U.S.C. 843(d)(1)) is amended by striking “, mari-
23 huana,”.

1 **SEC. 117. DISTRIBUTION TO PERSONS UNDER AGE TWENTY-**
2 **ONE.**

3 Section 418(a) of the Controlled Substances Act (21
4 U.S.C. 859(a)) is amended by striking the last sentence.

5 **SEC. 118. DISTRIBUTION IN OR NEAR SCHOOLS.**

6 Section 419(a) of the Controlled Substances Act (21
7 U.S.C. 860(a)) is amended by striking the last sentence.

8 **SEC. 119. DENIAL OF FEDERAL BENEFITS TO DRUG TRAF-**
9 **FICKERS AND POSSESSORS.**

10 Section 421 of the Controlled Substances Act (21
11 U.S.C. 862) is amended by striking “an addict” each place
12 it appears and inserting “a person with a substance use
13 disorder”.

14 **SEC. 120. DRUG PARAPHERNALIA.**

15 Section 422(d) of the Controlled Substances Act (21
16 U.S.C. 863(d)) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “marijuana,”; and

19 (2) in paragraph (5), by striking “, such as a
20 marihuana cigarette,”.

21 **SEC. 121. ADMINISTRATIVE HEARINGS.**

22 Section 505(a) of the Controlled Substances Act (21
23 U.S.C. 875(a)) is amended—

24 (1) by striking “his” and inserting “their”; and

25 (2) by inserting “and Secretary of Health and
26 Human Services” after “Attorney General”.

1 **SEC. 122. JUDICIAL REVIEW.**

2 Section 507 of the Controlled Substances Act (21
3 U.S.C. 877) is amended by inserting “or Secretary of
4 Health and Human Services” after “Attorney General”
5 each place it appears.

6 **TITLE II—AMENDMENTS TO**
7 **CONTROLLED SUBSTANCES**
8 **IMPORT AND EXPORT ACT**

9 **SEC. 201. EXPORTATION OF CONTROLLED SUBSTANCES.**

10 Section 1003(e) of the Controlled Substances Import
11 and Export Act (21 U.S.C. 953(e)) is amended—

12 (1) in the matter preceding paragraph (1), by
13 striking “or any controlled substances in schedule
14 V”; and

15 (2) in paragraph (3), by striking “or V”.

16 **SEC. 202. EXEMPTION AUTHORITY.**

17 Section 1006 of the Controlled Substances Import
18 and Export Act (21 U.S.C. 956) is amended—

19 (1) in subsection (a), by striking “(except a
20 substance in schedule I)” each place it appears; and

21 (2) in subsection (b), by striking “or V”.

22 **SEC. 203. REGISTRATION REQUIREMENTS.**

23 Section 1008(c)(1) of the Controlled Substances Im-
24 port and Export Act (21 U.S.C. 958(c)(1)) is amended
25 by striking “, IV, or V” and inserting “or IV”.

1 **SEC. 204. PROHIBITED ACTS A—PENALTIES.**

2 Section 1010 of the Controlled Substances Import
3 and Export Act (21 U.S.C. 960) is amended—

4 (1) in subsection (b)—

5 (A) by striking paragraphs (1), (2), (4),
6 and (7);

7 (B) by redesignating paragraphs (3), (5),
8 and (6) as paragraphs (1) through (3), respec-
9 tively; and

10 (C) in paragraph (1), as so redesignated—

11 (i) by striking “, except as provided in
12 paragraphs (1), (2), and (4)”;

13 (ii) by striking “if death or serious
14 bodily injury results from the use of such
15 substance shall be sentenced to a term of
16 imprisonment of not less than twenty years
17 and not more than life” and inserting “if
18 death or serious bodily injury results from
19 the use of such substance shall be sen-
20 tenced to a term of imprisonment of not
21 more than life”;

22 (iii) by striking “\$1,000,000” and in-
23 serting “\$10,000,000”;

24 (iv) by striking “\$5,000,000” and in-
25 serting “\$50,000,000”;

1 (v) by striking “prior conviction for a
2 felony drug offense” and inserting “prior
3 conviction for a serious drug felony”;

4 (vi) by striking “if death or serious
5 bodily injury results from the use of such
6 substance shall be sentenced to life impris-
7 onment” and inserting “if death or serious
8 bodily injury results from the use of such
9 substance shall be sentenced to a term of
10 imprisonment of not more than life”;

11 (vii) by striking “\$2,000,000” and in-
12 serting “\$20,000,000”;

13 (viii) by striking “\$10,000,000 if the
14 defendant is other than an individual” and
15 inserting “\$75,000,000 if the defendant is
16 other than an individual”; and

17 (ix) by striking the last sentence;

18 (2) by striking subsection (c);

19 (3) by redesignating subsection (d) as sub-
20 section (c); and

21 (4) in subsection (c), as so redesignated—

22 (A) in paragraph (7), by striking “section
23 959 of this title.” and inserting “section
24 1009,”; and

1 (B) in the matter following paragraph (7),
2 by striking “fined in accordance with title 18”
3 and inserting “fined an amount not to exceed
4 the amount authorized in accordance with title
5 18, United States Code, \$5,000,000 if the de-
6 fendant is an individual, or \$25,000,000 if the
7 defendant is not an individual,”.

8 **TITLE III—AMENDMENTS TO OF-**
9 **FICE OF NATIONAL DRUG**
10 **CONTROL POLICY REAU-**
11 **THORIZATION ACT OF 1998**

12 **SEC. 301. DEFINITIONS.**

13 Section 702 of the Office of National Drug Control
14 Policy Reauthorization Act of 1998 (21 U.S.C. 1701) is
15 amended—

16 (1) by redesignating paragraph (3) through
17 (17) as paragraphs (4) through (8) and (12)
18 through (20), respectively;

19 (2) by inserting after paragraph (2) the fol-
20 lowing:

21 “(3) COVERED DRUG-RELATED THREAT.—The
22 term ‘covered drug-related threat’ means any sub-
23 stance-related or drug-market development that may
24 warrant coordinated Federal monitoring or response,
25 including a threat involving a new chemical entity,

1 known chemical entity, class, combination,
2 adulterant, contaminant, precursor, formulation,
3 manufacturing or trafficking practice, route of ad-
4 ministration, or pattern of use or exposure.”;

5 (3) by striking paragraph (8), as so redesign-
6 nated, and inserting the following:

7 “(7) EVOLVING OR EMERGING DRUG
8 THREAT.—The term ‘evolving or emerging drug
9 threat’ means a new, growing, changing, geographi-
10 cally expanding, increasing in severity, or otherwise
11 material threat to public health or public safety in-
12 volving a drug, class, combination, adulterant, con-
13 taminant, precursor chemical, formulation, method
14 of manufacture, distribution, marketing, administra-
15 tion, use, co-use, or pattern of exposure.”; and

16 (4) by inserting after paragraph (8), as so re-
17 designated, the following:

18 “(9) FEDERAL CLASSIFICATION.—The term
19 ‘Federal classification’ means a classification issued
20 under section 709(c) identifying a covered drug-re-
21 lated threat as a threat being monitored, a threat of
22 interest, a threat of concern, or a threat of high con-
23 sequence.

24 “(10) FEDERAL DESIGNATION.—The term
25 ‘Federal designation’ means a designation by the Di-

1 rector under section 709(d) that a covered drug-re-
2 lated threat constitutes an evolving or emerging
3 drug threat in the United States.

4 “(11) FEDERAL CRITERIA.—The term ‘Federal
5 criteria’ means the criteria, metrics, standards, and
6 procedures established under section 709(b)(6).”.

7 **SEC. 302. APPOINTMENT AND DUTIES OF DIRECTOR AND**
8 **DEPUTY DIRECTOR.**

9 Section 704(b) of the Office of National Drug Control
10 Policy Reauthorization Act of 1998 (21 U.S.C. 1703(b))
11 is amended—

12 (1) by striking paragraph (12); and

13 (2) by redesignating paragraphs (14) through
14 (16) and (18) through (21) as paragraphs (12)
15 through (18), respectively.

16 **SEC. 303. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**
17 **AND ASSESSMENT OF NATIONAL DRUG CON-**
18 **TROL STRATEGY.**

19 Section 706(a)(2) of the Office of National Drug
20 Control Policy Reauthorization Act of 1998 (21 U.S.C.
21 1705(a)(2) is amended by adding at the end the following:
22 “Such Strategy shall identify classifications, designations,
23 agency compliance, missed deadlines, resource constraints,
24 funding, data gaps, and corrective actions.”.

1 **SEC. 304. FEDERAL EVOLVING OR EMERGING DRUG**
2 **THREAT CLASSIFICATION AND RESPONSE**
3 **SYSTEM; MEDIA CAMPAIGN.**

4 Section 709 of the Office of National Drug Control
5 Policy Reauthorization Act of 1998 (21 U.S.C. 1708) is
6 amended—

7 (1) by striking the section heading and insert-
8 ing “**FEDERAL EVOLVING OR EMERGING DRUG**
9 **THREAT CLASSIFICATION AND RESPONSE SYS-**
10 **TEM; MEDIA CAMPAIGN**”;

11 (2) in subsection (a), after the first sentence, by
12 inserting the following: “The Coordinator shall ad-
13 minister the Federal classification system established
14 under subsection (c), coordinate preparation and im-
15 plementation of Emerging Threat Response Plans,
16 facilitate interagency information sharing, and mon-
17 itor adherence to actions and deadlines established
18 under this section.”;

19 (3) in subsection (b)—

20 (A) in paragraph (1)—

21 (i) by striking subparagraph (B) and
22 inserting the following:

23 “(B) identify, assess, and recommend Fed-
24 eral classifications and Federal designations for
25 covered drug-related threats using the Federal
26 criteria required under paragraph (6);”;

1 (ii) in subparagraph (C), by striking
2 “(d)” and inserting “(f)”;

3 (iii) in subparagraph (D), by striking
4 “and” at the end;

5 (iv) in subparagraph (E), by striking
6 the period at the end and inserting a semi-
7 colon; and

8 (v) by adding at the end the following:

9 “(F) coordinate collection, validation, inte-
10 gration, and dissemination of public-health, sci-
11 entific, regulatory, intelligence, enforcement,
12 treatment, prevention, and supply-chain infor-
13 mation;

14 “(G) identify gaps in surveillance, toxi-
15 cology, laboratory testing, epidemiology, clinical
16 guidance, research, treatment, prevention, en-
17 forcement, and regulatory capacity; and

18 “(H) recommend lead and supporting
19 agencies for actions under this section.”;

20 (B) in paragraph (3), by striking subpara-
21 graphs (A) through (C) and inserting the fol-
22 lowing:

23 “(A) senior representatives of the Office,
24 Department of Justice, Drug Enforcement Ad-
25 ministration, Department of Health and

1 Human Services, Centers for Disease Control
2 and Prevention, Food and Drug Administra-
3 tion, National Institutes of Health, Substance
4 Abuse and Mental Health Services Administra-
5 tion, Centers for Medicare & Medicaid Services,
6 Department of Homeland Security, U.S. Cus-
7 toms and Border Protection, Department of
8 State, Department of Defense, Department of
9 Veterans Affairs, Indian Health Service, and
10 such other agencies as the Director determines
11 appropriate;

12 “(B) representatives of State, local, Tribal,
13 and territorial governments; and

14 “(C) representatives of poison control cen-
15 ters, medical examiner and coroner systems, fo-
16 rensic laboratories, health systems, academic in-
17 stitutions, nonprofit organizations that pri-
18 marily serve impacted populations, and other
19 entities with relevant expertise.”;

20 (C) in paragraph (4)—

21 (i) by striking “calendar year, before
22 June 1” and inserting “quarter”; and

23 (ii) by adding at the end the fol-
24 lowing: “Members may participate in meet-

1 ings through secure electronic means.”;

2 and

3 (D) by striking paragraph (6) and insert-

4 ing the following:

5 “(6) FEDERAL CRITERIA AND PROCEDURES.—

6 “(A) IN GENERAL.—The Director, acting

7 through the Committee and in consultation with

8 relevant Federal agencies, shall establish, pub-

9 lish, and periodically update Federal criteria

10 and procedures for—

11 “(i) identifying and monitoring cov-

12 ered drug-related threats;

13 “(ii) assigning, elevating, reducing, or

14 removing Federal classifications;

15 “(iii) making or terminating Federal

16 designations; and

17 “(iv) conducting expedited review of

18 urgent threats.

19 “(B) REQUIRED COMPONENTS.—The Fed-

20 eral criteria and procedures described in sub-

21 paragraph (A) shall require consideration, as

22 applicable, of—

23 “(i) fatal and nonfatal overdoses;

24 “(ii) poisonings;

- 1 “(iii) emergency medical services en-
2 counters;
3 “(iv) emergency department visits;
4 “(v) hospitalizations;
5 “(vi) clinical illness;
6 “(vii) prevalence of use and substance
7 use disorder;
8 “(viii) treatment admissions;
9 “(ix) drug seizures;
10 “(x) forensic identifications;
11 “(xi) potency;
12 “(xii) price;
13 “(xiii) availability;
14 “(xiv) geographic spread;
15 “(xv) pharmacology and toxicology;
16 “(xvi) dependence potential;
17 “(xvii) adulteration;
18 “(xviii) chemical conversion;
19 “(xix) manufacturing and formulation
20 changes;
21 “(xx) youth and vulnerable-population
22 exposure; and
23 “(xxi) other relevant public-health or
24 public-safety evidence.

1 “(C) INCREASE OF THRESHOLD PERCENT-
2 AGE.—An increase by a threshold percentage
3 (as determined by the Director) or more during
4 an appropriate 12-month period in one or more
5 designated measures, occurring in at least 3 of
6 the 4 census regions (as in effect on the date
7 of enactment of the Public Health and Re-
8 search Reforms in Controlled Substances Act of
9 2026), shall require review by the Emerging
10 Threats Committee for Federal classification or
11 Federal designation.

12 “(D) NO REQUIRED THRESHOLD FOR FED-
13 ERAL ACTION.—The Director has the authority
14 to make an individual determination that no
15 numerical, temporal, or geographic threshold
16 shall be required where credible evidence (as the
17 Director shall define and make publicly avail-
18 able) demonstrates that severity, potency, speed
19 of spread, novelty, concealment, impact on a
20 particular population, or lack of detection or
21 treatment capacity warrants Federal action
22 without meeting the requirements set forth in
23 the Federal criteria and procedures described in
24 subparagraph (A).

1 “(E) PUBLIC COMMENT; INTERIM CRI-
2 TERIA.—Before finalizing or materially revising
3 the Federal criteria and procedures described in
4 subparagraph (A), the Director shall provide an
5 opportunity for public comment and appropriate
6 scientific, public-health, regulatory, and law-en-
7 forcement review, except that interim criteria
8 may be issued for not more than 180 days to
9 address an urgent threat.”;

10 (4) by redesignating subsections (c) through (g)
11 as subsections (d), (f) through (h), and (n), respec-
12 tively;

13 (5) by inserting after subsection (b) the fol-
14 lowing:

15 “(c) FEDERAL CLASSIFICATION SYSTEM.—

16 “(1) AUTHORITY.—The Director, in consulta-
17 tion with the Coordinator, Committee, and the heads
18 of relevant National Drug Control Program agen-
19 cies, may assign a Federal classification to a covered
20 drug-related threat, as follows:

21 “(A) THREAT BEING MONITORED.—A cov-
22 ered drug-related threat for which there is a po-
23 tential or documented risk of harm, but avail-
24 able information is limited, preliminary, geo-
25 graphically restricted, or insufficient to deter-

1 mine likely scope or severity. The Director shall
2 require, as appropriate, enhanced surveillance,
3 identification of data gaps, designation of a lead
4 analytical agency, and criteria for elevation or
5 removal.

6 “(B) THREAT OF INTEREST.—A covered
7 drug-related threat associated with developing
8 evidence of overdose, poisoning, toxicity, de-
9 pendence, morbidity, mortality, interaction with
10 other substances, or other material harm, where
11 national extent or causation remains uncertain.
12 The Director shall require, as appropriate, a
13 preliminary interagency assessment, priority re-
14 search and testing, consultation with State and
15 local partners, and measurable indicators for
16 possible elevation.

17 “(C) THREAT OF CONCERN.—

18 “(i) IN GENERAL.—A covered drug-re-
19 lated threat for which clear and convincing
20 evidence demonstrates at least 2 of the fol-
21 lowing:

22 “(I) Increasing prevalence.

23 “(II) Increasing morbidity and
24 mortality.

25 “(III) Geographic expansion.

1 “(IV) Increased clinical encoun-
2 ters.

3 “(V) Increased treatment de-
4 mand.

5 “(VI) Increased availability or
6 seizures.

7 “(VII) Meaningful effects within
8 a particular population.

9 “(ii) REQUIREMENTS.—The Director
10 shall require, as appropriate, a formal
11 interagency assessment (which may include
12 conducting or supporting a study), stand-
13 ardized detection, clinical and public-health
14 guidance, prevention and treatment plan-
15 ning, supply and enforcement analysis, and
16 consideration of formal designation.

17 “(D) THREAT OF HIGH CONSEQUENCE.—A
18 covered drug-related threat having, or pre-
19 senting a substantial risk of, a major, rapidly
20 escalating, severe, or sustained effect on over-
21 dose, addiction, morbidity, health-system utili-
22 zation, public safety, community well-being, or
23 quality of life. The Director shall require, as ap-
24 propriate, an emergency Committee meeting, an
25 interim whole-of-government action memo-

1 random within 30 days, identification of imme-
2 diately available authorities and resources, and
3 formal designation unless the Director publishes
4 reasons for declining designation.

5 “(2) WRITTEN DETERMINATION AND RE-
6 VIEW.—Each classification or reclassification pursu-
7 ant to this subsection shall be supported by a writ-
8 ten determination identifying the evidence consid-
9 ered, material data limitations, required actions, re-
10 sponsible agencies, review date, and conditions for
11 elevation, reduction, or removal. Threats being mon-
12 itored or of interest shall be reviewed at least once
13 every 6 months, and threats of concern or high con-
14 sequence shall be reviewed at least once every 90
15 days.”;

16 (6) in subsection (d), as so redesignated—

17 (A) in paragraph (1), by striking “an
18 emerging drug threat” and inserting “a covered
19 drug-related threat as an evolving or emerging
20 drug threat”;

21 (B) by redesignating paragraphs (2) and
22 (3) as paragraphs (3) and (4), respectively; and

23 (C) by inserting after paragraph (1) the
24 following:

1 “(2) SCOPE.—A designation under paragraph
2 (1) may apply with respect to a substance, class,
3 combination, mixture, adulterant, contaminant, pre-
4 cursor chemical, formulation, method of manufac-
5 ture or administration, trafficking or marketing
6 practice, or pattern of use or exposure.”;

7 (7) by inserting after subsection (d), as so re-
8 designated, the following:

9 “(e) GOVERNMENT-WIDE EFFECT AND UNI-
10 FORMITY.—

11 “(1) EXCLUSIVE FORMAL SYSTEM.—Notwith-
12 standing any other provision of law, the system es-
13 tablished under this section shall be the exclusive
14 mechanism for issuing a formal, government-wide
15 Federal classification or designation of an evolving
16 or emerging drug threat.

17 “(2) CONTROLLING EFFECT.—A Federal classi-
18 fication or Federal designation issued under this sec-
19 tion shall control for Federal interagency termi-
20 nology, identification of the official Federal threat
21 level, interagency planning, response priorities, Na-
22 tional Drug Control Program budget submissions,
23 implementation reporting, performance measure-
24 ment, and coordinated government-wide public com-
25 munications.

1 “(3) AGENCY REFERRAL.—A Federal agency
2 identifying a covered drug-related threat that may
3 warrant coordinated government-wide action shall
4 promptly refer the matter and supporting informa-
5 tion to the Director.

6 “(4) AGENCY-SPECIFIC PRODUCTS.—A Federal
7 agency may issue an intelligence assessment, sci-
8 entific evaluation, public-health advisory, regulatory
9 notice, enforcement alert, or other agency-specific
10 product describing a substance or trend as emerging
11 or threatening, but may not represent that product
12 as the formal government-wide Federal classification
13 or designation unless issued under this section.

14 “(5) NONPREEMPTION.—Nothing in this sec-
15 tion shall be construed to preempt any law, action,
16 or authority of a State, a territory, a political sub-
17 division of a State or territory, the District of Co-
18 lumbia, or an Indian Tribe.”;

19 (8) in subsection (f), as so redesignated—

20 (A) in paragraph (1), by striking “(c)” and
21 inserting “(d)”;

22 (B) in paragraph (2), by striking “(c)(3)”
23 and inserting “(d)(3)”;

24 (C) in paragraph (3)—

25 (i) in subparagraph (E)—

1 (I) by striking “(f)” and insert-
2 ing “(h)”;

3 (II) by striking “and” at the end;

4 (ii) by redesignating subparagraph
5 (F) as subparagraph (G); and

6 (iii) by inserting after subparagraph
7 (E) the following:

8 “(F) additional measures, including de-
9 scriptions of—

10 “(i) agency-specific assignments, lead
11 and supporting agencies, and completion
12 deadlines;

13 “(ii) data-sharing requirements and
14 procedures for resolving material data con-
15 flicts;

16 “(iii) testing, toxicology, reference
17 standards, and laboratory capacity;

18 “(iv) epidemiology, surveillance, pre-
19 vention, treatment, recovery, clinical guid-
20 ance, source and supply intelligence, inter-
21 diction, regulatory and scheduling options,
22 and research;

23 “(v) legal, scientific, workforce, appro-
24 priations, and operational barriers;

1 “(vi) procedures for monitoring adher-
2 ence, missed deadlines, and corrective ac-
3 tion; and

4 “(vii) criteria for updating or termi-
5 nating the plan; and”;

6 (D) in paragraph (4)—

7 (i) in subparagraph (A), by striking
8 “(c)” and inserting “(d)”; and

9 (ii) in subparagraph (C), by striking
10 “(c)” and inserting “(d)”; and

11 (E) by adding at the end the following:

12 “(5) REQUIREMENTS OF OFFICIALS AND AGEN-
13 CIES.—A Federal official or agency shall complete
14 all actions required of such official or agency in an
15 Emerging Threat Response Plan under this sub-
16 section. If a Federal official or agency is unable to
17 complete such an action, the Federal official or
18 agency shall, not later than 15 days before the dead-
19 line required under such Plan, submit to the Direc-
20 tor a written explanation explaining the inability.”;
21 and

22 (9) by inserting after subsection (h), as so re-
23 designated, the following:

24 “(i) INFORMATION SHARING AND PUBLIC DASH-
25 BOARD.—

1 “(1) INFORMATION SHARING.—In carrying out
2 this section, the Director shall facilitate timely infor-
3 mation sharing, subject to privacy, civil-liberties,
4 law-enforcement-sensitive, proprietary, and national-
5 security protections.

6 “(2) PUBLIC DASHBOARD.—The Director shall
7 maintain a public dashboard identifying each current
8 Federal classification and Federal designation, its
9 basis, known distribution, data limitations, lead
10 agencies, required actions, review date, and re-
11 sponse-plan status. Sensitive information may be
12 maintained in a nonpublic annex to such public
13 dashboard.

14 “(j) REQUESTS FOR PRIORITIZATION.—Upon classi-
15 fication of a threat of interest, concern, or high con-
16 sequence, the Director may request that relevant agencies
17 prioritize research, testing, surveillance, clinical guidance,
18 reference standards, and other necessary activities.

19 “(k) REDUCTION, TERMINATION, AND CONTINUED
20 MONITORING.—

21 “(1) REDUCTION, TERMINATION.—The Director
22 may reduce a Federal classification or terminate a
23 Federal designation under this section if the Com-
24 mittee submits to the Director a report that such
25 classification or designation is no longer warranted.

1 “(2) CONTINUED MONITORING.—A threat re-
2 duced or terminated under paragraph (1) shall re-
3 main subject to monitoring for at least 1 year unless
4 the Director determines that such continued moni-
5 toring is unnecessary.

6 “(1) RULE OF CONSTRUCTION.—A Federal classifica-
7 tion or Federal designation under this section shall not
8 be construed to schedule a substance, establish criminal
9 liability, determine any Food and Drug Administration
10 regulatory status, create a private right of action, or au-
11 thorize the Office to compel a decision committed by law
12 to another Federal agency.

13 “(m) EMERGING DRUG THREAT RAPID RESPONSE
14 FUND.—

15 “(1) ESTABLISHMENT.—There is established in
16 the Treasury an Emerging Drug Threat Rapid Re-
17 sponse Fund (in this subsection referred to as the
18 ‘Fund’).

19 “(2) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated \$5,000,000
21 into the Fund, to remain available until expended.

22 “(3) GRANTS.—The Director may, in consulta-
23 tion with the Coordinator and the heads of relevant
24 Federal agencies, using amounts in the Fund, make
25 grants for the purpose of assisting in the research

1 and rapid response measures inserted or added into
2 this section by the Public Health and Research Re-
3 forms in Controlled Substances Act of 2026.”.

4 **TITLE IV—MARIJUANA**
5 **DESCHEDULING**

6 **SEC. 401. CONFORMING AMENDMENTS TO OTHER LAWS.**

7 (a) NATIONAL FOREST SYSTEM DRUG CONTROL ACT
8 OF 1986.—The National Forest System Drug Control Act
9 of 1986 (16 U.S.C. 559b et seq.) is amended—

10 (1) in section 15002(a) (16 U.S.C. 559b(a)) by
11 striking “marijuana and other”;

12 (2) in section 15003(2) (16 U.S.C. 559c(2)) by
13 striking “marijuana and other”; and

14 (3) in section 15004(2) (16 U.S.C. 559d(2)) by
15 striking “marijuana and other”.

16 (b) INTERCEPTION OF COMMUNICATIONS.—Section
17 2516 of title 18, United States Code, is amended—

18 (1) in subsection (1)(e), by striking “, mari-
19 huana,”; and

20 (2) in subsection (2) by striking “, marihuana”.

21 (c) FMCSA PROVISIONS.—

22 (1) CONFORMING AMENDMENT.—Section
23 31301(5) of title 49, United States Code, is amend-
24 ed by striking “section 31306,” and inserting “sec-

1 tions 31306, 31306a, and subsections (b) and (c) of
2 section 31310.”.

3 (2) DEFINITION.—Section 31306(a) of title 49,
4 United States Code, is amended—

5 (A) by striking “means any substance”
6 and inserting the following: “means—

7 “(A) any substance”; and

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

10 “(B) any substance not covered under sub-
11 paragraph (A) that was a substance under such
12 section as of December 1, 2018, and specified
13 by the Secretary of Transportation.”.

14 (3) DISQUALIFICATIONS.—Section 31310(b) of
15 title 49, United States Code, is amended by adding
16 at the end the following:

17 “(3) In this subsection and subsection (c), the term
18 ‘controlled substance’ has the meaning given such term
19 in section 31306(a).”.

20 (d) FAA PROVISIONS.—Section 45101 of title 49,
21 United States Code, is amended—

22 (1) by striking “means any substance” and in-
23 serting the following: “means—

24 “(A) any substance”; and

1 (2) by striking the period at the end and insert-
2 ing “; and

3 “(B) any substance not covered under sub-
4 paragraph (A) that was a substance under such
5 section as of December 1, 2018, and specified
6 by the Secretary of Transportation.”.

7 (e) FRA PROVISIONS.—Section 20140(a) of title 49,
8 United States Code, is amended—

9 (1) by striking “means any substance” and in-
10 serting the following: “means—

11 “(A) any substance”; and

12 (2) by striking the period at the end and insert-
13 ing “; and

14 “(B) any substance not covered under sub-
15 paragraph (A) that was a substance under such
16 section as of December 1, 2018, and specified
17 by the Secretary of Transportation.”.

18 (f) FTA PROVISIONS.—Section 5331(a)(1) of title
19 49, United States Code, is amended—

20 (1) by striking “means any substance” and in-
21 serting the following: “means—

22 “(A) any substance”; and

23 (2) by striking the period at the end and insert-
24 ing “; and

1 “(B) any substance not covered under sub-
2 paragraph (A) that was a substance under such
3 section as of December 1, 2018, and whose use
4 the Secretary of Transportation decides has a
5 risk to transportation safety.”.

6 **SEC. 402. EFFECT ON OTHER LAW.**

7 Nothing in title I or this title relating to marihuana
8 or tetrahydrocannabinols (including any amendments
9 made by such titles) shall affect or modify—

10 (1) the Federal Food, Drug, and Cosmetic Act
11 (21 U.S.C. 301 et seq.);

12 (2) section 351 of the Public Health Service
13 Act (42 U.S.C. 262); or

14 (3) the authority of the Commissioner of Food
15 and Drugs and the Secretary of Health and Human
16 Services—

17 (A) under—

18 (i) the Federal Food, Drug, and Cos-
19 metic Act (21 U.S.C. 301 et seq.); or

20 (ii) section 351 of the Public Health
21 Service Act (42 U.S.C. 262); or

22 (B) to promulgate Federal regulations and
23 guidelines that relate to products containing
24 cannabis or cannabis-derived compounds under

1 the Act described in paragraph (1) or the sec-
2 tion described in paragraph (2).

3 **SEC. 403. PUBLIC MEETINGS.**

4 Not later than 1 year after the date of enactment
5 of this Act, the Secretary of Health and Human Services,
6 acting through the Commissioner of Food and Drugs,
7 shall hold not fewer than 3 public meetings to address the
8 regulation, safety, manufacturing, product quality, mar-
9 keting, labeling, and sale of products containing cannabis
10 or cannabis-derived compounds.

11 **SEC. 404. SPECIAL RULE FOR FEDERAL EMPLOYEE TEST-**
12 **ING.**

13 Section 503 of the Supplemental Appropriations Act,
14 1987 (Public Law 100–71; 5 U.S.C. 7301 note) is amend-
15 ed by adding at the end the following:

16 “(h) MARIJUANA.—

17 “(1) CONTINUED TESTING.—Notwithstanding
18 the Public Health and Research Reforms in Con-
19 trolled Substances Act of 2026 and the amendments
20 made thereby, the Secretary of Health and Human
21 Services may continue to include marijuana for pur-
22 poses of drug testing of Federal employees subject
23 to this section, Executive Order 12564, or other ap-
24 plicable Federal laws and orders.

1 “(2) DEFINITION.—The term ‘marijuana’ has
2 the meaning given to the term ‘marihuana’ in sec-
3 tion 102 of the Controlled Substances Act (21 6
4 U.S.C. 802).”.

5 **TITLE V—REVISION OF UNITED**
6 **STATES SENTENCING GUIDE-**
7 **LINES**

8 **SEC. 501. REVISION OF UNITED STATES SENTENCING**
9 **GUIDELINES REGARDING SENTENCING FOR**
10 **DRUG OFFENSES.**

11 (a) GUIDELINES.—During the period described in
12 subsection (b), pursuant to its authority under section 994
13 of title 28, United States Code, the United States Sen-
14 tencing Commission shall review and amend Federal sen-
15 tencing guidelines, including section 2D1.1 (relating to
16 unlawful manufacturing, importing, exporting, or traf-
17 ficking (including possession with intent to commit these
18 offenses); attempt or conspiracy) of the United States
19 Sentencing Guidelines Manual, to be consistent with the
20 amendments made by this Act.

21 (b) PERIOD DESCRIBED.—The period described in
22 this subsection is—

23 (1) not later than 180 days after the date on
24 which a substance is rescheduled, in the case of any
25 substance rescheduled pursuant to this Act, or the

1 amendments made by this Act, during the 3-year pe-
2 riod beginning after the date of enactment of this
3 Act; or

4 (2) not later than 180 days after the date of
5 enactment of this Act in every other case.

6 (c) EMERGENCY AUTHORITY.—The United States
7 Sentencing Commission shall carry out this section in ac-
8 cordance with the procedure set forth in section 21(a) of
9 the Sentencing Act of 1987 (28 U.S.C. 994 note), as
10 though the authority under that Act had not expired.

11 **SEC. 502. RESENTENCING.**

12 (a) MOTION.—In the case of a defendant who has
13 been sentenced for a criminal offense for which the pen-
14 alties have been reduced by this Act, or amendments made
15 by this Act, the court may, upon motion of the defendant,
16 the Director of the Bureau of Prisons, the attorney for
17 the Government, or the court, impose a reduced sentence
18 as if this Act, and the amendments made by this Act, were
19 in effect at the time the offense was committed.

20 (b) BOP RESENTENCING LIST.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of enactment of this Act, the Director of
23 the Bureau of Prisons shall—

24 (A) produce a list of individuals in the cus-
25 tody or under the supervision of the Bureau of

1 Prisons who are eligible for a sentence reduc-
2 tion under subsection (a);

3 (B) notify the individuals on the list of
4 such eligibility; and

5 (C) with respect to each individual, file a
6 motion for such sentence reduction in the ap-
7 propriate court of jurisdiction.

8 (2) RULE OF CONSTRUCTION.—Nothing in this
9 subsection may be construed to prohibit an indi-
10 vidual who is not on the list produced under para-
11 graph (1) from filing a motion for a sentence reduc-
12 tion for which the individual is eligible under sub-
13 section (a).

14 **TITLE VI—EFFECTIVE DATE**

15 **SEC. 601. EFFECTIVE DATE.**

16 (a) IN GENERAL.—Except as specified in subsection
17 (b), this Act and the amendments made by this Act shall
18 take effect on the date of enactment of this Act.

19 (b) SPECIAL RULE.—A drug or other substance
20 placed in a schedule pursuant to the Controlled Sub-
21 stances Act (21 U.S.C. 801 et seq.), as in effect on the
22 day before the date of enactment of this Act, shall con-
23 tinue to be subject to the provisions of the Controlled Sub-
24 stance Act (and any regulations thereunder) as in effect
25 on such day until such time that the drug or other sub-

1 stance is, pursuant to this Act and the amendments made
2 by this Act—

3 (1) placed in schedule I, II, III, or IV and
4 schedule A, B, C, D, or E of section 202(b) of the
5 Controlled Substances Act (21 U.S.C. 812(b)), as
6 amended by this Act; or

7 (2) removed from the schedules of controlled
8 substances.