

119<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 27

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## AN ACT

To amend the Controlled Substances Act with respect to the scheduling of fentanyl-related substances, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Halt All Lethal Traf-  
3 ficking of Fentanyl Act” or the “HALT Fentanyl Act”.

4 **SEC. 2. CLASS SCHEDULING OF FENTANYL-RELATED SUB-**  
5 **STANCES.**

6 Section 202(c) of the Controlled Substances Act (21  
7 U.S.C. 812(c)) is amended by adding at the end of sched-  
8 ule I the following:

9 “(e)(1) Unless specifically exempted or unless listed  
10 in another schedule, any material, compound, mixture, or  
11 preparation which contains any quantity of a fentanyl-re-  
12 lated substance, or which contains the salts, isomers, and  
13 salts of isomers of a fentanyl-related substance whenever  
14 the existence of such salts, isomers, and salts of isomers  
15 is possible within the specific chemical designation.

16 “(2) For purposes of paragraph (1), except as  
17 provided in paragraph (3), the term ‘fentanyl-related  
18 substance’ means any substance that is structurally  
19 related to fentanyl by 1 or more of the following  
20 modifications:

21 “(A) By replacement of the phenyl portion  
22 of the phenethyl group by any monocycle,  
23 whether or not further substituted in or on the  
24 monocycle.

25 “(B) By substitution in or on the  
26 phenethyl group with alkyl, alkenyl, alkoxy,

1 hydroxyl, halo, haloalkyl, amino, or nitro  
2 groups.

3 “(C) By substitution in or on the piper-  
4 idine ring with alkyl, alkenyl, alkoxy, ester,  
5 ether, hydroxyl, halo, haloalkyl, amino, or nitro  
6 groups.

7 “(D) By replacement of the aniline ring  
8 with any aromatic monocycle whether or not  
9 further substituted in or on the aromatic mono-  
10 cycle.

11 “(E) By replacement of the N-propionyl  
12 group with another acyl group.

13 “(3) A substance that satisfies the definition of  
14 the term ‘fentanyl-related substance’ in paragraph  
15 (2) shall nonetheless not be treated as a fentanyl-re-  
16 lated substance subject to this schedule if the sub-  
17 stance—

18 “(A) is controlled by action of the Attorney  
19 General under section 201; or

20 “(B) is otherwise expressly listed in a  
21 schedule other than this schedule.

22 “(4)(A) The Attorney General may by order  
23 publish in the Federal Register a list of substances  
24 that satisfy the definition of the term ‘fentanyl-re-  
25 lated substance’ in paragraph (2).

1           “(B) The absence of a substance from a  
2           list published under subparagraph (A) does not  
3           negate the control status of the substance  
4           under this schedule if the substance satisfies  
5           the definition of the term ‘fentanyl-related sub-  
6           stance’ in paragraph (2).”.

7 **SEC. 3. REGISTRATION REQUIREMENTS RELATED TO RE-**  
8           **SEARCH.**

9           (a) **ALTERNATIVE REGISTRATION PROCESS FOR**  
10 **SCHEDULE I RESEARCH.**—Section 303 of the Controlled  
11 Substances Act (21 U.S.C. 823) is amended—

12           (1) by redesignating the second subsection (l)  
13           (relating to required training for prescribers) as sub-  
14           section (m); and

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

16           “(n) **SPECIAL PROVISIONS FOR PRACTITIONERS**  
17 **CONDUCTING CERTAIN RESEARCH WITH SCHEDULE I**  
18 **CONTROLLED SUBSTANCES.**—

19           “(1) **IN GENERAL.**—Notwithstanding subsection  
20           (g), a practitioner may conduct research described in  
21           paragraph (2) of this subsection with 1 or more  
22           schedule I substances in accordance with subpara-  
23           graph (A) or (B) of paragraph (3) of this sub-  
24           section.

1           “(2) RESEARCH SUBJECT TO EXPEDITED PRO-  
2           CEDURES.—Research described in this paragraph is  
3           research that—

4                   “(A) is with respect to a drug that is the  
5                   subject of an investigational use exemption  
6                   under section 505(i) of the Federal Food, Drug,  
7                   and Cosmetic Act; or

8                   “(B) is—

9                           “(i) conducted by the Department of  
10                           Health and Human Services, the Depart-  
11                           ment of Defense, or the Department of  
12                           Veterans Affairs; or

13                           “(ii) funded partly or entirely by a  
14                           grant, contract, cooperative agreement, or  
15                           other transaction from the Department of  
16                           Health and Human Services, the Depart-  
17                           ment of Defense, or the Department of  
18                           Veterans Affairs.

19           “(3) EXPEDITED PROCEDURES.—

20                   “(A) RESEARCHER WITH A CURRENT  
21                   SCHEDULE I OR II RESEARCH REGISTRATION.—

22                           “(i) IN GENERAL.—If a practitioner is  
23                           registered to conduct research with a con-  
24                           trolled substance in schedule I or II, the  
25                           practitioner may conduct research under

1           this subsection on and after the date that  
2           is 30 days after the date on which the  
3           practitioner sends a notice to the Attorney  
4           General containing the following informa-  
5           tion, with respect to each substance with  
6           which the practitioner will conduct the re-  
7           search:

8                   “(I) The chemical name of the  
9                   substance.

10                   “(II) The quantity of the sub-  
11                   stance to be used in the research.

12                   “(III) Demonstration that the re-  
13                   search is in the category described in  
14                   paragraph (2), which demonstration  
15                   may be satisfied—

16                           “(aa) in the case of a grant,  
17                           contract, cooperative agreement,  
18                           or other transaction, or intra-  
19                           mural research project, by identi-  
20                           fying the sponsoring agency and  
21                           supplying the number of the  
22                           grant, contract, cooperative  
23                           agreement, other transaction, or  
24                           project; or

1                   “(bb) in the case of an ap-  
2                   plication under section 505(i) of  
3                   the Federal Food, Drug, and  
4                   Cosmetic Act, by supplying the  
5                   application number and the spon-  
6                   sor of record on the application.

7                   “(IV) Demonstration that the re-  
8                   searcher is authorized to conduct re-  
9                   search with respect to the substance  
10                  under the laws of the State in which  
11                  the research will take place.

12                  “(ii) VERIFICATION OF INFORMATION  
13                  BY HHS OR VA.—Upon request from the  
14                  Attorney General, the Secretary of Health  
15                  and Human Services, the Department of  
16                  Defense, or the Secretary of Veterans Af-  
17                  fairs, as appropriate, shall verify informa-  
18                  tion submitted by an applicant under  
19                  clause (i)(III).

20                  “(B) RESEARCHER WITHOUT A CURRENT  
21                  SCHEDULE I OR II RESEARCH REGISTRATION.—

22                  “(i) IN GENERAL.—If a practitioner is  
23                  not registered to conduct research with a  
24                  controlled substance in schedule I or II,  
25                  the practitioner may send a notice to the

1 Attorney General containing the informa-  
2 tion listed in subparagraph (A)(i), with re-  
3 spect to each substance with which the  
4 practitioner will conduct the research.

5 “(ii) ATTORNEY GENERAL ACTION.—

6 The Attorney General shall—

7 “(I) treat notice received under  
8 clause (i) as a sufficient application  
9 for a research registration; and

10 “(II) not later than 45 days of  
11 receiving such a notice that contains  
12 all information required under sub-  
13 paragraph (A)(i)—

14 “(aa) register the applicant;

15 or

16 “(bb) serve an order to show  
17 cause upon the applicant in ac-  
18 cordance with section 304(c).

19 “(4) ELECTRONIC SUBMISSIONS.—The Attorney  
20 General shall provide a means to permit a practi-  
21 tioner to submit a notification under paragraph (3)  
22 electronically.

23 “(5) LIMITATION ON AMOUNTS.—A practitioner  
24 conducting research with a schedule I substance

1 under this subsection may only possess the amounts  
2 of schedule I substance identified in—

3 “(A) the notification to the Attorney Gen-  
4 eral under paragraph (3); or

5 “(B) a supplemental notification that the  
6 practitioner may send if the practitioner needs  
7 additional amounts for the research, which sup-  
8 plemental notification shall include—

9 “(i) the name of the practitioner;

10 “(ii) the additional quantity needed of  
11 the substance; and

12 “(iii) an attestation that the research  
13 to be conducted with the substance is con-  
14 sistent with the scope of the research that  
15 was the subject of the notification under  
16 paragraph (3).

17 “(6) IMPORTATION AND EXPORTATION RE-  
18 QUIREMENTS NOT AFFECTED.—Nothing in this sub-  
19 section alters the requirements of part A of title III,  
20 regarding the importation and exportation of con-  
21 trolled substances.

22 “(7) INSPECTOR GENERAL REPORT.—Not later  
23 than 1 year after the date of enactment of this Act,  
24 the Inspector General of the Department of Justice  
25 shall complete a study, and submit a report thereon,

1 about research described in paragraph (2) of this  
2 subsection with fentanyl.”.

3 (b) SEPARATE REGISTRATIONS NOT REQUIRED FOR  
4 ADDITIONAL RESEARCHER IN SAME INSTITUTION.—

5 (1) IN GENERAL.—Section 302(c) of the Con-  
6 trolled Substances Act (21 U.S.C. 822(c)) is amend-  
7 ed by adding at the end the following:

8 “(4) An agent or employee of a research insti-  
9 tution that is conducting research with a controlled  
10 substance if—

11 “(A) the agent or employee is acting with-  
12 in the scope of the professional practice of the  
13 agent or employee;

14 “(B) another agent or employee of the in-  
15 stitution is registered to conduct research with  
16 a controlled substance in the same schedule;

17 “(C) the researcher who is so registered—

18 “(i) informs the Attorney General of  
19 the name, position title, and employing in-  
20 stitution of the agent or employee who is  
21 not separately registered;

22 “(ii) authorizes that agent or em-  
23 ployee to perform research under the reg-  
24 istration of the registered researcher; and

1           “(iii) affirms that any act taken by  
2           that agent or employee involving a con-  
3           trolled substance shall be attributable to  
4           the registered researcher, as if the re-  
5           searcher had directly committed the act,  
6           for purposes of any proceeding under sec-  
7           tion 304(a) to suspend or revoke the reg-  
8           istration of the registered researcher; and

9           “(D) the Attorney General does not, within  
10          30 days of receiving the information, authoriza-  
11          tion, and affirmation described in subparagraph  
12          (C), refuse, for a reason listed in section  
13          304(a), to allow the agent or employee to pos-  
14          sess the substance without a separate registra-  
15          tion.”.

16          (2)       TECHNICAL       CORRECTION.—Section  
17          302(c)(3) of the Controlled Substances Act (21  
18          U.S.C. 822(c)(3)) is amended by striking “(25)”  
19          and inserting “(27)”.

20          (c) SINGLE REGISTRATION FOR RELATED RESEARCH  
21          SITES.—Section 302(e) of the Controlled Substances Act  
22          (21 U.S.C. 822(e)) is amended by adding at the end the  
23          following:

24                 “(4)(A) Notwithstanding paragraph (1), a per-  
25          son registered to conduct research with a controlled

1 substance under section 303(g) may conduct the re-  
2 search under a single registration if—

3 “(i) the research occurs exclusively on  
4 sites all of which are—

5 “(I) within the same city or  
6 county; and

7 “(II) under the control of the  
8 same institution, organization, or  
9 agency; and

10 “(ii) before commencing the research,  
11 the researcher notifies the Attorney Gen-  
12 eral of each site where—

13 “(I) the research will be con-  
14 ducted; or

15 “(II) the controlled substance  
16 will be stored or administered.

17 “(B) A site described in subparagraph (A)  
18 shall be included in a registration described in  
19 that subparagraph only if the researcher has  
20 notified the Attorney General of the site—

21 “(i) in the application for the registra-  
22 tion; or

23 “(ii) before the research is conducted,  
24 or before the controlled substance is stored  
25 or administered, at the site.

1           “(C) The Attorney General may, in con-  
2           sultation with the Secretary, issue regulations  
3           addressing, with respect to research sites de-  
4           scribed in subparagraph (A)—

5                   “(i) the manner in which controlled  
6                   substances may be delivered to the re-  
7                   search sites;

8                   “(ii) the storage and security of con-  
9                   trolled substances at the research sites;

10                   “(iii) the maintenance of records for  
11                   the research sites; and

12                   “(iv) any other matters necessary to  
13                   ensure effective controls against diversion  
14                   at the research sites.”.

15           (d) NEW INSPECTION NOT REQUIRED IN CERTAIN  
16           SITUATIONS.—Section 302(f) of the Controlled Sub-  
17           stances Act (21 U.S.C. 822(f)) is amended—

18                   (1) by striking “(f) The” and inserting “(f)(1)  
19                   The”; and

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

21                   “(2)(A) If a person is registered to conduct re-  
22                   search with a controlled substance and applies for a  
23                   registration, or for a modification of a registration,  
24                   to conduct research with a second controlled sub-  
25                   stance that is in the same schedule as the first con-

1 trolled substance, or is in a schedule with a higher  
2 numerical designation than the schedule of the first  
3 controlled substance, a new inspection by the Attor-  
4 ney General of the registered location is not re-  
5 quired.

6 “(B) Nothing in subparagraph (A) shall pro-  
7 hibit the Attorney General from conducting an in-  
8 spection that the Attorney General determines nec-  
9 essary to ensure that a registrant maintains effective  
10 controls against diversion.”.

11 (e) CONTINUATION OF RESEARCH ON SUBSTANCES  
12 NEWLY ADDED TO SCHEDULE I.—Section 302 of the  
13 Controlled Substances Act (21 U.S.C. 822) is amended  
14 by adding at the end the following:

15 “(h) CONTINUATION OF RESEARCH ON SUBSTANCES  
16 NEWLY ADDED TO SCHEDULE I.—If a person is con-  
17 ducting research on a substance when the substance is  
18 added to schedule I, and the person is already registered  
19 to conduct research with a controlled substance in sched-  
20 ule I—

21 “(1) not later than 90 days after the scheduling  
22 of the newly scheduled substance, the person shall  
23 submit a completed application for registration or  
24 modification of existing registration, to conduct re-  
25 search on the substance, in accordance with regula-

1 tions issued by the Attorney General for purposes of  
2 this paragraph;

3 “(2) the person may, notwithstanding sub-  
4 sections (a) and (b), continue to conduct the re-  
5 search on the substance until—

6 “(A) the person withdraws the application  
7 described in paragraph (1) of this subsection;

8 or

9 “(B) the Attorney General serves on the  
10 person an order to show cause proposing the  
11 denial of the application under section 304(c);

12 “(3) if the Attorney General serves an order to  
13 show cause as described in paragraph (2)(B) and  
14 the person requests a hearing, the hearing shall be  
15 held on an expedited basis and not later than 45  
16 days after the request is made, except that the hear-  
17 ing may be held at a later time if so requested by  
18 the person; and

19 “(4) if the person sends a copy of the applica-  
20 tion described in paragraph (1) to a manufacturer or  
21 distributor of the substance, receipt of the copy by  
22 the manufacturer or distributor shall constitute suf-  
23 ficient evidence that the person is authorized to re-  
24 ceive the substance.”.

1           (f) TREATMENT OF CERTAIN MANUFACTURING AC-  
2 TIVITIES AS COINCIDENT TO RESEARCH.—Section 302 of  
3 the Controlled Substances Act (21 U.S.C. 822), as amend-  
4 ed by subsection (e), is amended by adding at the end  
5 the following:

6           “(i) TREATMENT OF CERTAIN MANUFACTURING AC-  
7 TIVITIES AS COINCIDENT TO RESEARCH.—

8                   “(1) IN GENERAL.—Except as provided in para-  
9 graph (3), a person who is registered to perform re-  
10 search on a controlled substance may perform manu-  
11 facturing activities with small quantities of that sub-  
12 stance, including activities described in paragraph  
13 (2), without being required to obtain a manufac-  
14 turing registration, if—

15                           “(A) the activities are performed for the  
16 purpose of the research; and

17                           “(B) the activities and the quantities of  
18 the substance involved in the activities are stat-  
19 ed in—

20                                   “(i) a notification submitted to the  
21 Attorney General under section 303(n);

22                                   “(ii) a research protocol filed with an  
23 application for registration approval under  
24 section 303(g); or

1           “(iii) a notification to the Attorney  
2           General that includes—

3                   “(I) the name of the registrant;  
4                   and

5                   “(II) an attestation that the re-  
6                   search to be conducted with the small  
7                   quantities of manufactured substance  
8                   is consistent with the scope of the re-  
9                   search that is the basis for the reg-  
10                  istration.

11           “(2) ACTIVITIES INCLUDED.—Activities per-  
12           mitted under paragraph (1) include—

13                   “(A) processing the substance to create ex-  
14                   tracts, tinctures, oils, solutions, derivatives, or  
15                   other forms of the substance consistent with—

16                   “(i) the information provided as part  
17                   of a notification submitted to the Attorney  
18                   General under section 303(n); or

19                   “(ii) a research protocol filed with an  
20                   application for registration approval under  
21                   section 303(g); and

22                   “(B) dosage form development studies per-  
23                   formed for the purpose of requesting an inves-  
24                   tigational new drug exemption under section

1           505(i) of the Federal Food, Drug, and Cos-  
2           metic Act (21 U.S.C. 355(i)).

3           “(3) EXCEPTION REGARDING MARIHUANA.—  
4           The authority under paragraph (1) to manufacture  
5           substances does not include the authority to grow  
6           marihuana.”.

7           (g) TRANSPARENCY REGARDING SPECIAL PROCE-  
8 DURES.—Section 303 of the Controlled Substances Act  
9 (21 U.S.C. 823), as amended by subsection (a), is amend-  
10 ed by adding at the end the following:

11          “(o) TRANSPARENCY REGARDING SPECIAL PROCE-  
12 DURES.—

13           “(1) IN GENERAL.—If the Attorney General de-  
14           termines, with respect to a controlled substance, that  
15           an application by a practitioner to conduct research  
16           with the substance should be considered under a  
17           process, or subject to criteria, different from the  
18           process or criteria applicable to applications to con-  
19           duct research with other controlled substances in the  
20           same schedule, the Attorney General shall make  
21           public, including by posting on the website of the  
22           Drug Enforcement Administration—

23                   “(A) the identities of all substances for  
24                   which such determinations have been made;

1           “(B) the process and criteria that shall be  
2           applied to applications to conduct research with  
3           those substances; and

4           “(C) how the process and criteria described  
5           in subparagraph (B) differ from the process  
6           and criteria applicable to applications to con-  
7           duct research with other controlled substances  
8           in the same schedule.

9           “(2) TIMING OF POSTING.—The Attorney Gen-  
10          eral shall make information described in paragraph  
11          (1) public upon making a determination described in  
12          that paragraph, regardless of whether a practitioner  
13          has submitted such an application at that time.”.

14 **SEC. 4. TECHNICAL CORRECTION ON CONTROLLED SUB-**  
15 **STANCES DISPENSING.**

16          Effective as if included in the enactment of Public  
17 Law 117–328—

18           (1) section 1252(a) of division FF of Public  
19 Law 117–328 (136 Stat. 5681) is amended, in the  
20 matter being inserted into section 302(e) of the Con-  
21 trolled Substances Act, by striking “303(g)” and in-  
22 serting “303(h)”;

23           (2) section 1262 of division FF of Public Law  
24 117–328 (136 Stat. 5681) is amended—

25           (A) in subsection (a)—

1 (i) in the matter preceding paragraph  
2 (1), by striking “303(g)” and inserting  
3 “303(h)”;

4 (ii) in the matter being stricken by  
5 subsection (a)(2), by striking “(g)(1)” and  
6 inserting “(h)(1)”; and

7 (iii) in the matter being inserted by  
8 subsection (a)(2), by striking “(g) Practi-  
9 tioners” and inserting “(h) Practitioners”;  
10 and

11 (B) in subsection (b)—

12 (i) in the matter being stricken by  
13 paragraph (1), by striking “303(g)(1)”  
14 and inserting “303(h)(1)”;

15 (ii) in the matter being inserted by  
16 paragraph (1), by striking “303(g)” and  
17 inserting “303(h)”;

18 (iii) in the matter being stricken by  
19 paragraph (2)(A), by striking “303(g)(2)”  
20 and inserting “303(h)(2)”;

21 (iv) in the matter being stricken by  
22 paragraph (3), by striking “303(g)(2)(B)”  
23 and inserting “303(h)(2)(B)”;

1 (v) in the matter being stricken by  
2 paragraph (5), by striking “303(g)” and  
3 inserting “303(h)”; and

4 (vi) in the matter being stricken by  
5 paragraph (6), by striking “303(g)” and  
6 inserting “303(h)”; and

7 (3) section 1263(b) of division FF of Public  
8 Law 117–328 (136 Stat. 5685) is amended—

9 (A) by striking “303(g)(2)” and inserting  
10 “303(h)(2)”; and

11 (B) by striking “(21 U.S.C. 823(g)(2))”  
12 and inserting “(21 U.S.C. 823(h)(2))”.

13 **SEC. 5. RULEMAKING.**

14 (a) INTERIM FINAL RULES.—The Attorney Gen-  
15 eral—

16 (1) shall, not later than 6 months after the date  
17 of enactment of this Act, issue rules to implement  
18 this Act and the amendments made by this Act; and

19 (2) may issue the rules under paragraph (1) as  
20 interim final rules.

21 (b) PROCEDURE FOR FINAL RULE.—

22 (1) EFFECTIVENESS OF INTERIM FINAL  
23 RULES.—A rule issued by the Attorney General as  
24 an interim final rule under subsection (a) shall be-  
25 come immediately effective as an interim final rule

1 without requiring the Attorney General to dem-  
2 onstrate good cause therefor, notwithstanding sub-  
3 paragraph (B) of section 553(b) of title 5, United  
4 States Code.

5 (2) OPPORTUNITY FOR COMMENT AND HEAR-  
6 ING.—An interim final rule issued under subsection  
7 (a) shall give interested persons the opportunity to  
8 comment and to request a hearing.

9 (3) FINAL RULE.—After the conclusion of such  
10 proceedings, the Attorney General shall issue a final  
11 rule to implement this Act and the amendments  
12 made by this Act in accordance with section 553 of  
13 title 5, United States Code.

14 **SEC. 6. PENALTIES.**

15 (a) IN GENERAL.—Section 401(b)(1) of the Con-  
16 trolled Substances Act (21 U.S.C. 841(b)(1)) is amend-  
17 ed—

18 (1) in subparagraph (A)(vi), by inserting “or a  
19 fentanyl-related substance” after “any analogue of  
20 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]  
21 propanamide”; and

22 (2) in subparagraph (B)(vi), by inserting “or a  
23 fentanyl-related substance” after “any analogue of  
24 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]  
25 propanamide”.

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

4 (1) in paragraph (1)(F), by inserting “or a  
5 fentanyl-related substance” after “any analogue of  
6 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]  
7 propanamide”; and

8 (2) in paragraph (2)(F), by inserting “or a  
9 fentanyl-related substance” after “any analogue of  
10 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]  
11 propanamide”.

12 (c) DEFINITION OF FENTANYL-RELATED SUB-  
13 STANCE.—Section 102 of the Controlled Substances Act  
14 (21 U.S.C. 802) is amended by adding at the end the fol-  
15 lowing:

16 “(60) The term ‘fentanyl-related substance’ has  
17 the meaning given the term in subsection (e)(2) of  
18 schedule I of section 202(c).”.

19 **SEC. 7. APPLICABILITY; OTHER MATTERS.**

20 (a) IN GENERAL.—Irrespective of the date on which  
21 the rules required by section 5 are finalized, the amend-  
22 ments made by this Act apply beginning as of the enact-  
23 ment of this Act.

24 (b) RULE OF CONSTRUCTION.—Nothing in the  
25 amendments made by this Act may be construed as evi-

1 dence that, in applying sections 401(b)(1) and 1010(b) of  
2 the Controlled Substances Act (21 U.S.C. 841(b)(1) and  
3 960(b)) with respect to conduct occurring before the date  
4 of the enactment of this Act, a fentanyl-related substance  
5 (as defined by such amendments) is not an analogue of  
6 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]  
7 propanamide.

8 (c) SENSE OF CONGRESS.—The Congress agrees with  
9 the interpretation of the Controlled Substances Act (21  
10 U.S.C. 801 et seq.) in *United States v. McCray*, 346 F.  
11 Supp. 3d 363 (2018).

Passed the House of Representatives February 6,  
2025.

Attest:

*Clerk.*



119<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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**H. R. 27**

**AN ACT**

To amend the Controlled Substances Act with respect to the scheduling of fentanyl-related substances, and for other purposes.