

1 **TITLE II—TEMPORARY EMER-**
2 **GENCY SCHEDULING AND**
3 **TESTING OF FENTANYL ANA-**
4 **LOGUES**

5 **SEC. 201. DEFINITIONS.**

6 In this title:

7 (1) **EVALUATION.**—The term “evaluation”
8 means a scientific and medical evaluation, as con-
9 ducted by the Secretary of Health and Human Serv-
10 ices at the request of the Attorney General, and the
11 recommendations as to whether such drug or other
12 substance should be so controlled or removed as a
13 controlled substance from the schedules pursuant to
14 section 201(b) of the Controlled Substances Act (21
15 U.S.C. 811(b)).

16 (2) **FENTANYL-RELATED SUBSTANCE.**—The
17 term “fentanyl-related substance” has the meaning
18 given the term in section 1308.11 of title 21, Code
19 of Federal Regulations.

20 **SEC. 202. EVALUATION OF ENCOUNTERED FENTANYL-RE-**
21 **LATED SUBSTANCES.**

22 (a) **SYNTHETIC COMPOUND.**—Not later than 1 year
23 after the date of enactment of this Act, for each fentanyl-
24 related substance that the Attorney General has encoun-
25 tered before the date of enactment of this Act, but not

1 yet conducted an evaluation, the Attorney General shall
2 create a synthetic compound of that substance and submit
3 the compound to the Secretary of Health and Human
4 Services in order to solicit a scientific and medical evalua-
5 tion of that compound from the Secretary.

6 (b) DEADLINE.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the Secretary of Health and Human
9 Services shall complete the requested scientific and
10 medical evaluation under subsection (a) not later
11 than 1 year after receiving the solicitation from the
12 Attorney General.

13 (2) EXTENSION.—If the Attorney General is
14 unable to create a synthetic compound before the ex-
15 piration of the 1-year period described in paragraph
16 (1)—

17 (A) the Attorney General shall—

18 (i) notify the Committee on the Judi-
19 ciary of the Senate and the Committee on
20 the Judiciary of the House of Representa-
21 tives of the delay and publish the notifica-
22 tion on a public website; and

23 (ii) complete the requirements under
24 subsection (a) not later than 180 days
25 after the expiration of the 1-year period.

1 **SEC. 203. NOTIFICATION.**

2 The Attorney General shall notify each individual
3 who is the subject of a pending prosecution for, or has
4 been convicted or sentenced for, an offense involving a
5 fentanyl-related substance that is subsequently removed or
6 rescheduled pursuant to section 201 of the Controlled
7 Substances Act (21 U.S.C. 811) about the change in
8 schedule designation not later than 90 days after the
9 change, and provide information about the effect of the
10 change on their prosecution, conviction, or sentence.

