AMENDMENT TO RULES COMMITTEE PRINT 115-74

OFFERED BY MR. GRIFFITH OF VIRGINIA AND MR. RASKIN OF MARYLAND

Page 3, strike lines 3 through 6, and insert the following:

1 “(i) the chemical structure and—
2 “(I) the structure activity relationships; or
3 “(II) binding receptor assays and
4 other relevant scientific information
5 about the substance;”.
6
Page 3, line 17, strike “subsection (c)—” and insert “subsection (c), in the matter preceding schedule I, by striking ‘IV, and V’ and inserting ‘IV, V, and A’ ”.

Beginning on page 3, strike line 18 and all that follows through page 4, line 12.

Page 5, beginning on line 2, strike “or misuse”.

Page 5, strike line 23 and all that follows through page 6, line 5, and insert the following:
“(5)(A) Beginning no earlier than 3 years after issuing an order temporarily scheduling a drug or other substance under this subsection, the Attorney General may, by rule, issue a permanent order adding a drug or other substance to schedule A if such drug or substance satisfies the criteria for being considered a controlled substance in schedule A under this subsection, except as provided in subparagraph (B).

“(B) If the Secretary has determined, based on relevant scientific studies and necessary data requested by the Secretary and gathered by the Attorney General, that a drug or other substance that has been temporarily placed in schedule A does not have sufficient potential for abuse to warrant control in any schedule, and so advises the Attorney General in writing, the Attorney General may not issue a permanent scheduling order under subparagraph (A) and shall, within 30 days of receiving the Secretary’s advice issue an order immediately terminating the temporary scheduling order.”.

Page 6, line 7, strike “or (5)”.

Page 6, line 8, strike “an order” and insert “a temporary order”.
Page 6, line 10, strike “or (5)”.

Page 15, line 9, strike “Not later” and insert “(A) Not later”.

Page 15, after line 15 insert the following:

“(B)(i) If an applicant described in subparagraph (A) is registered pursuant to subsection (f) to conduct research with a controlled substance in schedule I or II on the date on which another substance is placed in schedule A, the applicant may, subject to clause (iii), conduct research with that other controlled substance in schedule A while the application for registration pursuant to subparagraph (A) is pending.

“(ii) If an applicant described in subparagraph (A) is registered pursuant to subsection (f) as described in clause (i) to conduct research with a controlled substance in schedule III, IV, or V on the date on which another substance is placed in schedule A, the applicant may, subject to clause (iii), conduct research with that other controlled substance in schedule A while the application for registration pursuant to subparagraph (A) is pending, provided...
the substance for which the applicant is registered to conduct research is in the same schedule as, or a less-restricted schedule than, the controlled substance whose similarity in chemical structure and actual or predicted effect to the controlled substance in schedule A formed the basis for placement of the substance in schedule A, as set forth in the order published in the Federal Register placing the substance in schedule A.

“(iii) The permission to conduct research pursuant to clause (i) or clause (ii) is conditional on the applicant’s complying with the registration and other requirements for controlled substances in schedule A.

“(iv) This subparagraph does not apply to applicants registered pursuant to subsection (f) whose authorization to conduct research with any controlled substances is limited to doing so as a coincident activity pursuant to applicable regulations of the Attorney General.”.

Page 16, line 19, insert after the period the following: “The 60-day period under subsection (m)(2)(A) shall be tolled during the period beginning on the date on which the Attorney General refers an application to
the Secretary under this paragraph, and ending on the date on which the Secretary submits a determination related to such referral to the Attorney General.”.

Page 16, beginning on line 20, strike “If the applicant” through “this paragraph.” on page 17, line 1, and insert the following: “An applicant who meets the criteria under subsection (m)(1)(B) with respect to a particular schedule A controlled substance shall be considered qualified to conduct research with that substance. The Attorney General shall modify such applicant’s registration to include such schedule A controlled substance in accordance with this paragraph.”.