

**AMENDMENT**  
**TO RULES COMMITTEE PRINT 115-76**  
**OFFERED BY MR. MARINO OF PENNSYLVANIA**

At the end of title III, add the following:

1 **SEC. 304. DENIAL, REVOCATION, OR SUSPENSION OF CON-**  
2 **TROLLED SUBSTANCES REGISTRATION.**

3 (a) STANDARD OF REVIEW FOR IMMEDIATE SUSPEN-  
4 SION ORDERS.—Section 304(d) of the Controlled Sub-  
5 stances Act (21 U.S.C. 824(d)) is amended—

6 (1) in paragraph (1), by inserting after “com-  
7 petent jurisdiction” the following: “based on a deter-  
8 mination that the Attorney General failed to comply  
9 with paragraph (2) under the standard of review set  
10 forth in section 507”; and

11 (2) in paragraph (2), by striking “a substantial  
12 likelihood of an immediate threat that death, serious  
13 bodily harm, or abuse” and inserting “a reasonably  
14 foreseeable risk of an imminent threat that death,  
15 serious bodily harm, abuse, or diversion”.

16 (b) OPPORTUNITY TO SUBMIT CORRECTIVE ACTION  
17 PLAN PRIOR TO REVOCATION OR SUSPENSION.—

1           (1) IN GENERAL.—Section 304(c) of the Con-  
2           trolled Substances Act (21 U.S.C. 824(c)) is amend-  
3           ed—

4                   (A) by striking paragraphs (2) through  
5                   (5);

6                   (B) by striking “(c)(1) Before” and insert-  
7                   ing “(c) Before”; and

8                   (C) by adding at the end the following:  
9                   “The order to show cause shall contain a state-  
10                  ment of the basis thereof and shall call upon  
11                  the applicant or registrant to appear before the  
12                  Attorney General at a time and place stated in  
13                  the order, but in no event less than 30 days  
14                  after the date of receipt of the order. Pro-  
15                  ceedings to deny, revoke, or suspend shall be  
16                  conducted pursuant to this section in accord-  
17                  ance with subchapter II of chapter 5 of title 5,  
18                  United States Code. Such proceedings shall be  
19                  independent of, and not in lieu of, criminal  
20                  prosecutions or other proceedings under this  
21                  title or any other law of the United States.”.

22           (2) APPLICABILITY TO PENDING CORRECTIVE  
23           ACTION PLANS.—The Attorney General shall not be  
24           required to review any corrective action plan sub-  
25           mitted by an applicant or registrant under section

1       304(c)(2) of the Controlled Substances Act (21  
2       U.S.C. 824(e)(2)), as in effect on the day before the  
3       date of enactment of this Act.

