

119TH CONGRESS
1ST SESSION

H. CON. RES. 35

Requiring Members of the House of Representatives and the Senate to participate in random drug testing.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2025

Mr. HIGGINS of Louisiana submitted the following concurrent resolution;
which was referred to the Committee on House Administration

CONCURRENT RESOLUTION

Requiring Members of the House of Representatives and
the Senate to participate in random drug testing.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. SHORT TITLE.**

4 This concurrent resolution may be cited as the “Ex-
5 posing Congressional Drug Abuse Act”.

6 **SEC. 2. RANDOM DRUG TESTING OF MEMBERS OF THE**
7 **HOUSE OF REPRESENTATIVES AND THE SEN-**
8 **ATE.**

9 (a) IN GENERAL.—Each Member of the House of
10 Representatives and the Senate shall participate in accord-

1 ance with this concurrent resolution in a program for test-
 2 ing for illegal use of controlled substances.

3 (b) FEATURES.—The program under this concurrent
 4 resolution shall include the following features:

5 (1) Each Member of the House of Representa-
 6 tives and the Senate shall be subject to a random
 7 drug test once per term of such Member.

8 (2) Each confirmed positive result under the
 9 program shall be provided as follows:

10 (A) To the Member involved.

11 (B) In the case of a Member of the House
 12 of Representatives, to the Committee on Ethics
 13 of the House of Representatives for such review
 14 as may be necessary under the Rules of the
 15 House of Representatives.

16 (C) In the case of a Member of the Senate,
 17 to the Select Committee on Ethics of the Sen-
 18 ate for such review as may be necessary under
 19 the Standing Rules of the Senate.

20 (3) The Committee on Ethics of the House of
 21 Representatives, with respect to a Member of the
 22 House, and the Select Committee on Ethics of the
 23 Senate, with respect to a Member of the Senate,
 24 shall publicly disclose the identity of each Member
 25 who refuses to participate in the program and take

1 other action against each such Member as appro-
 2 priate.

3 (4) Each Member of the House of Representa-
 4 tives and the Senate shall reimburse the House of
 5 Representatives or the Senate for the cost of the
 6 random drug test of such Member under the pro-
 7 gram.

8 (c) REGULATIONS.—The Committee on House Ad-
 9 ministration of the House of Representatives and the
 10 Committee on Rules and Administration of the Senate
 11 shall each issue such rules and regulations as may be nec-
 12 essary to carry out this concurrent resolution.

13 (d) DEFINITIONS.—In this concurrent resolution:

14 (1) CONFIRMED POSITIVE RESULT.—The term
 15 “confirmed positive result”—

16 (A) means a random drug test—

17 (i) which has initially tested as posi-
 18 tive for the presence of an illegal controlled
 19 substance;

20 (ii) for which the initially positive test
 21 has been confirmed by a second test using
 22 a different chemical process than the proc-
 23 ess used for the initial test; and

24 (iii) which has been reviewed and cer-
 25 tified as positive by a medical review offi-

cer with whom the House of Representatives or the Senate has entered into a contract to perform such reviews; and

(B) does not include a drug test which shows only the presence of legal, over-the-counter drugs and drugs that have been legally prescribed for the individual involved.

(2) CONTROLLED SUBSTANCE.—The term “controlled substance” has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(3) MEMBER.—The term “Member”, with respect to the House of Representatives, includes a Delegate or Resident Commissioner to the Congress.

(4) RANDOM DRUG TEST.—The term “random drug test” means a test conducted for the purpose of detecting the illegal use of a controlled substance which is conducted—

(A) on a periodic basis;

(B) without advance notice; and

(C) without individualized suspicion.

○