

106TH CONGRESS  
1ST SESSION

# S. 883

To authorize the Attorney General to reschedule certain drugs that pose an imminent danger to public safety, and to provide for the rescheduling of the date-rape drug and the classification of a certain “club” drug.

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## IN THE SENATE OF THE UNITED STATES

APRIL 27, 1999

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To authorize the Attorney General to reschedule certain drugs that pose an imminent danger to public safety, and to provide for the rescheduling of the date-rape drug and the classification of a certain “club” drug.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “New Drugs of the  
5       1990’s Control Act”.

1 **SEC. 2. ATTORNEY GENERAL AUTHORITY TO RESCHEDULE**  
2 **CERTAIN DRUGS POSING IMMINENT DANGER**  
3 **TO PUBLIC SAFETY.**

4 Section 201(h) of the Controlled Substances Act (21  
5 U.S.C. 811(h)) is amended—

6 (1) by striking paragraph (1) and inserting the  
7 following: “(1) If the Attorney General determines  
8 that the scheduling of a substance, or the resched-  
9 uling of a scheduled substance, on a temporary basis  
10 is necessary to avoid an imminent hazard to the  
11 public safety, the Attorney General may, by order  
12 and without regard to the requirements of sub-  
13 section (b) relating to the Secretary of Health and  
14 Human Services, schedule the substance—

15 “(A) in schedule I if no exemption or approval  
16 is in effect for the substance under section 355; or

17 “(B) in schedule II if the substance is not listed  
18 in schedule I;” and

19 (2) in paragraph (2)—

20 (A) by inserting “or rescheduling” after  
21 “scheduling” each place it appears; and

22 (B) by striking “for up to six months” and  
23 inserting “until a final order becomes effec-  
24 tive”.

1 **SEC. 3. RESCHEDULING OF DATE-RAPE DRUG.**

2       Notwithstanding section 201 or subsection (a) or (b)  
3 of section 202 of the Controlled Substances Act (21  
4 U.S.C. 811; 812(a); 812(b)) respecting the scheduling of  
5 controlled substances, the Attorney General shall, by  
6 order, transfer flunitrazepam from schedule IV of such  
7 Act to schedule I of such Act.

8 **SEC. 4. CLASSIFICATION OF THE “CLUB” DRUG “SPECIAL**  
9 **K”.**

10       Notwithstanding section 201 or subsection (a) or (b)  
11 of section 202 of the Controlled Substances Act (21  
12 U.S.C. 811; 812(a); 812(b)) respecting the scheduling of  
13 controlled substances, the Attorney General shall, by  
14 order, add ketamine hydrochloride to schedule III of such  
15 Act.

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