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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. CON. RES. _____

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

IN THE HOUSE OF REPRESENTATIVES

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

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”.

1 **SEC. 2. RANDOM DRUG TESTING OF MEMBERS OF THE**
2 **HOUSE OF REPRESENTATIVES AND THE SEN-**
3 **ATE.**

4 (a) IN GENERAL.—Each Member of the House of
5 Representatives and the Senate shall participate in accord-
6 ance with this concurrent resolution in a program for test-
7 ing for illegal use of controlled substances.

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

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

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

15 (A) To the Member involved.

16 (B) In the case of a Member of the House
17 of Representatives, to the Committee on Ethics
18 of the House of Representatives for such review
19 as may be necessary under the Rules of the
20 House of Representatives.

21 (C) In the case of a Member of the Senate,
22 to the Select Committee on Ethics of the Sen-
23 ate for such review as may be necessary under
24 the Standing Rules of the Senate.

25 (3) The Committee on Ethics of the House of
26 Representatives, with respect to a Member of the

1 House, and the Select Committee on Ethics of the
2 Senate, with respect to a Member of the Senate,
3 shall publicly disclose the identity of each Member
4 who refuses to participate in the program and take
5 other action against each such Member as appro-
6 priate.

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

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

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

18 (1) CONFIRMED POSITIVE RESULT.—The term
19 “confirmed positive result”—

20 (A) means a random drug test—

21 (i) which has initially tested as posi-
22 tive for the presence of an illegal controlled
23 substance;

24 (ii) for which the initially positive test
25 has been confirmed by a second test using

1 a different chemical process than the proc-
2 ess used for the initial test; and

3 (iii) which has been reviewed and cer-
4 tified as positive by a medical review offi-
5 cer with whom the House of Representa-
6 tives or the Senate has entered into a con-
7 tract to perform such reviews; and

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

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

16 (3) MEMBER.—The term “Member”, with re-
17 spect to the House of Representatives, includes a
18 Delegate or Resident Commissioner to the Congress.

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

23 (A) on a periodic basis;

24 (B) without advance notice; and

25 (C) without individualized suspicion.