

118TH CONGRESS
1ST SESSION

H. R. 3829

To streamline the process for institutions of higher education to research
marijuana.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2023

Ms. TITUS (for herself and Mr. NEGUSE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Agriculture, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To streamline the process for institutions of higher education
to research marijuana.

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 “Higher Education
5 Marijuana Research Act of 2023”.

6 **SEC. 2. MARIJUANA FOR RESEARCH PURPOSES.**

7 (a) PRIORITY FACTORS.—Section 303(a) of the Con-
8 trolled Substances Act (21 U.S.C. 823(a)) is amended—

1 (1) in paragraph (5), by striking “; and” and
2 inserting a semicolon;

3 (2) in paragraph (6), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding the following:

6 “(7) whether the applicant is an institution of
7 higher education or a State or local government enti-
8 ty.”.

9 (b) REPORT ON CERTAIN LICENSES.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, and an-
12 nually thereafter, the Attorney General, acting
13 through the Drug Enforcement Administration, shall
14 submit a report to Committee on the Judiciary of
15 the House of Representatives and the Committee on
16 the Judiciary of the Senate, including—

17 (A) the number of applications for licenses
18 under section 303 of the Controlled Substances
19 Act (21 U.S.C. 823) it has received for the pre-
20 vious year, disaggregated by whether the appli-
21 cant was a private entity, an institution of high-
22 er education, or a State or local government en-
23 tity;

24 (B) the status of each application received
25 in the previous year; and

1 (C) if applicable, the reason an application
2 was denied.

3 (2) NAME WITH CONSENT.—With the consent
4 of the applicant, the Attorney General, acting
5 through the Drug Enforcement Administration, may
6 submit in the report under subparagraph (A) the
7 name of the applicant.

8 (c) OBTAINING MARIJUANA FOR RESEARCH PUR-
9 POSES.—

10 (1) IN GENERAL.—Notwithstanding any provi-
11 sion of the Controlled Substances Act (21 U.S.C.
12 801 et seq.), the Safe and Drug-Free Schools and
13 Communities Act (20 U.S.C. 7101 et seq.), or any
14 other Federal law, an institution of higher education
15 located in a State or on tribal land where marijuana
16 sale or use is lawful may obtain or purchase mari-
17 juana from a State or tribal government marijuana
18 regulatory body or obtain marijuana from a State or
19 tribal law enforcement agency for the purpose of bio-
20 logical, chemical, agricultural, or public health re-
21 search.

22 (2) ADDITIONAL RESEARCH PURPOSES.—Mari-
23 juana obtained by an institution of higher education
24 pursuant to paragraph (1) may be used to study the
25 type of marijuana in a State’s marketplace, public

1 health considerations of marijuana policies in the
2 State, and any potential medical benefits of mari-
3 juana.

4 (3) PROHIBITED RESEARCH PURPOSES.—Mari-
5 juana obtained by an institution of higher education
6 from a State or tribal law enforcement agency shall
7 not be administered to individuals.

8 (d) PARTICIPATION IN RESEARCH.—

9 (1) STUDENT PARTICIPATION.—Notwith-
10 standing any provision of the Controlled Substances
11 Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free
12 Schools and Communities Act (20 U.S.C. 7101 et
13 seq.), or any other Federal law, a covered student or
14 covered researcher shall not be ineligible or lose any
15 Federal student aid or other Federal funding be-
16 cause of participation in covered research, conducted
17 by an institution of higher education in a controlled
18 setting, involving marijuana.

19 (2) INSTITUTION OF HIGHER EDUCATION.—
20 Notwithstanding any provision of the Controlled
21 Substances Act (21 U.S.C. 801 et seq.), the Safe
22 and Drug-Free Schools and Communities Act (20
23 U.S.C. 7101 et seq.), or any other Federal law, an
24 institution of higher education shall not be ineligible

1 or lose any Federal funds as a result of any sponsor-
2 ship of research involving marijuana.

3 (3) IMPACT ON IMMIGRATION STATUS.—The
4 immigration status of a covered student or covered
5 researcher who participates in covered research, con-
6 ducted by an institution of higher education in a
7 controlled setting, involving marijuana shall not be
8 impacted by such participation.

9 (e) DEFINITIONS.—In this section:

10 (1) CONTROLLED SETTING.—The term “con-
11 trolled setting” means a setting for which the re-
12 search being conducted was approved by the institu-
13 tion of higher education’s internal authority for re-
14 viewing research.

15 (2) COVERED STUDENT.—The term “covered
16 student” means an individual enrolled part-time or
17 full-time at an institution of higher education for
18 undergraduate, graduate, or post-graduate study.

19 (3) COVERED RESEARCH.—The term “covered
20 research” includes the administration of any re-
21 search involving marijuana, but does not include a
22 covered student consuming marijuana in any man-
23 ner.

24 (4) COVERED RESEARCHER.—The term “cov-
25 ered researcher” means an individual employed by a

1 institution of higher education to conduct or assist
2 research approved by the institution of higher edu-
3 cation’s internal authority for reviewing research.

4 (5) INDIAN TRIBE.—The term “Indian tribe”
5 shall have the meaning given such term in section
6 4(e) of the Indian Self-Determination and Education
7 Assistance Act (25 U.S.C. 5304(e)).

8 (6) STATE OR TRIBAL GOVERNMENT MARI-
9 JUANA REGULATORY BODY.—The term “State or
10 tribal government marijuana regulatory body”
11 means the entity approved by State or tribal law
12 with overseeing marijuana licensing in such State or
13 Indian tribe.

14 (7) STATE OR TRIBAL LAW ENFORCEMENT
15 AGENCY.—The term “State or tribal law enforce-
16 ment agency” means an entity authorized by State
17 or tribal law to enforce the laws within their juris-
18 diction.

19 **SEC. 3. DRUG ENFORCEMENT ADMINISTRATION LICENSE**
20 **PROCESS TO STUDY MARIJUANA.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, the Administrator of the Drug Enforce-
23 ment Administration shall establish an Office of Univer-
24 sity Relations to—

1 (1) provide technical assistance to a researcher
2 or institution of higher education seeking to register
3 for the manufacture, distribution, or dispensation of
4 a controlled substance under part C of title II of the
5 Controlled Substances Act (21 U.S.C. 821 et seq.);
6 and

7 (2) develop any technology necessary to provide
8 the opportunity for a researcher or institution of
9 higher education to amend an application prior to
10 submission.

11 **SEC. 4. INSTITUTION OF HIGHER EDUCATION PARTNER-**
12 **SHIP.**

13 (a) INSTITUTION OF HIGHER EDUCATION PARTNER-
14 SHIP.—

15 (1) ESTABLISHMENT.—Not later than 180 days
16 after the date of the enactment of this Act, the Di-
17 rector of the National Institutes of Health shall es-
18 tablish working group to produce recommendations
19 on how to simplify and streamline the registration
20 process for studying marijuana at institutions of
21 higher education.

22 (2) PARTICIPANTS.—The working group estab-
23 lished in paragraph (1) shall include:

24 (A) 2 appointees from the National Insti-
25 tutes of Health.

1 (B) 2 appointees from the Food and Drug
2 Administration.

3 (C) 2 appointees from the Drug Enforce-
4 ment Administration.

5 (D) 2 appointees from two different insti-
6 tution of higher education, appointed by the in-
7 dividuals under subparagraphs (A), (B), and
8 (C) based on their prior study of marijuana.

9 (3) RESPONSIBILITIES.—Not later than one
10 year after the date of the enactment of this Act, the
11 working group established under paragraph (1) shall
12 submit a report to the Committee on Education and
13 the Workforce, Committee on Energy and Com-
14 merce, and the Committee on the Judiciary of the
15 House of Representatives and the Committee on
16 Health, Education, Labor, and Pensions and the
17 Committee on the Judiciary of the Senate includ-
18 ing—

19 (A) a summary of the status of marijuana
20 research at institutions of higher education in
21 the United States; and

22 (B) a list of recommendations to improve
23 the academic study of marijuana.

1 **SEC. 5. GRANT PROGRAM FOR UNIVERSITIES TO STUDY**
2 **MARIJUANA.**

3 (a) **ESTABLISHMENT.**—Not later than 90 days after
4 the date of the enactment of this Act, the Director of the
5 National Institutes of Health shall establish a program (in
6 this section referred to as the “Program”) within the Na-
7 tional Institute of Drug Abuse to study marijuana for po-
8 tential medical benefits.

9 (b) **GRANT AUTHORITY.**—In carrying out the Pro-
10 gram, the Director may award a grant on a competitive
11 basis in accordance with this section.

12 (c) **ELIGIBLE RECIPIENTS.**—The Director may
13 award a grant under the Program to an institution of
14 higher education determined by the Director to have the
15 authority and capability to carry out a project described
16 in subsection (d).

17 (d) **ELIGIBLE PROJECTS.**—Grant funds awarded
18 under the Program may only be used to study marijuana
19 for medical or public health purposes.

20 (e) **APPLICATIONS.**—To be eligible for a grant under
21 the Program, an eligible recipient shall submit to the Di-
22 rector an application in such form, at such time, and con-
23 taining such information as the Director determines to be
24 appropriate.

25 (f) **PRIORITY.**—In making a grant under the Pro-
26 gram, the Director shall give priority to an institution of

1 higher education in a State or tribal land where use of
2 marijuana for recreational or medical use is legal, account-
3 ing for geographic diversity and whether the institution
4 of higher education is a minority institution.

5 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Director to carry out
7 this section, \$15,000,000 for each of the fiscal years 2023
8 to 2027.

9 **SEC. 6. GRANT PROGRAM FOR UNIVERSITIES TO STUDY**
10 **MARIJUANA FOR AGRICULTURE PURPOSES.**

11 (a) ESTABLISHMENT.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary of
13 Agriculture shall establish a program (in this section re-
14 ferred to as the “Program”) to study marijuana for agri-
15 culture purposes, including conservation and growth tech-
16 niques, impacts on other crops, and the impact of different
17 strains of marijuana on other crops.

18 (b) GRANT AUTHORITY.—In carrying out the Pro-
19 gram, the Secretary may award a grant on a competitive
20 basis in accordance with this section.

21 (c) ELIGIBLE RECIPIENTS.—The Secretary may
22 award a grant under the Program to an institution of
23 higher education determined by the Secretary to have the
24 authority and capability to carry out a project described
25 in subsection (d).

1 (d) ELIGIBLE PROJECTS.—Grant funds awarded
2 under the Program may only be used to study marijuana
3 for agriculture purposes.

4 (e) APPLICATIONS.—To be eligible for a grant under
5 the Program, an eligible recipient shall submit to the Sec-
6 retary an application in such form, at such time, and con-
7 taining such information as the Secretary determines to
8 be appropriate.

9 (f) PRIORITY.—In making a grant under the Pro-
10 gram, the Secretary shall give priority to an institution
11 of higher education in a State or tribal land where use
12 of marijuana for recreational or medical use is legal, ac-
13 counting for geographic diversity and whether the institu-
14 tion of higher education is a minority institution.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to the Secretary to carry
17 out this section, \$15,000,000 for each of the fiscal years
18 2023 to 2027.

19 **SEC. 7. ARTICLE 28 OF SINGLE CONVENTION ON NARCOTIC**
20 **DRUGS.**

21 Article 28 of the Single Convention on Narcotic
22 Drugs shall not be construed to prohibit, or impose addi-
23 tional restrictions upon, research involving marijuana, or
24 the manufacture, distribution, or dispensing of marijuana,
25 that is conducted in accordance with the Controlled Sub-

1 stances Act (21 U.S.C. 801 et seq.), this Act, and the
2 amendments made by this Act.

3 **SEC. 8. DEFINITIONS.**

4 In this Act:

5 (1) INSTITUTION OF HIGHER EDUCATION.—The
6 term “institution of higher education” shall have the
7 meaning given such term in section 101 of the High-
8 er Education Act of 1965 (20 U.S.C. 1001).

9 (2) MINORITY INSTITUTION.—The term “mi-
10 nority institution” shall have the meaning given such
11 term in section 365 of the Higher Education act of
12 1965 (20 U.S.C. 1067k).

13 (3) STATE.—The term “State” means any
14 State of the United States, the District of Columbia,
15 and any territory of the United States.

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