

HALT ALL LETHAL TRAFFICKING OF FENTANYL (HALT) ACT

Recent Developments:

- *Included in 119th House Rules Package¹*
- *118th House Bill passed with bipartisan support, 289-133²*
- *CBO score is minimal³*

On May 15, 2024, the Center for Disease Control and Prevention (CDC) announced an estimated 107,543 overdose deaths in the United States for 2023.⁴ Fentanyl and fentanyl-related substances, a class of highly lethal synthetic opioids with high abuse potential, account for 74,702 of these deaths. Fentanyl-related substances are sold through illicit drug markets for their fentanyl-like effect, and are often mixed with heroin or other drugs, such as cocaine, or pressed in to counterfeit prescription pills.

Since 2013, China has been the principal source of fentanyl, fentanyl-related substances, and the precursor chemicals from which they are produced. Chinese product is commonly shipped to Mexico and smuggled into the U.S.'s illicit drug market. Traffickers have favored fentanyl-related substances to skirt around committing the crime of trafficking fentanyl and fentanyl analogues.

Scheduling of all fentanyl-related substances as a class has strengthened law enforcement's ability to prosecute fentanyl traffickers. Under the Controlled Substances Act, the Drug Enforcement Administration (DEA) schedules a drug based on its potential for abuse and relies on recommendations from the Department of Health and Human Services (HHS). On February 6, 2018, the Department of Justice issued a rule temporarily classifying all fentanyl-related substances not otherwise individually scheduled as Schedule I. Congress extended the temporary scheduling to December 31, 2024, and again to March 31, 2025. The DEA reports that the scheduling has acted as an effective deterrent to the creation of new fentanyl-related substances.⁵

The HALT Fentanyl Act aims to curb overdose and streamline research by:

- ***Permanently scheduling fentanyl-related substances as Schedule I.*** This bill places the strongest controls and penalties for substances with no accepted medical use and a high abuse potential.
- ***Promoting research by removing regulation.*** To accommodate medical research into fentanyl-related substances, the bill would establish a new, streamlined registration process for research funded by the Department of Health and Human Services, the Department of Veterans Affairs, or under an Investigative New Drug (IND) exemption from the Food and Drug Administration.

¹ <https://docs.house.gov/billsthisweek/20241230/119th%20Rules%20Package%20for%20Circulation.pdf>

² Yeas: 74 Democrats, 215 Republicans, <https://www.congress.gov/bill/118th-congress/house-bill/467?q=%7B%22search%22%3A%5B%22HALT%22%2C%22Fentanyl%22%5D%7D&s=1&r=2>.

³ <https://www.cbo.gov/system/files/2023-05/hr467.pdf>.

⁴ https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2024/20240515.htm

⁵ https://www.dea diversion.usdoj.gov/drug_chem_info/frs.pdf