The Whole Plant Act

Amendment Package: S. 5022, the Cannabis Administration and Opportunity Act

The Federal Whole Plant Act expressed as targeted amendments to S. 5022, the Cannabis Administration and Opportunity Act, CAOA below, for the case in which CAOA is the moving legislative vehicle. This package is derived from and congruent with the standalone Federal Whole Plant Act. Where this package and that bill would differ, the standalone bill governs. It retains the genuine advances of CAOA and makes the changes that convert a two-framework origin bill into a one-plant bill.

Read against the text of S. 5022 as introduced on July 16, 2026 by Mr. Booker, with Mr. Schumer, Mr. Wyden and Mr. Merkley among sixteen original cosponsors, and referred to the Committee on Finance. Section references are to that text and were checked against it. Not legal advice.

Section 1. Short title

This package may be cited as the Whole Plant Act amendments to S. 5022.

Section 2. Advances retained

The following provisions of CAOA are retained and are not disturbed by this package.

Descheduling under section 101, which removes cannabis from the schedules of the Controlled Substances Act and applies retroactively to offenses committed, cases pending, and convictions entered before enactment.

Expungement under section 311, which directs each judicial district to review and expunge federal cannabis convictions entered from May 1, 1971 until the day before enactment, together with associated arrests, which seals the records and issues a certificate, which lets a person petition at any point afterward with counsel appointed if the person is indigent, and which states the effect of expungement at section 311(b), subject to the section 311(c) exclusion of convictions carrying an aggravating role absent a mitigating-factors finding.

Release, vacatur, and sentencing reconsideration under section 101(d), which drops or dismisses pending charges within 30 days with a writ available to a person held in pretrial detention, requires release and vacatur within 60 days for a person held solely for a federal marijuana offense with a writ if release is not timely, and allows a reduced sentence where another sentence remains or where a cannabis conviction elevated the sentencing range.

The Cannabis Products Advisory Committee under section 802, which Section 8 of this package retains and amends rather than replaces, and the Comptroller General review under section 801, which Section 8 retains and supplements.

The Opportunity Trust Fund under section 401, and the restorative-justice and community-reinvestment programs it funds under section 301, including the Cannabis Justice Office and the Community Reinvestment Grant Program.

Access to banking and financial services under sections 702 and 706.

The civil protections against denial of a federal public benefit under section 312 and against adverse immigration consequence under section 313, and the limitation on federal-employee cannabis testing under section 101(e), which Section 12 of this package retains and extends. Section 101(e) preserves testing authority for law enforcement officers and for positions an agency head determines in writing to have significant involvement in national security or the protection of life, property, public health, or public safety, and section 101(f) preserves the authority of the Secretary of Transportation and the Coast Guard to regulate and screen for controlled-substance use.

Small Business Administration access under section 303, which Section 14 of this package retains in full and Section 16 extends to a permittee in a State that has not authorized cannabis activity.

Three provisions of the Federal Alcohol Administration Act title added by section 511, retained under Section 15 of this package: section 302(a)(2)(A), under which a prior cannabis conviction is not a bar to a permit; section 303, the delivery channel for hemp that inadvertently exceeded the allowable tetrahydrocannabinol equivalent amount; section 305, which sets the penalty for unpermitted operation at a fine of not more than $1,000; and section 5911(b)(4) of the Internal Revenue Code of 1986, added by section 401, which removes the bond requirement for a taxpayer below the quarterly-payment threshold.

Four provisions of chapter XI of the Federal Food, Drug, and Cosmetic Act added by section 501, retained under Section 17 of this package: section 1102(b), which disapplies the adulteration and drug-preclusion rules to a food on account of cannabis constituents; section 1105(c), which requires pesticide residue testing whether or not a tolerance has been set; section 1106(b)(1), which allows a product standard to address the interaction between a product's constituents; and section 1110, which preserves more stringent state, tribal, and local requirements and

imposes no ceiling.

The purchaser-privacy rule at section 112(b)(2)(E) and the small-business rule at section 112(b)(2)(D), retained and extended under Section 18 of this package.

The tribal architecture, in roughly forty-five places across the Act, retained entire under Section 19 of this package: the preservation of tribal authority at section 1110, the consultation requirements at sections 112(b)(1)(B), 1105(a)(4) and 524C(d), the Indian country limit at section 112(b)(3)(A), the Tribal Relations Coordinator at section 301(a)(1)(C), the 5 percent set-aside at section 301(b)(2)(B), Tribes as grantees at sections 301(b)(3), 3062(2) and 704(c)(1)(B), Indian health programs at section 315, and the Native entity definition at section 524C(e).

The remaining sections amend CAOA to replace regulation by origin with classification by intoxicating potential.

Section 3. Definitions

A term used in this package has the meaning given it in Section 3 of the Federal Whole Plant Act, which governs. A cross-reference in that section, or in a definition stated in this section, to a section of the Federal Whole Plant Act is a reference to that section of that Act, and not to a section of this package or of the Act this package amends. The following are stated here because they carry the operative weight of this package.

"Herbal cannabis item" means herbal cannabis, a cannabinoid product, a cannabinoid concentrate, or a cannabinoid extract. These are the members of the herbal cannabis track. Seeds, stalks, roots, fiber, grain, and the commodities and products derived from them are industrial cannabis inputs when grown, processed, or manufactured for a non-cannabinoid end use, and are not herbal cannabis items in that use.

"Herbal cannabis" means the fresh or dried flower and leaf of cannabis intended for cannabinoid consumption or use, classified by intoxicating potential at the labeled dose.

"Cannabinoid product" means a finished good intended for human consumption or use that contains one or more cannabinoids or any part of the cannabis plant, and is one member of the herbal cannabis track.

"Intoxicating potential" means the capacity of a cannabis plant or an herbal cannabis item to produce intoxication at its labeled dose, determined by genetic markers, including the functional status of the THCA synthase gene, and by cannabinoid content.

"Intoxicating herbal cannabis item" means an herbal cannabis item that has intoxicating potential at its labeled dose, and "non-intoxicating herbal cannabis item" means an herbal cannabis item that is not an intoxicating herbal cannabis item.

"Industrial cannabis," commonly known as hemp, means cannabis grown, processed, or manufactured for a non-cannabinoid end use, including fiber, grain, seed, and stalk and the intermediates and products derived from them.

Section 4. One botanical input

Strike the exclusion of hemp from the definition of cannabis added to section 201(tt) of the Federal Food, Drug, and Cosmetic Act by section 502 of CAOA, and the parallel exclusions in the conforming amendments to the Controlled Substances Act. There is one botanical input, Cannabis sativa L. It is not sorted into cannabis and hemp at the source. The channel a product moves through is decided downstream by end use and intoxicating potential under Sections 5 and 6 of this package.

Section 5. Classification by intoxicating potential

Remove concentration by weight as the organizing principle for consumer products. Classify every herbal cannabis item, meaning herbal cannabis, a cannabinoid product, a cannabinoid concentrate, and a cannabinoid extract, by its intoxicating potential at the labeled dose. A non-intoxicating herbal cannabis item, which does not have intoxicating potential at its labeled dose, moves through general retail, including pharmacies. An intoxicating herbal cannabis item moves through age-restricted, licensed specialty retail.

One set of testing, safety, and labeling standards applies to every herbal cannabis item regardless of origin, and those standards apply across the supply chain, to cultivation inputs, to in-process and intermediate material, and to the finished product, and not to the finished stage alone.

The lead regulator sets the classification methodology by rule, keyed to dose, formulation, and route of administration.

Until a national consensus standard is recognized, an herbal cannabis item has intoxicating potential at its labeled dose if it contains more than 1 milligram of total intoxicating cannabinoid equivalent per labeled dose. The lead regulator may set a different figure by rule on human evidence, and where human evidence shows what an item does at its labeled dose, that human evidence governs over the figure. Federal Sec. 13(2)(b), (c).

A non-intoxicating herbal cannabis item in a food form, one made to be eaten or drunk as a food or beverage is or made to look or taste like one, may move through general retail only if its whole package, treated as its labeled dose, does not have intoxicating potential. For an item of any other form, the lead regulator may set a package limit by rule according to the risk of the form and its route of administration. An item that does not meet the condition is not prohibited and moves through age-restricted retail. A State may set a lower limit for general retail. Federal Sec. 4(19).

Remove tetrahydrocannabinols however produced. Section 101(a) removes marihuana and only the tetrahydrocannabinols in cannabis or in hemp, so a tetrahydrocannabinol produced by synthesis stays in schedule I under paragraph (17) of schedule I(c) until the review that section 101(a)(3) directs within a year. Strike paragraph (17) of schedule I(c) of section 202 of the Controlled Substances Act, strike "in cannabis (as defined in section 201(tt)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(tt)(1)))" after "tetrahydrocannabinols" each place it appears in section 101(a)(2), and confine the review under section 101(a)(3) to the substances in subsection (d) of schedule I. A tetrahydrocannabinol produced by synthesis or conversion is then classified by its effect at the labeled dose like any other cannabinoid, with the method disclosed and its byproducts and residues tested as contaminants. Federal Sec. 4(1), 4(18), 5(1).

CAOA already reaches for this test and stops short of it. Section 803 defines total tetrahydrocannabinol equivalent to include, among the substances already within the Act's cannabis definition, any that has a similar effect on the body as delta-8, delta-9, or delta-10 tetrahydrocannabinol, including through interaction with other substances in the product. That is an effects criterion. This section completes it by making effect the classifier rather than a qualifier inside a concentration threshold.

Section 6. Industrial cannabis

Redraft section 803 of CAOA so that industrial cannabis, commonly known as hemp, means the non-cannabinoid agricultural input, the plant grown for fiber, grain, seed, and material, regulated under the standard agricultural and food-product regimes and not by a tetrahydrocannabinol threshold.

Strike the allowable tetrahydrocannabinol equivalent amount at section 803, which sets 1 milligram of total tetrahydrocannabinol per 100 grams on a dry weight basis, with 0.7 percent for specified plant products, subject to modification by the Secretary. Retain the total tetrahydrocannabinol equivalent concept, including its coverage of delta-8, delta-10, and tetrahydrocannabinolic acid, as a measurement method available to the lead regulator, and remove its function as the line that sorts one plant into two legal categories.

A crop grown as industrial cannabis that is diverted to cannabinoid production for human use becomes subject to Sections 4 and 5 at the point of diversion, and is classified by intoxicating potential. The Department of Agriculture administers the industrial input as an agricultural commodity. The manner in which a crop is grown, and participation in any agricultural program, do not determine how a product is classified for sale, which is by intoxicating potential under Section 5.

Section 7. Cannabidiol without regard to origin

Amend section 504(a) of CAOA, which amends section 201(ff)(3)(B) of the Federal Food, Drug, and Cosmetic Act to except cannabidiol derived from hemp from the drug-preclusion clause, by striking the origin qualifier, so that the exception reaches cannabidiol without regard to the plant it was derived from.

CAOA opens the correct clause and opens it only halfway. As introduced, identical cannabidiol molecules receive different treatment based on source plant, which is the origin fiction in its purest form. Struck of its qualifier, section 504(a) delivers the result this framework requires, and the remainder of section 504, including the adulteration provisions and the per-recommended-daily-serving threshold the Secretary sets, operates unchanged on an origin-neutral basis.

Confirm that the new dietary ingredient provision at section 504(c) and the prohibited act at section 504(d), neither of which carries an origin qualifier, operate on the origin-neutral basis this section establishes.

Section 8. One authority

Consolidate the divided regulatory structure CAOA creates.

CAOA transfers the cannabis functions of the Drug Enforcement Administration to two departments at once under section 102(a), to the Secretary of Health and Human Services and to the Secretary of the Treasury. It redesignates the Alcohol and Tobacco Tax and Trade Bureau as the Alcohol, Tobacco, and Cannabis Tax and Trade Bureau under section 102(b). It establishes the Center for Cannabis Products within the Food and Drug Administration under section 501. It places the permitting regime within the Federal Alcohol Administration Act, administered by the Treasury, under section 511. It then requires the two Secretaries to enter a memorandum of understanding under section 102(c) to coordinate their respective responsibilities, and to include consideration of reducing unnecessary

administrative duplication.

Retain the Center for Cannabis Products established under section 501 and make it the lead federal regulator for cannabis. Transfer the permitting, authentication, and trade-practice functions established under section 511 to the Center, and provide that the Treasury administers taxation under Title IV as a revenue function within standards the Center sets. Replace the memorandum of understanding requirement at section 102(c) with direction from the Center, so that the Center sets the standards the Treasury applies within its competence, rather than two departments negotiating their respective responsibilities as peers.

One plant regulated through two departments with different mandates produces seams, and the intoxicating-derivative market entered through exactly such a seam. CAOA builds the right institution and then divides its authority.

Build around the Center the integrity and participation architecture carried at Sections 5(7) through 5(12) of the standalone Federal Whole Plant Act. Retain the Cannabis Products Advisory Committee established under section 802 and the Comptroller General review under section 801; what follows amends and supplements them rather than standing up parallel bodies.

The first amendment below fills a gap rather than correcting a choice. CAOA as introduced contains no conflict-of-interest, disclosure, recusal, gift, ex parte, lobbying-log, or post-service provision. The terms do not appear in the bill. The exposure is concentrated at section 802(c)(6), which has the Committee reviewing and recommending on waivers of disqualifying offenses for named individual permit applicants under section 302(a)(2)(B) of the Federal Alcohol Administration Act, added by section 511, with three industry seats on the Committee and no recusal rule.

Provide that an officer or employee of the Center, and a hearing officer, contractor, or consultant engaged by it, may not hold a financial interest in, be employed by, receive compensation from, or act as a lobbyist for a person regulated under the Act; that an advisory committee member discloses publicly, on appointment and on any change, each ownership, employment, consulting, professional, contractual, and immediate-family relationship held with a regulated person; that the interest a member holds by virtue of the segment the member's seat represents does not disqualify the member from service or from advising on a standard or matter of general application, while a matter concerning the member's own operation, an operation in which the member holds an interest, or a direct competitor of either draws a recusal stated on the record; that a person participating in an adjudication may not communicate about its merits outside the proceeding; that no officer, employee, or member may solicit or accept a gift, hospitality, travel, meal, loan, or other thing of value from a regulated person; that the Center maintains and publishes a log of substantive communications between a senior officer or employee and a lobbyist or a representative of a regulated person concerning a pending standard, rule, or policy matter; and that for two years after leaving, the director, chief counsel, a hearing officer, or an employee exercising substantial authority may not accept employment, compensation, or a financial interest from a regulated person.

Amend the membership and working rules of the Cannabis Products Advisory Committee under section 802 so that its seats are drawn by market segment and by the interests the Act protects rather than by position in the supply chain, and extend its charge to the national standards and the public domain.

Retain the state cannabis regulator seat, the equity and social justice advocate seat, the labor union seat, the Indian Tribe seat, the public health, medicine and science seats, and the requirement that not less than one industry seat go to a person from a historically underrepresented community or a person adversely impacted by the War on Drugs. Separate the combined consumer and patient seat at section 802(b)(3)(D) into a patient seat and a consumer and public-interest seat. Add a seat for a designated caregiver or noncommercial grower, a seat for the owner or operator of a small, craft, or independent state-licensed business who does not hold a license in more than one state, and a seat for a legacy operator. Replace the supply-chain description of the industry seats with market segments, so that industrial cannabis operations, non-intoxicating cannabinoid product operations, and intoxicating cannabinoid product operations are each represented, and provide that no seat is named by botanical origin. Retain the subcommittee authority at section 802(b)(7) and provide that an affected constituency that is not seated may convene as a subcommittee, place a matter before the Committee, and have its stated position entered in the record of the action. Retain the annual public report at section 802(c)(7) and the non-application of the Federal Advisory Committee Act's termination provision at section 802(f).

Narrow the confidentiality rule at section 802(d)(4)(A), which makes any discussion of the Committee's work confidential and not to be discussed in any form outside its meetings, so that it reaches the waiver materials and transcripts already protected by section 802(d)(4)(B) and does not reach the Committee's work on standards, guidelines, rules, or public-health surveillance. As drafted it sits against the annual public report the Committee owes under section 802(c)(7), and it would foreclose publishing the testimony and the record that standard-setting under this package depends on.

Conform two cross-references to the Committee. A regulation-making provision directs the Secretary to consider recommendations and findings of the Cannabis Products Advisory Committee established under section 1111 of the Federal Food, Drug, and Cosmetic Act, and this Act creates no section 1111. The waiver provision added by section 511 refers to the Committee established under section 602 of this Act, and section 602 is the finding regarding

employers in the cannabis industry. The Committee is established at section 802.

Provide that before the Center first adopts the national standard, and before it adopts a revision that materially changes a classification threshold, it solicits public comment and holds a public hearing that includes testimony from persons who are not federal officers or employees, among them a patient, a small or independent operator licensed by a single state, an operator licensed in more than one state, a legacy operator, a person whose cannabis conviction was relieved, a state cannabis regulator, and a representative of a federally recognized Indian tribe, with the testimony published alongside the standard and the Center stating in the record how the comment and the testimony bear on what it adopted. Provide that the cannabidiol serving threshold, and the labeling and packaging requirements for cannabidiol supplements, are set through notice and comment rather than by interim final rule notwithstanding section 553 of title 5, United States Code, which is what section 504 now permits. Those numbers decide what a product may be, and they should be set on a record.

Retain the good faith, meaningful, and timely consultation with Indian Tribes that the regulations added by section 501 and the tracking-and-tracing regulations already require. Provide that the Center consults state cannabis regulators and federally recognized Indian tribes, the latter on a government-to-government basis and without diminishing tribal sovereignty, and extend that consultation across the standards, the public domain, and the frame determination rather than two rulemakings.

Provide that sub-regulatory guidance is published, states the provision it construes, and is not a substitute for rulemaking where a rule is required, with 60 days' notice to the appropriate committees of Congress, including a description and a justification, before it takes effect. Provide that five years after the effective date, and on the same interval thereafter, the Comptroller General of the United States reviews the performance of the Center and the implementation of the Act, including delivery of the standards, concentration in the national market, patient access, the currency of the public-domain record, and the delivery of relief, and reports publicly to Congress, independently of the Center. This supplements rather than replaces the review under section 801, which directs the Comptroller General to identify desirable changes to federal law and to recommend replacing the terms marijuana and marihuana with cannabis, reporting once at two years. That is a terminology and conformance review; this is a review of how the regulator is performing.

Name the National Institute of Standards and Technology as the federal partner for reference methods, measurement, and reference materials in developing and maintaining the national standard, alongside the consensus standards bodies whose work the standard incorporates. This is Section 13(1) of the standalone Federal Whole Plant Act, and the National Institute of Standards and Technology does not appear in S. 5022. It is not a novel ask: H.R. 2935, the PREPARE Act, seats the Director of the National Institute of Standards and Technology on its commission at section 4(c)(21). A testing and authentication standard is a measurement problem before it is a policy problem, and the institution that does federal measurement should be named in building it.

Section 9. Tax by intoxicating potential

Replace the origin-split excise with a single excise keyed to intoxicating potential.

Strike the differential under which cannabis products bear an excise rising to 25 percent while hemp-derived cannabinoid products bear none, and impose the excise on intoxicating herbal cannabis items classified under Section 5, without regard to origin. Provide that the excise is set at a level, and reviewed on a fixed schedule, that keeps the combined federal, state, and local burden below the point at which price returns buyers to the unlicensed market.

Retain the credit for qualified domestic manufacturers under Title IV, which allows a credit equal to 50 percent of the applicable tax amount against a phase-in cap, and graduate the excise by scale. Provide that a producer, processor, manufacturer, distributor, or retailer whose volume falls below a threshold set by rule pays a reduced rate on the portion of production or sales below that threshold, that the reduction is available at each stage rather than at manufacture alone, and that the threshold and reduced rate are set so that the excise burden borne by a small or independent operator, as a share of revenue, does not exceed the burden borne by the largest operators.

Amend section 5901(e)(3)(B). The credit is denied for cannabis received in bond under section 5901(e)(3)(A)(i), and that subparagraph restores it only where the taxpayer processes the cannabis to produce an extract which contains no plant matter. Strike the plant-matter condition and provide that the exception applies where the taxpayer substantially processes the cannabis, whether or not the resulting product retains plant material, so that a full-spectrum preparation is not taxed at twice the rate of a distillate made from the same flower.

Amend section 5901(e)(4), which treats two or more entities as a single taxpayer, whether or not under common control, where they produce a cannabis product under a license, franchise, or other arrangement. Provide that the rule reaches entities under common control or operating under a common franchise, and does not aggregate a cooperative or collective and its member producers, or a producer cultivating under a brand or trademark license who bears independent economic risk.

Provide that section 280E of the Internal Revenue Code of 1986 does not apply to a business engaged in cannabis

activity that is lawful under CAOA or under the law of the state in which it operates.

Provide that product authentication runs on the reporting and inventory data that operators and agencies already maintain across the supply chain, and not on a three-tier or mandatory-distributor structure. Cannabis is not required to pass through an intermediary tier for authentication or tax, and a vertically integrated operator is authenticated on the same data terms as any other.

Section 10. Medical use as public-health infrastructure

Add to CAOA medical use of cannabis as public-health infrastructure, distinct from and working alongside the unified cannabinoid market, and not as one more product market: clinical education for providers on the endocannabinoid system; pathways to insurance reimbursement, including under federal health programs; standardized whole-plant preparations; affordability and access protections; and the abolition of any fixed qualifying-condition list, so that authorization rests on a provider's clinical judgment.

Medical use is protected by being funded first, not by being siloed.

CAOA carries provider recommendation authority for the Department of Veterans Affairs at section 314 and for Indian health programs at section 315, clinical trials at section 210, and biomedical research at section 202. Retain each. None of them establishes a medical program, a reimbursement pathway, or an access protection, and a patient under CAOA as introduced is a consumer with a higher tax burden and no clinical scaffolding. Veterans receiving care through the Department of Veterans Affairs are treated as all patients are, and Department facilities and providers participate on the same terms.

Section 11. Criminal-justice floor and the noncommercial acts

Retain the descheduling, expungement, release, and sentencing provisions of CAOA at sections 101(d) and 311, and add the delivery machinery carried at Sections 8(8) through 8(15) of the standalone Federal Whole Plant Act. What follows addresses what happens between the order and the person's record, not the grant of relief, which CAOA already makes.

Provide for a joint delivery plan, with named responsible officers and a published deadline, coordinating the sweep that section 311(a)(1) assigns to each judicial district separately.

Provide that each agency holding a record of a relieved offense updates, seals, or removes it and transmits the correction to every agency, database, and vendor that received it. Section 311(f)(2) defines expunge as removal from each official index or public record, which does not reach the commercial background-check files that resell it.

Provide that a United States Attorney may not adopt a policy of opposing relief as a class, and that an opposition in an individual case is stated on the record.

Provide that the petition under section 311(a)(3) carries no fee. That section appoints counsel for an indigent petitioner and says nothing about the filing cost.

Provide that an unpaid fine, cost, fee, assessment, or restitution arising solely from a relieved offense is cancelled, and that a civil judgment or garnishment entered to collect it is vacated.

Provide that relief reaches a school or institutional record derived from a cannabis offense, alongside the juvenile delinquency adjudications section 311 already covers.

Provide that a person may not be required to terminate an employee on the ground that the employee holds a relieved offense. Section 311(b) states the rest of the effect of relief, and this package retains it unchanged.

Conform section 311(c), which makes a person ineligible for expungement on an aggravating-role adjustment under section 3B1.1(a) of the Sentencing Guidelines unless a district court conducting the sentencing review finds mitigating factors. Section 311 establishes no sentencing review, and the nearest proceeding, the discretionary reduction at section 101(d)(4), is not available to a person no longer serving. Either establish that proceeding or point the exception at section 101(d)(4).

Relief granted and not delivered through the record systems is the ordinary failure mode of expungement statutes. CAOA's repair provisions are the centerpiece of the bill, and the machinery above is what makes them arrive.

Make explicit that no person, adult or minor, is subject to federal arrest or imprisonment for responsible personal use or possession, extending to personal cultivation and noncommercial sharing where a state permits it, and that federal regulation reaches the commercial supply chain and not personal conduct.

Recognize and protect the noncommercial ecosystem of home cultivators, patients, designated caregivers, and cooperatives as a source of the public-domain record under Section 13 of this package.

Amend the diversion offenses added by section 112 of CAOA, which make it unlawful to knowingly handle 10 pounds or more of cannabis, or knowingly possess that amount untaxed where a stamp regime applies, without state

authorization or a federal permit, punishable by up to 1 year and $50,000, and 20 pounds or more, punishable by up to 5 years and $100,000, subject to exceptions for carriers, authorized taxpayers, and government agents. Provide that the thresholds and penalties reach unlicensed commercial production and distribution and large-scale illicit operation, and do not reach a patient, a designated caregiver, a home cultivator, or a cooperative acting within the noncommercial acts, and that enforcement under this section is calibrated by scale.

Amend the federal supervision statutes, sections 3142, 3563, and 3583 of title 18, United States Code, so that lawful cannabis use is not, by itself, a violation of a condition of federal pretrial release, probation, or supervised release, and is treated no less favorably than any other lawfully obtained medication, unless related to the offense or to a condition of supervision, and without disturbing a condition applied on evidence of impairment.

Section 12. Protect the person

Retain the civil protections under sections 312 and 313 and the federal-employee testing limitation under section 101(e), and extend them.

Make it unlawful under federal law to discriminate against a person in employment, housing, or health care for the lawful use of cannabis or for authorized medical use. A person may not be refused employment, discharged, evicted, denied housing, denied an organ transplant, or denied pain management on the basis of lawful use or of a test that measures past use rather than present impairment.

The presence of cannabis or its metabolites without evidence of impairment is not a lawful basis for an adverse action. Genuinely safety-sensitive positions and federally mandated testing programs are preserved, and a safety-sensitive designation does not by itself authorize action on a positive test absent impairment.

Retain and complete the cannabis-impaired-driving title, subtitle B of title II. CAOA already asks the questions this section answers. Section 222(b)(1)(B)(iii) directs a study of whether a THC level tested in oral fluids correlates with level of impairment; section 222(b)(1)(B)(iv) directs a study of whether the current Standard Field Sobriety Test accurately identifies cannabis impairment; section 222(b)(1)(B)(v) asks whether driving behavior changes with frequency of use; section 222(a)(2) initiates a National Roadside Survey; section 225 directs a determination on a national cannabis impairment standard and a model standard for States; section 209(a)(7) funds novel diagnostic technologies for rapid, accurate, and noninvasive assessment of cannabis exposure and impairment; and sections 224(h) and 226 fund the work. All of that is retained.

Amend section 225. Strike the feasibility gate and set a deadline: direct the Secretary to establish the national standard for determining cannabis impairment, and to promulgate the model standard for States, within a stated period, with the biennial determination preserved as a review of the standard rather than as a condition of its existence. Provide that until the standard issues, no per se concentration threshold applies under federal law or under a program receiving funds under section 224, and impairment is established by evidence of observed performance.

Make the standard all-cause. Provide that the national standard under section 225, the best practices under section 223(a)(1), and the enforcement activities funded under section 224(d)(1) rest on assessment of impairment from any cause rather than on detection of a particular substance, and that an assessment which detects cannabis rather than impairment does not satisfy those sections. A test that reaches cannabis while leaving comparable sources of impairment unaddressed measures exposure, not safety. This position is carried at Federal Sections 8 and 9 of the standalone bill.

Two trials answer the question section 222(b)(1)(B)(iii) asks, and the amendment directs that they be the starting point rather than the endpoint. Wolinsky and colleagues, Journal of Analytical Toxicology 2026, gave 60 adults 100 milligrams of cannabidiol with 0, 0.5, 1.0, 2.0, 2.8 or 3.7 milligrams of delta-9-tetrahydrocannabinol, acutely and then twice daily for fourteen days, and found no significant difference between the cannabidiol-only group and any tetrahydrocannabinol group on any pharmacodynamic outcome, while urine tests at the federal cutoff turned positive from 1.0 milligram upward. The authors conclude that "a positive urine delta-9-THC test may result from low doses that do not produce intoxication or impairment." Ten participants per group. And a randomized crossover trial in JAMA Network Open in 2026 found that oral tetrahydrocannabinol at 10 and 20 milligrams measurably degraded lane control while peak whole-blood concentrations stayed at 1.6 and 3.4 nanograms per milliliter, below the 5 nanogram per milliliter threshold States use. Taken together: a concentration can be above a cutoff with no impairment, and impairment can be present with a concentration below one. A per se number measures neither.

Amend section 221(3), which defines THC for the whole subtitle as "tetrahydrocannabinol." Define the measurement by reference to total intoxicating cannabinoid equivalent as classified under Section 5 of this package, or at minimum by reference to the total tetrahydrocannabinol equivalent at section 297A(1)(B) of the Agricultural Marketing Act of 1946, which the same Act uses for the excise at section 5902(a)(5). The subtitle in which measurement decides whether a person is arrested should not use a looser definition than the subtitle that decides what a product is taxed on.

Strike section 224(g)(2)(B), which reduces a State's federal share from 80 percent to 50 percent unless the State

implements an open container law relating to cannabis products. An open container law is a possession offense in a vehicle rather than an impairment provision, and conditioning the federal share on it returns criminal exposure through a funding formula after section 101 has removed it from the Controlled Substances Act. Retain section 224(e), under which the Secretary may prohibit grant funds for an activity found ineffective following the evaluation under section 223(b), and extend it so that an enforcement activity is funded only where the evaluation supports it.

Require publication of the research. Provide that the studies under sections 222 and 225, the diagnostic development funded under section 209(a)(7), and the data and methods of each are published and publicly available, so that no proprietary assay becomes the condition of proving or disproving impairment. Extend the requirement to an agency operating a federally mandated testing program, which reports biennially on its progress toward impairment-based standards measured against that research.

Retain section 209(a)(5), which directs clinical trials on different forms of cannabis including inhaled whole cannabis plant and oral cannabis, and section 209(a)(6), which names epilepsy in pediatric populations and symptoms of post-traumatic stress disorder among the understudied endpoints to characterize. Those are the only places in CAOA where the whole plant and the pediatric population appear, and Section 10 of this package builds on them rather than beside them.

Add the research the standard still needs, carried at Section 9(9) of the standalone Federal Whole Plant Act and not duplicated by sections 222 and 225: direct the Secretary of Health and Human Services, through the National Institutes of Health and in coordination with the Center and the National Institute of Standards and Technology, to conduct and publish research on validated measures of acute impairment and the relationship between cannabinoid and metabolite concentrations and impairment in workplace as well as roadside settings. Provide that the research, and the clinical trials section 209(a)(5) directs on different forms of cannabis, compare a single-constituent preparation against broad-spectrum and full-spectrum preparations at equivalent cannabinoid doses. The human evidence on cannabidiol and driving rests on a synthetic isolate containing no other cannabinoid, and the approved cannabidiol drug product is a single-constituent article, so the preparations people actually buy are the ones no trial has measured. CAOA's title reaches the road and not the workplace, and the employment protections in this section depend on the workplace half.

Section 13. Keep the plant public

Have the Center recognize a federal public-domain reference standard and registry for cannabis, built by others where they qualify, keep a permanent dated public copy of each recognized entry, and build only where nothing qualifies: an open, non-proprietary characterization of the plant, its chemotypes, and its whole-plant preparations, with published specifications, fingerprinting, and stability data, treated as prior art. A certificate of analysis produces characterization and safety data that feed the standard, and those results are not proprietary and are not withheld as confidential.

Build this record in parallel with descheduling, using the botanical-drug framework and a Drug Master File that multiple manufacturers may reference. Each part is prior art for what it characterizes from the date it is published, and certification of the whole record is a milestone that holds nothing back. For [three] years, bar injunctions and enhanced damages against state-lawful activity begun before the effective date, keeping a reasonable royalty for the patent owner, and count state-lawful use as commercial use for the prior-use defense under 35 U.S.C. 273. Federal Sec. 6(6), 6(14), 6(15), 15(7).

Provide that an approval granted to any cannabis drug product does not remove the underlying plant, cannabinoid, or preparation from lawful sale, so that approval of a branded product cannot enclose the commons. Patents on genuine delivery interfaces remain available. The plant, its cannabinoids, and its traditional and naturally occurring preparations are not patentable subject matter once in the public domain.

Keep the reference standard and registry current on a fixed cycle, with an open path to add a newly characterized, naturally occurring cannabinoid or preparation, so that an un-updated list does not foreclose a lawful compound.

Strike the application of the drug-preclusion clauses of the Federal Food, Drug, and Cosmetic Act, at sections 321(ff)(3)(B) and 331(ll) of title 21, United States Code, to a cannabinoid that occurs naturally in the cannabis plant, whether the particular cannabinoid was obtained from the plant or produced by synthesis or conversion, so that a cannabinoid so occurring is not excluded from use in a food or dietary supplement, and a food containing it is not prohibited, on the ground that the same cannabinoid was approved as a drug or was the subject of a substantial clinical investigation made public. This is the general form of the amendment made to section 504(a) under Section 7 of this package. The distinct incentives of pharmaceutical development are undisturbed: a period of exclusivity bars an application that relies on the approved drug, and does not otherwise reach the plant, a naturally occurring cannabinoid, or a whole-plant preparation.

Hold and make available physical reference materials for the reference standard: for a whole-plant preparation, a reference lot of the characterized preparation, with assigned values, a stated uncertainty, and a stated stability life; for a single cannabinoid or associated compound, a certified reference material where an accredited producer exists, and a reference material with assigned values otherwise. Make them available to any person at not more than cost

and without restriction on their use, and retain a sample of each reference lot for its stability life for retesting and comparison. Where a reference material needed to show conformance is available only from a single private source, or from none, produce or procure a public equivalent within 12 months; a material is available only if it is offered at a published price on terms that permit its routine use. Commercial suppliers remain free to sell reference materials. Federal Sec. 6(12).

Leave every period of exclusivity untouched, including exclusivity for a new chemical entity, for a new clinical investigation, and for an orphan drug, and leave title to a subject invention under chapter 18 of title 35, United States Code, untouched. Publish nonclinical and clinical data from any study of cannabis, a cannabinoid, or a whole-plant preparation conducted or supported in whole or in part with federal funds under a funding agreement entered into after enactment, with participant-level data released only in de-identified form, through a repository with controlled access where the risk of re-identification requires. File chemistry, manufacturing, and controls data from such a study in a Type II Drug Master File, kept confidential, with a letter of authorization issued to any applicant on request, without royalty and at a published fee not exceeding the cost of maintaining the file, on the same terms for every applicant. Let any person rely on both in an application or submission to the Food and Drug Administration as if holding a right of reference, with each funding agreement granting that right. Privately funded data are not reached and no trade secret is published. Traditional, ceremonial, or community-held knowledge, and culturally sensitive information about a community, its practices, or its genetic resources, is published only with that community's authority, as determined under its own governance and given with free, prior, and informed consent, and de-identification does not satisfy that condition. Federal Sec. 6(13).

CAOA as introduced contains no public-domain reference standard, no registry, no prior-art provision, and no Drug Master File pathway. It deschedules the plant, which makes cannabinoid patents enforceable against every operator at once, without building the record that would defeat them or limiting remedies against state-lawful operators.

Section 14. Economic justice and capital access

Retain the Opportunity Trust Fund under section 401 and the restorative-justice and community-reinvestment programs it funds under section 301, including the $1,650,000,000 Community Reinvestment Grant Program at part PP, the $550,000,000 Equitable Licensing Grant Program at section 301(b)(3), the $17,000,000 Cannabis Restorative Opportunity Program at section 301(b)(2) with its 5 percent Tribal set-aside, and the ten-year intermediary lending pilot at section 305, whose twenty-year terms, absence of fees and collateral, and two-year payment deferral are the instrument an operator without equity actually needs.

Retain and make operative the eligibility conditions at section 301(b)(1)(B) and (C), under which a State, locality, or Indian Tribe qualifies only if it has created an automatic, no-cost process to expunge, destroy, or seal cannabis records and has eliminated violations and penalties for people under supervision for a cannabis offense. Retain the four substantive licensing elements at section 301(b)(3)(A) through (D), in particular (D), which prohibits a cannabis license holder from suspicionless cannabis drug testing of prospective or current employees except for positions safety-sensitive under part 40 of title 49, Code of Federal Regulations, and which Section 12 of this package carries into federal law generally.

Retain the definition at section 301(b)(1)(E) of an individual adversely impacted by the War on Drugs, which keys to income below 250 percent of the federal poverty level for at least five of the past ten years together with a cannabis arrest or conviction, the person's own or that of a parent, sibling, spouse, or child. That is this framework's own criterion, written by CAOA's drafters, and it already carries three quarters of the restorative-justice appropriation. Retain in full the Small Business Administration access established by section 303, which bars declining service or credit on cannabis grounds across small business development centers, women's business centers, SCORE, veteran business outreach centers, the community navigators program, 7(a) loans and guarantees, disaster loans, microloans, small business investment company debentures, and state and local development company loans. That access is a genuine advance and this package does not disturb it.

Conform the remaining equity criteria to the definition CAOA already wrote. Three provisions key to "small business concern owned and controlled by socially and economically disadvantaged individuals," the Small Business Act term at section 8(d)(3)(C) whose racial presumption has faced constitutional challenge: the Cannabis Restorative Opportunity Program at section 301(b)(2), the intermediary lending pilot at section 305, and the expedited drug review at section 524C added by section 503. Conform each of them, and the reporting at section 301(b)(4), to section 301(b)(1)(E), so that eligibility and priority key on the harm prohibition caused. Conform section 306(b)(1), which directs the Administrator to reduce burdens and increase loan eligibility for "minority businesses," to the same definition. Add residence in a community disproportionately subjected to cannabis enforcement, and status as a legacy operator or small producer, as alternative qualifying harms alongside the arrest or conviction that section 301(b)(1)(E) requires, so that a person harmed by enforcement who was never arrested is reached. Make the sense of the Senate at section 305 on prioritizing individuals adversely impacted by the War on Drugs operative rather than advisory. Leave element (E) of section 301(b)(3) as the elective element it is, subject to Section 19 of this package. Relief then reaches those most harmed and the provisions hold up in court. A challenge to protected-class criteria strikes the provisions that do the repair, and CAOA's severability clause at section 805 saves the rest of the Act while

those provisions fall.

Extend the section 303 non-discrimination rule to lending by Community Development Financial Institutions. Section 704 appropriates to the CDFI Fund and to the Emergency Capital Investment Fund but does not bar such an institution from declining to lend to a cannabis business on cannabis grounds. Provide that a cannabis business lawful under CAOA, or under the law of the state in which it operates, is not denied a loan, guarantee, or program by such an institution on the basis of lawful cannabis activity.

Open federal contracting, procurement, and grants arising under CAOA, including within the medical infrastructure added under Section 10 of this package, to small and independent operators on equal terms. CAOA carries contracting authorities but no contracting or procurement access, preference, or set-aside provision for equity-eligible businesses, so a market treated as medicine would otherwise stay closed to the operators who built it.

Section 15. Market entry and the permit

Amend the Federal Alcohol Administration Act title added by section 511.

Retain section 302(a)(2)(A), under which a cannabis felony is disqualifying only where the conviction occurred after enactment and not more than three years before the application, so that a prior cannabis conviction is not a bar to a federal permit. Retain section 303, which directs a process for the lawful delivery to a permitted cannabis enterprise of hemp that inadvertently exceeded the allowable tetrahydrocannabinol equivalent amount. Retain section 305, which sets the penalty for unpermitted operation at a fine of not more than $1,000, compromisable at $500.

Amend section 302(d)(1)(B). Provide that the permit fee is scaled to the permittee's volume of production or sales rather than set to recover the full cost of federal cannabis regulation from permittees, and that the aggregate fee schedule, together with the excise under Section 9 of this package, does not impose on a small or independent permittee a burden that exceeds, as a share of revenue, the burden borne by the largest permittees.

Amend section 302(d)(2). Extend the fee waiver to a cooperative, a collective, a tribal enterprise, and a producer whose volume falls below the threshold set under Section 9, and provide that the waiver is not limited to a first-time applicant or to an individual who satisfies an income test.

Amend section 302(a)(2)(B). Provide that the review and recommendation on a waiver request is conducted by a body whose members hold no financial interest in a permittee or applicant, or, where the Cannabis Products Advisory Committee conducts the review, that a member recuses from a request made by an applicant who competes with that member or with an entity in which the member holds an interest, and that the confidentiality rule at section 802(d)(4)(A), as narrowed under Section 8 of this package, does not withhold from the applicant the basis of an adverse recommendation.

Amend section 304. Provide that the exclusive-outlet, tied-house, commercial-bribery, and consignment rules do not apply to a producer whose volume falls below the threshold set under Section 9, or to a cooperative or collective in its dealings with a retail outlet it owns or operates, and that the rules apply to a person holding an interest in operations at more than one tier without regard to the form of the arrangement. Tied-house rules police the relationship between separate tiers; applied without a small-producer exception they reach the small producer who assists a neighborhood retailer and do not reach the operator who owns every tier.

Amend section 304(a)(5)(A) and section 304(a)(6)(A). Those paragraphs authorize the Secretary to prohibit, irrespective of falsity, statements relating to manufacturing processes, analyses, guarantees, and scientific matters found likely to mislead the consumer. Provide that the authority does not reach a truthful and not misleading disclosure of a product's cannabinoid or terpene composition, the result of an analysis performed on the product, or the method by which the plant was cultivated or the product made. The disclosure Section 17 of this package requires cannot be suppressed as a scientific matter by the authority in the same section that requires it.

Amend section 5902(b)(2)(B) of the Internal Revenue Code of 1986, added by section 401, which excludes a personal-use grower from the definition of producer. Strike the requirement that the individual be solely involved in the planting, cultivation, and growing, and provide that the exception extends to the individual, members of the individual's household, a designated caregiver cultivating for a patient, and a patient for whom a designated caregiver cultivates. Strike the requirement that cultivation occur only in the individual's dwelling house or a shed, yard, or inclosure connected with it, and provide instead that cultivation occur at a location under the control of a person within the exception. Conform section 5911(a)(3), which ties the bonded-premises requirement to the same exception, and conform the exceptions under section 112, as amended by Section 11 of this package, so that a person within the personal-use exception is also outside the diversion offenses.

Section 16. Federal legality that does not stop at the state line

Amend the provisions that condition federal capacity on state authorization.

Amend subsection (gg)(2)(A) of section 3 of the Small Business Act, added by section 303(a), which defines a cannabis-related legitimate business as one engaging in cannabis activity pursuant to a law established by an Indian

tribe, a State, or a political subdivision of a State. Provide that a person holding a permit under the Federal Alcohol Administration Act title added by section 511, or operating within the personal-use or noncommercial acts, is a cannabis-related legitimate business without regard to whether the State in which the person is located has authorized cannabis activity.

Conform paragraph (11) of section 5318(g) of title 31, United States Code, added by section 702, and the uniform guidance and examination procedures under section 703, to that definition as amended.

Amend section 302(a)(1)(B) and section 302(d)(1)(A) of the Federal Alcohol Administration Act title added by section 511. Provide that a permit is not refused, conditioned, or revoked on the ground that the State in which the applicant or permittee resides has not authorized cannabis activity, and that the permit authorizes activity only to the extent the law of the State in which the activity occurs allows it. A State retains full authority to prohibit or restrict cannabis commerce within its borders, and that prohibition limits commerce in that State rather than stripping a person of capacity under federal law.

Three things are federal by nature and this section keeps them federal: a permit for an activity that federal law has made lawful, access to the federal banking system, and standing under federal tax law. CAOA deschedules nationally and gates each of them on a State's decision.

Section 17. The label, the age line, and the product rules

Amend chapter XI of the Federal Food, Drug, and Cosmetic Act, added by section 501, and the prohibited acts added by section 502(b)(6).

Retain section 1102(b), which provides that a food that is also a cannabis product is not adulterated under section 402(a)(2)(C)(i), and is not treated as a food to which a drug under substantial clinical investigation has been added for purposes of section 301(ll), solely on account of constituents made or derived from cannabis. Section 13 of this package states the general form of that rule. Retain section 1105(c), which requires good manufacturing practice including pesticide residue testing whether or not a tolerance has been established. Retain section 1110, which preserves state, tribal, and local authority to impose requirements in addition to or more stringent than the chapter's and imposes no ceiling. Retain section 506, which extends the Poison Prevention Packaging Act of 1970 to cannabis products, and provide that the special packaging requirement attaches to a product that intoxicates at its labeled dose.

Amend section 1103(2)(E), which requires only the amount of tetrahydrocannabinol in the product and in a serving. Require on every label the full cannabinoid profile, the terpene profile, and the total intoxicating cannabinoid equivalent at the labeled dose, each measured by a method the lead regulator prescribes by rule.

Amend section 1106(b)(1)(A) so that a cannabis product standard shall, rather than may, address cannabinoid yields considering the types of cannabinoids present and the interaction between the constituents of the product, and conform section 1103(2)(E) as amended to that standard, so that the authority to regulate by constituent interaction and the disclosure the label carries describe the same product.

Amend section 1103(8) and section 301(jjj)(1), which attach misbranding and prohibition to a cannabis product intended for or sold to a person under 21 years of age. Provide that the restriction applies to a cannabis product that intoxicates at its labeled dose, except as authorized for a minor patient by the patient's health care provider, and that a product that does not intoxicate at its labeled dose is not misbranded and its sale is not prohibited by reason of the purchaser's age. Retain section 1103(2)(G) on directions against use by children and section 1105(a)(2) on marketing and advertising to minors, both of which restrict conduct toward minors rather than classifying a product by the presence of a cannabinoid.

Amend section 301(jjj)(2), which prohibits the sale or distribution of more than 10 ounces of any cannabis product in a retail single transaction. Provide that the transaction limit is measured in total intoxicating cannabinoid equivalent rather than in gross product weight, and set by rule. A limit measured by product weight binds according to how much water and carrier a product contains.

Amend section 301(jjj)(3), which prohibits a cannabis product containing alcohol, caffeine, or nicotine. Retain the caffeine and nicotine prohibitions. Provide that the alcohol prohibition does not reach alcohol used as a solvent, carrier, or excipient in a product that is not represented as an alcoholic beverage, so that the tincture remains available.

Amend section 1109, which prohibits an electronic cannabis product delivery system from containing an artificial or natural flavor, other than cannabis, that is a characterizing flavor. Provide that a terpene or other volatile constituent native to the cannabis plant and present in the product as a consequence of the plant material used is not an added flavor for purposes of that section. The plant's own terpenes produce the flavors the section lists.

Amend section 505(b). Provide that a drug containing cannabis marketed under a State medical-use law may continue to be marketed pending the availability of the botanical-drug and Drug Master File pathway established under Section 13 of this package, and that the transition does not terminate on the refusal of an application filed

before that pathway is available. Conform the datum in section 505(b)(1), which runs three years from the date of enactment, to section 505(b)(2)(B), which runs the same three years from the effective date of the Act.

Section 18. Workers, banking, and enforcement

Amend section 601. The definitions of cannabis industry, employer in the cannabis industry, and worker in the cannabis industry each key to operations requiring a permit under section 301 of the Federal Alcohol Administration Act title, which does not reach retail. Define each term by reference to the activity, including the retail sale of cannabis products, so that the Harwood grant designation under section 603, the joint guidance under section 604, the research under section 605, and the worker-rights grants under section 606 reach the retail workforce. Section 604(b)(1) already directs the guidance to address hazards from cultivation to sale and resale, which the definition as drafted does not permit.

Amend section 605(a)(1) and section 605(b), which scope the research and the employer best practices to recreational cannabis. Extend both to cannabis used under a medical authorization, so that the employment question the framework answers at Section 12 of this package rests on published evidence.

Retain section 112(b)(2)(E), under which the Secretary shall not require a retailer to maintain records relating to individual purchasers of cannabis products for personal consumption, and section 112(b)(2)(D), which requires the size of a business to be taken into account. Extend the purchaser-privacy rule to every reporting and inventory requirement under the Act, including the registration and listing information published under section 1104, so that a purchase record is not created in one regime and disclosed through another. Provide that publication under section 1104(e) and section 1104(g)(3) discloses the registration and the establishment, and does not disclose the residence address of a registrant whose establishment is a dwelling.

Amend section 705(a). Extend the entitlement to the full and equal enjoyment of a financial institution's goods, services, facilities, privileges, and accommodations so that a person is not denied them on the ground that the person is a cannabis-related legitimate business or a cannabis-related service provider, or holds a permit under the Federal Alcohol Administration Act title added by section 511. Define financial institution for purposes of that section to reach a depository institution, a credit union, and an insurer in their deposit-taking, lending, and underwriting capacities, rather than by reference to section 803 of the Payment, Clearing, and Settlement Supervision Act of 2010, which is drawn for payment and settlement supervision.

Amend section 706, which provides that no institution may deny financial services to an applicant solely based on a prior conviction for a nonviolent cannabis offense. Define institution for purposes of that section as it is defined for section 705(a) as amended. Strike "solely based on" and insert "based in whole or in part on." Extend the remedy under section 705(b), including the private action, the allowance of attorney's fees, and the absence of an exhaustion requirement, to a violation of section 706.

Amend section 804, which appropriates $15,000,000 for each of fiscal years 2026 through 2030 for COPS hiring grants to combat illicit cannabis production and distribution and for enforcement training. Redirect the appropriation to licensed-market integrity: testing and laboratory capacity, product authentication, and investigation of unlicensed commercial production and distribution at the scale the diversion offenses under section 112, as amended by Section 11 of this package, reach. Provide that no grant under that section funds the enforcement of a cannabis offense against a person acting within the personal-use or noncommercial acts. Retain the education and technical-assistance program at section 804(n) and direct it to the impairment-based standards under Section 12 of this package.

Section 19. Tribes as co-sovereigns

Retain CAOA's tribal architecture entire. Section 3(3) defines Indian Tribe for the Act. Section 1110, added by section 501, preserves the authority of the government of an Indian Tribe to impose requirements on cannabis products in addition to or more stringent than the chapter's, with no ceiling, and preserves tribal product liability law. Section 112(b)(1)(B), section 1105(a)(4), and section 524C(d) each require good faith, meaningful, and timely consultation with Indian Tribes before the tracking-and-tracing, sale-and-distribution, and expedited-review rules issue. Section 112(b)(3)(A) bars an officer or employee of a State from exercising the records-inspection authority on Indian country without the express written consent of the Indian Tribe involved. Section 301(a)(1)(C) places a Tribal Relations Coordinator in the Cannabis Justice Office. Section 301(b)(2)(B) sets aside 5 percent of the Cannabis Restorative Opportunity Program for the jurisdiction of an eligible Indian Tribe. Section 301(b)(3) makes an eligible Indian Tribe a grantee on the same terms as a State. New section 3062(2) makes an Indian Tribe, a Tribal organization, and a Native Hawaiian-serving entity eligible entities for the Community Reinvestment Grant Program, naming the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs. Section 315 extends provider recommendations and opinions to Indian health programs. Section 524C(e)(2) and (3) reach an Indian Tribe, a Native Corporation under the Alaska Native Claims Settlement Act, and a Native Hawaiian-serving entity. Section 704(c)(1)(B) makes an Indian tribe an eligible grantee for the housing and community development grants. That is a more complete tribal architecture than any other federal cannabis vehicle carries.

Amend section 3(3). The definition keys to the list published most recently under section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 as of the date of enactment of the Act, which freezes the list at enactment. Key it instead to that list as in effect from time to time, so that a Tribe recognized, restored, or reaffirmed after enactment is within the consultation requirements, the section 1110 preservation of authority, the Indian country limit at section 112(b)(3)(A), and every grant and set-aside, rather than permanently outside them.

Amend section 302(a)(1)(B) and section 302(d)(1)(A) of the Federal Alcohol Administration Act title added by section 511, as those provisions are amended by Section 16 of this package, to provide that operations conducted within the jurisdiction of an Indian Tribe are governed by the law of that Tribe rather than by the law of the State within whose exterior boundaries the jurisdiction lies.

Provide that an Indian Tribe may administer the framework within its jurisdiction on a government-to-government basis, as Federal Section 5(10) provides, and that consultation under sections 112(b)(1)(B), 1105(a)(4), and 524C(d) is a floor rather than the whole of the relationship.

Sever clauses (ii) and (iii) of section 301(b)(3)(E) from clause (i). Because a grantee need adopt only four of the five elements at section 301(b)(3), a jurisdiction that declines element (E) drops the Tribal representative at clause (ii) and the oversight body at clause (iii) along with the composition requirement at clause (i). Make the Tribal seat and the oversight body requirements of the program rather than part of an elective element.

Section 20. Technical and conforming corrections

These are drafting defects rather than policy disagreements, and they are offered so that Legislative Counsel can correct them in the ordinary course.

Conform the three references to the Cannabis Products Advisory Committee. The Committee is established at section 802. Section 112(b)(6)(A) refers to the Committee established under section 1111 of the Federal Food, Drug, and Cosmetic Act, and the chapter XI added by section 501 ends at section 1110. Section 302(a)(2)(B) of the Federal Alcohol Administration Act title added by section 511 refers to the Committee established under section 602 of the Act, and section 602 is the finding regarding employers in the cannabis industry. The collision arises because CAOA's own Title III and the Federal Alcohol Administration Act title added by section 511 each run from section 301 to section 306.

Conform the three references to section 301(iii) of the Federal Food, Drug, and Cosmetic Act in section 504(e), section 504(f)(1), and section 504(f)(2). The paragraphs the Act adds to section 301 are (jjj), (kkk), and (lll) under section 502(b)(6) and (mmm) under section 504(d). There is no paragraph (iii). The intended reference is paragraph (mmm), the prohibition on introducing a product labeled as a dietary supplement that fails to meet the definition of a dietary supplement. As drafted, the import exclusion and the seizure authorities section 504 creates for a mislabeled cannabidiol supplement have no operative predicate.

Correct the parallel citation in section 701(b), which refers to section 804 of the Community Reinvestment Act of 1977 at 12 U.S.C. 2901. Section 804 of that Act is codified at 12 U.S.C. 2903. Section 2901 is section 802, the findings and purpose.

Correct the parentheticals in new subparagraph (C) of section 202(d)(2) of the Controlled Substances Act, added by section 101(a)(1)(B). As printed, the parenthetical beginning "as defined in section 201(tt)(1)" closes only at the end of the subparagraph, so the words "or hemp" and the hemp citation fall inside the parenthetical defining cannabis rather than standing as the second term of the exclusion. Close that parenthetical after the citation to 21 U.S.C. 321(tt)(1). The quoted matter also ends without a terminal period. The provision is the one sentence in the Act that removes the plant from the schedules, and it should read without ambiguity.

Conform the amendment made by section 804(a) to the current text of section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968. That section now runs through subsection (p). Section 804(a) redesignates subsections (m) and (n) as (q) and (r) and inserts the new subsections after subsection (l), which places the new matter out of sequence and moves two existing programs, the anti-heroin task force program and the report on COPS in Indian country, to new letters without conforming any cross-reference to them elsewhere in law. Add the new subsections at the end as (q) and (r) instead, and leave the existing subsections undisturbed.

Insert "to" after "with respect" in section 5911(a)(3) of the Internal Revenue Code of 1986, added by section 401.

Note for the drafters, carried from Section 11 of this package rather than repeated here: section 311(c) conditions the aggravating-role carve-out on a finding by a district court conducting the sentencing review, and section 311 establishes no sentencing review.

Section 21. Congruence and transition

This package is the standalone Federal Whole Plant Act expressed as amendments to CAOA, and is to be read as congruent with that bill. The standalone bill is the source of truth.

Existing state licenses, registrations, and approvals remain valid, and no operator re-qualifies from zero. A conformance window aligns products and operators to the unified standards without stranding good-faith compliance, and the public-domain record is built in parallel with descheduling.