

- (1) the year of the decision;
- (2) the name of the court (which may be abbreviated);
- (3) a sequential decision number assigned by the court for that year; and
- (4) paragraph numbers for purposes of pinpoint citation.

(b) Requirement.—Each court of the United States shall assign a neutral citation to every precedential opinion and order.

(c) Official publication.—Each court of the United States shall publish every precedential opinion and order in an official digital format that—

- (1) includes the neutral citation and paragraph numbering required under this section;
- (2) is made available to the public without charge; and
- (3) is accessible in a machine-readable and nonproprietary format.

(d) Citation sufficiency.—A neutral citation assigned pursuant to this section shall be deemed a sufficient citation for all purposes in the courts of the United States.

(e) Rules.—The Judicial Conference of the United States shall promulgate rules to implement this section not later than December 31, 2027.

Subtitle D—The Weldon Angelos Prosecutorial Reform Act

PART I—PROSECUTORIAL FAIRNESS AND ASSET FORFEITURE REFORM

SEC. 161. PROHIBITING PUNISHMENT OF ACQUITTED CONDUCT.

(a) Use of information for sentencing.—

(1) Amendment.—[Section 3661 of title 18](#), United States Code, is amended by inserting ", except that a court of the United States shall not consider, except for purposes of mitigating a sentence, acquitted conduct under this section" before the period at the end.

(2) Applicability.—The amendment made by paragraph (1) shall apply only to a judgment entered after July 4, 2026.

(b) Definitions.—[Section 3673 of title 18](#), United States Code, is amended—

- (1) in the matter preceding paragraph (1), by striking "As" and inserting "(a) As"; and
- (2) by adding at the end the following:

"(b) As used in this chapter, the term 'acquitted conduct' means—

"(1) an act—

"(A) for which a person was criminally charged and with regard to which—

"(i) that person was adjudicated not guilty after trial in a Federal, State, or Tribal court; or

"(ii) any favorable disposition to the person in any prior charge was made, regardless of whether the disposition was pretrial, at trial, or post trial; or

"(B) in the case of a juvenile, that was charged and for which the juvenile was found not responsible after a juvenile adjudication hearing; or

"(2) any act underlying a criminal charge or juvenile information dismissed—

"(A) in a Federal court upon a motion for acquittal under rule 29 of the Federal Rules of Criminal Procedure; or

"(B) in a State or Tribal court upon a motion for acquittal or an analogous motion under the applicable State or Tribal rule of criminal procedure."

SEC. 162. CLARIFYING CERTAIN OFFENSES RELATED TO ESPIONAGE.

(a) Gathering, transmitting, or losing defense information.—[Section 793 of title 18](#), United States Code, is amended—

(1) in subsection (a), by striking "with intent or reason to believe" and inserting "with specific intent";

(2) in subsection (b)—

(A) by striking "or reason to believe"; and

(B) by inserting "that has been properly classified that is" after "of anything";

(3) in subsection (c)—

(A) by inserting "that has been properly classified that is" after "of anything"; and

(B) by striking "he" and inserting "such person"; and

(4) in subsections (d) and (e), by inserting after "willfully" each place it appears the following: ", and with specific intent to injure the United States or advantage any foreign nation,".

(b) Disclosure of classified information.—[Section 798\(a\) of title 18](#), United States Code, is amended by inserting after "knowingly and willfully" the following: ", and with specific intent to injure the United States or advantage any foreign nation,".

(c) Authority to disclose information.—[Section 798\(c\) of title 18](#), United States Code, is amended by striking "furnishing," and all that follows and inserting the following: "furnishing of information to—

"(1) any Member of the Senate or the House of Representatives;

"(2) a Federal court, in accordance with such procedures as the court may establish;

"(3) the inspector general of an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 ([50 U.S.C. 3003](#))), including the Inspector General of the Intelligence Community;

"(4) the Chair or a member of the Privacy and Civil Liberties Oversight Board or any employee of the Board designated by the Board, in accordance with such procedures as the Board may establish;

"(5) the Chair or a commissioner of the Federal Trade Commission or any employee of the Commission designated by the Commission, in accordance with such procedures as the Commission may establish;

"(6) the Chair or a commissioner of the Federal Communications Commission or any employee of the Commission designated by the Commission, in accordance with such procedures as the Commission may establish; or

"(7) any other person or entity authorized to receive disclosures containing classified information pursuant to any applicable law, regulation, or executive order regarding the protection of whistleblowers.".

(d) Testimony of purpose.—

(1) In general.—[Chapter 37 of title 18](#), United States Code, is amended by adding at the end the following:

"Sec. 799A. Testimony of purpose.

"A defendant charged with an offense under section 793 or 798 shall be permitted to testify about their purpose for engaging in the prohibited conduct.

"Sec. 799B. Affirmative defense.

"It is an affirmative defense to a charge under section 793 or 798 that the defendant engaged in the prohibited conduct for the purpose of disclosing to the public—

"(1) any violation of any law, rule, or regulation; or

"(2) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.".

(2) Clerical amendment.—The table of sections for [chapter 37 of title 18](#), United States Code, is amended by adding at the end the following:

"799A. Testimony of purpose.

"799B. Affirmative defense.".

SEC. 163. ENDING FEDERAL CIVIL ASSET FORFEITURE.

(a) General rules for civil forfeiture proceedings.—[Section 981 of title 18](#), United States Code, is repealed and reenacted to read as follows—

"Sec. 981. Prohibiting civil forfeiture.

"No person shall be required, under the laws of the United States, to forfeit to the United States any property, real or personal, pursuant to a civil forfeiture proceeding, including a nonjudicial civil forfeiture proceeding."

(b) Repeal of outdated provisions.—Sections [983-987 of title 18](#), United States Code, are repealed.

(c) Rule of construction.—This section shall apply with respect to forfeiture proceedings pending on or after July 4, 2026.

(d) Conforming amendments.—The table of sections for [chapter 46 of title 18](#), United States Code, is amended—

(1) by amending the item related to section 981 to read as follows:

"981. Prohibiting civil forfeiture."; and

(2) by striking the items related to sections 983 through 987.

SEC. 164. RESTRICTING STATE CIVIL ASSET FORFEITURE.

(a) Findings.—Congress finds the following:

(1) State civil asset forfeiture proceedings permit the deprivation of property under color of State law without requiring a criminal conviction of the property owner.

(2) Modern civil asset forfeiture proceedings are punitive in purpose or effect and implicate rights secured by the Due Process Clause of the Fourteenth Amendment.

(3) Financial incentives associated with civil asset forfeiture and the absence of the procedural protections afforded to criminal defendants have resulted in repeated deprivations of property without adequate due process of law.

(4) The minimum procedures and remedies established by this section are necessary and appropriate legislation to enforce the Fourteenth Amendment.

(b) Constitutional authority.—Congress enacts this section pursuant to section 5 of the Fourteenth Amendment to the Constitution of the United States.

(c) In general.—Property owned by a person may be forfeited to a State pursuant to a civil proceeding only after—

(1) criminal conviction of such person for violation of State criminal law; or

(2) a civil proceeding in which—

(A) the State proves that the person who owns the property has committed the offense giving rise to forfeiture; and

(B) the person who owns such property is entitled to all protections applicable to criminal defendants under the Constitution, including a trial by jury and the ability to be represented by counsel.

(d) Civil action.—

(1) In general.—A person aggrieved by a violation of subsection (c) may bring a civil action against the State or a responsible State officer in an appropriate district court of the United States.

(2) Relief.—In an action under paragraph (1), the court may award—

(A) declaratory or injunctive relief;

(B) return of the forfeited property or, if return is impossible, payment of the fair market value of the property; and

(C) reasonable attorney's fees and costs.

(3) State officers.—Nothing in this subsection shall limit an action against a State officer for prospective declaratory or injunctive relief.

(e) Abrogation of sovereign immunity.—A State shall not be immune under the Eleventh Amendment to the Constitution of the United States or any other doctrine of sovereign immunity from an action in Federal or State court for a violation of this section.

(f) Applicability.—This section shall apply with respect to forfeiture proceedings occurring or pending on or after enactment.

PART II—DE-ESCALATING THE WAR ON DRUGS

SEC. 171. FINDINGS AND SENSE OF CONGRESS.

(a) Findings.—Congress finds the following:

(1) During the 50 years since Congress' enactment of the Controlled Substances Act ([21 U.S.C. 801 et seq.](#)), which authorized and launched the harsh drug war policies sought by the Nixon Administration, the United States adopted increasingly punitive policies toward the possession, use, and distribution of drugs. The United States has built a massive regime to enforce those policies.

(2) Congress and State legislatures have passed increasingly harsh sentencing schemes such as mandatory minimums, established far-reaching and oppressive civil sanctions and collateral consequences, approved policies weakening the Fourth Amendment for drug searches and seizures, and fostered incentives for aggressive and militarized policing in the alleged pursuit of drugs.

(3) Every year, there are more than 1.4 million arrests in the United States for drug-related offenses. In over 85 percent of those arrests, drug possession was the most serious offense. Drug arrests disproportionately impact people of color and more commonly occur in historically overpoliced, low-income communities. A criminal record, even for an arrest that did not result in a conviction, may have a profound impact on individuals, often interrupting employment, housing, family relationships, child custody, and education.

(4) A health-based approach to drug use and overdose is more effective, humane and cost-effective than criminal punishments. Subjecting people to criminal penalties, stigma, and

other lasting collateral consequences because they use drugs is expensive, ruins lives, and can make access to treatment and recovery more difficult.

(5) Despite high numbers of arrests and incarceration in the United States for drug possession, the number and rate of drug-involved overdose deaths has skyrocketed for over 20 years and continues at epidemic levels. In the first year of the pandemic, 100,000 people died by drug overdose in the United States.

(6) Harm reduction services and voluntary, on-demand access to evidence-based substance use disorder treatment have proven highly effective in reducing overdose and the spread of communicable diseases like HIV and Hepatitis C, preventing drug-related injury, and improving health outcomes for people who use drugs. These services should be available on demand to anyone who requests it.

(7) Far too many people who desire treatment face challenges that prevent them from accessing the services they want, including cost barriers, lack of providers, and long waiting lists. On-demand access to evidence-based treatment saves lives, reduces crime, and saves money.

(8) Criminalizing drug use and possession reduces the amount of resources available for harm reduction and treatment services and deters people from accessing available services due to fear of arrest.

(9) Punitive policies have achieved no reduction in supplies or prices, but instead have created unnecessarily risky and harmful conditions for people who use drugs.

(10) Punitive policies have led to militarized tactics that thwart the spirit of the Constitution and have led to the deaths of innocent civilians. Additionally, the drug war apparatus has cost the Federal Government hundreds of billions of dollars in direct enforcement and incarceration costs.

(11) While winding down the war on drugs cannot fully repair our broken and oppressive criminal legal system or the harms from 50 years of the war on drugs, it will help restore individual liberty, protect against some police abuses, better assist those in need, and reduce spending.

(b) Sense of Congress.—It is the sense of the Congress that—

(1) drug prohibition has failed just as alcohol prohibition did, and it is time to begin moving the country in a new direction; and

(2) such change is required to advance justice, which the Preamble to the Constitution requires be established by the people of the United States.

SEC. 172. WITHDRAWAL FROM UNITED NATIONS DRUG CONTROL TREATIES.

(a) Denunciation of drug control conventions.—Pursuant to the applicable denunciation provisions of the following international agreements, the President shall, not later than 30 days after the date of enactment of this Act, deposit with the Secretary-General of the United Nations written notification that the United States, in consultation with the Congress, denounces each such agreement:

(1) [The Single Convention on Narcotic Drugs](#), done at New York March 30, 1961, pursuant to Article 46 thereof.

(2) [The Convention on Psychotropic Substances](#), done at Vienna February 21, 1971, pursuant to Article 29 thereof.

(3) [The United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances](#), done at Vienna December 20, 1988, pursuant to Article 30 thereof.

SEC. 173. FEDERAL DECRIMINALIZATION OF PERSONAL DRUG POSSESSION.

(a) Personal drug possession.—Section 404 of the Controlled Substances Act ([21 U.S.C. 844](#)) is amended by striking everything after "Postal Service." and inserting the following: "Any person who violates this subsection shall be subject to a civil penalty of not more than \$100, which may be imposed in the discretion of the Attorney General, except in the case of a first violation of this subsection, the Attorney General may issue a written warning in lieu of imposing a civil penalty.

"(b) A violation of this section shall not constitute a criminal offense. No person shall be arrested, detained, or taken into custody solely for such violation.

"(c) A violation of this section shall not be treated as a conviction for purposes of any Federal law, including—

"(1) for purposes of immigration status;

"(2) for eligibility for Federal benefits, including but not limited to: housing, employment, education, and licensing; or

"(3) any other collateral consequence under Federal law."

(b) Repeal of civil penalty provision.—[Section 844a of title 21](#), United States Code, is repealed.

SEC. 174. DE-ESCALATING THE FEDERAL DRUG WAR.

(a) Reduction of authorized terms of imprisonment.—

(1) In general.—Notwithstanding any other provision of the Comprehensive Drug Abuse Prevention and Control Act of 1970, or any amendment made by such Act, as previously amended by this Act, each provision of such Act that authorizes a maximum term of imprisonment or penalty shall be deemed amended as follows:

(A) If the otherwise applicable maximum term of imprisonment is 5 years or less, the maximum term shall be one-half of the otherwise applicable maximum term.

(B) If the otherwise applicable maximum term is more than 5 years but not more than 10 years, the maximum term shall be 4 years.

(C) If the otherwise applicable maximum term is more than 10 years but not more than 20 years, the maximum term shall be 7 years.

(D) If the otherwise applicable maximum term is more than 20 years but not more than 30 years, the maximum term shall be 10 years.

(E) If the otherwise applicable maximum term is more than 30 years but not more than 40 years, the maximum term shall be 14 years.

(F) If the otherwise applicable maximum term is more than 40 years or is life imprisonment, whether mandatory or discretionary, the maximum term shall be 17 years.

(G) Any provision authorizing the imposition of the death penalty shall be deemed to refer instead to a term of imprisonment of not more than 21 years.

(2) Continuing criminal enterprise.—Notwithstanding section 408 of such Act ([21 U.S.C. 848](#)), the maximum term of imprisonment for any offense described in such section, including any offense committed by a principal administrator, organizer, or leader, shall be not more than 21 years.

(3) Attempts and conspiracies.—Sections [406](#) and [1013](#) of such Act shall apply to offenses as amended by this section, and no greater term of imprisonment may be imposed for an attempt or conspiracy than the maximum term authorized for the offense that was the object of such attempt or conspiracy as reduced by this section.

(4) Second or subsequent offenses.—Any provision of such Act that increases a term of imprisonment based on a prior conviction shall apply only to the maximum term of imprisonment as reduced by this section.

(5) Rule of construction.—Nothing in this section shall be construed to require the imposition of any term of imprisonment, to limit the availability of probation or supervised release, or to restrict the authority of a court to impose a sentence below the maximum term authorized by this section.

(b) Repealing other drug war provisions.—

(1) Repealing outdated findings.—[Subchapter I](#) of chapter 16 of title 21, United States Code, is repealed.

(2) Repealing ONDCP.—[Subchapter I](#) of chapter 20 of title 21, United States Code, is repealed.

(3) Repealing outdated findings.—[Section 1521 of title 21](#), United States Code, is repealed.

(4) Repealing State mandate.—[Section 159 of title 23](#), United States Code, is repealed.

(5) Repealing no probation policy.—[Section 848\(d\) of title 21](#), United States Code, is repealed.

(c) Restoring nutrition assistance after drug convictions.—

(1) Assistance and benefits for certain drug-related convictions.—Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ([21 U.S.C. 862a](#)) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking "for—" and all that follows through the period at the end of paragraph (2) and inserting "for assistance

under any State program funded under part A of title IV of the Social Security Act ([42 U.S.C. 601 et seq.](#)).";

(B) in subsection (b)—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows through "The amount of" in paragraph (1) and inserting the following:

"(b) Program of temporary assistance for needy families.—The amount of"; and

(iii) by inserting "[\(42 U.S.C. 601 et seq.\)](#)" after "Social Security Act"; and

(C) by striking subsection (e) and inserting the following:

"(e) Definition of State.—In this section, the term 'State' has the meaning given the term in section 419 of the Social Security Act ([42 U.S.C. 619](#)), when referring to assistance provided under a State program funded under part A of title IV of the Social Security Act ([42 U.S.C. 601 et seq.](#))."

(2) Effect on State policies.—Any State law, policy, or regulation that imposes conditions on eligibility for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 ([7 U.S.C. 2011 et seq.](#)) based on an individual having a conviction for an offense related to a controlled substance shall have no force or effect.

(3) Modification of definition of household under SNAP.—Section 3(m)(5) of the Food and Nutrition Act of 2008 ([7 U.S.C. 2012\(m\)\(5\)](#)) is amended by adding at the end the following:

"(F) Incarcerated individuals who are scheduled to be released from an institution within 30 days."

(d) Elimination of crack cocaine disparity and automatic relief.—

(1) Disparities repealed.—

(A) The following provisions of the Controlled Substances Act ([21 U.S.C. 801 et seq.](#)) are repealed:

(i) Clause (iii) of section 401(b)(1)(A) ([21 U.S.C. 841\(b\)\(1\)\(A\)](#)).

(ii) Clause (iii) of section 401(b)(1)(B) ([21 U.S.C. 841\(b\)\(1\)\(B\)](#)).

(B) The following provisions of the Controlled Substances Import and Export Act ([21 U.S.C. 951 et seq.](#)) are repealed:

(i) Subparagraph (C) of section 1010(b)(1) ([21 U.S.C. 960\(b\)\(1\)](#)).

(ii) Subparagraph (C) of section 1010(b)(2) ([21 U.S.C. 960\(b\)\(2\)](#)).

(2) Applicability to pending cases.—The amendments made by paragraph (1) shall apply to any sentence imposed on or after July 4, 2026, regardless of when the offense was committed.

(3) Automatic retroactive sentence recalculation.—

(A) In general.—The amendments made by paragraph (1) shall apply by operation of law to the sentence of each defendant who, before July 4, 2026, was sentenced for a Federal offense involving cocaine base. Notwithstanding any other provision of law, the Bureau of Prisons shall, not later than January 1, 2027, perform the ministerial recalculation of each such term of imprisonment by treating any reference to cocaine base as a reference to cocaine for purposes of revising the applicable penalty.

(B) Release.—If the term of imprisonment recalculated under subparagraph (A) is less than the term of imprisonment the defendant has already served, the Bureau of Prisons shall release the defendant as soon as practicable.

(C) Supervised release.—In the case of any defendant subject to a term of supervised release for an offense involving cocaine base, the sentencing court shall modify the term of supervised release to reflect an underlying sentence recalculated by treating any reference to cocaine base as a reference to cocaine.

(D) Disputes.—The sentencing court shall have jurisdiction to resolve any dispute concerning a recalculation under subparagraph (A) and to enter any order necessary to conform the judgment to the sentence as modified by operation of law.

SEC. 175. LEGALIZING MARIJUANA AND AUTOMATIC RETROACTIVE RELIEF.

(a) Marijuana legalized.—Federal prohibitions on marijuana are amended or repealed as follows:

(1) Schedule I removal.—Subsection (c) of schedule I of section 202(c) of the Controlled Substances Act ([21 U.S.C. 812\(c\)](#)) is amended—

(A) by striking "(10) Marihuana."; and

(B) by striking "(17) Tetrahydrocannabinols, except for tetrahydrocannabinols in hemp (as defined under section 297A of the Agricultural Marketing Act of 1946).".

(2) Controlled Substances Act conforming amendments.—The Controlled Substances Act ([21 U.S.C. 801 et seq.](#)) is amended—

(A) in section 102(44) ([21 U.S.C. 802\(44\)](#)), by striking "marihuana,";

(B) in section 401(b) ([21 U.S.C. 841\(b\)](#))—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) in clause (vi), by inserting "or" after the semicolon;

(bb) by striking clause (vii); and

(cc) by redesignating clause (viii) as clause (vii);

(II) in subparagraph (B)—

(aa) in clause (vi), by inserting "or" after the semicolon;

(bb) by striking clause (vii); and

(cc) by redesignating clause (viii) as clause (vii);

(III) in subparagraph (C), in the first sentence, by striking "subparagraphs (A), (B), and (D)" and inserting "subparagraphs (A) and (B)";

(IV) by striking subparagraph (D);

(V) by redesignating subparagraph (E) as subparagraph (D); and

(VI) in subparagraph (D)(i), as so redesignated, by striking "subparagraphs (C) and (D)" and inserting "subparagraph (C)";

(ii) by striking paragraph (4); and

(iii) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively;

(C) in section 402(c)(2)(B) ([21 U.S.C. 842\(c\)\(2\)\(B\)](#)), by striking ", marihuana,";

(D) in section 403(d)(1) ([21 U.S.C. 843\(d\)\(1\)](#)), by striking ", marihuana,";

(E) in section 418(a) ([21 U.S.C. 859\(a\)](#)), by striking the last sentence;

(F) in section 419(a) ([21 U.S.C. 860\(a\)](#)), by striking the last sentence;

(G) in section 422(d) ([21 U.S.C. 863\(d\)](#))—

(i) in the matter preceding paragraph (1), by striking "marijuana,"; and

(ii) in paragraph (5), by striking ", such as a marihuana cigarette,"; and

(H) in section 516(d) ([21 U.S.C. 886\(d\)](#)), by striking "section 401(b)(6)" each place the term appears and inserting "section 401(b)(5)".

(3) Controlled Substances Import and Export Act conforming amendments.—The Controlled Substances Import and Export Act ([21 U.S.C. 951 et seq.](#)) is amended—

(A) in section 1010(b)(1) ([21 U.S.C. 960\(b\)\(1\)](#))—

(i) in subparagraph (F), by striking the semicolon at the end and inserting "; or";

(ii) by striking subparagraph (G);

(iii) by redesignating subparagraph (H) as subparagraph (G); and

(iv) in subparagraph (G), as redesignated, by striking the period at the end and inserting a colon;

(B) in section 1010(b)(2) ([21 U.S.C. 960\(b\)\(2\)](#))—

(i) in subparagraph (F), by striking the semicolon at the end and inserting "; or";

(ii) by striking subparagraph (G);

(iii) by redesignating subparagraph (H) as subparagraph (G); and

(iv) in subparagraph (G), as redesignated, by striking the period at the end and inserting a colon; and

(C) by striking section 1010(b)(4) ([21 U.S.C. 960\(b\)\(4\)](#)).

(b) Applicability to pending cases.—The amendments made by subsection (a) shall apply to any sentence imposed on or after the date of enactment of this Act, regardless of when the offense was committed.

(c) No denial of Federal public benefits on the basis of marijuana.—

(1) In general.—No person may be denied any Federal public benefit (as such term is defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ([8 U.S.C. 1611\(c\)](#))) on the basis of any use or possession of marijuana, or on the basis of a conviction or adjudication of juvenile delinquency for a marijuana offense, by that person.

(2) Security clearances.—Federal agencies may not use past or present marijuana use as criteria for granting, denying, or rescinding a security clearance.

(d) Immigration consequences.—

(1) In general.—For purposes of the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act ([8 U.S.C. 1101](#))), marijuana may not be considered a controlled substance, and an alien may not be denied any benefit or protection under the immigration laws based on any event, including conduct, a finding, an admission, addiction or abuse, an arrest, a juvenile adjudication, or a conviction, relating to the possession or use of marijuana that is no longer prohibited pursuant to this title or an amendment made by this subtitle, regardless of whether the event occurred before, on, or after the effective date of this section.

(2) Conforming amendments.—The Immigration and Nationality Act ([8 U.S.C. 1101 et seq.](#)) is amended—

(A) in section 212(h), by striking "and subparagraph (A)(i)(II) of such subsection insofar as it relates to a single offense of simple possession of 30 grams or less of marijuana";

(B) in section 237(a)(2)(B)(i), by striking "other than a single offense involving possession for one's own use of 30 grams or less of marijuana";

(C) in section 101(f)(3), by striking "(except as such paragraph relates to a single offense of simple possession of 30 grams or less of marihuana)";

(D) in section 244(c)(2)(A)(iii)(II), by striking "except for so much of such paragraph as relates to a single offense of simple possession of 30 grams or less of marijuana";

(E) in section 245(h)(2)(B), by striking "(except for so much of such paragraph as related to a single offense of simple possession of 30 grams or less of marijuana)";

(F) in section 210(c)(2)(B)(ii)(III), by striking ", except for so much of such paragraph as relates to a single offense of simple possession of 30 grams or less of marihuana"; and

(G) in section 245A(d)(2)(B)(ii)(II), by striking ", except for so much of such paragraph as relates to a single offense of simple possession of 30 grams or less of marihuana".

(e) Automatic retroactive sentence recalculation.—

(1) In general.—The changes made by this section shall apply by operation of law to the sentence of each defendant who, before the date of enactment of this Act, was sentenced for a Federal offense involving marijuana. Notwithstanding any other provision of law, the Bureau of Prisons shall, not later than January 1, 2027, perform the ministerial recalculation of each such term of imprisonment under the changes made by this section.

(2) Release.—If the term of imprisonment recalculated under paragraph (1) is less than the term of imprisonment the defendant has already served, the Bureau of Prisons shall release the defendant as soon as practicable.

(3) Supervised release.—In the case of any defendant subject to a term of supervised release for an offense involving marijuana, the sentencing court shall modify the term of supervised release to reflect the changes made by this section.

(4) Disputes.—The sentencing court shall have jurisdiction to resolve any dispute concerning a recalculation under paragraph (1) and to enter any order necessary to conform the judgment to the sentence as modified by operation of law.

(f) Expungement of drug offense convictions for individuals not under a criminal justice sentence.—

(1) In general.—Not later than December 31, 2027, each Federal district court shall conduct a comprehensive review and issue an order expunging each adjudication of juvenile delinquency or conviction for a marijuana offense entered by a Federal court in the district on or after May 1, 1971, and before the date of enactment of this Act, if the individual subject to the adjudication or conviction is not under a criminal justice sentence on the date the order is issued. Each Federal court shall also issue an order expunging any arrests associated with each expunged adjudication of juvenile delinquency or conviction.

(2) Notification.—To the extent practicable, each Federal district court shall notify each individual whose arrest, conviction, or adjudication of delinquency has been expunged pursuant to this subsection that their arrest, conviction, or adjudication of juvenile delinquency has been expunged, and the effect of such expungement.

(3) Petitioning the court for expungement.—At any point after the date of enactment of this Act, any individual with a prior adjudication of juvenile delinquency or conviction for a marijuana offense, who is not under a criminal justice sentence, may file a motion for expungement. If the expungement of such an adjudication of juvenile delinquency or conviction is required under this subtitle, the court shall expunge the adjudication or conviction, and any associated arrests. If the individual is indigent, counsel shall be appointed to represent the individual in any proceedings under this subsection.

(4) Sealed record.—The court shall seal all records related to an adjudication of juvenile delinquency or conviction that has been expunged under this subsection. Such records may only be made available by further order of the court.

(g) Effect of expungement.—An individual who has had an arrest, a conviction, or juvenile delinquency adjudication expunged under this section—

(1) may treat the arrest, conviction, or adjudication as if it never occurred; and

(2) shall be immune from any civil or criminal penalties related to perjury, false swearing, or false statements, for a failure to disclose such arrest, conviction, or adjudication.

SEC. 176. SAFE HARBOR FOR MARIJUANA-RELATED FINANCIAL SERVICES.

(a) Definitions.—In this section:

(1) Appropriate Federal banking agency.—The term "appropriate Federal banking agency" has the meaning given the term in section 3(q) of the Federal Deposit Insurance Act ([12 U.S.C. 1813\(q\)](#)).

(2) Depository institution.—The term "depository institution" has the meaning given the term in section 3(c) of the Federal Deposit Insurance Act ([12 U.S.C. 1813\(c\)](#)) and includes a Federal credit union and a State credit union (as defined in section 101 of the Federal Credit Union Act ([12 U.S.C. 1752](#))).

(3) Federal banking regulator.—The term "Federal banking regulator" means the Board of Governors of the Federal Reserve System, the Bureau of Consumer Financial Protection, the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency, the Office of the Comptroller of the Currency, the National Credit Union Administration, and the Department of the Treasury (including the Financial Crimes Enforcement Network and the Office of Foreign Assets Control).

(4) Federally backed mortgage loan.—The term "federally backed mortgage loan" means a loan secured by a first or subordinate lien on residential real property, including individual units of condominiums and cooperatives, designed principally for the occupancy of 1 to 4 families, that is insured, guaranteed, made, purchased, or securitized by the Federal Housing Administration, the Department of Veterans Affairs, the Department of Agriculture, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation.

(5) Financial service.—The term "financial service" includes any financial product (including insurance) or service and any act by a person (directly or indirectly, and by any means) to authorize, process, clear, settle, bill, transfer for deposit, transmit, deliver, instruct to be delivered, reconcile, collect, or otherwise effectuate or facilitate the payment, transfer, or custody of funds or monetary instruments.

(6) Marijuana.—The term "marijuana" has the meaning given the term "marihuana" in section 102 of the Controlled Substances Act ([21 U.S.C. 802](#)), as in effect on the day before the date of enactment of this Act.

(7) Marijuana-related business.—The term "marijuana-related business" means—

(A) a person that engages in the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, purchase, or other commercial handling of marijuana or marijuana products in compliance with the law of the State, Indian Tribe, or political subdivision of a State having jurisdiction over such activity; or

(B) a person that sells goods or services to a person described in subparagraph (A), including the sale or lease of real or other property, legal or other licensed services, accounting services, payroll services, security services, and other ancillary services.

(b) Safe harbor for depository institutions.—

(1) In general.—A Federal banking regulator may not terminate or limit deposit insurance or share insurance, prohibit, penalize, or otherwise discourage a depository institution from providing a financial service, recommend or encourage a depository institution not to offer financial services, take an adverse or corrective supervisory action, or otherwise take any adverse action against a depository institution solely because the depository institution provides or has provided a financial service to a marijuana-related business.

(2) De novo applicants.—Paragraph (1) shall apply to an institution applying for a depository institution charter to the same extent as such paragraph applies to a depository institution.

(3) No requirement to serve.—Nothing in this section shall be construed to require a depository institution or any other person to provide a financial service to a marijuana-related business.

(c) Proceeds and money laundering; forfeiture protections.—

(1) Proceeds not unlawful solely due to marijuana activity.—For purposes of [sections 1956 and 1957 of title 18](#), United States Code, and any other provision of Federal law relating to proceeds of specified unlawful activity, the proceeds derived from marijuana-related activity of a marijuana-related business shall not be considered proceeds of an unlawful activity solely because the transaction involves such proceeds.

(2) Protections from liability.—A depository institution, and any officer, director, employee, or agent of a depository institution, may not be held liable under any Federal law or regulation solely for providing a financial service to a marijuana-related business, or for further investing any income derived from such a financial service.

(3) Collateral interests; forfeiture.—A depository institution that has a legal interest in collateral for a loan or other financial service provided to a marijuana-related business, or to an owner or operator of real estate or equipment leased to or sold to a marijuana-related business, shall not be subject to criminal, civil, or administrative forfeiture of that legal interest under Federal law solely because the loan or financial service was provided, except that the term "collateral" shall not include marijuana or a marijuana product.

(d) Deposit account termination requests and orders.—

(1) Written determination required.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate, downgrade, restrict, or discourage a specific customer account or group of customer accounts solely because the

customer is a marijuana-related business, unless the agency has made a written determination that the depository institution is engaging in an unsafe or unsound practice or is violating a rule, law, regulation, or order with respect to the relationship of the depository institution with the customer.

(2) Prohibition on reputational-risk-only justifications.—A request or order under paragraph (1) may not be based primarily on reputational risk.

(3) Notice to institution; customer notice.—If an appropriate Federal banking agency makes a request or order described in paragraph (1), the agency shall provide the request or order to the institution in writing and include a written justification identifying the legal or regulatory basis for the request or order; and, except as otherwise prohibited by law, the depository institution shall provide the affected customer with notice of the justification for the termination, downgrade, restriction, or discouragement.

(e) Mortgage eligibility; treatment of income.—

(1) Income treated as legal income.—Income derived from a marijuana-related business shall be considered in the same manner as any other legal income for purposes of determining eligibility for a federally backed mortgage loan for a 1- to 4-unit property that is the principal residence of the mortgagor.

(2) Liability limitation.—A mortgagee or servicer of a federally backed mortgage loan, and any Federal agency, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation, may not be held liable under any Federal law or regulation solely for providing, insuring, guaranteeing, purchasing, or securitizing a mortgage to an otherwise qualified borrower on the basis of the income described in paragraph (1), or for accepting such income as payment on such mortgage loan.

(3) Implementation.—Not later than 180 days after the date of enactment of this Act, each Federal entity described in paragraph (2) shall implement this subsection by guidance, notice, handbook update, seller-servicer guide update, or comparable public instruction, as applicable to such entity's mortgage programs.

SEC. 177. RETAIL EXCISE TAX, IMPLEMENTATION, AND PRODUCT STANDARDS FOR MARIJUANA PRODUCTS.

(a) In general.—[Chapter 31 of subtitle D](#) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

"Subchapter D—Retail Excise Tax on Marijuana Products.

"SEC. 4056. Definitions.

"SEC. 4057. Imposition of tax.

"SEC. 4058. Exemptions.

"SEC. 4059. State authority preserved.

"Sec. 4056. Definitions.

"(a) In general.—In this subchapter:

"(1) Marijuana.—The term 'marijuana' has the meaning given the term 'marihuana' in section 102 of the Controlled Substances Act ([21 U.S.C. 802](#)), as in effect prior to the enactment of the POPULIST Act.

"(2) Marijuana product.—The term 'marijuana product' means any product containing marijuana that is sold for recreational use, including flower, concentrates, edibles, tinctures, topicals, and infused products.

"(3) Retail sale.—The term 'retail sale' means a sale of a marijuana product to an end user for personal or household consumption and not for resale.

"(4) Retailer.—The term 'retailer' means any person who sells marijuana products to consumers in a retail transaction pursuant to the law of the State, Indian Tribe, or political subdivision of a State having jurisdiction over such sale.

"(5) Gross retail sales price.—The term 'gross retail sales price' means the total amount paid by the consumer for a marijuana product, including any services or charges incident to the sale, but excluding State or local sales taxes separately stated.

"Sec. 4057. Imposition of tax.

"(a) Imposition.—There is hereby imposed a tax equal to 6 percent of the gross retail sales price on each retail sale of a marijuana product in the United States.

"(b) Liability.—The tax imposed by this section shall be paid by the retailer making the retail sale.

"Sec. 4058. Exemptions.

"(a) Medical use.—The tax imposed under section 4057 shall not apply to any marijuana product dispensed pursuant to a valid prescription or recommendation for medical use under Federal, State or Tribal law.

"(b) Research and testing.—The tax imposed under section 4057 shall not apply to marijuana products transferred exclusively for scientific research or testing purposes and not for retail sale.

"Sec. 4059. State authority preserved.

"Nothing in this subchapter shall be construed to limit the authority of any State, Indian Tribe, or political subdivision of a State to prohibit, regulate, license, or tax marijuana or marijuana products."

(b) Treasury implementation.—Not later than March 1, 2027, the Secretary of the Treasury shall issue interim final rules to carry out the amendments made by subsection (a). The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to [section 553 of title 5](#), United States Code.

(1) Comment and final rules.—The Secretary shall provide a public comment period of not less than 60 days after publication of the interim final rules under this subsection and shall issue final rules not later than January 1, 2028.

(2) No delay.—A delay in issuance or finalization of rules under this subsection shall not delay, limit, or otherwise affect the tax imposed by subsection (a), any exemption from such tax, or the authority of the Secretary to administer and enforce the amendments made by subsection (a).

(3) Transitional administration.—The Secretary may administer the amendments made by subsection (a) through forms, instructions, notices, or other guidance.

(c) Justice Department implementation.—Not later than July 4, 2027, the Attorney General shall issue interim final rules to carry out sections 173 through 176, except that nothing in this subsection shall alter the implementation deadline under section 176(e)(3). The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to [section 553 of title 5](#), United States Code.

(1) Comment and final rules.—The Attorney General shall provide a public comment period of not less than 60 days after publication of the interim final rules under this subsection and shall issue final rules not later than January 1, 2028.

(2) Effect of statutory provisions.—Sections 173 through 176, and the amendments made by such sections, shall take effect and remain enforceable according to their terms on and after the date of enactment of this Act, whether or not the Attorney General has issued interim final rules or final rules under this subsection. A delay in issuance or finalization of rules under this subsection shall not delay, limit, extinguish, or reduce any protection, prohibition, duty, safe harbor, resentencing process, expungement process, repeal, or amendment established by sections 173 through 176 or the amendments made by such sections.

(d) FDA standards.—

(1) Interim final rules.—Not later than July 4, 2027, the Commissioner of Food and Drugs shall issue interim final rules establishing standards for the quality, purity, potency, labeling, packaging, testing, and manufacturing of marijuana products offered for sale in the United States. The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to [section 553 of title 5](#), United States Code.

(2) Comment and final rules.—The Commissioner shall provide a public comment period of not less than 60 days after publication of the interim final rules under this subsection and shall issue final rules not later than January 1, 2028.

(e) Effective date for retail excise tax.—The amendments made by subsection (a) shall apply to retail sales occurring on or after April 1, 2027.

SEC. 178. NATIONAL COMMISSION ON ENDING FEDERAL DRUG PROHIBITION.

(a) Establishment.—There is established a National Commission on Ending Federal Drug Prohibition.

(b) Purpose.—The purpose of the Commission is to develop a legislative proposal for ending Federal drug prohibition and replacing it with a national regulatory framework, modeled on the repeal of alcohol prohibition.

(c) Duties.—The Commission shall—

(1) examine the public health, criminal justice, economic, fiscal, and civil liberties impacts of Federal drug prohibition;

(2) study the repeal of alcohol prohibition, including the allocation of authority between the Federal Government and the States;

(3) evaluate options for State participation in a repeal of Federal drug prohibition, including State opt-in, opt-out, and independent regulatory regimes;

(4) evaluate models, from a harm reduction perspective, toward a national regulatory framework governing recreational drugs, provided that such models evaluated shall include, but not be limited to taxation, labeling, advertising, safety standards, enforcement, and overall harm reduction;

(5) study preliminary results of the year of Jubilee, including rates of substance use and sales of marijuana after the implementation of the American Union Jobs Program; and

(6) develop proposed legislative text to implement the findings of the Commission.

(d) Membership.—The Commission shall be composed of 15 members appointed as follows:

(1) 5 members appointed by the President;

(2) 2 members appointed by the Speaker of the House of Representatives;

(3) 2 members appointed by the Minority Leader of the House of Representatives;

(4) 2 members appointed by the Majority Leader of the Senate;

(5) 2 members appointed by the Minority Leader of the Senate; and

(6) 2 members appointed jointly by the congressional leaders described in paragraphs (2) through (5).

(e) Composition and balance.—The membership of the Commission shall include—

(1) not fewer than 2 members with expertise in public health or substance use disorder treatment;

(2) not fewer than 2 members with expertise in criminal justice policy;

(3) not fewer than 1 member representing Tribal interests;

(4) not fewer than 1 member with experience as a State or local regulator;

(5) not fewer than 1 member who served a term of incarceration of not less than 10 years for a drug offense;

(6) not fewer than 1 member with lived experience of recovery from substance use disorder;

(7) not fewer than 1 member with ongoing experience of substance use disorder;

(8) not fewer than 1 member with experience in State-regulated marijuana sales; and

(9) broad political party representation such that no single political party has a majority of members.

(f) Appointment deadline.—All members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(g) Meetings.—The Commission shall meet not less frequently than once per month and may conduct meetings virtually or in-person.

(h) Initial meeting.—The Commission shall hold its first meeting not later than 120 days after the date of enactment of this Act.

(i) Chair.—The members of the Commission shall elect a Chair from among the members at the first meeting of the Commission.

(j) Quorum.—A quorum shall consist of a majority of the members of the Commission who have been appointed and are serving as of the date of the meeting.

(k) Attendance and removal.—Any member who fails to attend 2 consecutive meetings of the Commission without good cause shall, after 7 days, be removed from the Commission and shall no longer be counted for purposes of determining a quorum. A replacement may be appointed at any time, provided such appointment would not violate the requirements of subsections (d) and (e).

(l) Vacancies.—Any vacancy on the Commission shall not impair the authority of the Commission to carry out its duties.

(m) Administrative support and funding.—

(1) Administrative support.—The Secretary of Health and Human Services shall provide administrative support (including facilitating the drafting of legislation required by subsection (c)(6)), staff, office space, and information technology support necessary for the Commission to carry out its duties, in consultation with the Attorney General and the Secretary of the Treasury.

(2) Appropriation.—Out of any money in the Treasury not otherwise appropriated, there are appropriated to the Secretary of Health and Human Services such sums as may be necessary to carry out this section for fiscal years 2027 and 2028, to remain available through September 30, 2028.

(n) Reports.—

(1) Interim report.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit an interim report to Congress.

(2) Final report.—Not later than November 15, 2027, the Commission shall submit a final report to Congress, including proposed legislative text.

(o) Public availability and transparency.—

(1) The Secretary of Health and Human Services shall maintain a publicly accessible website for the Commission.

(2) The website shall include—

(A) the names and biographies of Commission members;

(B) meeting dates, agendas, and locations;

(C) minutes, recordings, or livestreams of meetings, to the extent practicable;

(D) interim and final reports of the Commission; and

(E) any additional materials the Commission determines appropriate.

(3) The Commission may accept written submissions from the public and, if so, shall make such submissions publicly available on the website, subject to reasonable privacy and security protections.

(p) Termination.—The Commission shall terminate on December 31, 2027.

Subtitle E—The George Floyd Justice Act

SEC. 181. QUALIFIED IMMUNITY REFORM.

[Section 1983 of title 42](#), United States Code, is amended—

(1) by striking "Every" and inserting the following: "(a) In this section—

"(1) Public employer.—The term 'public employer' means a Federal law enforcement agency that, at the time of a deprivation of any rights, privileges, or immunities described in subsection (b), employs, or contracts with an individual to perform the duties of, a Federal law enforcement officer or any other officer empowered by law to execute searches, to seize evidence, or to make arrests.

"(2) Law enforcement officer.—The term 'law enforcement officer' means any officer, agent, or employee of any unit of government authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

"(b) Every";

(2) in subsection (b), as so designated, by inserting "the United States or" before "any State"; and

(3) by adding at the end the following:

"(c) If, while acting under color of law, any Federal law enforcement officer subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, the public employer of that officer shall be liable to the party injured for the conduct of the officer in an action at law, suit in equity, or other proper proceeding for redress, regardless of whether a policy or custom of the public employer caused the violation, and regardless of whether the officer has any defense or immunity from suit or liability. This subsection shall constitute a waiver of sovereign