

119TH CONGRESS
2^D SESSION

S. _____

To amend title 10, United States Code, to direct the Secretary of Defense to publish a list of dietary supplement ingredients prohibited for use by members of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 10, United States Code, to direct the Secretary of Defense to publish a list of dietary supplement ingredients prohibited for use by members of the Armed Forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Enlisted
5 and Recruits from Excessive and Catastrophic Trials Act
6 of 2026” or the “PERFECT Act of 2026”.

1 **SEC. 2. PROHIBITED DIETARY SUPPLEMENT INGREDIENTS**
2 **AND PERFORMANCE-ENHANCING SUB-**
3 **STANCES.**

4 (a) PROHIBITION.—Chapter 49 of title 10, United
5 States Code, is amended by inserting after section 978 the
6 following new section:

7 **“§ 978a. Prohibited dietary supplement ingredients**
8 **and performance-enhancing substances**

9 “(a) PROHIBITED INGREDIENT AND SUBSTANCE
10 LISTS.—The Secretary shall publish and, not less fre-
11 quently than once every 90 days, shall update a list of—

12 “(1) dietary supplement ingredients prohibited
13 for use by members of the armed forces; and

14 “(2) performance-enhancing substances prohib-
15 ited for use by members of the armed forces.

16 “(b) REQUIRED FORMATS.—The Secretary shall pub-
17 lish the list under subsection (a)—

18 “(1) on an internet website where such list may
19 be viewed in full without use of a search function;

20 “(2) in a searchable database; and

21 “(3) in a digital file that may be downloaded
22 from such internet website in a common format.

23 “(c) COMMANDING OFFICER MAY ELECT NOT TO
24 DISCIPLINE.—The commanding officer of a member of the
25 armed forces who possesses or uses a dietary supplement
26 containing an ingredient (other than a substance included

1 in the schedule under section 202 of the Controlled Sub-
2 stances Act (21 U.S.C. 812)) appearing on the list under
3 subsection (a)(1)—

4 “(1) may elect not to subject such member to
5 discipline if—

6 “(A) such possession or use is the first dis-
7 ciplinary offense committed by such member;

8 “(B) such commanding officer determines
9 that such member satisfies the good faith
10 standard under subsection (e); and

11 “(C) such member agrees to participate in
12 education, counseling, or drug testing in lieu of
13 discipline; and

14 “(2) may elect not to subject such member to
15 administrative separation.

16 “(d) POSSESSION OF PROHIBITED INGREDIENT NOT
17 DRUG ABUSE.—Notwithstanding any other provision of
18 law, possession of a dietary supplement containing an in-
19 gredient (other than a substance included in the schedule
20 under section 202 of the Controlled Substances Act (21
21 U.S.C. 812)) appearing on the list under subsection (a)(1)
22 shall not constitute drug abuse for purposes of this title.

23 “(e) GOOD FAITH STANDARD.—A member of the
24 armed forces satisfies the good faith standard under this
25 subsection if such member—

1 “(1) possesses or uses a dietary supplement
2 containing an ingredient (other than a substance in-
3 cluded in the schedule under section 202 of the Con-
4 trolled Substances Act (21 U.S.C. 812)) appearing
5 on the list under subsection (a)(1) without actual
6 knowledge that such dietary supplement contains
7 such ingredient;

8 “(2) purchases such supplement from a retail
9 facility affiliated with the Department of Defense;

10 “(3) reasonably relies, prior to purchasing or
11 using such supplement, on a search of the list under
12 subsection (a)(1) that fails to identify such ingre-
13 dient as prohibited under subsection (a)(1), includ-
14 ing due to a misspelling or variation in the name of
15 such ingredient on such list; or

16 “(4) otherwise demonstrates a reasonable belief
17 that such supplement does not contain such ingre-
18 dient.”.

19 (b) SECRETARY TO UPDATE DEPARTMENT OF DE-
20 FENSE INSTRUCTION.—Not later than 120 days after the
21 date of the enactment of this Act, the Secretary of De-
22 fense, acting through the Under Secretary for Personnel
23 and Readiness, shall revise Department of Defense In-
24 struction 6130.06 pursuant to section 978a of title 10,
25 United States Code, as added by subsection (a).

1 (c) SECRETARY TO UPDATE OPERATION SUPPLE-
2 MENT SAFETY INTERNET WEBSITE.—Not later than one
3 year after the date of the enactment of this Act, the Sec-
4 retary shall—

5 (1) update the Operation Supplement Safety
6 internet website to enhance functionality for—

7 (A) vendors of dietary supplements; and

8 (B) members of the Armed Forces; and

9 (2) review possible improvements to such inter-
10 net website, including with respect to—

11 (A) search tools that employ—

12 (i) autofill functionality; and

13 (ii) autocorrect functionality;

14 (B) artificial intelligence tools that can—

15 (i) scan product labels; and

16 (ii) search such internet website for
17 information on the ingredients found on
18 such labels; and

19 (C) capacity to allow a user to register to
20 receive a notification when a dietary supplement
21 ingredient is added to the list under section
22 978a(a)(1) of title 10, United States Code, as
23 added by subsection (a).

24 (d) SECRETARY TO REVIEW DIETARY SUPPLEMENT
25 SAFETY EDUCATION OPPORTUNITIES.—Not later than

1 one year after the date of the enactment of this Act, the
2 Secretary shall review opportunities for incorporating into
3 existing training programs for members of the Armed
4 Forces education concerning—

5 (1) dietary supplement safety; and

6 (2) the list under section 978a(a) of title 10,
7 United States Code, as added by subsection (a).

8 (e) REPORTS.—

9 (1) INITIAL IMPLEMENTATION REPORT.—Not
10 later than 120 days after the date of the enactment
11 of this Act, the Secretary shall submit to the Com-
12 mittees on Armed Services of the House of Rep-
13 resentatives and the Senate a report describing ef-
14 forts made to ensure that retail facilities affiliated
15 with the Department of Defense do not sell any
16 products containing an ingredient appearing on the
17 list under section 978a(a) of title 10, United States
18 Code, as added by subsection (a).

19 (2) FINAL IMPLEMENTATION REPORT.—Not
20 later than two years after the date of the enactment
21 of this Act, the Secretary shall submit to the Com-
22 mittees on Armed Services of the House of Rep-
23 resentatives and the Senate a report describing steps
24 taken to implement section 978a of title 10, United
25 States Code, as added by subsection (a).

1 (3) ANNUAL REPORTS.—Not later than one
2 year after the date of the enactment of this Act, and
3 annually thereafter for a period of five years, the
4 Secretary shall submit to the Committees on Armed
5 Services of the House of Representatives and the
6 Senate a report—

7 (A) listing, for the one-year period ending
8 on the date on which such report is sub-
9 mitted—

10 (i) the total number of administrative
11 separation actions initiated for possession
12 or use of a dietary supplement containing
13 an ingredient appearing on the list under
14 section 978a(a)(1) of title 10, United
15 States Code, as added by subsection (a),
16 disaggregated by—

17 (I) armed force;

18 (II) pay grade;

19 (III) characterization of dis-
20 charge sought;

21 (IV) whether the member subject
22 to the administrative separation ac-
23 tion contested such action; and

24 (V) outcome; and

1 (ii) the number of commanding offi-
2 cers who elected not to subject a member
3 of the Armed Forces to discipline under
4 section 978a(c) of such title; and

5 (B) assessing the effectiveness of efforts to
6 provide education relating to dietary supple-
7 ment safety to members of the Armed Forces.