

**Suspend the Rules and Pass the Bill, H.R. 3878, with an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3878

To amend the Controlled Substances Act to clarify the process for registrants to exercise due diligence upon discovering a suspicious order, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2019

Mr. MCKINLEY (for himself and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Controlled Substances Act to clarify the process for registrants to exercise due diligence upon discovering a suspicious order, 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 “Block, Report, And  
5 Suspend Suspicious Shipments Act of 2020”.

1 **SEC. 2. CLARIFICATION OF PROCESS FOR REGISTRANTS TO**  
2 **EXERCISE DUE DILIGENCE UPON DISCOV-**  
3 **ERING A SUSPICIOUS ORDER.**

4 (a) IN GENERAL.—Paragraph (3) of section 312(a)  
5 of the Controlled Substances Act (21 U.S.C. 832(a)) is  
6 amended to read as follows:

7 “(3) upon discovering a suspicious order or se-  
8 ries of orders—

9 “(A) exercise due diligence;

10 “(B) establish and maintain (for not less  
11 than a period to be determined by the Adminis-  
12 trator of the Drug Enforcement Administra-  
13 tion) a record of the due diligence that was per-  
14 formed;

15 “(C) decline to fill the order or series of  
16 orders if the due diligence fails to resolve all of  
17 the indicators that gave rise to the suspicion  
18 that filling the order or series of orders would  
19 cause a violation of this title by the registrant  
20 or the prospective purchaser; and

21 “(D) notify the Administrator of the Drug  
22 Enforcement Administration and the Special  
23 Agent in Charge of the Division Office of the  
24 Drug Enforcement Administration for the area  
25 in which the registrant is located or conducts  
26 business of—

1                   “(i) each suspicious order or series of  
2                   orders discovered by the registrant; and

3                   “(ii) the indicators giving rise to the  
4                   suspicion that filling the order or series of  
5                   orders would cause a violation of this title  
6                   by the registrant or the prospective pur-  
7                   chaser.”.

8           (b) REGULATIONS.—Not later than 1 year after the  
9           date of enactment of this Act, for purposes of section  
10          312(a)(3) of the Controlled Substances Act, as amended  
11          by subsection (a), the Attorney General of the United  
12          States shall promulgate a final regulation specifying the  
13          indicators that give rise to a suspicion that filling an order  
14          or series of orders would cause a violation of the Con-  
15          trolled Substances Act (21 U.S.C. 801 et seq.) by a reg-  
16          istrant or a prospective purchaser.

17          (c) APPLICABILITY.—Section 312(a)(3) of the Con-  
18          trolled Substances Act, as amended by subsection (a),  
19          shall apply beginning on the day that is 1 year after the  
20          date of enactment of this Act. Until such day, section  
21          312(a)(3) of the Controlled Substances Act shall apply as  
22          such section 312(a)(3) was in effect on the day before the  
23          date of enactment of this Act.