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.

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

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Block, Report, And Suspend Suspicious Shipments Act of 2019”.

SEC. 2. CLARIFICATION OF PROCESS FOR REGISTRANTS TO EXERCISE DUE DILIGENCE UPON DISCOVERING A SUSPICIOUS ORDER.

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

“(3) upon discovering a suspicious order or series of orders—

“(A) exercise due diligence;

“(B) establish and maintain (for not less than a period to be determined by the Administrator of the Drug Enforcement Administration) a record of the due diligence that was performed;

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

“(D) notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business of—
“(i) each suspicious order or series of
orders discovered by the registrant; and
“(ii) the indicators giving rise to the
suspicion that filling the order or series of
orders would cause a violation of this title
by the registrant or the prospective pur-
chaser.”.

(b) APPLICABILITY.—Section 312(a)(3) of the Con-
trolled Substances Act, as amended by subsection (a),
shall apply beginning on the day that is 6 months after
the date of enactment of this Act. Until such day, section
312(a)(3) of the Controlled Substances Act shall apply as
such section 312(a)(3) was in effect on the day before the
date of enactment of this Act.