

108TH CONGRESS
2D SESSION

H. R. 4882

To amend the Controlled Substances Import and Export Act to provide authority to the Attorney General to authorize narcotic drugs in schedule I, II, III, or IV and nonnarcotic controlled substances in schedule I or II to be exported from the United States to a country for subsequent export from that country to another country, if certain conditions are met.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2004

Mr. PITTS (for himself, Mr. BROWN of Ohio, Mr. GREENWOOD, Ms. ESHOO, Mr. DEAL of Georgia, Mr. GERLACH, Mr. WELDON of Pennsylvania, Mr. CANNON, Mr. MATHESON, Mr. HOUGHTON, Mr. BISHOP of Utah, and Mr. CUNNINGHAM) 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 Import and Export Act to provide authority to the Attorney General to authorize narcotic drugs in schedule I, II, III, or IV and nonnarcotic controlled substances in schedule I or II to be exported from the United States to a country for subsequent export from that country to another country, if certain conditions are met.

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 “Controlled Substances
5 Export Reform Act of 2004”.

6 **SEC. 2. REEXPORTATION OF CONTROLLED SUBSTANCES.**

7 Section 1003 of the Controlled Substances Import
8 and Export Act (21 U.S.C. 953) is amended by adding
9 at the end the following subsection:

10 “(f) Notwithstanding subsections (a)(4) and (c)(3),
11 the Attorney General may authorize any narcotic drug in
12 schedule I, II, III, or IV or any nonnarcotic controlled sub-
13 stance in schedule I or II (which drug or substance is re-
14 ferred to in this subsection as a ‘covered drug’) to be ex-
15 ported from the United States to a country for subsequent
16 export from that country to another country, if each of
17 the following conditions is met:

18 “(1) Both the country to which the covered
19 drug is exported from the United States (referred to
20 in this subsection as the ‘first country’) and the
21 country to which the drug is exported from the first
22 country (referred to in this section as the ‘second
23 country’) are parties to the Conventions referred to
24 in subsections (a)(1)(C) and (e)(3).

1 “(2) The first country and the second country
2 have each instituted and maintain, in conformity to
3 such Conventions, a system of controls of imports of
4 controlled substances which the Attorney General
5 deems adequate.

6 “(3) With respect to the first country, the cov-
7 ered drug is consigned to a holder of such permits
8 or licenses as may be required under the laws of
9 such country, and a permit or license to import the
10 drug has been issued by the country.

11 “(4) With respect to the second country, sub-
12 stantial evidence is furnished to the Attorney Gen-
13 eral by the person who will export the covered drug
14 from the United States that—

15 “(A) the drug is to be consigned to a hold-
16 er of such permits or licenses as may be re-
17 quired under the laws of such country, and a
18 permit or license to import the drug is to be
19 issued by the country;

20 “(B) there is an actual need for the drug
21 for medical, scientific, or other legitimate uses
22 within the country; and

23 “(C) the drug will not be exported from
24 the country.

1 “(5) Within 30 days after the covered drug is
2 exported from the first country to the second coun-
3 try, the person who exported the drug from the
4 United States delivers to the Attorney General docu-
5 mentation certifying that such export from the first
6 country has occurred.

7 “(6) A permit to export the covered drug from
8 the United States has been issued by the Attorney
9 General.”.

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