

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 184

To amend the Controlled Substances Import and Export Act to provide authority to the Attorney General to authorize any controlled substance that is in schedule I or II or is a narcotic drug in schedule III or IV 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

JANUARY 4, 2005

Mr. PITTS (for himself, Ms. ESHOO, Mr. CANNON, 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 any controlled substance that is in schedule I or II or is a narcotic drug in schedule III or IV 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Controlled Substances  
3 Export Reform Act of 2005”.

4 **SEC. 2. SUBSEQUENT EXPORT OF CONTROLLED SUB-**  
5 **STANCES.**

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

9 “(f) Notwithstanding subsections (a)(4) and (c)(3),  
10 the Attorney General may authorize any controlled sub-  
11 stance that is in schedule I or II or is a narcotic drug  
12 in schedule III or IV to be exported from the United  
13 States to a country for subsequent export from that coun-  
14 try to another country, if each of the following conditions  
15 is met:

16 “(1) Both the country to which the controlled  
17 substance is exported from the United States (re-  
18 ferred to in this subsection as the ‘first country’)  
19 and the country to which the controlled substance is  
20 exported from the first country (referred to in this  
21 subsection as the ‘second country’) are parties to the  
22 Single Convention on Narcotic Drugs, 1961, and the  
23 Convention on Psychotropic Substances, 1971.

24 “(2) The first country and the second country  
25 have each instituted and maintain, in conformity  
26 with such Conventions, a system of controls of im-

1 ports of controlled substances which the Attorney  
2 General deems adequate.

3 “(3) With respect to the first country, the con-  
4 trolled substance is consigned to a holder of such  
5 permits or licenses as may be required under the  
6 laws of such country, and a permit or license to im-  
7 port the controlled substance has been issued by the  
8 country.

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

13 “(A) the controlled substance is to be con-  
14 signed to a holder of such permits or licenses  
15 as may be required under the laws of such  
16 country, and a permit or license to import the  
17 controlled substance is to be issued by the coun-  
18 try; and

19 “(B) the controlled substance is to be ap-  
20 plied exclusively to medical, scientific, or other  
21 legitimate uses within the country.

22 “(5) The controlled substance will not be ex-  
23 ported from the second country.

24 “(6) Within 30 days after the controlled sub-  
25 stance is exported from the first country to the sec-

1       ond country, the person who exported the controlled  
2       substance from the United States delivers to the At-  
3       torney General documentation certifying that such  
4       export from the first country has occurred.

5               “(7) A permit to export the controlled sub-  
6       stance from the United States has been issued by  
7       the Attorney General.”.

○