

110TH CONGRESS
2^D SESSION

S. 2071

AN ACT

To enhance the ability to combat methamphetamine.

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 “Combat Methamphet-
3 amine Enhancement Act of 2007”.

4 **SEC. 2. REQUIREMENT OF SELF-CERTIFICATION BY ALL**
5 **REGULATED PERSONS SELLING SCHEDULED**
6 **LISTED CHEMICALS.**

7 Section 310(e)(2) of the Controlled Substances Act
8 (21 U.S.C. 830(e)(2)) is amended by inserting at the end
9 the following:

10 “(C) Each regulated person who makes a
11 sale at retail of a scheduled listed chemical
12 product and is required under subsection (b)(3)
13 to submit a report of the sales transaction to
14 the Attorney General may not sell any sched-
15 uled listed chemical product at retail unless
16 such regulated person has submitted to the At-
17 torney General a self-certification including a
18 statement that the seller understands each of
19 the requirements that apply under this para-
20 graph and under subsection (d) and agrees to
21 comply with the requirements. The Attorney
22 General shall by regulation establish criteria for
23 certifications of mail-order distributors that are
24 consistent with the criteria established for the
25 certifications of regulated sellers under para-
26 graph (1)(B).”.

1 **SEC. 3. PUBLICATION OF SELF-CERTIFIED REGULATED**
2 **SELLERS AND REGULATED PERSONS LISTS.**

3 Section 310(e)(1)(B) of the Controlled Substances
4 Act (21 U.S.C. 830(e)(1)(B)) is amended by inserting at
5 the end the following:

6 “(v) PUBLICATION OF LIST OF SELF-
7 CERTIFIED PERSONS.—The Attorney Gen-
8 eral shall develop and make available a list
9 of all persons who are currently self-cer-
10 tified in accordance with this section. This
11 list shall be made publicly available on the
12 website of the Drug Enforcement Adminis-
13 tration in an electronically downloadable
14 format.”.

15 **SEC. 4. REQUIREMENT THAT DISTRIBUTORS OF LISTED**
16 **CHEMICALS SELL ONLY TO SELF-CERTIFIED**
17 **REGULATED SELLERS AND REGULATED PER-**
18 **SONS.**

19 Section 402(a) of the Controlled Substances Act (21
20 U.S.C. 842(a)) is amended—

21 (1) in paragraph (13), by striking “or” after
22 the semicolon;

23 (2) in paragraph (14), by striking the period
24 and inserting “; or”;

25 (3) by inserting after paragraph (14) the fol-
26 lowing:

1 “(15) to distribute a scheduled listed chemical
2 product to a regulated seller, or to a regulated per-
3 son referred to in section 310(b)(3)(B), unless such
4 regulated seller or regulated person is, at the time
5 of such distribution, currently registered with the
6 Drug Enforcement Administration, or on the list of
7 persons referred to under section 310(e)(1)(B)(v).”;
8 and

9 (4) inserting at the end the following: “For
10 purposes of paragraph (15), if the distributor is
11 temporarily unable to access the list of persons re-
12 ferred to under section 310(e)(1)(B)(v), the dis-
13 tributor may rely on a written, faxed, or electronic
14 copy of a certificate of self-certification submitted by
15 the regulated seller or regulated person, provided the
16 distributor confirms within 7 business days of the
17 distribution that such regulated seller or regulated
18 person is on the list referred to under section
19 310(e)(1)(B)(v).”.

20 **SEC. 5. NEGLIGENT FAILURE TO SELF-CERTIFY AS RE-**
21 **QUIRED.**

22 Section 402(a) of the Controlled Substances Act (21
23 U.S.C. 842(a)(10)) is amended by inserting before the
24 semicolon the following: “or negligently to fail to self-
25 tify as required under section 310 (21 U.S.C. 830)”.

1 **SEC. 6. EFFECTIVE DATE AND REGULATIONS.**

2 (a) EFFECTIVE DATE.—This Act and the amend-
3 ments made by this Act shall take effect 180 days after
4 the date of enactment of this Act.

5 (b) REGULATIONS.—In promulgating the regulations
6 authorized by section 2, the Attorney General may issue
7 regulations on an interim basis as necessary to ensure the
8 implementation of this Act by the effective date.

Passed the Senate February 11, 2008.

Attest:

Secretary.

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