

117TH CONGRESS  
2D SESSION

# H. R. 6896

To amend the Controlled Substances Act to improve consumer take-back programs by allowing persons who are authorized to collect controlled substances from ultimate users and other non-registrants for destruction through an authorized consumer return program to open and inspect packages, to provide a secure method of transporting substances to another location of destruction, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2022

Ms. FOXX (for herself and Ms. ROSS) 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 improve consumer take-back programs by allowing persons who are authorized to collect controlled substances from ultimate users and other non-registrants for destruction through an authorized consumer return program to open and inspect packages, to provide a secure method of transporting substances to another location of destruction, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Reduce Exposure and  
3 the Threat of Unused Residual Narcotics Act of 2022”  
4 or the “RETURN Act of 2022”.

5 **SEC. 2. INSPECTION OF PACKAGES OF CONTROLLED SUB-**  
6 **STANCES RECEIVED THROUGH MAIL-BACK**  
7 **DISPOSAL PROGRAM.**

8       (a) IN GENERAL.—Section 302(g)(2) of the Con-  
9 trolled Substances Act (21 U.S.C. 822(g)(2)) is amend-  
10 ed—

11           (1) by striking “(2) In developing” and insert-  
12 ing “(2)(A) In developing”;

13           (2) by striking “Such regulations may not” and  
14 inserting the following:

15           “(B) Such regulations may not”; and

16           (3) by adding at the end the following subpara-  
17 graph:

18           “(C)(i) Such regulations shall allow persons who are  
19 authorized to collect controlled substances from ultimate  
20 users and other non-registrants for destruction through an  
21 authorized mail-back program under this subsection to  
22 open a package for identification of the contents of the  
23 package for purposes of a consumer incentive program.

24           “(ii) For purposes of this subparagraph, the term  
25 ‘consumer incentive program’ means a program providing  
26 ultimate users who return unused controlled substances

1 through a person described in clause (i) a financial or  
 2 other incentive that is determined based on the contents  
 3 of the returned materials.”.

4 (b) REGULATIONS.—Not later than 180 days after  
 5 the date of enactment of this Act, the Attorney General  
 6 of the United States shall finalize such revisions to regula-  
 7 tions as may be necessary to carry out section  
 8 302(g)(2)(C) of the Controlled Substances Act, as added  
 9 by subsection (a), including by revising section 1317.70(f)  
 10 of title 21, Code of Federal Regulations.

11 (c) APPLICABILITY.—Section 302(g)(2)(C) of the  
 12 Controlled Substances Act, as added by subsection (a), ap-  
 13 plies beginning on the date that is 180 days after the date  
 14 of enactment of this Act.

15 **SEC. 3. OPTION OF TRANSPORTING CONTROLLED SUB-**  
 16 **STANCES RECEIVED THROUGH MAIL-BACK**  
 17 **DISPOSAL PROGRAM TO ANOTHER LOCATION**  
 18 **FOR DESTRUCTION.**

19 (a) IN GENERAL.—Section 302(g)(2) of the Con-  
 20 trolled Substances Act (21 U.S.C. 822(g)(2)), as amended  
 21 by section 2, is further amended by adding at the end the  
 22 following subparagraph:

23 “(D) Such regulations shall give persons who are au-  
 24 thorized to collect controlled substances from ultimate  
 25 users and other non-registrants for destruction through an

1 authorized mail-back program under this subsection, in  
2 lieu of having and utilizing at their registered location an  
3 authorized method of destruction, the option of providing  
4 a secure method of transporting such substances to a loca-  
5 tion of destruction consistent with applicable regula-  
6 tions.”.

7 (b) REGULATIONS.—Not later than 180 days after  
8 the date of enactment of this Act, the Attorney General  
9 of the United States shall finalize such revisions to regula-  
10 tions as may be necessary to carry out section  
11 302(g)(2)(D) of the Controlled Substances Act, as added  
12 by subsection (a), including by revising section 1317.70(a)  
13 of title 21, Code of Federal Regulations.

14 (c) APPLICABILITY.—Section 302(g)(2)(D) of the  
15 Controlled Substances Act, as added by subsection (a), ap-  
16 plies beginning on the date that is 180 days after the date  
17 of enactment of this Act.

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