



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 24, 2015

The Honorable Shelley Moore Capito
United States Senate
Washington, DC 20510

Dear Senator Capito:

This responds to your letter to the Attorney General dated May 20, 2015, requesting that the Drug Enforcement Administration (DEA) reinstate the National Take-Back Initiative (NTBI), under which DEA held bi-annual collections of unused and unwanted controlled substances from ultimate users. We are sending an identical response to the other Senators who co-signed your letter.

On September 25, 2010, DEA began coordinating NTBIs to help focus national attention on the issue of prescription drug abuse, promote awareness that one source of these drugs is often the home medicine cabinet, and provide a safe and legal method for the public to dispose of unwanted pharmaceutical controlled substances. On October 12, 2010, the Secure and Responsible Drug Disposal Act of 2010 (Disposal Act) was signed into law by President Barack Obama. The Disposal Act authorized DEA to implement regulations that allow ultimate users (e.g. patients) and long term care facilities to deliver unused pharmaceutical controlled substances to authorized collectors for the purpose of disposal. While those regulations were being developed and approved, DEA continued to hold twice-yearly NTBIs, which were incredibly effective. Since its first National Take Back Day in September of 2010, DEA has collected more than 4.1 million pounds (over 2,100 tons) of prescription drugs throughout all 50 states, the District of Columbia, and several U.S. territories.

On September 9, 2014, DEA published in the Federal Register the Final Rule titled, *Disposal of Controlled Substances*. 79 FR 53520. At that time, DEA formally announced that it would no longer sponsor NTBIs in order to give authorized collectors the opportunity to provide this valuable community service, thereby allowing for convenient, ongoing disposal opportunities. Since the Final Rule became effective on October 9, 2014, approximately 500 DEA registrants have modified their registrations to become authorized collectors. The success of this authorized collector program will be largely dependent upon more DEA registrants modifying their registrations in a similar manner.

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We appreciate the benefit of your feedback and support for NTBIs. Having considered your letter, DEA Acting Administrator Chuck Rosenberg announced on July 13, 2015, that DEA has decided to restart this successful initiative. In the coming weeks, DEA will provide your office with additional details about the 2015 NTBI. It is our hope that, in turn, you will communicate those details to patients, doctors, and other stakeholders in your district to make this event a success.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter J. Kadzik". The signature is stylized with a large initial "P" and a long horizontal stroke.

Peter J. Kadzik
Assistant Attorney General