

Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus

NOT VOTING—14

Babin
Beatty
Bilirakis
Chu, Judy
Crowley

□ 1343

Mr. RICHMOND and Miss RICE of New York changed their vote from “yea” to “nay.”

Mrs. McMORRIS RODGERS changed her vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BABIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 261.

Mr. GROTHMAN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 261.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 175, not voting 19, as follows:

[Roll No. 262]

AYES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock

Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)

Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb

Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer

Adams
Aguilar
Barragán
Bass
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Engel
Eshoo
Esty (CT)
Evans
Foster
Frankel (FL)

NOES—175

Fudge
Gabbard
Gallo
Garamendi
Gonzalez (TX)
Green, Gene
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney
Carolyn B. Maloney
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano

Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

SchultzWaters, Maxine
Watson Coleman Welch
Wilson (FL) Yarmuth

NOT VOTING—19

Beatty
Bilirakis
Chu, Judy
Crowley
Ellison
Espallat
Gomez
Gosar
Green, Al
Grijalva
Gutiérrez
Huffman
Jayapal
Lewis (GA)
Poliquin
Rohrabacher
Schakowsky
Shuster
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1350

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POLIQUIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 262.

Stated against:

Ms. SCHAKOWSKY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 262.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, on Wednesday, June 13, 2018, I missed the following votes:

1. Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 2851, H.R. 5735, and H.R. 5788. Had I been present, I would have voted “no” on this motion.

2. H. Res. 934, Rule providing for consideration of H.R. 2851, Stop Importation and Trafficking of Synthetic Analogues Act of 2017, H.R. 5735, Transitional Housing for Recovery in Viable Environments Demonstration Program Act, and H.R. 5788, Securing the International Mail Against Opioids Act of 2018. Had I been present, I would have voted “no” on this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

TREATING BARRIERS TO PROSPERITY ACT OF 2018

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5294) to amend title 40, United States Code, to address the impact of drug abuse on economic development in Appalachia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5294

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Treating Barriers to Prosperity Act of 2018”.

SEC. 2. DRUG ABUSE MITIGATION INITIATIVE.

(a) IN GENERAL.—Chapter 145 of title 40, United States Code, is amended by inserting after section 14509 the following:

“§ 14510. Drug abuse mitigation initiative

“(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance to, make grants to, enter into contracts with, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities to address drug abuse, including opioid abuse, in the region, including projects and activities—

“(1) to facilitate the sharing of best practices among States, counties, and other experts in the region with respect to reducing such abuse;

“(2) to initiate or expand programs designed to eliminate or reduce the harm to the workforce and economic growth of the region that results from such abuse;

“(3) to attract and retain relevant health care services, businesses, and workers; and

“(4) to develop relevant infrastructure, including broadband infrastructure that supports the use of telemedicine.

“(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

“(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

“(2) notwithstanding paragraph (1)—

“(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

“(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

“(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

“(1) under any other Federal program (subjection to the availability of subsequent appropriations); or

“(2) from any other source.

“(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14509 the following:

“14510. Drug abuse mitigation initiative.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentlewoman from the Virgin Islands (Ms. PLASKETT) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5294.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5294, the Treating Barriers to Prosperity Act, positions the Appalachian Regional Commission, or ARC, to better serve communities across Appalachia that struggle with the ongoing opioid crisis.

In 2015, there were 5,594 overdose deaths in Appalachia, a drug-related death rate 65 percent higher than the national average. Sixty-nine percent of those deaths were a result of opioid abuse.

The majority of the lives lost were individuals between the ages of 25 and 44, people who were in their prime working years.

In my home State of Pennsylvania, the statistics are striking. The Drug Enforcement Administration reported that more than 4,600 Pennsylvanians died in 2016 from drug overdoses, with thousands more affected by addiction.

This is an increase of 37 percent from 2015, with opioids accounting for 85 percent of the overdoses.

These troubling statistics make it clear that the opioid crisis is not only destroying lives, it has created a significant challenge to workforce and economic development throughout Appalachia.

In distressed communities like many in Appalachia, economic development programs must adapt and become real partners in addressing this crisis. One approach is ensuring our economic development agencies have the clear authorities they need.

H.R. 5294 clarifies that ARC funds may be used to facilitate best practices among the Appalachian States and support programs designed to reduce the harm of opioids to the workforce and economic growth.

The bill also clarifies funds can be used specifically to attract and retain healthcare businesses and workers.

This is critical, as it will focus on both job creation and, at the same time, provide much needed access to healthcare services for those struggling with addiction.

Finally, the bill recognizes that in many areas of Appalachia, infrastructure, such as broadband, must be developed to support these businesses and innovations like telemedicine.

I want to thank the gentlewoman from Nevada for cosponsoring this important legislation with me, along with the gentleman from Kentucky (Mr. ROGERS) for his leadership on this issue.

Mr. Speaker, I urge my colleagues to support this bill and take an important step in combating a national epidemic.

Mr. Speaker, I reserve the balance of my time.

Ms. PLASKETT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5294, the Treating Barriers to Prosperity Act of 2018, introduced by subcommittee Chairman BARLETTA and subcommittee Ranking Member TITUS.

The Appalachian Regional Commission, or ARC, as it is known, has made significant progress in addressing the persistent poverty and economic despair in Appalachia. However, the current opioid epidemic sweeping the Nation threatens ARC's progress.

The high rates of substance abuse and mortality in Appalachia compared to the rest of the United States is a serious impediment to sustained economic growth.

Employers are seeking a healthy workforce when making decisions about where they will locate their businesses. High rates of substance abuse and mortality make it difficult for employers to find and hire qualified candidates.

□ 1400

Appalachia continues to face significant disparities in its journey to catch up to the rest of the Nation with respect to educational attainment, employment, income, and health outcomes. Sadly, the scourge of opioid abuse in Appalachia makes the road only that much longer.

The opioid mortality and overdose rates in Appalachia are shocking, with rates in West Virginia reaching three times the national rate. Moreover, drug abuse jeopardizes the region's ability to retain and attract economic development with a high-performing workforce that is healthy and drug-free. The cycle of despair only continues.

Unfortunately, this tragic backdrop highlights the failed campaign promises of President Trump. President Trump campaigned about the scourge of opioids and how he would designate the opioid crisis as a national emergency and combat the problem.

However, the President did not declare this epidemic an emergency under the Stafford Act and provided little to no new funding to combat this epidemic. Instead, the administration named White House adviser Kellyanne Conway, a former pollster with no public health background, as the administration's point person on the opioid crisis.

The opioid epidemic is a full-blown crisis that demands Congress' attention. Because President Trump refuses to take substantive action, Congress must take the lead on this issue.

The ARC, in its mission to promote economic development in the region, has always understood the grave threat of opioid addiction to the economic viability of the region.

I am grateful and thankful that this bill provides funding specifically focused on impediments to job creation and economic development; ensures the States in Appalachia can effectively share best practices; and ties in clearer authority to attract health-based businesses, workers, and technology to the region.

While the ARC's existing authority has provided ARC the ability to support certain efforts to combat the

opioid crisis, clarifying and strengthening that role is critical to economic development in the region.

We are grateful that the Committee on Transportation and Infrastructure has been able to step in in this area of economic development and job creation, but we must do more throughout the country, not just with opioids but with other drug issues and the related scourge in this country.

I applaud Ranking Member TITUS for taking the issue seriously and being an original cosponsor of this bill. This bill will address some of the impacts of drug abuse on economic development in the Appalachian region. I support this bill, and urge my colleagues to support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Speaker, all of us are painfully aware of the devastating toll taken by opioid addiction and abuse in every corner of this great country.

While this epidemic is truly national in its scope today, it actually began in the small communities in Appalachia over a decade ago. Our hills were flooded with painkillers, our hospitals flooded with patients, our churches flooded with helpless parents crying out for help. Our rural towns simply did not have the capacity to handle this monstrous problem.

Today, given the unique challenges confronting Appalachia, the opioid-related overdose rate is 65 percent higher than in the rest of the Nation. Let me repeat that. In Appalachia, the opioid-related overdose rate is 65 percent higher than the rest of the country.

But the people of Appalachia are resilient, and they are problem solvers. They have taken important strides to combat this problem holistically.

Operation UNITE in my district, where it began, is a leading national example. UNITE, Unlawful Narcotics Investigations, Treatment and Education, is a three-pronged, holistic approach to tackle this monster.

I was really heartened and grateful when Chairman BARLETTA invited Operation UNITE's CEO, Nancy Hale, to testify before his subcommittee about the unique challenges UNITE confronts in southern and eastern Kentucky, and the creative solutions they have employed to beat back against this scourge.

Today, I remain grateful for his leadership in shepherding H.R. 5294 through the House floor. This bill will bolster the Appalachian Regional Commission's role in combating the opioid epidemic.

ARC has always been a valued partner in our fight, but this legislation clarifies that the commission can and should make targeted investments to reduce barriers to workforce development; attract and retain healthcare services, businesses, and workers; and

develop relevant infrastructure, including broadband, which can be used for telemedicine treatment.

These investments are critical for my district and the entire Appalachian region, and I urge other Members to support this bill.

Let me thank, again, Chairman BARLETTA for his great leadership in this problem. He is a recognized expert, and he has proven he cares for the people that he represents and that the rest of us represent.

Ms. PLASKETT. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SMITH of Nebraska). The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 5294.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STOP ILLICIT DRUG IMPORTATION ACT OF 2018

Mrs. BLACKBURN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5752) to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of certain drugs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5752

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Stop Illicit Drug Importation Act of 2018”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Detention, refusal, and destruction of drugs offered for importation.

Sec. 3. Seizure.

Sec. 4. Debarring violative individuals or companies.

SEC. 2. DETENTION, REFUSAL, AND DESTRUCTION OF DRUGS OFFERED FOR IMPORTATION.

(a) ARTICLES TREATED AS DRUGS FOR PURPOSES OF IMPORTATION.—Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381) is amended by adding at the end the following:

“(t) ARTICLES TREATED AS DRUGS FOR PURPOSES OF THIS SECTION.—

“(1) LABELED ARTICLES.—An article shall not be treated as a drug pursuant to this subsection if—

“(A) an electronic import entry for such article is submitted using an authorized electronic data interchange system; and

“(B) such article is designated in such system as a drug, device, dietary supplement, or other product that is regulated under this Act.

“(2) ARTICLES COVERED.—Subject to paragraph (1), for purposes of this section, an article described in this paragraph may be treated by the Secretary as a drug if it—

“(A) is or contains an ingredient that is an active ingredient that is contained within—

“(i) a drug that has been approved under section 505 of this Act; or

“(ii) a biological product that has been approved under section 351 of the Public Health Service Act;

“(B) is or contains an ingredient that is an active ingredient in a drug or biological product if—

“(i) an investigational use exemption has been authorized for such drug or biological product under section 505(i) of this Act or section 351(a) of the Public Health Service Act;

“(ii) substantial clinical investigation has been instituted for such drug or biological product; and

“(iii) the existence of such clinical investigation has been made public; or

“(C) is or contains a substance that has a chemical structure that is substantially similar to the chemical structure of an active ingredient in a drug or biological product described in subparagraph (A) or (B).

“(3) EFFECT.—Except to the extent that an article may be treated as a drug pursuant to paragraph (2), this subsection shall not be construed as bearing on or being relevant to the question of whether any article is a drug as defined in section 201(g).”.

(b) ARTICLES OF CONCERN.—

(1) DELIVERY BY TREASURY TO HHS.—The first sentence of section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amended by striking “and cosmetics” and inserting “cosmetics, and potential articles of concern (as defined in subsection (u))”.

(2) REFUSED ADMISSION.—The third sentence of section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amended by striking “then such article shall be refused admission” and inserting “or (5) such article is an article of concern (as defined in subsection (u)), or (6) such article is a drug that is being imported or offered for import in violation of section 301(cc), then such article shall be refused admission”.

(3) DEFINITION OF ARTICLE OF CONCERN.—Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381), as amended, is further amended by adding at the end the following:

“(u) ARTICLE OF CONCERN DEFINED.—For purposes of subsection (a), the term ‘article of concern’ means an article that is or contains a drug or other substance—

“(1) for which, during the 24-month period prior to the article being imported or offered for import, the Secretary of Health and Human Services—

“(A) has requested that, based on a determination that the drug or other substance appears to meet the requirements for temporary or permanent scheduling pursuant to section 201 of the Controlled Substances Act, the Attorney General initiate the process to control the drug or other substance in accordance with such Act; or

“(B) has, following the publication by the Attorney General of a notice in the Federal Register of the intention to issue an order temporarily scheduling such drug or substance in schedule I of section 202 of the Controlled Substances Act pursuant to section 201(h) of such Act, made a determination that such article presents an imminent hazard to public safety; and

“(2) with respect to which the Attorney General has not—

“(A) scheduled the drug or other substance under such Act; or

“(B) notified the Secretary of Health and Human Services that the Attorney General has made a determination not to schedule the drug or other substance under such Act.”.