

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, 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.”.