

NAYS—33

Allen Gohmert Mullin
Amash Graves (GA) Palmer
Brat Griffith Price, Tom
Brooks (AL) Grothman Ratcliffe
Burgess Hice, Jody B. Sanford
Carter (GA) Jones Scott, Austin
Collins (GA) Labrador Sensenbrenner
Culberson Lamborn Stutzman
Duncan (TN) Loudermilk Weber (TX)
Farenthold Massie Westmoreland
Fleming McClintock Woodall

NOT VOTING—30

Bridenstine Deutch Katko
Brown (FL) Dold Lieu, Ted
Buck Edwards Lummis
Capps Fattah Meng
Castro (TX) Fincher Pearce
Cleaver Frankel (FL) Perlmutter
Costa Gosar Roskam
Crowley Grayson Smith (WA)
DeFazio Grijalva Tiberi
DeGette Gutierrez Whitfield

□ 1851

Messrs. JODY B. HICE of Georgia, GROTHMAN, CARTER of Georgia, CULBERSON, AUSTIN SCOTT of Georgia, WEBER of Texas, and FARENTHOLD changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DOLD. Mr. Speaker, on rollcall No. 139, I was unavoidably detained. Had I been present, I would have voted “Yes.”

PREVENTING CRIMES AGAINST VETERANS ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4676) to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 140]

YEAS—411

Abraham Beyer Brooks (AL)
Adams Bilirakis Brooks (IN)
Aderholt Bishop (GA) Brown (FL)
Aguilar Bishop (MI) Brownley (CA)
Allen Bishop (UT) Buchanan
Amash Black Busch
Amodei Blackburn Burgess
Ashford Blum Bustos
Babin Blumenauer Butterfield
Barletta Bonamici Byrne
Barr Bost Calvert
Barton Boustany Capps
Bass Boyle, Brendan Capuano
Beatty F. Cárdenas
Becerra Brady (PA) Carney
Benishkek Brady (TX) Carson (IN)
Bera Brat Carter (GA)

Carter (TX) Harris
Cartwright Hartzler
Castor (FL) Hastings
Chabot Heck (NV)
Chaffetz Heck (WA)
Chu, Judy Hensarling
Cicilline Herrerra Beutler
Clark (MA) Hice, Jody B.
Clarke (NY) Higgins
Clawson (FL) Hill
Clay Himes
Cleaver Hinojosa
Clyburn Holding
Coffman Honda
Cohen Hoyer
Cole Hudson
Collins (GA) Huelskamp
Collins (NY) Huffman
Comstock Huizenga (MI)
Conaway Hultgren
Connolly Hunter
Conyers Neale
Cook Hurd (TX)
Cooper Hurt (VA)
Costello (PA) Israel
Courtney Issa
Cramer Jackson Lee
Crawford Jeffries
Crenshaw Jenkins (KS)
Cuellar Jenkins (WV)
Culberson Johnson (GA)
Cummings Johnson (OH)
Curbelo (FL) Johnson, E. B.
Davis (CA) Johnson, Sam
Davis, Danny Jolly
Davis, Rodney Jones
DeGette Jordan
Delaney Joyce
DeLauro Kaptur
DelBene Keating
Denham Kelly (IL)
Dent Kelly (MS)
DeSantis Kelly (PA)
DeSaulnier Kennedy
DesJarlais Kildee
Diaz-Balart Kilmer
Dingell Kind
Doggett King (IA)
Dold King (NY)
Donovan Kinzinger (IL)
Doyle, Michael Kirkpatrick
F. Kline
Duckworth Knight
Duffy Kuster
Duncan (SC) Labrador
Duncan (TN) LaHood
Ellison LaMalfa
Ellmers (NC) Lamborn
Emmer (MN) Lance
Engel Langevin
Eshoo Larsen (WA)
Esty Larson (CT)
Farenthold Latta
Farr Lawrence
Fitzpatrick Lee
Fleischmann Levin
Fleming Lewis
Flores Lipinski
Forbes LoBiondo
Fortenberry Loebsack
Foster Lofgren
Foxy Long
Franks (AZ) Loudermilk
Frelinghuysen Love
Fudge Lowenthal
Gabbard Lowey
Gallego Lucas
Garamendi Luetkemeyer
Garrett Lujan Grisham
Gibbs (NM)
Gibson Luján, Ben Ray
Gohmert (NM)
Goodlatte Lynch
Gowdy MacArthur
Graham Maloney,
Granger Carolyn
Graves (GA) Maloney, Sean
Graves (LA) Marchant
Graves (MO) Marino
Green, Al Massie
Green, Gene Matsui
Griffith McCarthy
Grothman McCaul
Guinta McClintock
Guthrie McCollum
Hahn McDermott
Hanna McGovern
Hardy McHenry
Harper McKinley

McMorris Sewell (AL) Tiberi Wasserman
Rodgers Sherman Tipton Schultz
McNerney Shimkus Titus Waters, Maxine
McSally Shuster Tonko Watson Coleman
Meadows Heck (WA) Torres Weber (TX)
Meehan Sinema Trott Webster (FL)
Meeks Sires Tsongas Welch
Messer Slaughter Turner Wenstrup
Mica Smith (MO) Upton Westmoreland
Miller (FL) Smith (NE) Valadao Whitfield
Miller (MI) Smith (NJ) Van Hollen Williams
Mooleenaar Smith (TX) Vargas Wilson (FL)
Mooney (WV) Speier Veasey Wilson (SC)
Moore Stefanik Vela Wittman
Moulton Hoyer Velázquez Womack
Mullin Stivers Visclosky Woodall
Mulvaney Stutzman Wagner Yarmuth
Murphy (FL) Swalwell (CA) Walberg Yoder
Murphy (PA) Takai Walden Yoho
Nadler Walker Young (AK)
Napolitano Neal Young (IA)
Neal Neugebauer Thompson (CA) Walters, Mimi Young (IN)
Newhouse Thompson (MS) Walz Zeldin
Noem Thornberry Thompson (PA) Zinke

NOT VOTING—22

Bridenstine Fattah Lieu, Ted
Buck Fincher Lummis
Castro (TX) Frankel (FL) Meng
Costa Gosar Pearce
Crowley Grayson Peterson
DeFazio Grijalva Smith (WA)
Deutch Gutierrez
Edwards Katko

□ 1858

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded today. Had I been present, I would have voted as follows: Rollcall No. 139: “Aye”; and rollcall No. 140: “Aye.”

□ 1900

ENSURING PATIENT ACCESS AND EFFECTIVE DRUG ENFORCEMENT ACT OF 2016

Mr. LANCE. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (S. 483) to improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HILL). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The text of the bill is as follows:

S. 483

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 “Ensuring Patient Access and Effective Drug Enforcement Act of 2016”.

SEC. 2. REGISTRATION PROCESS UNDER CONTROLLED SUBSTANCES ACT.

(a) DEFINITIONS.—

(1) FACTORS AS MAY BE RELEVANT TO AND CONSISTENT WITH THE PUBLIC HEALTH AND SAFETY.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

“(j) In this section, the phrase ‘factors as may be relevant to and consistent with the

public health and safety’ means factors that are relevant to and consistent with the findings contained in section 101.”.

(2) IMMINENT DANGER TO THE PUBLIC HEALTH OR SAFETY.—Section 304(d) of the Controlled Substances Act (21 U.S.C. 824(d)) is amended—

(A) by striking “(d) The Attorney General” and inserting “(d)(1) The Attorney General”; and

(B) by adding at the end the following:

“(2) In this subsection, the phrase ‘imminent danger to the public health or safety’ means that, due to the failure of the registrant to maintain effective controls against diversion or otherwise comply with the obligations of a registrant under this title or title III, there is a substantial likelihood of an immediate threat that death, serious bodily harm, or abuse of a controlled substance will occur in the absence of an immediate suspension of the registration.”.

(b) OPPORTUNITY TO SUBMIT CORRECTIVE ACTION PLAN PRIOR TO REVOCATION OR SUSPENSION.—Subsection (c) of section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) by striking the last three sentences;

(2) by striking “(c) Before” and inserting “(c)(1) Before”; and

(3) by adding at the end the following:

“(2) An order to show cause under paragraph (1) shall—

“(A) contain a statement of the basis for the denial, revocation, or suspension, including specific citations to any laws or regulations alleged to be violated by the applicant or registrant;

“(B) direct the applicant or registrant to appear before the Attorney General at a time and place stated in the order, but not less than 30 days after the date of receipt of the order; and

“(C) notify the applicant or registrant of the opportunity to submit a corrective action plan on or before the date of appearance.”.

“(3) Upon review of any corrective action plan submitted by an applicant or registrant pursuant to paragraph (2), the Attorney General shall determine whether denial, revocation, or suspension proceedings should be discontinued, or deferred for the purposes of modification, amendment, or clarification to such plan.

“(4) Proceedings to deny, revoke, or suspend shall be conducted pursuant to this section in accordance with subchapter II of chapter 5 of title 5, United States Code. Such proceedings shall be independent of, and not in lieu of, criminal prosecutions or other proceedings under this title or any other law of the United States.

“(5) The requirements of this subsection shall not apply to the issuance of an immediate suspension order under subsection (d).”.

SEC. 3. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the Agency for Healthcare Research and Quality, and the Director of the Centers for Disease Control and Prevention, in coordination with the Administrator of the Drug Enforcement Administration and in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall submit a report to the Committee on the Judiciary of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on Health, Edu-

cation, Labor, and Pensions of the Senate identifying—

(1) obstacles to legitimate patient access to controlled substances;

(2) issues with diversion of controlled substances;

(3) how collaboration between Federal, State, local, and tribal law enforcement agencies and the pharmaceutical industry can benefit patients and prevent diversion and abuse of controlled substances;

(4) the availability of medical education, training opportunities, and comprehensive clinical guidance for pain management and opioid prescribing, and any gaps that should be addressed;

(5) beneficial enhancements to State prescription drug monitoring programs, including enhancements to require comprehensive prescriber input and to expand access to the programs for appropriate authorized users; and

(6) steps to improve reporting requirements so that the public and Congress have more information regarding prescription opioids, such as the volume and formulation of prescription opioids prescribed annually, the dispensing of such prescription opioids, and outliers and trends within large data sets.

(b) CONSULTATION.—The report under subsection (a) shall incorporate feedback and recommendations from the following:

(1) Patient groups.

(2) Pharmacies.

(3) Drug manufacturers.

(4) Common or contract carriers and warehousemen.

(5) Hospitals, physicians, and other health care providers.

(6) State attorneys general.

(7) Federal, State, local, and tribal law enforcement agencies.

(8) Health insurance providers and entities that provide pharmacy benefit management services on behalf of a health insurance provider.

(9) Wholesale drug distributors.

(10) Veterinarians.

(11) Professional medical societies and boards.

(12) State and local public health authorities.

(13) Health services research organizations.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL PEACE OFFICERS MEMORIAL SERVICE AND THE NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Resolution 117, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 117

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the 35th Annual National Peace Officers Memorial Service (in this resolution referred to as the “Memorial Service”), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2015.

(b) DATE OF MEMORIAL SERVICE.—The Memorial Service shall be held on May 15, 2016, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate, with preparation for the event to begin on May 11, 2016.

SEC. 2. USE OF THE CAPITOL GROUNDS FOR NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the “Exhibition”), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bagpipe exhibition.

(b) DATE OF EXHIBITION.—The exhibition shall be held on May 14, 2016, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 3. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsors of the Memorial Service and Exhibition shall assume full responsibility for all expenses and liabilities incident to all activities associated with the events.

SEC. 4. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsors referred to in section 3(b) are authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the Memorial Service and Exhibition.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the events.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE 3RD ANNUAL FALLEN FIREFIGHTERS CONGRESSIONAL FLAG PRESENTATION CEREMONY

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Resolution 120, and ask for its immediate consideration in the House.