

## Union Calendar No. 36

118TH CONGRESS  
1ST SESSION

# H. R. 801

**[Report No. 118-53]**

To amend title III of the Public Health Service Act to provide for suspension of entries and imports from designated countries to prevent the spread of communicable diseases and import into the United States of certain controlled substances.

---

### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2023

Mrs. LESKO (for herself and Mrs. MILLER-MEEKS) introduced the following bill; which was referred to the Committee on Energy and Commerce

MAY 11, 2023

Additional sponsors: Mr. ALLEN, Mrs. LUNA, Mr. MIKE GARCIA of California, Mr. LAMALFA, Mr. GROTHMAN, Mr. BRECHEEN, Mr. CAREY, Mr. BABIN, Mr. BARR, Mr. KUSTOFF, Mr. HIGGINS of Louisiana, Mr. SANTOS, and Mr. BUCHANAN

MAY 11, 2023

Reported from the Committee on Energy and Commerce; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To amend title III of the Public Health Service Act to provide for suspension of entries and imports from designated countries to prevent the spread of communicable diseases and import into the United States of certain controlled substances.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Securing the Border  
5 for Public Health Act of 2023”.

6 **SEC. 2. SUSPENSION OF ENTRIES AND IMPORTS FROM DES-**  
7 **IGNATED COUNTRIES TO PREVENT SPREAD**  
8 **OF COMMUNICABLE DISEASES AND IMPORT**  
9 **OF CERTAIN CONTROLLED SUBSTANCES.**

10       Section 362 of the Public Health Service Act (42  
11 U.S.C. 265) is amended to read as follows:

12 **“SEC. 362. SUSPENSION OF ENTRIES AND IMPORTS FROM**  
13 **DESIGNATED COUNTRIES TO PREVENT**  
14 **SPREAD OF COMMUNICABLE DISEASES AND**  
15 **IMPORT OF CERTAIN CONTROLLED SUB-**  
16 **STANCES.**

17       “(a) IN GENERAL.—Whenever the Secretary makes  
18 a determination described in subsection (b) with respect  
19 to a country, the Secretary, by regulation, shall have the  
20 power to prohibit, in whole or in part, for a period of time  
21 determined to be necessary by the Secretary, the introduc-  
22 tion of persons and property from such countries des-  
23 ignated by the Secretary in order to avert the danger de-  
24 scribed in such subsection.

1       “(b) DETERMINATION.—A determination described  
2 in this subsection is a determination by the Secretary that,  
3 by reason of the existence of any communicable disease  
4 or, after consultation with the Attorney General, certain  
5 controlled substances in a foreign country—

6           “(1) there is serious danger of the introduction  
7 of such disease or substances into the United States;  
8 and

9           “(2) such danger is so increased by the intro-  
10 duction of persons or property from such country  
11 that a suspension of the right to introduce such per-  
12 sons and property is required in the interest of the  
13 public health.

14       “(c) DEFINITION.—In this section, the term ‘certain  
15 controlled substance’ means—

16           “(1) a narcotic drug as defined in section  
17 1300.01 of title 21, Code of Federal Regulations (or  
18 successor regulations);

19           “(2) an opiate as described in section  
20 1308.11(b) or 1308.12(c) of such title (or successor  
21 regulations);

22           “(3) an opium derivative as described in section  
23 1308.11(e) of such title (or successor regulations);

1           “(4) a stimulant as described in section  
2           1308.11(f) or 1308.12(d) of such title (or successor  
3           regulations); and

4           “(5) a fentanyl-related substance as described  
5           in section 1308.11(h) of such title (or successor reg-  
6           ulations).”.

Union Calendar No. 36

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 801**

[Report No. 118-53]

---

---

**A BILL**

To amend title III of the Public Health Service Act to provide for suspension of entries and imports from designated countries to prevent the spread of communicable diseases and import into the United States of certain controlled substances.

---

---

MAY 11, 2023

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed