

The bill will help reinforce the important relationship between the FTC and State attorneys general.

Our State attorneys general play a critical role in enforcing and complementing Federal consumer protection laws. The FTC is a relatively small law enforcement agency charged with protecting consumers across the country. By partnering with State attorneys general, the reach of Federal consumer protection efforts is expanded. Stronger enforcement actions can be taken against unscrupulous companies and those engaging in unfair and deceptive practices hurting consumers.

When Americans are harmed by fraud and scams, they often turn to their State attorneys general for help, but these scammers may be targeting people across the country. By working together, State AGs and the FTC can pool their resources and protect consumers across the country.

This bill will help the FTC optimize its collaboration with State attorneys general by studying the matter and issuing a report on how to further promote collaboration.

Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

□ 1400

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

Madam Speaker, I rise today in support of H.R. 1766, the FTC Collaboration Act.

As bad actors and scammers continue their efforts to take advantage of American consumers, we must not back down when it comes to ensuring the safety of our constituents and authenticity of consumer products. The FTC Collaboration Act directs the Federal Trade Commission to examine how it can work better with State attorneys general to prevent, publicize, and penalize scams in the United States.

This legislation would require the FTC to submit a report to Congress on how to enhance collaboration with State law enforcement. I remain confident this can help in other agenda items we can work together on in this particular session. It is so important that we work together with our colleagues on the State level.

I am proud of the important steps this bill takes to keep consumers safe and, importantly, prioritize our most vulnerable during COVID-19.

Madam Speaker, I have no further speakers. In closing, I ask my colleagues to support this very important bill, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I have no additional speakers. I urge support for the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. PIN-GRÉE). The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1766.

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.

DEBARMENT ENFORCEMENT OF BAD ACTOR REGISTRANTS ACT OF 2021

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1002) to amend the Controlled Substances Act to authorize the debarment of certain registrants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1002

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 “Debarment Enforcement of Bad Actor Registrants Act of 2021” or the “DEBAR Act of 2021”.

SEC. 2. DEBARMENT OF CERTAIN REGISTRANTS.

Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended by adding at the end the following:

“(h) The Attorney General may issue an order to prohibit, conditionally or unconditionally, and permanently or for such period as the Attorney General may determine, any person from being registered under this title to manufacture, distribute, or dispense a controlled substance or a list I chemical, if the Attorney General finds that—

“(1) such person meets or has met any of the conditions for suspension or revocation of registration under subsection (a); and

“(2) such person has a history of prior suspensions or revocations of registration.”.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1002.

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

There was no objection.

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

Madam Speaker, I rise today in support of H.R. 1002, the Debarment Enforcement of Bad Actor Registrants Act of 2021, or the DEBAR Act of 2021.

One of the critical missions of the Drug Enforcement Administration is enforcing and implementing the Controlled Substances Act in order to prevent drug diversion and limit access to substances that may pose a risk if used incorrectly.

One important lever the DEA has at its disposal to manage diversion or noncompliance with the law is the ability to revoke or surrender an individual’s controlled substance registration, which is needed to handle controlled substances.

A recent report by the Department of Justice Office of the Inspector General found weaknesses in the DEA’s current registration processes and instances where the agency did not fully utilize its regulatory authorities to address noncompliance. Specifically, the inspector general found cases where entities whose registration were revoked were later able to obtain a new license.

For example, the report included one case where a doctor who had their registration revoked for serious misconduct then moved to another State under the authority of a different DEA field division and was granted a controlled substances registration after re-applying.

Another example in the report included a dentist who had voluntarily surrendered his medical license and DEA registration on two separate occasions. The dentist had also been convicted of a felony, which is grounds for suspension or revocation of an individual’s registration under the Controlled Substances Act. However, this dentist was still able to obtain another DEA registration.

Amid rising substance abuse and tragic drug overdoses, errors like these can be tragic and simply should not be happening. H.R. 1002 would address these errors by authorizing the debarment of any registrant who either meets the criteria for temporary or permanent suspension or revocation or has a history of prior suspensions or revocations.

I thank my committee colleagues—Representative LATTI, in particular—for leading this legislation, and also Ranking Member RODGERS for her work on this legislation.

Madam Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 1002, the Debarment Enforcement of Bad Actor Registrants, or the DEBAR Act, which was introduced by my very good friend, Mr. LATTI.

This provision would give the Drug Enforcement Administration, DEA, debarment authority to prohibit a person who has repeatedly violated the Controlled Substances Act from receiving a registration to manufacture, distribute, or dispense a controlled substance.

It makes a lot of sense. A recent Department of Justice Office of the Inspector General report found that when

certain bad actor registrants have their registration revoked, they can re-apply for registration the very next day. Registrants who pose a significant risk of diverting drugs could be given the opportunity to do so once again.

We have to stop this. That is why this legislation is so vital.

Repeat offenders should not be allowed to get a new registration from the DEA just days after their previous registration was revoked because they broke the law. Limited debarment authority is a commonsense and effective administrative tool to address diversion, fraud, and misconduct.

I strongly support this legislation.

Madam Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Madam Speaker, I appreciate my good friend from Florida for yielding. I also thank the chairman of the committee for bringing this bill before us today on the floor.

Madam Speaker, I rise today in support of H.R. 1002, the Debarment Enforcement of Bad Actor Registrants Act of 2021, or the DEBAR Act.

In the 116th Congress, we worked vigorously to tackle the coronavirus and address the needs of those who were suffering. One of the hardest issues facing Americans during this time was substance abuse, which, on average, takes nearly 130 lives each day in our Nation.

The Centers for Disease Control and Prevention reported that more than 88,000 drug overdoses occurred in a 1-year period ending in August of 2020, making it the deadliest year for U.S. overdoses.

In Ohio alone, opioid overdoses reached record levels, rising 16 percent in the second quarter of 2020. Prior to the pandemic, these rates were, thankfully, declining over a 24-month period.

We need to act immediately to put an end to this crisis. The DEBAR Act provides the Drug Enforcement Administration, DEA, debarment authority to permanently prohibit a person or entity that has violated the Controlled Substances Act from being able to receive a registration to manufacture, distribute or dispense a controlled substance.

This legislation would also close loopholes and reduce the circulation of illegal substances across our Nation and keep bad actors from reapplying for new licenses once revoked. There is no silver bullet when it comes to fighting the opioid epidemic; however, the DEBAR Act will help address what is needed to combat this crisis, save lives, and stop bad actors from contributing to addiction.

Again, I thank the chairman, my friend from New Jersey, for bringing the bill to the floor. I also thank our ranking member from Washington for her help on this legislation.

Madam Speaker, I encourage my colleagues to support this bill.

Mr. BILIRAKIS. Madam Speaker, I urge passage of this good bill, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I also urge support for the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1002, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. MILLER of Illinois. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

ENSURING COMPLIANCE AGAINST DRUG DIVERSION ACT OF 2021

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1899) to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1899

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 Compliance Against Drug Diversion Act of 2021”.

SEC. 2. MODIFICATION, TRANSFER, AND TERMINATION OF REGISTRATION TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES.

Subsection (a) of section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following new paragraph:

“(3)(A) Except as provided in subparagraph (C), the registration of any registrant under this title to manufacture, distribute, or dispense controlled substances or list I chemicals terminates if and when such registrant—

“(i) dies;

“(ii) ceases legal existence;

“(iii) discontinues business or professional practice; or

“(iv) surrenders such registration.

“(B) In the case of such a registrant who ceases legal existence or discontinues business or professional practice, such registrant shall promptly notify the Attorney General in writing of such fact.

“(C) No registration under this title to manufacture, distribute, or dispense controlled substances or list I chemicals, and no authority conferred thereby, may be assigned or otherwise transferred except upon such conditions as the Attorney General may specify and then only pursuant to written consent. A registrant to whom a registration is assigned or transferred pursuant to the preceding sentence may not manufacture, distribute, or dispense controlled substances or list I chemicals pursuant to such

registration until the Attorney General receives such written consent.

“(D) In the case of a registrant under this title to manufacture, distribute, or dispense controlled substances or list I chemicals desiring to discontinue business or professional practice altogether or with respect to controlled substances and list I chemicals (without assigning or transferring such business or professional practice to another entity), such registrant shall return to the Attorney General for cancellation—

“(i) the registrant’s certificate of registration;

“(ii) any unexecuted order forms in the registrant’s possession; and

“(iii) any other documentation that the Attorney General may require.”.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1899.

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

There was no objection.

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

Madam Speaker, I rise today in support of H.R. 1899, the Ensuring Compliance Against Drug Diversion Act.

The Drug Enforcement Administration is charged with regulating controlled substances and manages access to these substances through a registration system. This system is meant to identify entities that manufacture, distribute, and dispense controlled substances, such as opioids; as well as to prevent diversion of these substances. We rely on the DEA to maintain the integrity of this system as one way to stop illicit diversion before it starts.

However, a 2018 Government Accountability Office report found over 700 registrants in the DEA’s system may have been ineligible for registration under the Controlled Substances Act. In fact, the GAO found that some of these registrants were reportedly deceased, did not possess State-level authority, or were incarcerated for offenses related to controlled substances.

If we are to curb rising substance abuse in the U.S., we must ensure, Madam Speaker, that bad actors are prevented from having access to these substances. The legislation we are considering today would terminate the