

118TH CONGRESS  
1ST SESSION

# H. R. 801

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.

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## 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

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## 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”.

1 **SEC. 2. SUSPENSION OF ENTRIES AND IMPORTS FROM DES-**  
2 **IGNATED COUNTRIES TO PREVENT SPREAD**  
3 **OF COMMUNICABLE DISEASES AND IMPORT**  
4 **OF CERTAIN CONTROLLED SUBSTANCES.**

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

7 **“SEC. 362. SUSPENSION OF ENTRIES AND IMPORTS FROM**  
8 **DESIGNATED COUNTRIES TO PREVENT**  
9 **SPREAD OF COMMUNICABLE DISEASES AND**  
10 **IMPORT OF CERTAIN CONTROLLED SUB-**  
11 **STANCES.**

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

20 “(b) DETERMINATION.—A determination described  
21 in this subsection is a determination by the Secretary that,  
22 by reason of the existence of any communicable disease  
23 or, after consultation with the Attorney General, certain  
24 controlled substances in a foreign country—

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

4           “(2) such danger is so increased by the intro-  
5 duction of persons or property from such country  
6 that a suspension of the right to introduce such per-  
7 sons and property is required in the interest of the  
8 public health.

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

11           “(1) a narcotic drug as defined in section  
12 1300.01 of title 21, Code of Federal Regulations (or  
13 successor regulations);

14           “(2) an opiate as described in section  
15 1308.11(b) or 1308.12(c) of such title (or successor  
16 regulations);

17           “(3) an opium derivative as described in section  
18 1308.11(c) of such title (or successor regulations);

19           “(4) a stimulant as described in section  
20 1308.11(f) or 1308.12(d) of such title (or successor  
21 regulations); and

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

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