AMENDMENT TO RULES COMMITTEE PRINT 117–54

OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Add at the end of title LIV of division E the following:

SEC. 54___. COUNTERFEIT MEDICAL PRODUCTS.

(a) IN GENERAL.—It is the sense of Congress that the proliferation of counterfeit, adulterated, misbranded or unapproved medical products from Chinese and other foreign manufacturers and exporters poses a public health and safety risk that reaches the level of a national security concern.

(b) USE OF EXISTING SANCTIONS AUTHORITY.—The Secretary of the Treasury shall direct the Director of the Office of Foreign Assets Control, in coordination with the Commissioner of the Food and Drug Administration and the Secretary of State, to, when necessary for public health or national security as determined by the Director of the Office of Foreign Assets Control, use the existing sanctions authorities of the Office of Foreign Assets Control for persons engaged in a pattern or practice of producing or distributing counterfeit, adulterated, mis-

branded or unapproved medical products with the intent to defraud or mislead the consumer.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Treasury, acting through Director of the Office of Foreign Assets Control, and having consulted with any other agencies as the Director of the Office of Foreign Assets Control determines appropriate, shall submit to House Committees on Financial Services, Foreign Affairs, and Energy and Commerce and the Senate Committees on Foreign Relations, Health, Education Labor and Pensions, and Banking, Housing, and Urban Affairs, a report that addresses whether existing sanctions authorities of the Office of Foreign Assets Control are sufficient to address the production and distribution of counterfeit, adulterated, misbranded or unapproved medical products.