

Union Calendar No. 588

115TH CONGRESS
2^D SESSION

H. R. 5762

[Report No. 115-755]

To amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2018

Mr. LANGEVIN (for himself and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Homeland Security

JUNE 14, 2018

Additional sponsor: Mr. MEADOWS

JUNE 14, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 10, 2018]

A BILL

To amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes.

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 “Joint Task Force to*
5 *Combat Opioid Trafficking Act of 2018”.*

6 **SEC. 2. AUTHORIZATION OF JOINT TASK FORCE TO**
7 **COUNTER OPIOIDS.**

8 *Section 708 of the Homeland Security Act of 2002 (6*
9 *U.S.C. 348) is amended—*

10 *(1) in subsection (b)(2)(A), by adding at the end*
11 *the following new clause:*

12 *“(iv) Enhancing the integration of the*
13 *Department’s border security operations to*
14 *detect, interdict, disrupt, and prevent nar-*
15 *cotics, such as fentanyl and other synthetic*
16 *opioids, from entering the United States.”;*
17 *and*

18 *(2) in subsection (b)—*

19 *(A) by redesignating paragraphs (9)*
20 *through (13) as paragraphs (11) through (15),*
21 *respectively; and*

22 *(B) by inserting after paragraph (8) the fol-*
23 *lowing new paragraph:*

24 *“(9) ENGAGEMENT WITH THE PRIVATE SEC-*
25 *TOR.—*

1 “(A) *IN GENERAL.*—*The Director of a Joint*
2 *Task Force may engage with representatives*
3 *from a private sector organization for the pur-*
4 *pose of carrying out the mission of such Joint*
5 *Task Force, and any such engagement shall not*
6 *be subject to the Federal Advisory Committee Act*
7 *(5 U.S.C. App.).*

8 “(B) *ASSISTANCE FROM PRIVATE SECTOR.*—

9 “(i) *IN GENERAL.*—*Notwithstanding*
10 *subsection (b)(1), the Secretary, with the*
11 *agreement of a private sector organization,*
12 *may arrange for the temporary assignment*
13 *of an employee of such organization to a*
14 *Joint Task Force in accordance with this*
15 *paragraph.*

16 “(ii) *AGREEMENT.*—*The Secretary*
17 *shall provide for a written agreement be-*
18 *tween the Department, the private sector or-*
19 *ganization concerned, and the employee con-*
20 *cerned regarding the terms and conditions*
21 *of the assignment of such employee under*
22 *this paragraph.*

23 “(C) *NO FINANCIAL LIABILITY.*—*Any agree-*
24 *ment under this paragraph shall require the pri-*
25 *vate sector organization concerned to be respon-*

1 sible for all costs associated with the assignment
2 of an employee under this paragraph.

3 “(D) *DURATION.*—An assignment under
4 this paragraph may, at any time and for any
5 reason, be terminated by the Secretary or the
6 private sector organization concerned and shall
7 be for a total period of not more than two years.

8 “(10) *COLLABORATION WITH TASK FORCES OUT-*
9 *SIDE DHS.*—The Secretary may enter into a memo-
10 *randum of understanding by which a Joint Task*
11 *Force established under this section to carry out any*
12 *purpose specified in subsection (b)(2)(A) and any*
13 *other Federal, State, local, tribal, territorial, or inter-*
14 *national entity or task force established for a similar*
15 *purpose may collaborate for the purpose of carrying*
16 *out the mission of such Joint Task Force.”.*

17 **SEC. 3. NOTIFICATION; REPORTING.**

18 (a) *NOTIFICATION.*—Not later than 90 days after the
19 date of the enactment of this Act, the Secretary of Homeland
20 Security shall—

21 (1) *make a determination regarding whether to*
22 *establish a Joint Task Force under section 708 of the*
23 *Homeland Security Act of 2002 to carry out the pur-*
24 *pose specified in clause (iv) of subsection (b)(2)(A) of*
25 *such section, as added by section 2 of this Act; and*

1 (2) *submit to the Committee on Homeland Security of the House and the Committee on Homeland Security and Governmental Affairs of the Senate written notification of such determination, including, if such determination is in the negative, information on the basis for such negative determination.*

7 (b) *REPORTING.—If the Secretary of Homeland Security establishes a Joint Task Force under section 708 of the Homeland Security Act of 2002 to carry out the purpose specified in clause (iv) of subsection (b)(2)(A) of such section, as added by section 2 of this Act, the Secretary shall—*

12 (1) *beginning with the first report required under subsection (b)(6)(F) of such section 708, include with respect to such a Joint Task Force—*

15 (A) *a gap analysis of funding, personnel, technology, or other resources needed in order to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States; and*

20 (B) *a description of collaboration pursuant to subsection (b)(10) of such section (as added by section 2 of this Act) between such a Joint Task Force and any other Federal, State, local, tribal, territorial, or international task force, including*

1 *the United States Postal Service and the United*
2 *States Postal Inspection Service; and*
3 (2) *in each report required under subsection*
4 *(b)(11)(C) of section 708 of the Homeland Security*
5 *Act of 2002, as redesignated by section 2 of this Act,*
6 *an assessment of the activities of such a Joint Task*
7 *Force, including an evaluation of whether such Joint*
8 *Task Force has enhanced integration of the Depart-*
9 *ment's efforts, created any unique capabilities, or oth-*
10 *erwise enhanced operational effectiveness, coordina-*
11 *tion, or information sharing to detect, interdict, dis-*
12 *rupt, and prevent narcotics, such as fentanyl and*
13 *other synthetic opioids, from entering the United*
14 *States.*

Union Calendar No. 588

115TH CONGRESS
2D Session

H. R. 5762

[Report No. 115-755]

A BILL

To amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes.

JUNE 14, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed