

DETECTION EQUIPMENT AND TECHNOLOGY EVALUATION TO COUNTER THE THREAT OF FENTANYL AND XYLAZINE ACT OF 2024

Mr. GIMENEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8663) to require the Science and Technology Directorate in the Department of Homeland Security to develop greater capacity to detect, identify, and disrupt illicit substances in very low concentrations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLES.

This Act may be cited as the “Detection Equipment and Technology Evaluation to Counter the Threat of Fentanyl and Xylazine Act of 2024” or the “DETECT Fentanyl and Xylazine Act of 2024”.

SEC. 2. ENHANCING THE CAPACITY TO DETECT, IDENTIFY, AND DISRUPT DRUGS SUCH AS FENTANYL AND XYLAZINE.

Section 302 of the Homeland Security Act of 2002 (6 U.S.C. 182) is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(15) carrying out research, development, testing, evaluation, and cost-benefit analyses to improve the safety, effectiveness, and efficiency of equipment and reference libraries for use by Federal, State, local, Tribal, and territorial law enforcement agencies for the accurate detection of drugs or the disruption of drug trafficking for drugs such as fentanyl and xylazine, including, but not limited to—

“(A) portable equipment that can detect and identify drugs with minimal or no handling of the sample;

“(B) equipment that can separate complex mixtures containing low concentrations of drugs and high concentrations of cutting agents into their component parts to enable signature extraction for field identification and detection; and

“(C) technologies that use machine learning or artificial intelligence (as defined in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401)) and other techniques to predict whether the substances in a sample are controlled substance analogues or other new psychoactive substances not yet included in available reference libraries.”.

SEC. 3. REQUIREMENTS.

In carrying out section 302(15) of the Homeland Security Act of 2002, as added by section 2, the Under Secretary for Science and Technology shall—

(1) follow the recommendations, guidelines, and best practices described in the Artificial Intelligence Risk Management Framework (NIST AI 100-1) or any successor document published by the National Institute of Standards and Technology; and

(2) establish the Directorate of Science and Technology’s research, development, testing, evaluation, and cost-benefit analysis priorities under such section 302(15) based on the latest available information, including the latest State and Territory Report on Enduring and Emerging Threats published by the Drug Enforcement Administration or any successor document.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Florida (Mr. GIMENEZ) and the gentleman from Maryland (Mr. IVEY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. GIMENEZ. Mr. 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. 8663, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 8663, the DETECT Fentanyl and Xylazine Act of 2024.

As the catastrophe at our southern border has continued to spiral out of control, the trafficking of fentanyl and other drugs has reached critical levels, putting Americans and law enforcement officials at risk.

The unchecked drug flow has devastated families and communities across the country, and the Committee on Homeland Security has uncovered throughout the course of the past 2 years this devastating lack of enforcement at the southern border.

While our brave law enforcement and frontline border personnel do their best to interdict, they do not always have the tools and resources to effectively do so. H.R. 8663 will improve drug detection accuracy through DHS Science and Technology Directorate research and providing critical equipment for Federal, State, local, Tribal, and territorial law enforcement dealing with fentanyl, xylazine, and other deadly drugs.

Mr. Speaker, I commend the gentleman from New York (Mr. LALOTA) for his work on this legislation. I urge all Members to support it, and I reserve the balance of my time.

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

H.R. 8663, the Detection Equipment and Technology Evaluation to Counter the Threat of Fentanyl and Xylazine Act is a critical piece of legislation that empowers the DHS Science and Technology Directorate to enhance the ability of all levels of law enforcement to detect and disrupt illicit substances.

This bipartisan bill, which is cosponsored in the House by my colleagues Congressmen LOU CORREA and DON DAVIS, was initially introduced by Senators CORNYN, OSSOFF, LANKFORD, and SINEMA this past spring.

The bill mandates the development of advanced technologies, such as portable drug detectors that require minimal sample handling, equipment capable of separating complex drug mixtures into identifiable components, and the use of artificial intelligence to identify emerging threats.

These innovations are designed to improve the efficiency and accuracy of drug detection efforts, providing law

enforcement with the tools they need to stay ahead of traffickers and safeguard our communities.

While this bipartisan bill is undeniably a step forward in combating the widespread issue of illicit substances like fentanyl and xylazine, it is essential to recognize that its impact goes far beyond the narrow scope of any nation’s involvement, including China’s. The challenges of detecting these dangerous drugs are global in nature, and the solutions proposed by this bill address a broad spectrum of threats that law enforcement faces across the United States.

This bill is primarily a response and provides comprehensive benefits in bolstering our national security and public health infrastructure. Therefore, while we strongly support the bill’s objectives, we resist the effort to politicize any aspect of this critical issue, especially given the complexity and widespread nature of this action.

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

Mr. GIMENEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. LALOTA), the author of the legislation.

Mr. LALOTA. Mr. Speaker, the United States of America, the greatest nation the world has ever known, is facing an unprecedented crisis as deadly drugs like fentanyl and xylazine devastate our communities. It is imperative that our leaders here in Congress work together to confront this epidemic and save lives.

Last year, there were over 107,000 drug overdose deaths. Of those deaths, over 81,000 involved opioids. Based on prior years’ statistics, we estimate that fentanyl was responsible for nearly 90 percent of all synthetic opioid-related deaths. That is almost 73,000 fentanyl deaths in just 1 year.

These staggering statistics are not just numbers. They represent real lives lost, real families shattered, and real communities that are forever changed for the worse. It is the biggest cause of death of Americans ages 18-45, and it does not discriminate based on race or economic class. It kills in each of our districts—170 fentanyl deaths per congressional district per year on average.

Even more troubling is xylazine. Known on the streets as tranq, it is now being mixed with fentanyl, making the drug even more deadly and more difficult to detect.

We must do more, more to get these dangerous substances off our streets and ensure our law enforcement officers have every tool and resource necessary to combat this crisis effectively, which is why I was proud to introduce the DETECT Fentanyl and Xylazine Act, a bipartisan bill that will do just that.

This legislation is not just a response to the ever-growing threat of illicit narcotics like fentanyl and xylazine. It is a critical step in our fight to protect our communities and to save lives.

Too many Americans have experienced the devastation caused by illicit drugs like fentanyl and xylazine. These substances have infiltrated our neighborhoods, torn families apart, and claimed countless lives across our great Nation. From Long Island to Los Angeles, no community has been spared, and for far too long, illegal drug smugglers have made it their mission to poison our streets with these illicit substances.

Every day, our law enforcement officers, those on the front lines of this battle, are forced to confront these threats with often outdated and inadequate tools. That is why this legislation is so important.

The act will authorize the Department of Homeland Security to conduct critical research and development, testing, and evaluation of state-of-the-art detection equipment. This legislation will also empower Federal, State, local, and Tribal law enforcement agencies with the best technology available to detect and intercept even the smallest amounts of these dangerous substances.

This legislation will also create an important new statutory responsibility for the Science and Technology Directorate at DHS to focus on three key areas: one, developing portable detection equipment; two, improving technologies to separate complex mixtures; and, three, leveraging artificial intelligence and machine learning.

Let me be clear. This is not just about equipment and technology. This is about the lives that we have a duty to protect. It is about ensuring that a child does not lose a parent to a lethal dose of fentanyl. It is about preventing the next wave of overdose deaths that leaves yet another community in mourning. It is about making sure that every law enforcement officer has the tools they need to safely and effectively do their job.

I thank my friend from the other side of the aisle and fellow Homeland Security Committee member, Congressman LOU CORREA, for partnering with me in introducing this critical bipartisan legislation and Senators CORNYN, OSSOFF, and SINEMA for their partnership in the Senate in this vital legislation.

I also thank the coalitions of organizations representing law enforcement professionals, public health advocates, and local governments across the Nation that have endorsed this legislation.

Mr. Speaker, I urge all of my colleagues to vote “yes” on the DETECT Fentanyl and Xylazine Act. Let’s give our law enforcement the resources they need, let’s protect our communities, and let’s save lives.

Mr. IVEY. Mr. Speaker, I yield myself the balance of my time.

Republicans and Democrats alike recognize the challenges facing law enforcement in the detection of dangerous drugs like fentanyl. H.R. 8663 is a step in the right direction, and I urge my colleagues to support it. Mr. Speaker, I yield back the balance of my time.

Mr. GIMENEZ. Mr. Speaker, I yield myself the balance of my time. As more and more Americans are negatively impacted by fentanyl and other deadly drugs, it is important to take steps to mitigate and detect the flow of these drugs over our borders. I urge passage of H.R. 8663, which will develop a greater capacity to detect, identify, and disrupt illicit substances. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GIMENEZ) that the House suspend the rules and pass the bill, H.R. 8663.

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.

SUBTERRANEAN BORDER DEFENSE ACT

Mr. GIMENEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7404) to require annual reports on counter illicit cross-border tunnel operations, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7404

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 “Subterranean Border Defense Act”.

SEC. 2. ANNUAL REPORTS ON COUNTER ILLICIT CROSS-BORDER TUNNEL OPERATIONS.

Paragraph (2) of section 7134(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263; 6 U.S.C. 257 note) is amended by inserting “and annually thereafter” after “development of the strategic plan”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. GIMENEZ) and the gentleman from Maryland (Mr. IVEY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. GIMENEZ. Mr. 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. 7404, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 7404, the Subterranean Border Defense Act.

Due to President Biden, Vice President HARRIS, and Secretary Mayorkas’ collective failures and refusal to secure our border, transnational criminal organizations are unchecked in their efforts to infiltrate into the United States.

These illicit pathways into our country have only made it easier for criminals to bring their illegal business into the homeland, from human trafficking to drug smuggling deadly fentanyl and other drugs that are being funneled from nations afar, including Communist China.

H.R. 7404 will require DHS to provide annual reports on its efforts to counter illicit tunnel operations.

I commend the gentleman from Arizona (Mr. CRANE) for his leadership on this effort and urge strong support for the measure.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of this bill because we should have more oversight and information on the threat of tunnels going under our borders and the actions our government is taking to counter them.

Tunnels are used by transnational criminal organizations looking to make a profit, and most of the people using them are not Chinese.

Over the past 30 years, cartels have created illegal tunnels under border walls and barriers to smuggle people and drugs into this country and send out money and firearms, including assault weapons.

Since 1990, law enforcement has discovered more than 230 tunnels across U.S. borders.

These tunnels can be sophisticated. In 2019, CBP discovered a tunnel near the San Diego, California, and Tijuana, Mexico, border that was over three-quarters of a mile long.

This bill simply creates an annual reporting requirement to keep Congress informed on the DHS’ efforts to counter illicit cross-border tunnels and hold bad actors accountable.

The information this bipartisan piece of legislation requires will help inform Congress of the situation on the border and what authorities or resources might be needed.

Mr. Speaker, I reserve the balance of my time.

Mr. GIMENEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. CRANE), the author of this legislation.

Mr. CRANE. Mr. Speaker, I rise today to speak in favor of my bill, the Subterranean Border Defense Act, a bipartisan piece of border security legislation that I have introduced alongside Congressman CORREA from California.

Effective border security is created by overlapping deterrents. That is something we are desperately lacking at our border.

The Subterranean Border Defense Act would help us address the growing threat of illicit cross-border tunnels by requiring annual reports to Congress on counter-tunnel operations, fortifying our security system at the border.