

TESTING, RAPID ANALYSIS, AND NARCOTIC QUALITY
RESEARCH ACT

MAY 5, 2023.—Committed to the Committee of the Whole House on the State of the
Union and ordered to be printed

Mr. LUCAS, from the Committee on Science, Space, and Technology,
submitted the following

R E P O R T

[To accompany H.R. 1734]

The Committee on Science, Space, and Technology, to whom was referred the bill (H.R. 1734) to require coordinated National Institute of Standards and Technology science and research activities regarding illicit drugs containing xylazine, novel synthetic opioids, and other substances of concern, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:
Add at the end of the bill the following:

SEC. 3. REPORT.

Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of this Act. Such report may include legislative recommendations to improve the Director's ability to carry out section 2.

PURPOSE AND SUMMARY

The National Institute of Standards and Technology (NIST) has unique analytical capabilities in the safe handling and identification of illicit drugs. This legislation would direct NIST to take steps to enhance its work to understand the unique properties of Tranq and other novel synthetic opioids, develop new analytical capabilities for novel synthetic opioids, and establish new partnerships with front-line entities that are oftentimes the points of first contact for new opioid variants.

BACKGROUND AND NEED FOR LEGISLATION

The development and distribution of novel synthetic opioids continues to threaten the health and safety of communities across the United States. A new fentanyl analogue, commonly known as "Tranq", containing a veterinary tranquilizer, xylazine, has begun to spread across the country. Many law enforcement agencies, especially in rural America, lack the technical expertise and resources to safely handle dangerous substances. While local law enforcement and non-profit agencies on the East Coast are relatively familiar with the utility of working with NIST, the agency's work is lesser known as you move west across the country.

The Drug Enforcement Agency (DEA) reports skyrocketing detections of xylazine, with growth between 2020 and 2021 at 61% in the Northeast, 198% in the South, 7% in the Midwest, and 112% in the West. According to the DEA, "the presence of xylazine in illicit drug combinations and its detection in fatal overdoses may be more widespread than reported as a number of jurisdictions across the country may not include xylazine in forensic laboratory or toxicology testing."

Directing NIST to leverage its existing expertise and infrastructure to augment the capabilities of entities working to counter the opioid crisis will save money for local law enforcement, enhance safety for law enforcement personnel, raise awareness of the dangers of fentanyl containing xylazine, and better prepare first responders for rapid and safe opioid response activities.

LEGISLATIVE HISTORY

On March 23, 2023, Rep. Mike Collins and Rep. Yadira Caraveo introduced H.R. 1734, the Testing, Rapid Analysis, and Narcotic Quality (TRANQ) Research Act.

On March 29, 2023, the Committee on Science, Space, and Technology met to consider H.R. 1734. Chairman Lucas moved that Committee favorably report the bill, H.R. 1734, as amended, to the House of Representatives with the recommendation that the bill be approved. The motion was agreed to by a vote of 36-0.

COMMITTEE VIEWS

The Committee recognizes the impact of the opioid crisis on everyday Americans and first responders tasked with providing emergency services to those in need. The Committee is also aware of the unique capabilities of NIST to identify chemical markers of novel synthetic opioids and develop safe handling practices that can inform first response efforts. The Committee encourages NIST to continue its work with novel synthetic opioids and other illicit drugs and to grow its partnerships with first responders across the nation who could benefit from NIST's expertise.

SECTION-BY-SECTION

Section 1. Short title

This section establishes that this legislation may be referred to as the "Testing, Rapid Analysis, and Narcotic Quality Research Act" or the "TRANQ Research Act."

Section 2. Xylazine detection and analysis

This section directs NIST to conduct basic science and research on illicit drugs, with a special focus on drugs containing xylazine. It also directs NIST to work towards near-real time identification capabilities of xylazine in drugs, convene stakeholders with unique knowledge or interests in counter-opioid efforts, establish collaborative partnerships with other institutions, including research institutions, and provide opportunities for graduate and post-graduate research on xylazine-laced drugs. In fulfilling the requirements of this section, NIST must ensure there are appropriate research security controls.

Section 3. Report

NIST must submit a report to the Committee on Science, Space, and Technology one year after the date of enactment on the implementation of this act, including legislative recommendations for improving NIST's ability to carry out the act.

EXPLANATION OF AMENDMENTS

An amendment offered by Representative Claudia Tenney was adopted by voice vote and is incorporated in the Committee reported text of H.R. 1734. The amendment requires NIST to report on the effectiveness of the legislation one year after enactment, and allows NIST to include recommendations for how to improve the effort as part of the reporting requirement. This amendment is consistent with the spirit of the legislation and will inform Congressional oversight of NIST's efforts in the future.

COMMITTEE CONSIDERATION

On March 29, 2023, the Committee met in open session and ordered reported favorably the bill, H.R. 1734, as amended, by roll call vote, a quorum being present.

ROLL CALL VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto.

The following reflects the record votes taken during the Committee consideration:

Full Committee Markup
 Bill: HR 1734, motion to report

Sponsor: Collins of Georgia, Caraveo

Majority	Aye	No	Present
Frank Lucas, Oklahoma	1		
Bill Posey, Florida	1		
Randy Weber, Texas	1		
Brian Babin, Texas	1		
Jim Baird, Indiana	1		
Daniel Webster, Florida	1		
Mike Garcia, California	1		
Stephanie Bice, Oklahoma	1		
Jay Obernolte, California	1		
Chuck Fleischmann, Tennessee			
Darrell Issa, California	1		
Rick Crawford, Arkansas	1		
Claudia Tenney, New York	1		
Ryan Zinke, Montana	1		
Scott Franklin, Florida	1		
Dale Strong, Alabama	1		
Max Miller, Ohio	1		
Rich McCormick, Georgia	1		
Mike Collins, Georgia	1		
Brandon Williams, New York	1		
Tom Kean, New Jersey	1		
Minority	Aye	No	Present
Zoe Lofgren, California	1		
Suzanne Bonamici, Oregon	1		
Haley Stevens, Michigan	1		
Jamaal Bowman, New York	1		
Deborah Ross, New Carolina	1		
Eric Sorensen, Illinois	1		
Andrea Salinas, Oregon	1		
Val Foushee, North Carolina	1		
Kevin Mullin, California	1		
Jeff Jackson, North Carolina	1		
Emilia Sykes, Ohio	1		
Maxwell Frost, Florida	1		
Yadira Caraveo, Colorado	1		
Summer Lee, Pennsylvania	1		
Jennifer McClellan, Virginia	1		
Ted Lieu, California			
Sean Casten, Illinois	1		
Paul Tonko			
Total	36	0	

Date: 3/29/23

Measure: _____

Offered By: _____

Amendment No.: _____

Result?	Agreed To: [X]		
	Not Agreed To: []		
	Withdrawn: []		
<i>Voice Vote</i>	<i>Ayes</i>	<i>Nays</i>	<i>Present</i>
	36	0	

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

The Committee finds that H.R. 1734 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS
OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII, H.R. 1734 would expand upon NIST's current research and testing of novel synthetic opioids and other illicit drugs, including xylazine, in order to continue to grow its partnerships with first responders across the nation and to develop safety practices which will inform those first response efforts. A yearly reporting requirement ensures that the goals of the Committee are being met and provides an avenue for recommending legislation to improve NIST's ability to carry out these goals.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, the Committee finds that no provision of H.R. 1734 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance.

FEDERAL ADVISORY COMMITTEE ACT

The Committee finds that the legislation does not establish or authorize the establishment of an advisory committee within the definition of section 5(b) of the Federal Advisory Committee Act.

UNFUNDED MANDATE STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

EARMARK IDENTIFICATION

Pursuant to clauses 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1734 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY,
AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 1734 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

