

§ 224. Other reporting requirements**(a) Unidentified remains****(1) Reporting requirement**

Not later than 1 year after December 31, 2020, and annually thereafter, the Commissioner of U.S. Customs and Border Protection shall submit a report to the appropriate committees of Congress regarding all unidentified remains discovered, during the reporting period, on or near the border between the United States and Mexico, including—

(A) for each deceased person—

(i) the cause and manner of death, if known;

(ii) the sex, age (at time of death), and country of origin (if such information is determinable); and

(iii) the location of each unidentified remain;

(B) the total number of deceased people whose unidentified remains were discovered by U.S. Customs and Border Protection during the reporting period;

(C) to the extent such information is available to U.S. Customs and Border Protection, the total number of deceased people whose unidentified remains were discovered by Federal, State, local or Tribal law enforcement officers, military personnel, or medical examiners offices;

(D) the efforts of U.S. Customs and Border Protection to engage with nongovernmental organizations, institutions of higher education, medical examiners and coroners, and law enforcement agencies—

(i) to identify and map the locations at which migrant deaths occur; and

(ii) to count the number of deaths that occur at such locations; and

(E) a detailed description of U.S. Customs and Border Protection's Missing Migrant Program, including how the program helps mitigate migrant deaths while maintaining border security.

(2) Public disclosure

Not later than 30 days after each report required under paragraph (1) is submitted, the Commissioner of U.S. Customs and Border Protection shall publish on the website of the agency the information described in subparagraphs (A), (B), and (C) of paragraph (1) during each reporting period.

(b) Rescue beacons

Not later than 1 year after December 31, 2020, and annually thereafter, the Commissioner of U.S. Customs and Border Protection shall submit a report to the appropriate committees of Congress regarding the use of rescue beacons along the border between the United States and Mexico, including, for the reporting period—

(1) the number of rescue beacons in each border patrol sector;

(2) the specific location of each rescue beacon;

(3) the frequency with which each rescue beacon was activated by a person in distress;

(4) a description of the nature of the distress that resulted in each rescue beacon activation (if such information is determinable); and

(5) an assessment, in consultation with local stakeholders, including elected officials, nongovernmental organizations, and landowners, of necessary additional rescue beacons and recommendations for locations for deployment to reduce migrant deaths.

(c) GAO report

Not later than 6 months after the report required under subsection (a) is submitted to the appropriate committees of Congress, the Comptroller General of the United States shall submit a report to the same committees that describes—

(1) how U.S. Customs and Border Protection collects and records border-crossing death data;

(2) the differences (if any) in U.S. Customs and Border Protection border-crossing death data collection methodology across its sectors;

(3) how U.S. Customs and Border Protection's data and statistical analysis on trends in the numbers, locations, causes, and characteristics of border-crossing deaths compare to other sources of data on these deaths, including border county medical examiners and coroners and the Centers for Disease Control and Prevention;

(4) how U.S. Customs and Border Protection measures the effectiveness of its programs to mitigate migrant deaths; and

(5) the extent to which U.S. Customs and Border Protection engages Federal, State, local, and Tribal governments, foreign diplomatic and consular posts, and nongovernmental organizations—

(A) to accurately identify deceased individuals;

(B) to resolve cases involving unidentified remains;

(C) to resolve cases involving unidentified persons; and

(D) to share information on missing persons and unidentified remains, specifically with the National Missing and Unidentified Persons System (NamUs).

(Pub. L. 116–277, § 5, Dec. 31, 2020, 134 Stat. 3370.)

Editorial Notes**CODIFICATION**

Section was enacted as part of Missing Persons and Unidentified Remains Act of 2019, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 225. Reports, evaluations, and research regarding drug interdiction at and between ports of entry**(a) Research on additional technologies to detect fentanyl**

Not later than one year after December 23, 2022, the Secretary of Homeland Security, in consultation with the Attorney General, the Secretary of Health and Human Services, and the Director of the Office of National Drug Control Policy, shall research additional technological solutions to—

(1) target and detect illicit fentanyl, fentanyl analogs, and precursor chemicals, in-

cluding low-purity fentanyl, especially in counterfeit pressed tablets, and illicit pill press molds; and

(2) enhance detection of such counterfeit pressed tablets through nonintrusive, noninvasive, and other advanced screening technologies.

(b) Evaluation of current technologies and strategies in illicit drug interdiction and procurement decisions

(1) In general

The Secretary of Homeland Security, in consultation with the Attorney General, the Secretary of Health and Human Services, and the Director of the Office of National Drug Control Policy, shall establish a program to collect available data and develop metrics to measure how technologies and strategies used by the Department of Homeland Security, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other relevant Federal agencies have helped detect trafficked illicit fentanyl, fentanyl analogs, and precursor chemicals or deter illicit fentanyl, fentanyl analogs, and precursor chemicals from being trafficked into the United States at and between land, air, and sea ports of entry.

(2) Considerations

The data and metrics program established pursuant to paragraph (1) may consider—

(A) the rate of detection of illicit fentanyl, fentanyl analogs, and precursor chemicals at land, air, and sea ports of entry;

(B) investigations and intelligence sharing into the origins of illicit fentanyl, fentanyl analogs, and precursor chemicals within the United States; and

(C) other data or metrics considered appropriate by the Secretary of Homeland Security.

(3) Updates

The Secretary of Homeland Security, as appropriate and in the coordination with the officials referred to in paragraph (1), may update the data and metrics program established pursuant to paragraph (1).

(4) Reports

(A) Secretary of Homeland Security

Not later than one year after December 23, 2022, and biennially thereafter, the Secretary of Homeland Security, in consultation with the Attorney General, the Secretary of Health and Human Services, and the Director of the Office of National Drug Control Policy shall, based on the data collected and metrics developed pursuant to the program established pursuant to paragraph (1), submit to the Committee on Homeland Security, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on the Judiciary of the Senate a report that—

(i) examines and analyzes current technologies, including pilot technologies, deployed at land, air, and sea ports of entry to assess how well such technologies detect, deter, and address illicit fentanyl, fentanyl analogs, and precursor chemicals; and

(ii) examines and analyzes current technologies, including pilot technologies, deployed between land ports of entry to assess how well and accurately such technologies detect, deter, interdict, and address illicit fentanyl, fentanyl analogs, and precursor chemicals;¹

(B) Government Accountability Office

Not later than one year after the submission of each of the first three reports required under subparagraph (A), the Comptroller General of the United States shall submit to the Committee on Homeland Security, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on the Judiciary of the Senate a report that evaluates and, as appropriate, makes recommendations to improve, the collection of data under the program established pursuant to paragraph (1) and metrics used in the subsequent reports required under such subparagraph.

(Pub. L. 117-263, div. G, title LXXI, §7136, Dec. 23, 2022, 136 Stat. 3650.)

Editorial Notes

CODIFICATION

Section was enacted as part of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

PART C—MISCELLANEOUS PROVISIONS

§ 231. Transfer of certain agricultural inspection functions of the Department of Agriculture

(a) Transfer of agricultural import and entry inspection functions

There shall be transferred to the Secretary the functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under the laws specified in subsection (b).

(b) Covered animal and plant protection laws

The laws referred to in subsection (a) are the following:

(1) The Act commonly known as the Virus-Serum-Toxin Act (the eighth paragraph under the heading “Bureau of Animal Industry” in the Act of March 4, 1913; 21 U.S.C. 151 et seq.).

(2) Section 1 of the Act of August 31, 1922 (commonly known as the Honeybee Act; 7 U.S.C. 281).

(3) Title III of the Federal Seed Act (7 U.S.C. 1581 et seq.).

¹ So in original. The semicolon probably should be a period.