

116TH CONGRESS
1ST SESSION

H. R. 3722

IN THE SENATE OF THE UNITED STATES

OCTOBER 15, 2019

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

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 2019”.

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

8 Subsection (b) of section 708 of the Homeland Secu-
9 rity Act of 2002 (6 U.S.C. 348) is amended—

10 (1) in paragraph (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 (2) by redesignating paragraphs (9) through
18 (13) as paragraphs (11) through (15), respectively;
19 and

20 (3) by inserting after paragraph (8) the fol-
21 lowing new paragraphs:

22 “(9) **ENGAGEMENT WITH THE PRIVATE SEC-**
23 **TOR.**—

24 “(A) **IN GENERAL.**—The Director of a
25 Joint Task Force may engage with representa-

1 tives from a private sector organization for the
2 purpose of carrying out the mission of such
3 Joint Task Force, and any such engagement
4 shall not be subject to the Federal Advisory
5 Committee Act (5 U.S.C. App.).

6 “(B) ASSISTANCE FROM PRIVATE SEC-
7 TOR.—

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

15 “(ii) AGREEMENT.—The Secretary
16 shall provide for a written agreement be-
17 tween the Department, the private sector
18 organization concerned, and the employee
19 concerned regarding the terms and condi-
20 tions of the assignment of such employee
21 under this paragraph.

22 “(C) NO FINANCIAL LIABILITY.—Any
23 agreement under this paragraph shall require
24 the private sector organization concerned to be

1 responsible for all costs associated with the as-
2 signment 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 2 years.

8 “(10) COLLABORATION WITH TASK FORCES
9 OUTSIDE DHS.—The Secretary may enter into a
10 memorandum of understanding by which a Joint
11 Task Force established under this section to carry
12 out any purpose specified in paragraph (2)(A) and
13 any other Federal, State, local, Tribal, territorial, or
14 international entity or task force established for a
15 similar purpose may collaborate for the purpose of
16 carrying 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 Home-
20 land Security shall—

21 (1) make a determination regarding whether to
22 establish a Joint Task Force under section 708 of
23 the Homeland Security Act of 2002 to carry out the
24 purpose specified in clause (iv) of subsection

1 (b)(2)(A) of such section, as added by section 2 of
2 this Act; and

3 (2) submit to the Committee on Homeland Se-
4 curity of the House of Representatives and the Com-
5 mittee on Homeland Security and Governmental Af-
6 fairs of the Senate written notification of such deter-
7 mination, including, if such determination is in the
8 negative, information on the basis for such negative
9 determination.

10 (b) REPORTING.—If the Secretary of Homeland Se-
11 curity establishes a Joint Task Force under section 708
12 of the Homeland Security Act of 2002 to carry out the
13 purpose specified in clause (iv) of subsection (b)(2)(A) of
14 such section, as added by section 2 of this Act, the Sec-
15 retary shall—

16 (1) beginning with the first report required
17 under subsection (b)(6)(F) of such section 708, in-
18 clude with respect to such a Joint Task Force—

19 (A) a gap analysis of funding, personnel,
20 technology, or other resources needed in order
21 to detect, interdict, disrupt, and prevent nar-
22 cotics, such as fentanyl and other synthetic
23 opioids, from entering the United States; and

24 (B) a description of collaboration pursuant
25 to subsection (b)(10) of such section (as added

1 by section 2 of this Act) between such a Joint
2 Task Force and any other Federal, State, local,
3 Tribal, territorial, or international task force,
4 including the United States Postal Service and
5 the United States Postal Inspection Service;
6 and

7 (2) in each review required under subsection
8 (b)(11)(C) of section 708 of the Homeland Security
9 Act of 2002, as redesignated by section 2 of this
10 Act, an assessment of the activities of such a Joint
11 Task Force, including an evaluation of whether such
12 Joint Task Force has enhanced integration of the
13 Department's efforts, created any unique capabili-
14 ties, or otherwise enhanced operational effectiveness,
15 coordination, or information sharing to detect, inter-
16 dict, disrupt, and prevent narcotics, such as fentanyl
17 and other synthetic opioids, from entering the
18 United States.

Passed the House of Representatives September 27,
2019.

Attest: CHERYL L. JOHNSON,
Clerk.