

115TH CONGRESS  
2D SESSION

# H. R. 5762

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.

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## 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

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## 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”.

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

3 Section 708 of the Homeland Security Act of 2002  
4 (6 U.S.C. 348) is amended—

5 (1) in subsection (b)(2)(A), by adding at the  
6 end the following new clause:

7 “(iv) Enhancing the integration of the  
8 Department’s border security operations to  
9 detect, interdict, disrupt, and prevent nar-  
10 cotics, such as fentanyl and other synthetic  
11 opioids, from entering the United States.”;  
12 and

13 (2) in subsection (b)—

14 (A) by redesignating paragraphs (9)  
15 through (13) as paragraphs (11) through (15),  
16 respectively; and

17 (B) by inserting after paragraph (8) the  
18 following new paragraph:

19 “(9) **ENGAGEMENT WITH THE PRIVATE SEC-**  
20 **TOR.**—

21 “(A) **IN GENERAL.**—The Director of a  
22 Joint Task Force may engage with representa-  
23 tives from a private sector organization for the  
24 purpose of carrying out the mission of such  
25 Joint Task Force, and any such engagement

1 shall not be subject to the Federal Advisory  
2 Committee Act (5 U.S.C. App.).

3 “(B) ASSISTANCE FROM PRIVATE SEC-  
4 TOR.—

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

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

19 “(C) NO FINANCIAL LIABILITY.—Any  
20 agreement under this paragraph shall require  
21 the private sector organization concerned to be  
22 responsible for all costs associated with the as-  
23 signment of an employee under this paragraph.

24 “(D) DURATION.—An assignment under  
25 this paragraph may, at any time and for any

1           reason, be terminated by the Secretary or the  
2           private sector organization concerned and shall  
3           be for a total period of not more than two  
4           years.

5           “(10) COLLABORATION WITH TASK FORCES  
6           OUTSIDE DHS.—The Secretary may enter into a  
7           memorandum of understanding by which a Joint  
8           Task Force established under this section to carry  
9           out any purpose specified in subsection (b)(2)(A)  
10          and any other Federal, State, local, tribal, terri-  
11          torial, or international task force established for a  
12          similar purpose may collaborate for the purpose of  
13          carrying out the mission of such Joint Task Force.”.

14 **SEC. 3. NOTIFICATION; REPORTING.**

15          (a) NOTIFICATION.—Not later than 90 days after the  
16          date of the enactment of this Act, the Secretary of Home-  
17          land Security shall—

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

24               (2) submit to the Committee on Homeland Se-  
25               curity of the House and the Committee on Home-

1 land Security and Governmental Affairs of the Sen-  
2 ate written notification of such determination, in-  
3 cluding, if such determination is in the negative, in-  
4 formation on the basis for such negative determina-  
5 tion.

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

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

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

20 (B) a description of collaboration pursuant  
21 to subsection (b)(10) of such section (as added  
22 by section 2 of this Act) between such a Joint  
23 Task Force and any other Federal, State, local,  
24 tribal, territorial, or international task force, in-  
25 cluding the United States Postal Service and

1 the United States Postal Inspection Service;  
2 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  
6 Act, an assessment of the activities of such a Joint  
7 Task Force, including an evaluation of whether such  
8 Joint Task Force has enhanced integration of the  
9 Department's efforts, created any unique capabili-  
10 ties, or otherwise enhanced operational effectiveness,  
11 coordination, or information sharing to detect, inter-  
12 dict, disrupt, and prevent narcotics, such as fentanyl  
13 and other synthetic opioids, from entering the  
14 United States.

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