

118TH CONGRESS
2D SESSION

H. R. 8663

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2024

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

AN ACT

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLES.**

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

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

9 Section 302 of the Homeland Security Act of 2002
10 (6 U.S.C. 182) is amended—

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

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

15 (3) by adding at the end the following:

16 “(15) carrying out research, development, test-
17 ing, evaluation, and cost-benefit analyses to improve
18 the safety, effectiveness, and efficiency of equipment
19 and reference libraries for use by Federal, State,
20 local, Tribal, and territorial law enforcement agen-
21 cies for the accurate detection of drugs or the dis-
22 ruption of drug trafficking for drugs such as
23 fentanyl and xylazine, including, but not limited to—

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

1 “(B) equipment that can separate complex
2 mixtures containing low concentrations of drugs
3 and high concentrations of cutting agents into
4 their component parts to enable signature ex-
5 traction for field identification and detection;
6 and

7 “(C) technologies that use machine learn-
8 ing or artificial intelligence (as defined in sec-
9 tion 5002 of the National Artificial Intelligence
10 Initiative Act of 2020 (15 U.S.C. 9401)) and
11 other techniques to predict whether the sub-
12 stances in a sample are controlled substance
13 analogues or other new psychoactive substances
14 not yet included in available reference librar-
15 ies.”.

16 **SEC. 3. REQUIREMENTS.**

17 In carrying out section 302(15) of the Homeland Se-
18 curity Act of 2002, as added by section 2, the Under Sec-
19 retary for Science and Technology shall—

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

1 (2) establish the Directorate of Science and
2 Technology's research, development, testing, evalua-
3 tion, and cost-benefit analysis priorities under such
4 section 302(15) based on the latest available infor-
5 mation, including the latest State and Territory Re-
6 port on Enduring and Emerging Threats published
7 by the Drug Enforcement Administration or any
8 successor document.

Passed the House of Representatives September 9,
2024.

Attest: KEVIN F. MCCUMBER,
Clerk.