AMENDMENT NO._____   Calendar No._____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 4419

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. OSSOFF

Viz:

1   Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLES.**

4   This Act may be cited as the "Detection Equipment

5 and Technology Evaluation to Counter the Threat of

6 Fentanyl and Xylazine Act of 2024" or the "DETECT

7 Fentanyl and Xylazine Act of 2024".

1 **SEC. 2. ENHANCING THE CAPACITY TO DETECT AND IDEN-**

2 **TIFY DRUGS SUCH AS FENTANYL AND**

3 **XYLAZINE.**

4   Section 302 of the Homeland Security Act of 2002

5 (6 U.S.C. 182) is amended—

6   (1) in paragraph (13), by striking "and" at the

7   end;

8   (2) in paragraph (14), by striking the period at

9   the end and inserting "; and"; and

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

11   "(15) carrying out research, development, test-

12   ing, evaluation, and cost-benefit analyses to improve

13   the safety, effectiveness, and efficiency of equipment

14   and the effectiveness and efficiency of reference li-

15   braries for use by Federal, State, local, Tribal, and

16   territorial law enforcement agencies for the accurate

17   detection of drugs, such as fentanyl and xylazine, in-

18   cluding—

19   "(A) portable equipment that can detect

20   and identify drugs with minimal or no handling

21   of the sample;

22   "(B) equipment that can separate complex

23   mixtures containing low concentrations of drugs

24   and high concentrations of cutting agents into

25   their component parts to enable signature ex-

1   traction for field identification and detection;

2   and

3   "(C) technologies that use machine learn-

4   ing or artificial intelligence (as defined in sec-

5   tion 5002 of the National Artificial Intelligence

6   Initiative Act of 2020 (15 U.S.C. 9401)) and

7   other techniques to predict whether the sub-

8   stances in a sample are controlled substance

9   analogues or other new psychoactive substances

10   not yet included in available reference librar-

11   ies.".

12 **SEC. 3. REQUIREMENTS.**

13   In carrying out section 302(15) of the Homeland Se-

14 curity Act of 2002, as added by section 2, the Under Sec-

15 retary for Science and Technology shall—

16   (1) follow the recommendations, guidelines, and

17   best practices described in the Artificial Intelligence

18   Risk Management Framework (NIST AI 100–1) or

19   any successor document published by the National

20   Institute of Standards and Technology; and

21   (2) establish the Directorate of Science and

22   Technology's research, development, testing, evalua-

23   tion, and cost-benefit analysis priorities under such

24   section 302(15) based on the latest available infor-

1 mation, including specific drugs identified as threats

2 in—

3   (A) the latest Homeland Threat Assess-

4   ment published by the Department of Home-

5   land Security;

6   (B) the latest State and Territory Report

7   on Enduring and Emerging Threats published

8   by the Drug Enforcement Administration; or

9   (C) any successor documents.

10 **SEC. 4. RULE OF CONSTRUCTION.**

11   Nothing in this Act may be construed to limit the

12 authority of agencies currently managing, overseeing, or

13 otherwise involved in drug equipment and reference librar-

14 ies.