

AMENDMENT TO RULES COMM. PRINT 118–36

OFFERED BY MR. HIGGINS OF LOUISIANA

Add at the end of subtitle C of title XVII the following:

1 **SEC. 1748. EMPOWERING HOMELAND SECURITY INVESTIGA-**
2 **TIONS TO COUNTER DRUG SMUGGLING BY**
3 **TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

4 (a) POWERS OF ENFORCEMENT PERSONNEL.—Sec-
5 tion 508 of the Controlled Substances Act (21 U.S.C. 878)
6 is amended by adding at the end the following:

7 “(c) Special Agents of Homeland Security Investiga-
8 tions and State, tribal, and local law enforcement officers
9 designated by the Executive Associate Director for Home-
10 land Security Investigations pursuant to section 401(i) of
11 the Tariff Act of 1930 (19 U.S.C. 1401(i)) shall have the
12 powers and authorities described in subsection (a) for the
13 enforcement of this Act, which shall be exercised in the
14 performance of the Department of Homeland Security’s
15 existing functions related to customs and criminal law en-
16 forcement under the Homeland Security Act of 2002
17 (Public Law 107–296).”.

18 (b) REVIEW AND REPORT ON THE DECONFLICTION
19 POLICIES AND PRACTICES OF THE DRUG ENFORCEMENT

1 ADMINISTRATION AND HOMELAND SECURITY INVESTIGA-
2 TIONS REGARDING DRUG INVESTIGATIONS.—

3 (1) REVIEW.—The Comptroller General of the
4 United States shall conduct a review of the
5 deconfliction policies and practices between the Drug
6 Enforcement Administration and Homeland Security
7 Investigations that—

8 (A) determines whether there is docu-
9 mented reciprocity between the Drug Enforce-
10 ment Administration and Homeland Security
11 Investigations in the policies and practices for
12 deconfliction of investigations and operations
13 carried out in accordance with the authorities
14 set forth in the Controlled Substances Act and
15 the Homeland Security Act of 2002;

16 (B) determines the number of investiga-
17 tions or operations initiated during the 1-year
18 period beginning on the date of the enactment
19 of this Act by Homeland Security Investigations
20 or the Drug Enforcement Administration that
21 did not adhere to the deconfliction policies and
22 practices required under the agreement referred
23 to in subparagraph (A); and

24 (C) determines the effect of the authoriza-
25 tion under section 508(c) of the Controlled Sub-

1 stances Act, as added by subsection (a), on the
2 deconfliction policies and practices of the Drug
3 Enforcement Administration and Homeland Se-
4 curity Investigations, respectively.

5 (2) REPORT.—Not later than 18 months after
6 the date of the enactment of this Act, the Comp-
7 troller General shall submit a report to the Com-
8 mittee on Homeland Security and Governmental Af-
9 fairs of the Senate, the Committee on the Judiciary
10 of the Senate, the Committee on Homeland Security
11 of the House of Representatives, and the Committee
12 on the Judiciary of the House of Representatives
13 that contains—

14 (A) a detailed summary of the findings of
15 the review conducted pursuant to paragraph
16 (1); and

17 (B) any recommendations to modernize
18 deconfliction policies and procedures to ensure
19 reciprocity between the Drug Enforcement Ad-
20 ministration and Homeland Security Investiga-
21 tions regarding investigative functions related
22 to controlled substances, transnational criminal
23 organizations, or other areas where respective
24 jurisdictions and authorities may overlap.

