

1 Title: To strengthen coordination between the Food and Drug Administration and U.S. Customs
2 and Border Protection to respond to illegal controlled substances and drug imports.
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5 Be it enacted by the Senate and House of Representatives of the United States of America in
6 Congress assembled,

7 SECTION 1. SHORT TITLE.

8 This Act may be cited as the “_____ Act of ____”.

9 SEC. 2. STRENGTHENING FDA AND CBP 10 COORDINATION AND CAPACITY.

11 (a) In General.—The Secretary of Health and Human Services, acting through the
12 Commissioner of Food and Drugs, shall coordinate with the Secretary of Homeland Security to
13 carry out activities related to customs and border protection and response to illegal controlled
14 substances and drug imports, including at sites of import such as international mail facilities.
15 Such secretaries may establish a memorandum of understanding between the Food and Drug
16 Administration and U.S. Customs and Border Protection for purposes of carrying out such
17 activities.

18 (b) FDA Import Facilities and Inspection Capacity.—In carrying out this section, the Secretary
19 of Health and Human Services shall provide import facilities operated by the Food and Drug
20 Administration—

21 (1) innovative technology, including controlled substance detection and testing
22 equipment and other applicable technology, that is interoperable with technology used by
23 U.S. Customs and Border Protection, and includes capabilities for near-real-time
24 information sharing, as appropriate;

25 (2) access to canine units, including trained canine officers, for purposes of detecting
26 controlled substances and counterfeit opioids, or counterfeit products containing opioids, at
27 sites of import; and

28 (3) facility upgrades and improved capacity in order to increase and improve inspection
29 and detection capabilities, which may include, as the Secretary determines appropriate—

30 (A) improvements to facilities, such as upgrades or renovations, and support for the
31 maintenance of existing import facilities and sites to improve coordination between
32 Federal agencies;

33 (B) the construction of, or upgrades to laboratory capacity for purposes of detection
34 and testing of imported goods;

35 (C) upgrades to security of such facilities; and

36 (D) innovative technology and equipment consistent with paragraph (1) to facilitate
37 improved coordination and information sharing.

38 (c) Report.—The Secretary of Health and Human Services, not later than 6 months from the
39 date of enactment, shall in consultation with the Secretary of Homeland Security, report to the

1 relevant committees of Congress on the implementation of this section, including a summary of
2 progress made towards near-real-time information sharing and the interoperability of such
3 technologies.

4 (d) Authorization of Appropriations.—Out of amounts otherwise available to the Secretary of
5 Health and Human Services, such Secretary may allocate such sums as may be necessary for
6 purposes of carrying out this section.