



Harvard Model Congress

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DRUG TRAFFICKING UPDATE

By Luke Kushner

Since 2023, legislative action on drug trafficking has continued, and many of the bills detailed in the original briefing have either progressed through Congress or have been enacted into law. After being introduced in late 2022, the Homeland Security Fentanyl Enforcement Act was reintroduced in September 2023 by Congressman Clay Higgins (R-LA) as HR 5713 (Clay Higgins, 2023). Since then, it has been referred to the Subcommittee on Health in the House Committee on Energy and Commerce (Congress 2024). The Enhancing DHS Drug Seizures Act has been added to the Senate Legislative Calendar and is awaiting further floor action (Congress, 2024). Finally, the Disrupt Fentanyl Trafficking Act was passed in December 2023. The final version, written by Representatives Salud Carbajal (D-CA) and Stephanie Bice (R-OK), was included in the yearly Defense Authorization Act, and accomplishes the authors' initial goals of utilizing the DoD and partnerships with Mexico to halt fentanyl trafficking (Salud Carbajal, 2023).

Members of Congress have continued to draft and introduce new legislation targeting drug trafficking, and 2023 saw a particular focus on halting the flow of fentanyl. For example, Representative Morgan Griffith (R-VA) introduced the HALT Fentanyl Act, which made permanent the Schedule 1 classification of fentanyl-related products and created a regulatory process for research surrounding such substances. The bill passed the House in May of 2023 (Congress, 2024). Additionally, in early 2024, Senators Tammy Baldwin (D-WI), Kevin Cramer (R-ND), Bob Casey (D-PA), Mike Rounds (R-SD), Tim Scott (R-SC), and Sherrod Brown (D-OH) introduced the FEND Off Fentanyl Act (Congress 2024). Among other things, this legislation aims to reduce fentanyl trafficking through economic means, directing the Treasury Department to “target, sanction, and block the financial assets of transnational criminal organizations” (Tammy Baldwin, 2023).

The Biden administration, for its part, has continued efforts to reduce the flow of fentanyl and other drugs. In November, the US resumed its bilateral efforts with China to reduce the flow of precursor chemicals, which are used to make fentanyl and synthetic drugs (White House, 2023). China also agreed to take law enforcement action against manufacturers of precursors within its borders, and the US has sanctioned Chinese

companies suspected of importing fentanyl precursors (Licon, 2023). Beyond China, the Biden Administration also launched the Global Coalition to Address Synthetic Drug Threats in July of 2023. The coalition's 80-plus members have pledged to coordinate their efforts to reduce the production and transport of illicit drugs (White House, 2023). Additionally, the Biden administration's approach to drug trafficking continues to include a focus on substance use disorder, and for FY 2024, Biden requested \$26 billion for abuse prevention, harm reduction, and treatment (White House, 2023).

Finally, with the 2024 Presidential Election looming, Republican candidates looking to challenge Biden have proposed their own strategies. For the most part, Republicans have favored aggressive approaches to the issue. For example, Nikki Haley has proposed sending special forces to Mexico to stop drug traffickers, and frontrunner Donald Trump has promised similar policies (Licon, 2023). Ron DeSantis has called for aggressive action against drug smugglers crossing into the United States (Gutierrez and Seward, 2023).

Ultimately, though lawmakers have continued to address the threats and harms of drug trafficking, work remains to be done. Delegates are encouraged to think creatively and compassionately about this issue, working collaboratively to stop the flow of harmful narcotics while keeping in mind the millions of Americans affected by addiction.

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