

Calendar No. 54

119TH CONGRESS
1ST SESSION

S. 860

To modify the information about countries exporting methamphetamine that is included in the annual International Narcotics Control Strategy Report, to require a report to Congress on the seizure and production of certain illicit drugs, to impose sanctions with respect to the production and trafficking into the United States, of synthetic opioids, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2025

Mr. RISCH (for himself, Mrs. SHAHEEN, Mr. HAGERTY, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

APRIL 28, 2025

Reported by Mr. RISCH, without amendment

A BILL

To modify the information about countries exporting methamphetamine that is included in the annual International Narcotics Control Strategy Report, to require a report to Congress on the seizure and production of certain illicit drugs, to impose sanctions with respect to the production and trafficking into the United States, of synthetic opioids, and for other purposes.

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

3 **SECTION 1. SHORT TITLES.**

4 This Act may be cited as the “Break Up Suspicious
 5 Transactions of Fentanyl Act” or the “BUST
 6 FENTANYL Act”.

7 **SEC. 2. INTERNATIONAL NARCOTICS CONTROL STRATEGY**
 8 **REPORT.**

9 Section 489(a) of the Foreign Assistance Act of 1961
 10 (22 U.S.C. 2291h(a)) is amended—

11 (1) in the matter preceding paragraph (1), by
 12 striking “March 1” and inserting “June 1”; and

13 (2) in paragraph (8)(A)(i), by striking
 14 “pseudoephedrine” and all that follows through
 15 “chemicals)” and inserting “chemical precursors
 16 used in the production of methamphetamine that
 17 significantly affected the United States”.

18 **SEC. 3. STUDY AND REPORT ON EFFORTS TO ADDRESS**
 19 **FENTANYL TRAFFICKING FROM THE PEO-**
 20 **PLE’S REPUBLIC OF CHINA AND OTHER REL-**
 21 **EVANT COUNTRIES.**

22 (a) DEFINITIONS.—In this section:

23 (1) APPROPRIATE COMMITTEES OF CON-
 24 GRESS.—The term “appropriate committees of Con-
 25 gress” means—

1 (A) the Committee on the Judiciary of the
2 Senate;

3 (B) the Committee on Foreign Relations of
4 the Senate;

5 (C) the Committee on the Judiciary of the
6 House of Representatives; and

7 (D) the Committee on Foreign Affairs of
8 the House of Representatives.

9 (2) DEA.—The term “DEA” means the Drug
10 Enforcement Administration.

11 (3) PRC.—The term “PRC” means the Peo-
12 ple’s Republic of China.

13 (b) STUDY AND REPORT ON ADDRESSING TRAF-
14 FICKING OF FENTANYL AND OTHER SYNTHETIC OPIOIDS
15 FROM THE PRC AND OTHER RELEVANT COUNTRIES.—
16 Not later than 180 days after the date of the enactment
17 of this Act, the Secretary of State and the Attorney Gen-
18 eral shall jointly submit to the appropriate committees of
19 Congress an unclassified written report, with a classified
20 annex, that includes—

21 (1) a description of United States Government
22 efforts to gain a commitment from the Government
23 of the PRC to submit unregulated fentanyl precur-
24 sors, such as 4-AP, to controls;

1 (2) a plan for future steps the United States
2 Government will take to urge the Government of the
3 PRC to combat the production and trafficking of il-
4 licit fentanyl and synthetic opioids from the PRC,
5 including the trafficking of precursor chemicals used
6 to produce illicit narcotics in Mexico and in other
7 countries;

8 (3) a detailed description of cooperation by the
9 Government of the PRC to address the role of the
10 PRC financial system and PRC money laundering
11 organizations in the trafficking of fentanyl and syn-
12 thetic opioid precursors;

13 (4) an assessment of the expected impact that
14 the designation of principal corporate officers of
15 PRC financial institutions for facilitating narcotics-
16 related money laundering would have on PRC money
17 laundering organizations;

18 (5) an assessment of whether the Trilateral
19 Fentanyl Committee, which was established by the
20 United States, Canada, and Mexico during the Jan-
21 uary 2023 North American Leaders' Summit, is im-
22 proving cooperation with law enforcement and finan-
23 cial regulators in Canada and Mexico to combat the
24 role of PRC financial institutions and PRC money
25 laundering organizations in narcotics trafficking;

1 (6) an assessment of the effectiveness of other
2 United States bilateral and multilateral efforts to
3 strengthen international cooperation to address the
4 PRC's role in the trafficking of fentanyl and syn-
5 thetic opioid precursors, including through the Glob-
6 al Coalition to Address Synthetic Drug Threats;

7 (7) an update on the status of commitments
8 made by third countries through the Global Coali-
9 tion to Address Synthetic Drug Threats to combat
10 the synthetic opioid crisis and progress towards the
11 implementation of such commitments;

12 (8) a plan for future steps to further strengthen
13 bilateral and multilateral efforts to urge the Govern-
14 ment of the PRC to take additional actions to ad-
15 dress the PRC's role in the trafficking of fentanyl
16 and synthetic opioid precursors, particularly in co-
17 ordination with countries in East Asia and South-
18 east Asia that have been impacted by such activities;

19 (9) an assessment of how actions the Govern-
20 ment of the PRC has taken since November 15,
21 2023 has shifted relevant supply chains for fentanyl
22 and synthetic opioid precursors, if at all; and

23 (10) the items described in paragraphs (1)
24 through (4) pertaining to India, Mexico, and other
25 countries the Secretary of State determines to have

1 a significant role in the production or trafficking of
2 fentanyl and synthetic opioid precursors for pur-
3 poses of this report.

4 (c) ESTABLISHMENT OF DEA OFFICES IN THE
5 PRC.—Not later than 180 days after the date of the en-
6 actment of this Act, the Secretary of State and the Attor-
7 ney General shall jointly provide to the appropriate com-
8 mittees of Congress a classified briefing on—

9 (1) outreach and negotiations undertaken by
10 the United States Government with the Government
11 of the PRC that was aimed at securing the approval
12 of the Government of the PRC to establish of United
13 States Drug Enforcement Administration offices in
14 Shanghai and Guangzhou, the PRC; and

15 (2) additional efforts to establish new partner-
16 ships with provincial-level authorities in the PRC to
17 counter the illicit trafficking of fentanyl, fentanyl
18 analogues, and their precursors.

19 **SEC. 4. PRIORITIZATION OF IDENTIFICATION OF PERSONS**
20 **FROM THE PEOPLE’S REPUBLIC OF CHINA.**

21 Section 7211 of the Fentanyl Sanctions Act (21
22 U.S.C. 2311) is amended—

23 (1) in subsection (a)—

24 (A) by redesignating paragraphs (3) and

25 (4) as paragraphs (4) and (5), respectively; and

1 (B) by inserting after paragraph (2) the
2 following:

3 “(3) PRIORITIZATION.—

4 “(A) DEFINED TERM.—In this paragraph,
5 the term ‘person of the People’s Republic of
6 China’ means—

7 “(i) an individual who is a citizen or
8 national of the People’s Republic of China;
9 or

10 “(ii) an entity organized under the
11 laws of the People’s Republic of China or
12 otherwise subject to the jurisdiction of the
13 Government of the People’s Republic of
14 China.

15 “(B) IN GENERAL.—In preparing the re-
16 port required under paragraph (1), the Presi-
17 dent shall prioritize, to the greatest extent prac-
18 ticable, the identification of persons of the Peo-
19 ple’s Republic of China involved in the shipment
20 of fentanyl, fentanyl analogues, fentanyl precur-
21 sors, precursors for fentanyl analogues, pre-pre-
22 cursors for fentanyl and fentanyl analogues,
23 and equipment for the manufacturing of
24 fentanyl and fentanyl-laced counterfeit pills to
25 Mexico or any other country that is involved in

1 the production of fentanyl trafficked into the
2 United States, including—

3 “(i) any entity involved in the produc-
4 tion of pharmaceuticals; and

5 “(ii) any person that is acting on be-
6 half of any such entity.

7 “(C) TERMINATION OF PRIORITIZATION.—

8 The President shall continue the prioritization
9 required under subparagraph (B) until the
10 President certifies to the appropriate congres-
11 sional committees that the People’s Republic of
12 China is no longer the primary source for the
13 shipment of fentanyl, fentanyl analogues,
14 fentanyl precursors, precursors for fentanyl
15 analogues, pre-precursors for fentanyl and
16 fentanyl analogues, and equipment for the man-
17 ufacturing of fentanyl and fentanyl-laced coun-
18 terfeit pills to Mexico or any other country that
19 is involved in the production of fentanyl traf-
20 ficked into the United States.”; and

21 (2) in subsection (c), by striking “the date that
22 is 5 years after such date of enactment” and insert-
23 ing “December 31, 2030”.

1 **SEC. 5. EXPANSION OF SANCTIONS UNDER THE FENTANYL**
 2 **SANCTIONS ACT.**

3 Section 7212 of the Fentanyl Sanctions Act (21
 4 U.S.C. 2312) is amended—

5 (1) in paragraph (1), by striking “or” at the
 6 end;

7 (2) in paragraph (2), by striking the period at
 8 the end and inserting a semicolon; and

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

10 “(3) the President determines has knowingly
 11 engaged in, on or after the date of the enactment of
 12 the BUST FENTANYL Act, a significant activity
 13 or significant financial transaction that has materi-
 14 ally contributed to opioid trafficking; or

15 “(4) the President determines—

16 “(A) has received any property or interest
 17 in property that the foreign person knows—

18 “(i) constitutes or is derived from the
 19 proceeds of an activity or transaction de-
 20 scribed in paragraph (3); or

21 “(ii) was used or intended to be used
 22 to commit or to facilitate such an activity
 23 or transaction;

24 “(B) has knowingly provided significant fi-
 25 nancial, material, or technological support for,

1 including through the provision of goods or
2 services in support of—

3 “(i) any activity or transaction de-
4 scribed in paragraph (3); or

5 “(ii) any foreign person described in
6 paragraph (3); or

7 “(C) is or has been owned, controlled, or
8 directed by any foreign person described in sub-
9 paragraph (A) or (B) or in paragraph (3), or
10 has knowingly acted or purported to act for or
11 on behalf of, directly or indirectly, such a for-
12 eign person.”.

13 **SEC. 6. IMPOSITION OF SANCTIONS WITH RESPECT TO**
14 **AGENCIES OR INSTRUMENTALITIES OF FOR-**
15 **EIGN STATES.**

16 (a) DEFINITIONS.—In this section, the terms “know-
17 ingly” and “opioid trafficking” have the meanings given
18 such terms in section 7203 of the Fentanyl Sanctions Act
19 (21 U.S.C. 2302).

20 (b) IN GENERAL.—The President may—

21 (1) impose one or more of the sanctions de-
22 scribed in section 7213 of the Fentanyl Sanctions
23 Act (21 U.S.C. 2313) with respect to each political
24 subdivision, agency, or instrumentality of a foreign
25 government, including any financial institution

1 owned or controlled by a foreign government, that
2 the President determines has knowingly, on or after
3 the date of the enactment of this Act—

4 (A) engaged in a significant activity or a
5 significant financial transaction that has mate-
6 rially contributed to opioid trafficking; or

7 (B) provided financial, material, or techno-
8 logical support for (including through the provi-
9 sion of goods or services in support of) any sig-
10 nificant activity or significant financial trans-
11 action described in subparagraph (A); and

12 (2) impose one or more of the sanctions de-
13 scribed in section 7213(a)(6) of the Fentanyl Sanc-
14 tions Act (21 U.S.C. 2313(a)(6)) with respect to
15 each senior official of a political subdivision, agency,
16 or instrumentality of a foreign government that the
17 President determines has knowingly, on or after the
18 date of the enactment of this Act, facilitated a sig-
19 nificant activity or a significant financial transaction
20 described in paragraph (1).

21 **SEC. 7. ANNUAL REPORT ON EFFORTS TO PREVENT THE**
22 **SMUGGLING OF METHAMPHETAMINE INTO**
23 **THE UNITED STATES FROM MEXICO.**

24 Section 723(c) of the Combat Methamphetamine Epi-
25 demic Act of 2005 (22 U.S.C. 2291 note) is amended by

1 striking the period at the end and inserting the following
2 “, which shall—

3 “(1) identify the significant source countries for
4 methamphetamine that significantly affect the
5 United States, and

6 “(2) describe the actions by the governments of
7 the countries identified pursuant to paragraph (1) to
8 combat the diversion of relevant precursor chemicals
9 and the production and trafficking of methamphet-
10 amine.”.

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