

Administration of Joseph R. Biden, Jr., 2024

National Security Memorandum on Prioritizing the Strategic Disruption of the Supply Chain for Illicit Fentanyl and Synthetic Opioids Through a Coordinated, Whole-of-Government, Information-Driven Effort

July 31, 2024

National Security Memorandum/NSM–24

Memorandum for the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Commerce, the Secretary of Health and Human Services, the Secretary of Transportation, the Secretary of Energy, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Assistant to the President for National Security Affairs, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Commissioner of U.S. Customs and Border Protection, the Director of Homeland Security Investigations, the Postmaster General and Chief Executive Officer of the United States Postal Service

Subject: Prioritizing the Strategic Disruption of the Supply Chain for Illicit Fentanyl and Synthetic Opioids Through a Coordinated, Whole-of-Government, Information-Driven Effort

Tackling the deadly scourge of fentanyl and other synthetic opioids (hereinafter "fentanyl" or "synthetic opioids") has been a top priority since my first day in office. I have made combatting this deadly epidemic and saving American lives a centerpiece of my Unity Agenda. I have directed the establishment of a Trilateral Fentanyl Committee with the Governments of Mexico and Canada to advance joint disruption, interdiction, and enforcement efforts; negotiated the resumption of bilateral cooperation on counternarcotics with the People's Republic of China; launched a global coalition to tackle the scourge of synthetic drugs; and prioritized investment in law enforcement initiatives and new detection technologies in ways that have yielded significant results. Border officials have stopped more fentanyl on its way into the United States in the last 2 years than in the last 5 years combined. I also have made naloxone—the life-saving medication that reverses the effects of opioids—available over the counter and widely available to first responders, saving tens of thousands of lives.

On December 15, 2021, I issued Executive Order 14059 (Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade), authorizing the imposition of sanctions on foreign persons engaged in the global illicit drug trade, which expanded the authority to impose sanctions on foreign persons engaged in the illicit synthetic drug trade, regardless of whether they are linked to a kingpin or cartel. Since then, the Department of the Treasury has imposed sanctions on some 290 individuals and entities using this authority.

Due to these efforts, the number of fentanyl-related deaths has started to decline for the first time in 5 years. Nevertheless, there is much more work to be done to build on this progress. The number of fentanyl-related deaths in the United States remain too high, posing a national security threat. In light of this reality, this memorandum conveys my direction to the Department of State, the Department of the Treasury, the Department of Defense, the Department of Justice, the Department of Commerce, the Department of Health and Human Services, the Department of Transportation, the Department of Energy, the Department of Homeland Security, and the Intelligence Community, in coordination with the United States Postal Service, (collectively "departments and agencies") to redouble their efforts through a coordinated, strategic, and information-driven focus on disrupting the supply chain of illicit fentanyl and other synthetic opioids. Specifically, departments and agencies are instructed to engage collectively and collaboratively, employing all available tools, in support of the shared goal of materially and

sustainably disrupting the illicit fentanyl supply chain. This will require departments and agencies to work in a coordinated way to prioritize and deconflict enforcement and other efforts in the manner that will have the most enduring and impactful strategic effect.

This effort will be overseen by the National Security Council in accordance with National Security Memorandum–2 of February 4, 2021, and shall: break down information sharing barriers between and among law enforcement entities and the Intelligence Community; maximize the disruptive effect of United States Government actions on the illicit fentanyl and other synthetic opioids supply chain using the full range of available tools to do so; and ensure departments and agencies are operating pursuant to a shared assessment as to the nature of the threat posed.

Section 1. Policy. To achieve this strategic priority of disrupting the illicit fentanyl and other synthetic opioids supply chain, it is the policy of the United States to:

(a) work collectively across departments and agencies to maintain a shared, up-to-date operating understanding of the threat posed by the producers, distributors, and suppliers of synthetic opioids; the key nodes in the supply chain; and the most pernicious drug trafficking networks;

(b) engage in the active sharing of information among different law enforcement entities and between law enforcement entities and the Intelligence Community, and break down barriers that impede such sharing, in order to support the development of a common operating picture and strategic disruption goals;

(c) identify and prioritize the most strategically effective actions to disrupt the illicit fentanyl and other synthetic opioids supply chain, using the full range of tools available, including the interdiction and seizure of illicit drugs, precursor chemicals, and associated equipment; criminal, civil, and administrative forfeiture actions; investigation, arrest, and prosecution of criminal networks; targeting of the financial mechanisms used to fund the production, distribution, and sale of deadly drugs; sanctions; visa restrictions and watchlisting of criminal actors involved in the illicit drug trade; and increased partnerships with State, local, territorial, Tribal, and foreign law enforcement partners; and

(d) develop and sufficiently resource the institutional structures, including the supporting technology, to further this strategic priority in line with the efforts outlined above and below.

Sec. 2. Lines of Effort. In support of the policy set forth in section 1 of this memorandum, and informed by recommendations from the President's Intelligence Advisory Board and the review coordinated by the Office of the Director of National Intelligence, departments and agencies are directed to undertake the following mutually-reinforcing lines of effort, consistent with applicable law, Presidential directives, and Federal regulations, including those protecting privacy, civil rights, and civil liberties:

(a) Establish and Maintain a Common Intelligence Picture.

(i) Within 90 days of the date of this memorandum, the Director of National Intelligence shall produce an Intelligence Community Assessment on the threat posed to the United States over the next year by illicit fentanyl and other synthetic opioids that will be accompanied by an unclassified summary of the key judgments, followed by annual assessments on this priority issue.

(ii) The Intelligence Community Assessment referenced in subsection (a)(i) of this section shall leverage information on synthetic opioids from the Intelligence Community, law enforcement agencies, and other relevant departments and agencies; identify and assess the networks involved in the production, distribution, and sale of synthetic opioids and the precursor chemicals and equipment used to make these drugs,

as well as the networks' modes of operation; identify and assess the financing mechanisms and networks that support the production, sale, and distribution of synthetic opioids; identify key nodes where disruptive actions will have the greatest effect; and detail emerging trends. The Intelligence Community Assessment will be designed to ensure departments and agencies, as well as other key partners, are working from a common intelligence picture.

(b) Increase the Scale and Speed by Which Information is Shared Across Intelligence, Law Enforcement, and Other Relevant Entities.

(i) To support a coordinated, strategic, and information-driven effort to combat illicit fentanyl and other synthetic opioids, departments and agencies need to break down current information silos so that they are working together more effectively, operating with shared information, and making coordinated, strategic disruption decisions accordingly. This will require departments and agencies to update the ways they operate to meet the evolving threat, similar to what was done with respect to counterterrorism after the attacks on September 11, 2001. Doing so is essential to our Nation's ability to more effectively combat the threat.

(ii) The Secretary of the Treasury, the Attorney General, and the Secretary of Homeland Security shall take immediate steps to ensure that relevant information in their possession is appropriately shared, in accordance with applicable authorities, across enforcement entities leading the fight against illicit fentanyl and other synthetic opioids (including the Drug Enforcement Administration, U.S. Customs and Border Protection, Homeland Security Investigations, the Federal Bureau of Investigation, the Internal Revenue Service, the Office of Foreign Assets Control, the Financial Crimes Enforcement Network, and State and local law enforcement authorities) and with the Department of Defense and the Intelligence Community, in order to maximize the collective understanding of the threat and inform disruptive actions.

(iii) Within 15 days of the date of this memorandum, the Secretary of the Treasury, the Attorney General, and the Secretary of Homeland Security shall produce a report of the steps being taken pursuant to subsection (b)(ii) of this section and identify any technical, legal, practical, or resource obstacles to increased information sharing.

(iv) The Director of National Intelligence shall take immediate steps to increase information sharing by the Intelligence Community with law enforcement, including automating the passing of information on unclassified systems at an appropriate scale and ensuring information is shared on a sufficiently timely basis for use by law enforcement agencies in operational activities.

(v) Within 15 days of the date of this memorandum, the Director of National Intelligence shall produce a report of the steps being taken pursuant to subsection (b)(iv) of this section and identify any technical or practical obstacles to doing so and, in consultation with the Attorney General, shall identify any legal obstacles to doing so.

(vi) The Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence shall take immediate steps to ensure that any individuals identified as involved in the transnational illicit fentanyl and other synthetic opioids supply chain are nominated to the Terrorist Screening Center's Transnational Organized Crime Actor Detection Program (TADP), in accordance with applicable nomination criteria; and shall, within 30 days of the date of this memorandum:

(A) review and propose modifications to the TADP nominations criteria to further support the inclusion of individuals involved in the transnational illicit fentanyl and other synthetic opioids supply chain into the TADP, including recommendations, as warranted, for the inclusion of United States Citizens and Lawful Permanent Residents in the TADP;

(B) review and propose modifications, as warranted, to the process by which individuals nominated to the TADP are appropriately deconflicted before any adverse actions are taken based on their presence in the TADP, so as to preserve applicable operational, investigative, or other enforcement equities.

(vii) The Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence shall take immediate steps to ensure that information (to include law enforcement or intelligence information) about individuals and entities involved in the transnational illicit fentanyl and other synthetic opioids supply chain is shared with the Terrorist Screening Center's Transnational Organized Crime Identity Intelligence Platform (TIIP), upon the implementation of TIIP in accordance with National Security Presidential Memorandum-7; and develop and implement a plan to automate the downgrade of certain classified TIIP identifying information for use in the TADP for the purposes of screening, vetting, watchlisting, and other law enforcement actions, as authorized.

(c) Engage in Strategic Prioritization and Effective Deconfliction in Support of Common Goals.

(i) It is critical to ensure that departments and agencies work collaboratively to support strategic disruption efforts, employing all available tools in support of these efforts. This requires active collaboration, coordinated planning, and effective and timely deconfliction measures. It also requires strategic use of task forces, fusion cells, and other interagency bodies to support priority enforcement—in a manner that is effectively resourced by talent from relevant departments and agencies and minimizes duplication of efforts.

(ii) Within 5 days of the date of this memorandum, the head of each department and agency shall designate a senior official to participate in a National Security Council Fentanyl Disruption Steering Group, chaired by the Assistant to the President for National Security Affairs or his or her designee, to support and oversee implementation of the policy priorities and directives outlined in this memorandum; identify and set strategic disruption goals; assist in ensuring that all of the available resources and tools are brought to these efforts in accordance with strategic priorities; oversee updates to and implementation of the Strategic Implementation Plan to Commercially Disrupt the Illicit Fentanyl Supply Chain; and surface disagreements and challenges for further Deputy and Principal level review.

(iii) Within 15 days of the date of this memorandum, all departments and agencies shall produce a map and detailed description of existing and planned fusion cells, joint task forces, mission centers, and similar multi-department initiatives, including an explanation of purposes, goals, and composition, to be shared with the Chair of the Fentanyl Disruption Steering Group, to support efforts to ensure appropriate prioritization and resourcing and minimize duplication of efforts.

(d) Increase Intelligence Collection, Exploitation, and Dissemination.

(i) Departments and agencies are directed to take the following actions to help ensure a common picture and continued development of strategic and actionable intelligence to support a redoubling of collective disruption efforts:

(A) During the upcoming review of the President's Intelligence Priorities, which were last issued in 2022, the National Security Council staff, in consultation with the Director of National Intelligence, shall make counternarcotics, with a particular focus on illicit fentanyl and other synthetic opioids, a standalone priority.

(B) In the interim, the Director of National Intelligence shall take steps immediately to prioritize collection within the existing prioritization framework and as consistent with existing authorities, including by increasing collection, exploitation, and dissemination of intelligence reporting on:

(1) international actors and networks associated with the production, distribution, and sale of chemical precursors and associated equipment, such as pill presses, die molds, and encapsulating machines, used to produce illicit synthetic opioids;

(2) the mechanisms for transporting illicit fentanyl and other synthetic opioids into the United States, including key facilitators, transit routes, locations, and timing for entry; and

(3) the financial activities of drug cartels and facilitators that support them with wealth-management services, shell and front companies, and money laundering tactics and techniques, including use of virtual currency and underground banking systems.

(C) To support these efforts, the Director of National Intelligence shall, within 60 days of the date of this memorandum, conduct a review of how relevant Intelligence Community elements are structured to collect on this threat and provide recommendations as to how to prioritize collection within existing resources.

(D) The Attorney General and the Director of National Intelligence shall pursue, as appropriate and in accordance with applicable authorities, additional surveillance of non-United States persons outside the United States engaged in the production, distribution, or financing of illicit synthetic drugs, pursuant to section 702 of the Foreign Intelligence Surveillance Act, as amended.

(e) Further Prioritize These Efforts Across Departments and Agencies.

(i) Departments and agencies shall undertake an immediate review of their internal structures, strategic plans, operational directives, training programs, and workforce performance mechanisms (i.e., awards, promotions, career development) to ensure that efforts to strategically disrupt the production, distribution, and sale of illicit fentanyl and other synthetic opioids are prioritized, recognized, and incentivized, in accordance with the direction of this memorandum.

(ii) Departments and agencies shall make any adjustments necessary, based on this memorandum, to ensure prioritization of these efforts.

(iii) Departments and agencies shall, within 30 days of the date of this memorandum, identify additional authorities and resources needed in order to further the efforts outlined in this memorandum, including technical and logistical (including space) requirements to effectively further these efforts, and prioritize efforts to meet these needs.

(f) Enhance Coordination with Private Sector Actors.

- (i) Services provided by private actors—including shipping companies, freight forwarding companies, e-commerce entities, social media companies, and other technology companies—are regularly used by drug traffickers to support the distribution and sale of illicit fentanyl and other synthetic opioids, as well as the precursor chemicals and equipment used to produce these drugs. These private sector actors have access to a wealth of data and other information that can, if shared in a timely and appropriate way, support enforcement actions.
- (ii) Within 30 days of the date of this memorandum, departments and agencies shall review and report the public-private partnerships already underway, including an assessment of the partnerships, their effectiveness, and key gaps.
- (iii) The reports described in subsection (f)(ii) of this section shall include recommendations as to how to increase and improve such coordination, including recommendations for legislative and administrative actions.

This memorandum and the lines of effort outlined shall set the Nation's primary strategy for disrupting the supply chain for illicit fentanyl and other synthetic opioids. Consistent with and pursuant to the National Security Memorandum–2 process, the results of all audits, reports, and reviews described herein shall be promptly shared with the National Security Council staff. The National Security Council staff, via the Fentanyl Disruption Steering Group, will hold regular interagency meetings to ensure full implementation of the policy direction provided in this memorandum, monitor progress, and oversee the coordination, information-sharing, and deconfliction processes.

Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN JR.

NOTE: An original was not available for verification of the content of this memorandum.

Categories: Communications to Federal Agencies : Illicit fentanyl and synthetic opioids, strategic disruption of supply chain, national security memorandum.

Subjects: Attorney General; Director of National Intelligence; Foreign narcotics traffickers; Illegal drugs, interdiction efforts; Intelligence gathering; National Security Council; Opioid epidemic, efforts to combat; Secretary of Defense; Secretary of Homeland Security; Secretary of the Treasury.

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