

of title LXXII of div. F of Pub. L. 116-92, which is classified principally to subchapter I of this chapter. For complete classification of subtitle A to the Code, see Tables.

#### AMENDMENTS

2022—Subsec. (c). Pub. L. 117-263, § 6811(h)(1), inserted “and briefings” after “Reports” in heading.

Subsec. (c)(1). Pub. L. 117-263, § 6811(h)(2), substituted “Reports and briefings on program” for “Quarterly reports on program” in par. heading; designated existing provisions as subpar. (A) and inserted subpar. heading; in subpar. (A), substituted “annually” for “every 90 days”, “year” for “90-day period”, and “under this subparagraph” for “under this paragraph”; and added subpar. (B).

### § 2332. Authorization of appropriations

#### (a) Department of the Treasury

There are authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary for fiscal year 2020 to carry out operations and activities of the Department of the Treasury solely for purposes of carrying out this chapter.

#### (b) Commission on Combating Synthetic Opioid Trafficking

Of the amount authorized to be appropriated by section 1403 for fiscal year 2020 [133 Stat. 1711] and available for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501 [133 Stat. 2086], the Secretary of Defense may, notwithstanding section 2215 of title 10, transfer \$5,000,000 to the Commission on Combating Synthetic Opioid Trafficking established under section 7221 [133 Stat. 2270] in order to carry out the duties of the Commission.

#### (c) Supplement not supplant

Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out operations and activities described in such subsections.

#### (d) Notification requirement

Amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President’s intention to obligate such funds.

#### (e) Appropriate committees of Congress defined

In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

(Pub. L. 116-92, div. F, title LXXII, § 7232, Dec. 20, 2019, 133 Stat. 2274.)

### Editorial Notes

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title LXXII of div. F of Pub. L. 116-92, known as the Fentanyl Sanctions Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

Sections 1403, 4501, and section 7221, referred to in subsec. (b), mean sections 1403, 4501, and section 7221 of Pub. L. 116-92, respectively, which are not classified to the Code.

### Statutory Notes and Related Subsidiaries

#### CHANGE OF NAME

Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

### § 2333. Regulatory authority

Not later than 90 days after December 20, 2019, the President shall issue such regulations as are necessary to carry out this chapter, including guidance with respect to what activities are included under the definition of “opioid trafficking” under section 2302(8) of this title.

(Pub. L. 116-92, div. F, title LXXII, § 7233, Dec. 20, 2019, 133 Stat. 2275.)

### Editorial Notes

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title LXXII of div. F of Pub. L. 116-92, known as the Fentanyl Sanctions Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2301 of this title and Tables.

### Executive Documents

#### DELEGATION OF FUNCTIONS

Functions and authorities of President under this section delegated to Secretary of the Treasury, in consultation with the Secretary of State, by section 1(d)(ix) of Memorandum of President of the United States, Mar. 31, 2020, 85 F.R. 22343, set out as a note under section 2311 of this title.

### § 2334. Termination

The provisions of this chapter, and any sanctions imposed pursuant to this chapter, shall terminate on the date that is 7 years after December 20, 2019.

(Pub. L. 116-92, div. F, title LXXII, § 7234, Dec. 20, 2019, 133 Stat. 2275.)

### Editorial Notes

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title LXXII of div. F of Pub. L. 116-92, known as the Fentanyl Sanctions Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2301 of this title and Tables.

### § 2335. Exception relating to importation of goods

#### (a) In general

The authorities and requirements to impose sanctions under this chapter shall not include

the authority or a requirement to impose sanctions on the importation of goods.

**(b) Good defined**

In this section, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(Pub. L. 116–92, div. F, title LXXII, § 7235, Dec. 20, 2019, 133 Stat. 2275.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title LXXII of div. F of Pub. L. 116–92, known as the Fentanyl Sanctions Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2301 of this title and Tables.

**CHAPTER 28A—FENTANYL ERADICATION AND NARCOTICS DETERRENCE OFF FENTANYL**

- Sec. 2341. Definitions.
- SUBCHAPTER I—SANCTIONS IN RESPONSE TO NATIONAL EMERGENCY RELATING TO FENTANYL TRAFFICKING
- 2351. Finding; policy.
- 2352. Use of national emergency authorities; reporting.
- 2353. Imposition of sanctions with respect to fentanyl trafficking by transnational criminal organizations.
- 2354. Penalties; waivers; exceptions.
- 2355. Treatment of forfeited property of transnational criminal organizations.
- SUBCHAPTER II—ANTI-MONEY LAUNDERING MATTERS
- 2361. Treatment of transnational criminal organizations in suspicious transactions reports of the Financial Crimes Enforcement Network.
- SUBCHAPTER III—EXCEPTION RELATING TO IMPORTATION OF GOODS
- 2371. Exception relating to importation of goods.

**§ 2341. Definitions**

In this chapter:

**(1) Appropriate congressional committees**

The term “appropriate congressional committees” means—

- (A) the Committee on Banking, Housing, and Urban Affairs of the Senate;
- (B) the Committee on Foreign Relations of the Senate;
- (C) the Committee on Financial Services of the House of Representatives; and
- (D) the Committee on Foreign Affairs of the House of Representatives.

**(2) Foreign person**

The term “foreign person”—

- (A) means—
  - (i) any citizen or national of a foreign country; or
  - (ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and

(B) does not include the government of a foreign country.

**(3) Knowingly**

The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

**(4) Trafficking**

The term “trafficking”, with respect to fentanyl, fentanyl precursors, or other related opioids, has the meaning given the term “opioid trafficking” in section 2302(8) of this title.

**(5) Transnational criminal organization**

The term “transnational criminal organization” includes—

- (A) any organization designated as a significant transnational criminal organization under part 590 of title 31, Code of Federal Regulations;
- (B) any of the organizations known as—
  - (i) the Sinaloa Cartel;
  - (ii) the Jalisco New Generation Cartel;
  - (iii) the Gulf Cartel;
  - (iv) the Los Zetas Cartel;
  - (v) the Juarez Cartel;
  - (vi) the Tijuana Cartel;
  - (vii) the Beltran-Leyva Cartel; or
  - (viii) La Familia Michoacana; or
- (C) any successor organization to an organization described in subparagraph (B) or as otherwise determined by the President.

**(6) United States person**

The term “United States person” means—

- (A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;
- (B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or
- (C) any person in the United States.

(Pub. L. 118–50, div. E, § 3003, Apr. 24, 2024, 138 Stat. 935.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in introductory provisions, was in the original “this division”, meaning div. E of Pub. L. 118–50, Apr. 24, 2024, 138 Stat. 934, known as the Fentanyl Eradication and Narcotics Deterrence Off Fentanyl or the FEND Off Fentanyl Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 118–50, div. E, § 3001, Apr. 24, 2024, 138 Stat. 934, provided that: “This division [enacting this chapter and section 2313a of this title and amending sections 1701 and 4315 of Title 50, War and National Defense] may be cited as the ‘Fentanyl Eradication and Narcotics Deterrence Off Fentanyl’ [sic; probably should be followed by ‘Act’] or the ‘FEND Off Fentanyl Act’.”