

56673, as amended, set out as a note under section 2381 of this title.

CERTIFICATION FOR MAJOR ILLICIT DRUG PRODUCING AND DRUG TRANSIT COUNTRIES

Determination of President of the United States, No. 2001-12, Mar. 1, 2001, 66 F.R. 14454, provided:

Memorandum for the Secretary of State

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended [22 U.S.C. 2291j(b)(1)(A)] (the "Act"), I hereby determine and certify that the following major illicit drug producing and/or major illicit drug transit countries have cooperated fully with the United States, or have taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances:

The Bahamas, Bolivia, Brazil, People's Republic of China, Colombia, Dominican Republic, Ecuador, Guatemala, India, Jamaica, Laos, Mexico, Nigeria, Pakistan, Panama, Paraguay, Peru, Thailand, Venezuela, and Vietnam

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine and certify that, for the following major illicit drug producing and/or major illicit drug transit countries that do not qualify for certification under section 490(b)(1)(A), the vital national interests of the United States require that assistance not be withheld and that the United States not vote against multilateral development bank assistance: Cambodia and Haiti

Analysis of the relevant U.S. vital national interests and risks posed thereto, as required under section 490(b)(3) of the Act, is attached for these countries [not set out in the Code].

I have determined that the following major illicit drug producing and/or major illicit drug transit countries do not meet the standards for certification set forth in section 490(b):

Afghanistan and Burma

In making these determinations, I have considered the factors set forth in section 490 of the Act, based on the information contained in the International Narcotics Control Strategy Report of 2001. Given that the performance of each of these countries has differed, I have attached an explanatory statement for each of the countries subject to this determination [not set out in the Code].

You are hereby authorized and directed to report this determination to the Congress immediately and to publish it in the Federal Register.

GEORGE W. BUSH.

Prior certifications for major narcotics producing and transit countries were contained in the following:

Determination of President of the United States, No. 2000-16, Feb. 29, 2000, 65 F.R. 15797.

Determination of President of the United States, No. 99-15, Feb. 26, 1999, 64 F.R. 11319.

Determination of President of the United States, No. 98-15, Feb. 26, 1998, 63 F.R. 12937.

Determination of President of the United States, No. 97-18, Feb. 28, 1997, 62 F.R. 11589.

Determination of President of the United States, No. 96-13, Mar. 1, 1996, 61 F.R. 9891.

Determination of President of the United States, No. 95-15, Feb. 28, 1995, 60 F.R. 12859.

Determination of President of the United States, No. 94-22, Apr. 1, 1994, 59 F.R. 17231.

Determination of President of the United States, No. 93-18, Mar. 31, 1993, 58 F.R. 19033.

Determination of President of the United States, No. 92-18, Feb. 28, 1992, 57 F.R. 8571.

Determination of President of the United States, No. 91-22, Mar. 1, 1991, 56 F.R. 10773.

Determination of President of the United States, No. 90-12, Feb. 28, 1990, 55 F.R. 10597.

Determination of President of the United States, No. 89-11, Feb. 28, 1989, 54 F.R. 9413.

Determination of President of the United States, No. 88-10, Feb. 29, 1988, 53 F.R. 11487.

PRESIDENTIAL DETERMINATION UNDER SECTION 490(b)(1)(A) OF THE FOREIGN ASSISTANCE ACT RELATING TO THE LARGEST EXPORTING AND IMPORTING COUNTRIES OF CERTAIN PRECURSOR CHEMICALS

Determination of President of the United States, No. 2007-14, Feb. 28, 2007, 72 F.R. 10881, provided:

Memorandum for the Secretary of State

Pursuant to section 490(b)(1)(A) of the Foreign Assistance Act, I hereby determine that the top five exporting and importing countries of pseudoephedrine and ephedrine in 2005 (Belgium, China, Germany, India, Indonesia, Mexico, Singapore, South Africa, South Korea, Switzerland, Taiwan, and the United Kingdom) have cooperated fully with the United States or have taken adequate steps on their own to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

You are directed to publish this determination in the Federal Register, and are authorized and directed to transmit to the Congress the report under section 722 of the Combat Methamphetamine Epidemic Act [of 2005].

GEORGE W. BUSH.

§ 2291j-1. International drug control certification procedures

During any fiscal year, funds that would otherwise be withheld from obligation or expenditure under section 2291j of this title may be obligated or expended beginning October 1 of such fiscal year provided that:

(1) Report

Not later than September 15 of the previous fiscal year the President has submitted to the appropriate congressional committees a report identifying each country determined by the President to be a major drug transit country or major illicit drug producing country as defined in section 2291(e) of this title.

(2) Designation and justification

In each report under paragraph (1), the President shall—

(A) designate each country, if any, identified in such report that has failed demonstrably, during the previous 12 months, to make substantial efforts—

(i) to adhere to its obligations under international counternarcotics agreements; and

(ii) to take the counternarcotics measures set forth in section 2291h(a)(1) of this title;

(B) designate each country, if any, identified under section 2291h(a)(10) of this title that has failed to adopt and utilize scheduling procedures for illicit drugs that are comparable to the procedures authorized under title II¹ of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;

(C) designate each country, if any, identified under section 2291h(a)(10) of this title that has not taken significant steps to prosecute individuals involved in the illicit manufacture or distribution of controlled sub-

¹ See References in Text note below.

stance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32))²;

(D) include a justification for each country designated under subparagraph (A), (B), or (C).

(3) Limitation on assistance for designated countries

In the case of a country identified in a report under paragraph (1) that is designated in the report under paragraph (2)(A) or thrice designated during a 5-year period in the report under subparagraph (B) or (C) of paragraph (2), United States assistance may be provided to such country in the subsequent fiscal year only if the President determines and reports to the appropriate congressional committees that—

(A) provision of such assistance to the country in such fiscal year is vital to the national interests of the United States; or

(B) subsequent to the designation being made under paragraph (2)(A), the country has made substantial efforts—

(i) to adhere to its obligations under international counternarcotics agreements; and

(ii) to take the counternarcotics measures set forth in section 2291h(a)(1) of this title.

(4) International counternarcotics agreement defined

In this section, the term “international counternarcotics agreement” means—

(A) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; or

(B) any bilateral or multilateral agreement in force between the United States and another country or countries that addresses issues relating to the control of illicit drugs, such as—

(i) the production, distribution, and interdiction of illicit drugs;

(ii) demand reduction;

(iii) the activities of criminal organizations;

(iv) international legal cooperation among courts, prosecutors, and law enforcement agencies (including the exchange of information and evidence);

(v) the extradition of nationals and individuals involved in drug-related criminal activity;

(vi) the temporary transfer for prosecution of nationals and individuals involved in drug-related criminal activity;

(vii) border security;

(viii) money laundering;

(ix) illicit firearms trafficking;

(x) corruption;

(xi) control of precursor chemicals;

(xii) asset forfeiture; and

(xiii) related training and technical assistance,

and includes, where appropriate, timetables and objective and measurable standards to as-

sess the progress made by participating countries with respect to such issues.

(5) Application

(A) Section 2291j(a) through (h) of this title shall not apply during any fiscal year with respect to any country identified in the report required by paragraph (1) of this section.

(B) Notwithstanding paragraphs (1) through (5)(A) of this section, the President may apply the procedures set forth in section 2291j(a) through (h) of this title during any fiscal year with respect to any country determined to be a major drug transit country or major illicit drug producing country as defined in section 2291(e) of this title.

(C) Notwithstanding paragraph (3), assistance to promote democracy (as described in section 2291(e)(4)(E) of this title) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

(D) Notwithstanding paragraph (3), assistance to combat trafficking (as described in section 2291(e)(4)(F) of this title) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

(E) Notwithstanding paragraph (3), global health assistance (as described in section 2291(e)(4)(G) of this title) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

(F) Nothing in this section shall affect the requirements of section 2291j of this title with respect to countries identified pursuant to clause (i) or (ii) of section 2291h(a)(8)(A) of this title.

(6) Statutory construction

Nothing in this section supersedes or modifies the requirement in section 2291h(a) of this title (with respect to the International Narcotics Control Strategy Report) for the transmittal of a report not later than March 1, each fiscal year under that section.

(7) Transition rule

For funds obligated or expended under this section in fiscal year 2003, the date for submission of the report required by paragraph (1) of this section shall be at least 15 days before funds are obligated or expended.

(8) Effective date

This section shall take effect September 30, 2002, and shall remain in effect thereafter un-

²So in original. Probably should be followed by a closing parenthesis.

less Congress enacts subsequent legislation repealing such section.

(Pub. L. 107-228, div. A, title VI, § 706, Sept. 30, 2002, 116 Stat. 1424; Pub. L. 109-177, title VII, § 722(c), Mar. 9, 2006, 120 Stat. 269; Pub. L. 117-81, div. F, title LXVI, § 6610(d), Dec. 27, 2021, 135 Stat. 2448.)

Editorial Notes

REFERENCES IN TEXT

The Controlled Substances Act, referred to in par. (2)(B), is title II of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1242, which is classified principally to subchapter I (§ 801 et seq.) of chapter 13 of Title 21, Food and Drugs. Title II of Pub. L. 91-513 does not itself contain a title II, but it does contain a part B, with provisions relating to controlled substance schedules, which is classified generally to part B (§ 811 et seq.) of subchapter I of chapter 13 of Title 21. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

CODIFICATION

Section was enacted as part of the Department of State Authorization Act, Fiscal Year 2003, and also as part of the Foreign Relations Authorization Act, Fiscal Year 2003, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

AMENDMENTS

2021—Par. (2). Pub. L. 117-81, § 6610(d)(1)(A), struck out “also” before dash at end of introductory provisions.

Par. (2)(B). Pub. L. 117-81, § 6610(d)(1)(D), added subpar. (B). Former subpar. (B) redesignated (D).

Par. (2)(C). Pub. L. 117-81, § 6610(d)(2), added subpar. (C).

Par. (2)(D). Pub. L. 117-81, § 6610(d)(1)(B), (C), (E), redesignated subpar. (B) as (D) and substituted “designated under subparagraph (A), (B), or (C)” for “so designated”.

Par. (3). Pub. L. 117-81, § 6610(d)(3), substituted “designated in the report under paragraph (2)(A) or thrice designated during a 5-year period in the report under subparagraph (B) or (C) of paragraph (2)” for “also designated under paragraph (2) in the report” in introductory provisions.

Par. (5)(C) to (F). Pub. L. 117-81, § 6610(d)(4), added subpars. (C) to (E), redesignated former subpar. (C) as (F), and substituted “clause (i) or (ii) of section” for “section clause (i) or (ii) of”.

2006—Par. (5)(C). Pub. L. 109-177 added subpar. (C).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-81 effective 90 days after Dec. 27, 2021, see section 6610(e) of Pub. L. 117-81, set out as a note under section 2291 of this title.

DEFINITIONS

For definition of “appropriate congressional committees” as used in this section, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.

Executive Documents

PRESIDENTIAL DETERMINATION ON MAJOR DRUG TRANSIT OR MAJOR ILLICIT DRUG PRODUCING COUNTRIES FOR FISCAL YEAR 2025

Determination of President of the United States, No. 2024-12, Sept. 15, 2024, 89 F.R. 77761, provided:

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, including section 706(1) of the Foreign Relations Authoriza-

tion Act, Fiscal Year 2003 (Public Law 107-228) (FRAA) [22 U.S.C. 2291j-1(1)], I hereby identify the following countries as major drug transit or major illicit drug producing countries (including countries that are a significant direct source of precursor chemicals used in the production of certain drugs and substances significantly affecting the United States): Afghanistan, The Bahamas, Belize, Bolivia, Burma, the People’s Republic of China (PRC), Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, India, Jamaica, Laos, Mexico, Nicaragua, Pakistan, Panama, Peru, and Venezuela.

A country’s presence on the foregoing list is not necessarily a reflection of its government’s counterdrug efforts or level of cooperation with the United States. The list is not a sanction or penalty. Consistent with the statutory definition of a major drug transit or major illicit drug producing country set forth in sections 481(e)(2) and 481(e)(5) of the Foreign Assistance Act of 1961, as amended (Public Law 87-195) (FAA) [22 U.S.C. 2291(e)(2), (5)], the reason countries are placed on the list is the combination of geographic, commercial, and economic factors that allow drugs or precursor chemicals to be transited or produced, even if a government has engaged in robust and diligent narcotics control and law enforcement measures. The James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263) amended the definition of major drug source countries to include source countries of precursor chemicals used to produce illicit drugs significantly affecting the United States.

Pursuant to section 706(2)(A) of the FRAA, I hereby designate Bolivia, Burma, and Venezuela as having failed demonstrably during the previous 12 months to both adhere to their obligations under international counternarcotics agreements and to take the measures required by section 489(a)(1) of the FAA [22 U.S.C. 2291h(a)(1)]. Included with this determination are justifications for the designations of Bolivia, Burma, and Venezuela, as required by section 706(2)(B) of the FRAA. I have also determined, in accordance with provisions of section 706(3)(A) of the FRAA, that United States programs that support Bolivia, Burma, and Venezuela are vital to the national interests of the United States.

Provisional data from the Centers for Disease Control and Prevention indicate there were an estimated 107,543 drug overdose deaths in the United States during 2023—a decrease of 3 percent from the 111,029 deaths estimated in 2022. This is the first annual decrease in drug overdose deaths since 2018 and a sign that my Administration’s historic investments are having an impact. Federally funded State Opioid Response grant programs have contributed to the prevention of over 600,000 potentially fatal overdoses and delivered nearly 10 million naloxone kits since 2020. Naloxone is available over-the-counter for the first time, thanks to actions taken by the Food and Drug Administration. Our workforce of addiction professionals continues to grow, providing the essential prevention, treatment, harm reduction, and recovery support services the American people need.

We are also taking unprecedented action to disrupt the supply of fentanyl, other deadly drugs, and precursor chemicals. U.S. Customs and Border Protection (CBP) has stopped more fentanyl at ports of entry over the last 2 years than in the previous 5 years combined, keeping tens of millions of fentanyl-laced pills and thousands of pounds of fentanyl powder away from our communities. In 2023 alone, CBP seized approximately 1.2 billion doses of fentanyl. In just the last 5 months, over 442 million potentially lethal doses of fentanyl were seized at United States borders. In 2021, I signed an Executive Order targeting foreign persons engaged in the global illicit drug trade and have since sanctioned more than 300 persons and entities under this authority, thus cutting them off from the United States’ financial system. The Department of Justice has successfully arrested and prosecuted high-level drug cartel leaders, drug traffickers, and money launderers—placing dangerous traffickers behind bars.

While we expand our efforts at home, we also recognize this problem as a global one that requires a coordinated international response.

For this reason, my Administration launched a Global Coalition in July 2023 uniting more than 150 countries from every region of the world to address synthetic drug threats. Participation in this group has tripled in the past 12 months—evidence that every continent is experiencing an alarming increase in the manufacturing, trafficking, and consumption of dangerous illicit synthetic drugs. I have also engaged with leaders across the world to spur additional global action in the fight against synthetic opioids, negotiated the resumption of bilateral counternarcotics cooperation with the PRC, and established a Trilateral Fentanyl Committee with the Governments of Mexico and Canada.

While the challenges we face are more significant than ever, increased global awareness has yielded enhanced international action. In March, the United Nations (UN) Commission on Narcotic Drugs adopted a United States-sponsored resolution on preventing and responding to overdoses to drive international data collection and information sharing on this issue that remains deeply personal to the American people. The Commission also voted to place international controls on chemicals used to manufacture illicit fentanyl, methamphetamine, and MDMA, making it harder for trafficking networks to use these substances to create and distribute these dangerous synthetic drugs.

Fostering robust, long-term partnerships with crucial allies such as Mexico is imperative for effectively combating the fentanyl epidemic and dismantling the sophisticated criminal organizations that exploit it for financial gain. The U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities is the foundation for our bilateral efforts to protect our people, prevent trans-border crime, and pursue criminal networks. Through trilateral mechanisms such as the North American Drug Dialogue and the Trilateral Fentanyl Committee, the United States, Mexico, and Canada have strengthened cooperation to address illicit drug production, advance public health, increase collaboration on the control of precursor chemicals, and engage with the private sector to combat the production of illicit synthetic drugs. Our security cooperation has led to significant interdiction efforts in Mexico. For example, United States-donated canines supported the seizure of more than 3 million fentanyl pills in Mexico in 2023 alone. We will continue our close partnership with Mexico to prevent the diversion of precursor chemicals and drug-related equipment; improve interdiction, investigations, and criminal justice outcomes; disrupt illicit finance; advance border integration; and build public trust in security and justice institutions.

In South America, coca cultivation and cocaine production have reached record highs, necessitating urgent action by countries in the region. Colombia, a strong partner, continues to work closely with the United States to reduce cocaine production, conduct drug smuggling interdiction operations, and dismantle the criminal organizations involved in cocaine trafficking. United States assistance has led to increased interdictions, with the Colombian National Police seizing more than 841 metric tons of pure cocaine and cocaine base in 2023—a 10 percent increase from the previous year. The new metrics for measuring progress agreed upon during the U.S.-Colombia High Level Dialogue in May 2024 demonstrate our renewed bilateral commitment to a holistic approach to address the production and trafficking of cocaine, while providing security, justice, and licit economic opportunities for Colombia's vulnerable rural populations. We are also collaborating to combat crimes that wreak havoc on Colombia's environment and provide significant funding to criminal organizations, including those involved in cocaine production and illegal mining. The United States welcomed the release of Colombia's 10-year drug strategy in 2023 and now urges the Colombian government to resource it adequately and expedite its implementation.

Peru also remains a committed partner in reducing the production and trafficking of cocaine, and our first High Level Dialogue in May 2024 marked a positive step in our bilateral counternarcotics cooperation.

While the Government of Bolivia has taken positive steps to address coca cultivation, it must do more to safeguard the country's licit coca markets from criminal exploitation, reduce illicit coca cultivation that continues to exceed legal limits under Bolivia's domestic laws for medical and traditional use, improve efforts to locate and interdict chemicals diverted through black market channels for processing cocaine, and expand cooperation with international partners to disrupt transnational criminal networks.

Opium poppy cultivation for the production of illicit opioids and methamphetamine in Afghanistan continues to require global attention and action. This past year has seen continued steps from Afghanistan to strengthen drug control and curb the production of illicit opioids and methamphetamine, including through the maintenance of an existing ban on poppy cultivation and efforts to reform drug policies. However, I will reconsider Afghanistan's status in each annual review to assess whether it is upholding its international drug control commitments.

The PRC has worked with the United States to coordinate efforts to counter the global manufacturing and trafficking of illicit synthetic drugs, including fentanyl, since the Woodside Summit between President Biden and President Xi in November 2023. Over the last year, the PRC took significant steps to reduce the flows of precursor chemicals to illicit drug producers known to be trafficking synthetic drugs, such as illicit fentanyl, into the United States. These steps included the PRC issuing a public notice to the PRC chemical industry warning against illicit trade in precursor chemicals and pill press equipment; taking public law enforcement actions against illicit precursor chemical suppliers; removing web-based advertisements; and scheduling 46 synthetic drugs effective July 1, 2024, some of which had been controlled internationally by the UN. The United States and the PRC also launched the U.S.-PRC Counternarcotics Working Group, a valuable mechanism for sharing law enforcement information, tackling the illicit financing of illicit drugs, and ensuring ongoing coordination on shared challenges. That said, sustained enforcement and regulatory action will be necessary to significantly reduce the PRC's role as a source of precursor chemicals used in the production, sale, and trafficking of illicit synthetic drugs significantly impacting the United States.

You are authorized and directed to submit this designation, with the Bolivia, Burma, and Venezuela memoranda of justification, under section 706 of the FRAA, to the Congress, and to publish this determination in the Federal Register.

J.R. BIDEN, JR.

Prior identifications of major drug transit or major illicit drug producing countries were contained in the following:

- Determination of President of the United States, No. 2023-12, Sept. 15, 2023, 88 F.R. 66673.
- Determination of President of the United States, No. 2022-23, Sept. 15, 2022, 87 F.R. 58251.
- Determination of President of the United States, No. 2021-13, Sept. 15, 2021, 86 F.R. 52819.
- Determination of President of the United States, No. 2020-11, Sept. 16, 2020, 85 F.R. 60351.
- Determination of President of the United States, No. 2019-22, Aug. 8, 2019, 84 F.R. 44679.
- Determination of President of the United States, No. 2018-12, Sept. 11, 2018, 83 F.R. 50239.
- Determination of President of the United States, No. 2017-12, Sept. 13, 2017, 82 F.R. 45413.
- Determination of President of the United States, No. 2016-10, Sept. 12, 2016, 81 F.R. 64749.
- Determination of President of the United States, No. 2015-12, Sept. 14, 2015, 80 F.R. 57063.
- Determination of President of the United States, No. 2014-15, Sept. 15, 2014, 79 F.R. 56625.

Determination of President of the United States, No. 2013-14, Sept. 13, 2013, 78 F.R. 58855.

Determination of President of the United States, No. 2012-15, Sept. 14, 2012, 77 F.R. 58917.

Determination of President of the United States, No. 2011-16, Sept. 15, 2011, 76 F.R. 59495.

Determination of President of the United States, No. 2010-16, Sept. 15, 2010, 75 F.R. 67019, 68413.

Determination of President of the United States, No. 2009-30, Sept. 15, 2009, 74 F.R. 48369.

Determination of President of the United States, No. 2008-28, Sept. 15, 2008, 73 F.R. 54927.

Determination of President of the United States, No. 2007-33, Sept. 14, 2007, 43 Weekly Compilation of Presidential Documents 1216, Sept. 24, 2007.

Determination of President of the United States, No. 2006-24, Sept. 15, 2006, 71 F.R. 57865.

Determination of President of the United States, No. 2005-36, Sept. 14, 2005, 70 F.R. 56807.

Determination of President of the United States, No. 2004-47, Sept. 15, 2004, 69 F.R. 57809.

Determination of President of the United States, No. 2003-38, Sept. 15, 2003, 68 F.R. 54973.

Determination of President of the United States, No. 2003-14, Jan. 30, 2003, 68 F.R. 5787.

PRESIDENTIAL DETERMINATION ON WAIVING A RESTRICTION ON UNITED STATES ASSISTANCE TO BOLIVIA UNDER SECTION 706 OF THE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2003

Determination of President of the United States, No. 2020-05, Jan. 6, 2020, 85 F.R. 6731, provided:

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, including section 706(3)(A) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228) (FRAA) [22 U.S.C. 2291j-1(3)(A)], I hereby determine that the provision of United States assistance to Bolivia in Fiscal Year 2020 is vital to the national interests of the United States.

You are authorized and directed to submit this determination, with its memorandum of justification, under section 706 of the FRAA, to the Congress, and to publish it in the Federal Register.

DONALD J. TRUMP.

§ 2291k. Repealed. Pub. L. 104-66, title I, § 1112(b), Dec. 21, 1995, 109 Stat. 724

Section, Pub. L. 87-195, pt. I, § 490A, as added Pub. L. 102-583, § 5(a), Nov. 2, 1992, 106 Stat. 4927; amended Pub. L. 103-447, title I, § 101(g)(2), Nov. 2, 1994, 108 Stat. 4693, related to annual certification procedures after Sept. 30, 1995.

§ 2291l. Prioritization of efforts of the Department of State to combat international trafficking in covered synthetic drugs

(a) In general

The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking of covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, regulatory agencies in foreign countries, and the United Nations Office on Drugs and Crime.

(3) Carrying out programs to provide technical assistance and equipment, as appropriate, to strengthen the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 2291m of this title.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of covered synthetic drugs and other drugs, as required by section 2291n of this title.

(b) Report

(1) In general

Not later than one year after December 23, 2022, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) Appropriate congressional committees defined

In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on the Judiciary of the House of Representatives.

(Pub. L. 117-263, div. E, title LV, § 5552, Dec. 23, 2022, 136 Stat. 3341.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Fighting Emerging Narcotics Through Additional Nations to Yield Lasting Results Act, also known as the FENTANYL Results Act, and also as part of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Pub. L. 117-263, div. E, title LV, § 5557, Dec. 23, 2022, 136 Stat. 3344, provided that: “Nothing in this subtitle [subtitle C (§§ 5551-5558) of title LV of div. E of Pub. L. 117-263, see Short Title of 2022 Amendment note set out under section 2151 of this title] or the amendments made by this subtitle shall be construed to affect the prioritization of extradition requests.”

DEFINITIONS

Pub. L. 117-263, div. E, title LV, § 5558, Dec. 23, 2022, 136 Stat. 3344, provided that: “In this subtitle [subtitle C (§§ 5551-5558) of title LV of div. E of Pub. L. 117-263, see Short Title of 2022 Amendment note set out under section 2151 of this title]:

“(1) **CONTROLLED SUBSTANCE; CONTROLLED SUBSTANCE ANALOGUE.**—The terms ‘controlled substance’ and ‘controlled substance analogue’ have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

“(2) **COVERED SYNTHETIC DRUG.**—The term ‘covered synthetic drug’ means—

“(A) a synthetic controlled substance or synthetic controlled substance analogue, including fentanyl or a fentanyl analogue; or