

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 Repealed.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

“(B) a new psychoactive substance.
 “(3) NEW PSYCHOACTIVE SUBSTANCE.—The term ‘new psychoactive substance’ means a substance of abuse, or any preparation thereof, that—
 “(A) is not—
 “(i) included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or
 “(ii) controlled by the Single Convention on Narcotic Drugs, done at New York March 30, 1961, or the Convention on Psychotropic Substances, done at Vienna February 21, 1971;
 “(B) is new or has reemerged on the illicit market; and
 “(C) poses a threat to the public health and safety.”

§ 2291m. Program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs

(a) In general

Notwithstanding section 2420 of this title, the Secretary of State shall establish a program to provide assistance to strengthen the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) Priority

The Secretary of State shall prioritize technical assistance, and the provision of equipment, as appropriate, under subsection (a) among those countries described in subsection (c) in which such assistance and equipment would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) Countries described

The foreign countries described in this subsection are—

- (1) countries that are producers of covered synthetic drugs;
- (2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or
- (3) major drug-transit countries for covered synthetic drugs as defined by the Secretary of State.

(d) Exception

No assistance may be provided to the People’s Republic of China or to any of its law enforcement agencies pursuant to the program authorized by this section.

(e) Authorization of appropriations

There is authorized to be appropriated to the Secretary of State to carry out this section \$4,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 117–263, div. E, title LV, § 5553, 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

Nothing in subtitle C (§§ 5551–5558) of title LV of div. E of Pub. L. 117–263, or the amendments made by that subtitle, to be construed as affecting the prioritization of extradition requests, see section 5557 of Pub. L. 117–263, set out as a note under section 2291l of this title.

DEFINITIONS

For definition of “covered synthetic drug” as used in this section, see section 5558 of Pub. L. 117–263, set out as a note under section 2291l of this title.

§ 2291n. Exchange program on demand reduction matters relating to illicit use of covered synthetic drugs

(a) In general

The Secretary of State shall establish or continue and strengthen, as appropriate, an exchange program for governmental and non-governmental 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.

(b) Program requirements

The program required by subsection (a)—

(1) shall be limited to individuals who have expertise and experience in matters described in subsection (a);

(2) in the case of inbound exchanges, may be carried out as part of exchange programs and international visitor programs administered by the Bureau of Educational and Cultural Affairs of the Department of State, including the International Visitor Leadership Program, in coordination with the Bureau of International Narcotics and Law Enforcement Affairs; and

(3) shall include outbound exchanges for governmental or nongovernmental personnel in the United States.

(c) Authorization of appropriations

There is authorized to be appropriated to the Secretary of State to carry out this section \$1,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 117–263, div. E, title LV, § 5554, Dec. 23, 2022, 136 Stat. 3342.)

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

Nothing in subtitle C (§§ 5551–5558) of title LV of div. E of Pub. L. 117–263, or the amendments made by that