

“(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.

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DEFINITIONS

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§ 2291o. Fentanyl reporting and authorities

(a) Definitions

In this section:

(1) Appropriate committees of Congress

The term “appropriate committees of Congress” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on the Judiciary of the Senate;
- (C) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (D) the Committee on Appropriations of the Senate;
- (E) the Committee on Armed Services of the Senate;
- (F) the Committee on Foreign Affairs of the House of Representatives;
- (G) the Committee on the Judiciary of the House of Representatives;
- (H) the Committee on Homeland Security of the House of Representatives;
- (I) the Committee on Appropriations of the House of Representatives; and
- (J) the Committee on Armed Services of the House of Representatives.

(2) Beneficiary countries

(A) In general

Except as provided in subparagraph (B), the term “beneficiary countries” means Colombia, Mexico, and Peru.

(B) Updates

The Secretary, in consultation with the Attorney General and the Secretary of Defense, may add or remove one or more countries from the list of beneficiary countries under subparagraph (A) after providing written notification of such changes to the appropriate committees of Congress.

(3) Listed chemical

The term “listed chemical” has the meaning given such term in section 802 of title 21.

(b) Establishment

The Secretary, in coordination with the Secretary of Defense and the Attorney General, may carry out the “Precursor Chemical Destruction Initiative” in beneficiary countries to achieve the purposes described in subsection (c).

(c) Purposes

The purposes of this section are—

- (1) to improve and increase rates of seizure and destruction of listed chemicals in beneficiary countries;
- (2) to alleviate the backlog of seized listed chemicals and dispose of the hazardous waste generated by illicit drug trafficking in beneficiary countries in an environmentally safe and effective manner;

(3) to ensure that seized listed chemicals are not reintroduced into the illicit drug production stream within beneficiary countries;

(4) to free up storage space for future listed chemical seizures within beneficiary countries; and

(5) to reduce the negative environmental impact of listed chemicals.

(d) Implementation plan

Not later than 90 days after December 23, 2024, the Secretary, in coordination with the Attorney General and the Secretary of Defense, shall submit an implementation plan to the appropriate committees of Congress that includes a timeline and stated objectives for actions to be taken in beneficiary countries in support of the Precursor Chemical Destruction Initiative.

(e) Elements

The implementation plan required under subsection (d) shall include—

- (1) a multi-year strategy with a timeline, overview of objectives, budgetary projections, and anticipated outcomes for the region and for each beneficiary country;
- (2) specific, measurable benchmarks to track the progress of the Precursor Chemical Destruction Initiative towards accomplishing the outcomes referred to in paragraph (1);
- (3) a plan for the delineation of the roles to be carried out by the Department of State, the Department of Justice, the Department of Defense, and any other Federal department or agency in carrying out the Precursor Chemical Destruction Initiative; and
- (4) a plan for addressing security and government corruption and providing updates to the appropriate committees of Congress on the results of such efforts.

(f) Annual progress update

Not later than one year after the submission of the implementation plan pursuant to subsection (d), and annually thereafter, the Secretary, in coordination with the Attorney General and the Secretary of Defense, shall submit to the appropriate committees of Congress a written description of the results achieved by the Precursor Chemical Destruction Initiative, including—

- (1) the implementation of the strategy and plans described in subsections (d) and (e);
- (2) compliance with, and progress related to, meeting the benchmarks referred to in subsection (e)(2); and
- (3) the type and quantity of listed chemicals destroyed by each beneficiary country.

(g) Funding

The Secretary shall use amounts otherwise appropriated for International Narcotics Control and Law Enforcement programs managed by the Department to carry out this section.

(Pub. L. 118-159, div. G, title LXXXVIII, §7807, Dec. 23, 2024, 138 Stat. 2560.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Department of State Authorization Act for Fiscal Year 2025, and also