

AMENDMENT TO
RULES COMMITTEE PRINT 116-57
OFFERED BY MR. SENSENBRENNER OF
WISCONSIN

At the end of subtitle G of title XII, add the following:

1 **SEC. __. BLOCKING DEADLY FENTANYL IMPORTS.**

2 (a) **SHORT TITLE.**—This section may be cited as the
3 “Blocking Deadly Fentanyl Imports Act”.

4 (b) **DEFINITIONS.**—Section 481(e) of the Foreign As-
5 sistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

6 (1) in paragraph (2)—

7 (A) in the matter preceding subparagraph

8 (A), by striking “in which”;

9 (B) in subparagraph (A), by inserting “in
10 which” before “1,000”;

11 (C) in subparagraph (B)—

12 (i) by inserting “in which” before
13 “1,000”; and

14 (ii) by striking “or” at the end;

15 (D) in subparagraph (C)—

16 (i) by inserting “in which” before
17 “5,000”; and

1 (ii) by inserting “or” after the semi-
2 colon; and

3 (E) by adding at the end the following:

4 “(D) that is a significant source of illicit
5 synthetic opioids significantly affecting the
6 United States;”; and

7 (2) in paragraph (4)—

8 (A) in subparagraph (C), by striking
9 “and” at the end;

10 (B) in subparagraph (D), by adding “and”
11 at the end; and

12 (C) by adding at the end the following:

13 “(E) assistance that furthers the objectives
14 set forth in paragraphs (1) through (4) of sec-
15 tion 664(b) of the Foreign Relations Authoriza-
16 tion Act, Fiscal Year 2003 (22 U.S.C. 2151n-
17 2(b));

18 “(F) assistance to combat trafficking au-
19 thorized under the Victims of Trafficking and
20 Violence Protection Act of 2000 (22 U.S.C.
21 7101 et seq.); and

22 “(G) global health assistance authorized
23 under sections 104 through 104C of the For-
24 eign Assistance Act of 1961 (22 U.S.C. 2151b
25 through 22 U.S.C. 2151b-4).”.

1 (c) INTERNATIONAL NARCOTICS CONTROL STRAT-
2 EGY REPORT.—Section 489(a) of the Foreign Assistance
3 Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding
4 at the end the following:

5 “(9) A separate section that contains the fol-
6 lowing:

7 “(A) An identification of the countries, to
8 the extent feasible, that are the most significant
9 sources of illicit fentanyl and fentanyl analogues
10 significantly affecting the United States during
11 the preceding calendar year.

12 “(B) A description of the extent to which
13 each country identified pursuant to subpara-
14 graph (A) has cooperated with the United
15 States to prevent the articles or chemicals de-
16 scribed in subparagraph (A) from being ex-
17 ported from such country to the United States.

18 “(C) A description of whether each country
19 identified pursuant to subparagraph (A) has
20 adopted and utilizes scheduling or other proce-
21 dures for illicit drugs that are similar in effect
22 to the procedures authorized under title II of
23 the Controlled Substances Act (21 U.S.C. 811
24 et seq.) for adding drugs and other substances
25 to the controlled substances schedules;

1 “(D) A description of whether each coun-
2 try identified pursuant to subparagraph (A) is
3 following steps to prosecute individuals involved
4 in the illicit manufacture or distribution of con-
5 trolled substance analogues (as defined in sec-
6 tion 102(32) of the Controlled Substances Act
7 (21 U.S.C. 802(32)); and

8 “(E) A description of whether each coun-
9 try identified pursuant to subparagraph (A) re-
10 quires the registration of tableting machines
11 and encapsulating machines or other measures
12 similar in effect to the registration require-
13 ments set forth in part 1310 of title 21, Code
14 of Federal Regulations, and has not made good
15 faith efforts, in the opinion of the Secretary, to
16 improve regulation of tableting machines and
17 encapsulating machines.”.

18 (d) WITHHOLDING OF BILATERAL AND MULTILAT-
19 ERAL ASSISTANCE.—

20 (1) IN GENERAL.—Section 490(a) of the For-
21 eign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is
22 amended—

23 (A) in paragraph (1), by striking “or coun-
24 try identified pursuant to clause (i) or (ii) of
25 section 489(a)(8)(A) of this Act” and inserting

1 “country identified pursuant to section
2 489(a)(8)(A), or country twice identified during
3 a 5-year period pursuant to section
4 489(a)(9)(A)”;

5 (B) in paragraph (2), by striking “or
6 major drug-transit country (as determined
7 under subsection (h)) or country identified pur-
8 suant to clause (i) or (ii) of section
9 489(a)(8)(A) of this Act” and inserting “,
10 major drug-transit country, country identified
11 pursuant to section 489(a)(8)(A), or country
12 twice identified during a 5-year period pursuant
13 to section 489(a)(9)(A)”.

14 (2) DESIGNATION OF ILLICIT FENTANYL COUN-
15 TRIES WITHOUT SCHEDULING PROCEDURES.—Sec-
16 tion 706(2) of the Foreign Relations Authorization
17 Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is
18 amended—

19 (A) in the matter preceding subparagraph
20 (A), by striking “also”;

21 (B) in subparagraph (A)(ii), by striking
22 “and” at the end;

23 (C) by redesignating subparagraph (B) as
24 subparagraph (E);

1 (D) by inserting after subparagraph (A)
2 the following:

3 “(B) designate each country, if any, identi-
4 fied under section 489(a)(9) of the Foreign As-
5 sistance Act of 1961 (22 U.S.C. 2291h(a)(9))
6 that has failed to adopt and utilize scheduling
7 procedures for illicit drugs that are comparable
8 to the procedures authorized under title II of
9 the Controlled Substances Act (21 U.S.C. 811
10 et seq.) for adding drugs and other substances
11 to the controlled substances schedules;” and

12 (E) in subparagraph (E), as redesignated,
13 by striking “so designated” and inserting “des-
14 igned under subparagraph (A), (B), (C), or
15 (D)”.

16 (3) DESIGNATION OF ILLICIT FENTANYL COUN-
17 TRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS
18 FOR THE MANUFACTURE OR DISTRIBUTION OF
19 FENTANYL ANALOGUES.—Section 706(2) of the For-
20 eign Relations Authorization Act, Fiscal Year 2003
21 (22 U.S.C. 2291j–1(2)), as amended by paragraph
22 (2), is further amended by inserting after subpara-
23 graph (B) the following:

24 “(C) designate each country, if any, identi-
25 fied under section 489(a)(9) of the Foreign As-

1 sistance Act of 1961 (22 U.S.C. 2291h(a)(9))
2 that has not taken significant steps to pros-
3 ecute individuals involved in the illicit manufac-
4 ture or distribution of controlled substance ana-
5 logues (as defined in section 102(32) of the
6 Controlled Substances Act (21 U.S.C.
7 802(32));”.

8 (4) DESIGNATION OF ILLICIT FENTANYL COUN-
9 TRIES THAT DO NOT REQUIRE THE REGISTRATION
10 OF PILL PRESSES AND TABLETING MACHINES.—Sec-
11 tion 706(2) of the Foreign Relations Authorization
12 Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as
13 amended by paragraphs (2) and (3), is further
14 amended by inserting after subparagraph (C) the
15 following:

16 “(D) designate each country, if any, identi-
17 fied under section 489(a)(9) of the Foreign As-
18 sistance Act of 1961 (22 U.S.C. 2291h(a)(9))
19 that—

20 “(i) does not require the registration
21 of tableting machines and encapsulating
22 machines in a manner comparable to the
23 registration requirements set forth in part
24 1310 of title 21, Code of Federal Regula-
25 tions; and

1 “(ii) has not made good faith efforts
2 (in the opinion of the Secretary) to im-
3 prove the regulation of tableting machines
4 and encapsulating machines; and”.

5 (5) LIMITATION ON ASSISTANCE FOR DES-
6 IGNATED COUNTRIES.—Section 706(3) of the For-
7 eign Relations Authorization Act, Fiscal Year 2003
8 (22 U.S.C. 2291j–1(3)) is amended by striking “also
9 designated under paragraph (2) in the report” and
10 inserting “designated in the report under paragraph
11 (2)(A) or twice designated during a 5-year period in
12 the report under subparagraph (B), (C), or (D) of
13 paragraph (2)”.

14 (6) EXCEPTION TO THE LIMITATION ON ASSIST-
15 ANCE.—Section 706(5) of the Foreign Relations Au-
16 thorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–
17 1(5)) is amended—

18 (A) by redesignating subparagraph (C) as
19 subparagraph (F);

20 (B) by inserting after subparagraph (B)
21 the following:

22 “(C) Notwithstanding paragraph (3), as-
23 sistance to promote democracy (as described in
24 section 481(e)(4)(E) of the Foreign Assistance
25 Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall

1 be provided to countries identified in a report
2 under paragraph (1) and designated under sub-
3 paragraph (B), (C), or (D) of paragraph (2), to
4 the extent such countries are otherwise eligible
5 for such assistance, regardless of whether the
6 President reports to the appropriate congres-
7 sional committees in accordance with such para-
8 graph.

9 “(D) Notwithstanding paragraph (3), as-
10 sistance to combat trafficking (as described in
11 section 481(e)(4)(F) of such Act) shall be pro-
12 vided to countries identified in a report under
13 paragraph (1) and designated under subpara-
14 graph (B), (C), or (D) of paragraph (2), to the
15 extent such countries are otherwise eligible for
16 such assistance, regardless of whether the
17 President reports to the appropriate congres-
18 sional committees in accordance with such para-
19 graph.

20 “(E) Notwithstanding paragraph (3), glob-
21 al health assistance (as described in section
22 481(e)(4)(G) of such Act) shall be provided to
23 countries identified in a report under paragraph
24 (1) and designated under subparagraph (B),
25 (C), or (D) of paragraph (2), to the extent such

1 countries are otherwise eligible for such assist-
2 ance, regardless of whether the President re-
3 ports to the appropriate congressional commit-
4 tees in accordance with such paragraph”; and

5 (C) in subparagraph (F), as redesignated,
6 by striking “section clause (i) or (ii) of” and in-
7 serting “clause (i) or (ii) of section”.

8 (e) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on the date that is 90 days
10 after the date of the enactment of this Act.

