

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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April 11, 2017

Mr. Matthew Allen
Assistant Director, Homeland Security Investigative Programs
Homeland Security Investigations
U.S. Immigration and Customs Enforcement
Department of Homeland Security
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Washington, DC 20536

Dear Mr. Allen:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, March 21, 2017, to testify at the hearing entitled "Fentanyl: The Next Wave of the Opioid Crisis."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Tuesday, April 25, 2017. Your responses should be mailed to Elena Brennan, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515, and e-mailed in Word format to Elena.Brennan@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

Attachment—Additional Questions for the Record

The Honorable Tim Murphy

1. How is fentanyl more of a law enforcement challenge than prescription opioids or heroin?
2. Is one of the challenges to combatting fentanyl that it has so many analogues – also known as chemical variations?
 - a. If so, how does this present a unique challenge to addressing the supply?
3. Are the pill presses that are used in fentanyl trafficking being shipped from China?
 - a. Are the pill presses being trans-shipped from China through other countries and then to the U.S.?
 - b. Is there a concern about trans-shipment of pill presses through other countries? If so, why?
4. Recent reports have reconfirmed earlier analyses that the main source nations of fentanyl have been China, Mexico, and Canada, the two latter countries often as trans-shipment points. However, several other “southern” nations have been identified, one of these as the principal supplier to a major American city. CBP has even identified India and the U.K. as sources of several port seizures since FY 2015.
 - a. Does DHS regard India and the UK as original sources of fentanyl or as transshipment points?
5. DEA, CBP and other agencies have reported how often the shipments of fentanyl go through multiple carriers and often multiple countries before the products are finally delivered to the U.S. What tracking and/or detection techniques are made available by U.S. Postal Service and major international carriers in order to flag items that are sent to numerous locations in this manner before it arrives?
 - a. Have DEA and CBP thought of ways to improve these techniques?
6. The U.S. Postal Inspection Service reported to committee staff in February that three of their five fentanyl-related closed cases involved a “domestic shipper” as the source. Are you familiar at all with these cases?
 - a. Did these cases involve the same shipper each time?
 - b. What can you tell us about the domestic shippers in these cases?
7. Is Homeland Security Investigations (“HSI”) using manifest data from the consignment carriers such as Federal Express to develop any leads or patterns about Chinese sources of fentanyl-related shipments?

8. Freight forwarding of drug shipments may involve bundling or consolidating several kinds of items into one shipment. Is HSI using manifest data from consignment carriers about patterns of freight forwarding?
 - a. Would certain patterns of freight forwarding raise a red flag for HIS?
9. Has HSI developed a level of cooperation with consignment carriers so that subpoenas or other investigative tools can be expedited to investigate fentanyl-related cases?
 - a. What can you tell us about recent and/or significant seizures of illicit opioids and/or related items, e.g. pill presses or component parts, in terms of source countries or entry points into the USA?
 - b. Since so much of the source for fentanyl is attributed to China, and many air express or other modes of shipment are relatively small, what has been learned about return or source addresses when illicit drugs have been identified?
10. It has been noted that there are substantial quantities of cellulose that usually or frequently accompany shipments of fentanyl powder for the process of making it into pills. Is law enforcement finding quantities of cellulose in drug distribution cases involving fentanyl?
 - a. Should cellulose be tracked?
11. Last fall, the Canadian press reported that a type of test strip to indicate the presence of fentanyl was being made widely available for a low price (\$5 Canadian). These kits or test strips were first announced in Vancouver, British Columbia, but later reports have identified them to pharmacies in Winnipeg, Manitoba (the middle of Canada). Yet there appears to be little if any public reaction, response, or similar kits detected or reported in the US. Why is that?
12. Given that carfentanil can be lethal to the touch, or even to breathe, what kinds of special precautions are being provided to law enforcement and emergency responders to guard against accidental toxic contact?
13. Given the extreme deadliness of carfentanil, and its documented use as a chemical weapon, at what point would trafficking in carfentanil be considered a national security issue?
14. Many, if not most online orders for fentanyl and its analogues are alleged to be accessed through the dark web, whether it may be "Tor," Silk Road, or other sources. To what extent can patterns and tendencies, such as shipments and receipts, be traced and detected that can assist law enforcement in limiting or shutting down various sites?
 - a. How is the dark web more of a law enforcement challenge than rogue internet pharmacies on the open web?
15. Some of the committee staff efforts to track down internet suppliers of fentanyl have resulted in connections to Russian language websites, not necessarily China as first

assumed. It is also known that the Baltic countries (especially Estonia) have been struggling with outbreaks of illicit fentanyl for years. Have there been any fentanyl seizures in the U.S. that have come from Russian-speaking countries?

16. There is the old adage 'follow the money' when efforts are made to detect illegal drug suppliers. Bitcoins have been cited as a particular favorite mode of payment for many fentanyl shipments. What efforts have or are currently being made to track these payment processes?
 - a. Have new or changing alternatives been detected?
17. Many of the fentanyl sources operate on the dark web and use bitcoin for financing. Is HSI seeing any evidence that credit card companies, consignment carriers, or domain registrars are accepting bitcoin as payment?
18. Some of the illicit fentanyl, and its precursors, is being detected as being sent through American commercial carriers, such as UPS and FedEx. What kind of cooperation have you received from these carriers?
 - a. Can they improve their monitoring and cooperation? If so, how?

The Honorable Ryan Costello

1. As we work towards the implementation of the Comprehensive Addiction and Recovery Act (CARA), how are we also monitoring the foreign supply networks of deadly chemicals fueling the opioid and heroin epidemic, such as those being produced in China?
2. You noted in your testimony the influence of poppy cultivation in Mexico, of which the DEA has reported a 50 percent increase. As you know, increased cultivation therefore means increased production and trafficking. What more needs to be done to encourage Mexico's cooperation and willingness to destroy poppy crops? What are the obstacles here?
 - a. How are American authorities working with Mexican authorities to counter this threat?
3. Currently, over 340 million packages come into the United States through the global postal system, via the United States Postal Service, without advanced electronic manifest data. Do you agree that this is a major security loophole, and a problem that needs to be fixed?
 - a. Would having this data better enable CBP and other agencies to detect and interdict dangerous and deadly drugs?
 - b. Do you believe foreign posts, like China Post, should be compelled to provide advanced electronic manifest data to the USPS, so the USPS can provide that data to CBP?