

ONE HUNDRED SIXTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

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September 9, 2019

Mr. Thomas Overacker  
Executive Director  
Office of Field Operations  
Customs and Border Protection  
U.S. Department of Homeland Security  
1300 Pennsylvania Avenue NW  
Washington, DC 20004

Dear Mr. Overacker:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, July 16, 2019, at the hearing entitled "Oversight of Federal Efforts to Combat the Spread of Illicit Fentanyl." We appreciate the time and effort you gave as a witness before the Subcommittee on Oversight and Investigations.

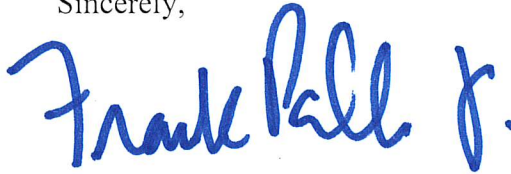
Pursuant to Rule 3 of the Committee on Energy and Commerce, members are permitted to submit additional questions to the witnesses for their responses, which will be included in the hearing record. Attached are questions directed to you from members of the Committee. In preparing your answers to these questions, please address your responses to the member who has submitted the questions using the Word document provided with this letter.

To facilitate the publication of the hearing record, please submit your responses to these questions by no later than the close of business on Monday, September 23, 2019. As previously noted, this transmittal letter and your responses, as well as the responses from the other witnesses appearing at the hearing, will all be included in the hearing record. Your responses should be transmitted by e-mail in the Word document provided with this letter to Jourdan Lewis with the Committee staff ([jourdan.lewis@mail.house.gov](mailto:jourdan.lewis@mail.house.gov)). A paper copy of your responses is not required. Using the Word document provided for submitting your responses will also help maintain the proper format for incorporating your answers into the hearing record.

Mr. Thomas Overacker  
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Thank you for your prompt attention to this request. If you need additional information or have other questions, please contact Ms. Lewis at (202) 225-2927.

Sincerely,



Frank Pallone, Jr.  
Chairman

Attachment

cc: Hon. Greg Walden, Ranking Member  
Committee on Energy and Commerce

Hon. Diana DeGette, Chair  
Subcommittee on Oversight and Investigations

Hon. Brett Guthrie, Ranking Member  
Subcommittee on Oversight and Investigations

**Committee on Energy and Commerce  
Subcommittee on Oversight and Investigations**

**Hearing on  
“Oversight of Federal Efforts to Combat the Spread of Illicit Fentanyl”**

**July 16, 2019**

**Mr. Thomas Overacker, Executive Director, Office of Field Operations, Customs and Border Protection, U.S. Department of Homeland Security**

**The Honorable Frank Pallone, Jr. (D-NJ)**

1. In your testimony, you note that “Drug Trafficking Organizations and Transnational Criminal Organizations continually adjust their operations to circumvent detection and interdiction by law enforcement.” We would like further information on the current capabilities of U.S. Customs and Border Protection (CBP) to address the fentanyl crisis and the evolving threat it poses. Please provide further information on the following:
  - a. Is CBP’s ability to detect fentanyl limited by the current array of tools available to CBP? If so, what additional tools would be helpful to assist CBP in detecting fentanyl?
  - b. Is the extent of CBP’s intelligence on the scope of the fentanyl crisis limited to what CBP has been able to seize? Other than seizures, what else is CBP doing to understand the quantity, methods, and sources of illicit fentanyl entering the country?

**The Honorable Greg Walden (R-OR)**

1. I recently visited the Southwest border to tour border facilities, including a U.S Customs and Border Protection (CBP) facility in Yuma, Arizona. I learned drug interdictions on the whole are down across the Yuma Sector as the CBP checkpoints were shut down for months because CBP agents could not man the checkpoints during the border emergency given the huge influx of people crossing the border. How many interdictions of illicit fentanyl and other narcotics were interdicted at the Yuma Sector during the first six months of 2018 and how many interdictions of illicit fentanyl and other narcotics were interdicted during the first six months of 2019? Please distinguish between interdictions of illicit fentanyl and other narcotics at ports of entry and interdictions either between ports of entry or at interior checkpoints in the Yuma Sector.
2. According to a July 17, 2019 article in the *Washington Examiner*, “Drugs pour in from Mexico as Border Patrol forced to focus on migrants,” seven Border Patrol checkpoints in

southern New Mexico have been shut down since late March 2019. If this information is correct, why were these checkpoints closed?

3. How many border checkpoints have been closed to move personnel to the border to assist with apprehend, process, and care for the high number of migrants and migrant families arriving?
4. How many interdictions of illicit fentanyl and other narcotics occurred at the Southwest border during the first six months of 2018 and how many interdictions of illicit fentanyl and other narcotics occurred during the first six months of 2019? Please distinguish between interdictions of illicit fentanyl and other narcotics at ports of entry and interdictions either between ports of entry or at interior checkpoints along the Southwest border.
5. How many methamphetamine and fentanyl seizures occurred in the United States during the first six months of 2018 and in the first six months of 2019?

**The Honorable Brett Guthrie (R-KY)**

1. How much of the illicit fentanyl is coming in directly from China?
2. How much of the illicit fentanyl is coming from Mexico?
3. How much illicit fentanyl is coming from Canada?
4. With regard to parcel shipments of illicit fentanyl, how many of these shipments are through United States mail?
5. How many illicit fentanyl shipments through foreign mail?
6. How many illicit fentanyl shipments through air express carriers?
7. How is advanced electronic data (AED) going to help target and intercept packages containing fentanyl?
8. On average, how many packages are coming into our international mail facilities (IMF) on any given day?
9. How many of those packages currently come with advanced electronic data (AED)?
10. How reliable and useful is the advanced electronic data when it comes to helping mail entities and law enforcement interdict packages containing narcotics?
11. What unique challenges does fentanyl pose as opposed to other narcotics when it comes to detecting and interdicting fentanyl coming in through the mail?

12. What more would law enforcement need in order to be best positioned to interdict more packages containing narcotics, like fentanyl?
13. What is the status of implementation of SUPPORT Act provisions related to advanced electronic data or debarment authorities related to illegal imports of drugs?
14. How has the SUPPORT Act changed the way in which you all operate on a day-to-day basis?
15. In April 2019, the FDA and CBP signed an agreement to maximize inspection and detection capabilities in order to prevent illegal and harmful products such as fentanyl from the United States through the international mail facilities. What are some of the results from this agreement so far?
16. How can data collection be improved to bolster your agency's intelligence and ability to interdict packages or seize narcotics, such as fentanyl?
17. According to law enforcement officials, CBP data measures the fentanyl seizures in pounds without reflecting the differences in potency such as the 90 percent pure fentanyl from China to only seven percent pure fentanyl from Mexico. Should CBP seizure data also include information on fentanyl potency?
18. How can information on potency be expressed in seizure statistics?
19. Are labs at DEA, CBP, and FDA coordinating on fentanyl research and sharing fentanyl samples for each agency's specialized testing?
20. CBP's written testimony mentions pollen testing and analysis is being conducted by CBP's Laboratories and Scientific Services scientists to geolocate illicit opioid shipments. Are labs at other agencies working on testing techniques that could help geolocate illicit fentanyl shipments?
21. Could federal labs work to complement each other's effort to enhance geolocation of illicit fentanyl shipments?

**The Honorable Susan Brooks (R-IN)**

1. In your [prepared] testimony, you highlighted how trained officers are receiving naloxone and that 9 life-saving doses had been administered. So, I applaud those efforts, but wanted to ask a few follow up questions:
2. Are the officers receiving a community-use naloxone product? And what sort of training are the officers receiving? If they are not receiving a community use product: it seems to me that more officers would be able to carry and deploy naloxone if the agency was prioritizing community-use naloxone products like Narcan nasal spray.

3. Do you know the percentage of trained CBP officers who have access to naloxone? How about the percentage out of all CBP officers?
4. You highlighted the role of naloxone in protecting your employees and the public. There was legislation that passed last Congress focused on ensuring that CBP has tools to screen for fentanyl, and a similar bill introduced to allow local law enforcement agencies to screen – but it seems like that is only part of the solution, and that Congress could work on similar legislation to ensure there is access to adequate supplies of naloxone to protect your employees and the public.
  - a. So, I wanted to ask both you if you would support Congress providing funding to increase the deployment of naloxone to your employees?