

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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February 4, 2025

MEMORANDUM

To: Subcommittee on Health Members and Staff
From: Committee on Energy and Commerce Majority Staff
Re: Subcommittee on Health Hearing on February 6, 2025

I. INTRODUCTION

The Subcommittee on Health will hold a hearing on Thursday, February 6, 2025, at 10:00 a.m. (ET) in 2123 Rayburn House Office Building. The hearing is entitled “Combatting Existing and Emerging Illicit Drug Threats.”

II. WITNESSES

- **Sheriff Michael Bouchard**, Vice President of Government Affairs, Major County Sheriffs Association
- **Mr. Raymond Cullen**, Family Advocate
- **Dr. Timothy Westlake, MD, FFSMB, FACEP**, Emergency Medicine Physician, ProHealth Care Oconomowoc Memorial Hospital
- **Ms. Regina LaBelle, JD**, Professor and Director, Master of Science in Addiction Policy and Practice, Georgetown University (*Minority*)
- **Dr. Deepa Camenga, MD, MHS, FAAP**, Chair, Committee on Substance Use and Prevention, American Academy of Pediatrics (*Minority*)

III. BACKGROUND

Existing Threats

Illicit fentanyl and fentanyl-related substances are the deadliest drug threat in the history of the United States.¹ According to the Drug Enforcement Administration (DEA), fentanyl

¹ U.S. Drug Enforcement Administration (DEA), *National Drug Threat Assessment 2024*, May 2024, <https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf>.

poisonings and law enforcement seizures have increased steadily over the past decade.² In 2023, law enforcement seized over 80 million pills containing fentanyl and nearly 12,000 pounds of fentanyl powder, which reflects more than 390 million lethal doses.³ Approximately 107,000 Americans lost their lives to a drug overdose in 2023, and nearly 70 percent of these deaths were caused by synthetic opioids.⁴ By comparison, in 2023, heroin was involved in 3,288 deaths, cocaine was involved in 23,652 deaths, and methamphetamine was involved in 28,261 deaths.⁵ That same year, over 3,000 pounds of heroin, 150,000 pounds of methamphetamine, and 350,000 pounds of cocaine were seized by DEA.⁶

Currently, fentanyl is the leading cause of death for Americans between the ages of 18 and 45.⁷ The significant increase in overdose deaths is attributed to the rise in illicit production of synthetic, chemical-based drugs, including fentanyl. Illicit fentanyl is extremely profitable due to the ability to produce it quickly, efficiently, and at a low cost. Given that fentanyl is approximately 50 times more potent than heroin and 100 times more potent than morphine, even small amounts of it can be lethal.⁸ Two milligrams of fentanyl, an amount which fits on the tip of a pencil, is considered a potentially deadly dose.⁹ The high potency of such small quantities allow fentanyl to be easily transported without detection by law enforcement.

According to DEA, the Mexican Sinaloa and Jalisco cartels are the transnational criminal organizations primarily responsible for manufacturing and trafficking illicit fentanyl in the United States.¹⁰ These two cartels rely on Chinese-based companies to supply the chemical precursors and pill presses required to produce illicit fentanyl at wholesale quantities.¹¹ In response to strict regulation of fentanyl precursor chemicals, illicit manufacturers have developed fentanyl analogs, or fentanyl-related substances (FRS). These substances have a similar chemical structure to fentanyl but are legally distinct. FRS can be more dangerous than fentanyl due to increased potency.¹² Laboratory testing conducted by DEA in 2023 found that illicit fentanyl pills are being produced at increasing levels of potency, with 7 out of 10 pills tested containing a potentially deadly dose of fentanyl.¹³ This is an increase from 4 out of 10 pills in 2021.¹⁴

² *Id.*

³ DEA, *One Pill Can Kill – DEA Fentanyl Seizures in 2024*, 2024, <https://www.dea.gov/onepill>.

⁴ DEA, *DEA Releases 2024 National Drug Threat Assessment*, 2024, <https://www.dea.gov/press-releases/2024/05/09/dea-releases-2024-national-drug-threat-assessment>.

⁵ *National Drug Threat Assessment 2024*.

⁶ *Id.*

⁷ DEA, *Year in Review: DEA Innovates to Fight Fentanyl*, 2024, <https://www.dea.gov/press-releases/2024/01/17/year-review-dea-innovates-fight-fentanyl-1>.

⁸ DEA, *Public Safety Alert: DEA Laboratory Testing Reveals that 6 out of 10 Fentanyl-Laced Fake Prescription Pills Now Contain a Potentially Lethal Dose of Fentanyl*, 2022, <https://www.dea.gov/alert/dea-laboratory-testing-reveals-6-out-10-fentanyl-laced-fake-prescription-pills-now-contain>.

⁹ *Id.*

¹⁰ DEA, *Fentanyl Flow to the United States*, DEA INTELLIGENCE REPORT, Jan. 2020, https://www.dea.gov/sites/default/files/2020-03/DEA_GOV_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States_0.pdf.

¹¹ *National Drug Threat Assessment 2024*.

¹² DEA, *DEA Issues Carfentanil Warning to Police And Public*, 2016, <https://www.dea.gov/press-releases/2016/09/22/dea-issues-carfentanil-warning-police-and-public>.

¹³ *Year in Review*.

¹⁴ *Id.*

On February 6, 2018, DEA issued a temporary emergency scheduling order that placed fentanyl-related substances into Schedule I of the Controlled Substance Act (CSA).¹⁵ FRS have a high potential for abuse and no accepted medical use in the United States.¹⁶ DEA implemented this temporary emergency scheduling order as a way to prevent illicit drug traffickers from creating new FRS, as DEA works to stop the flow of illicit fentanyl into the United States. Congress has subsequently extended the temporary emergency scheduling order through various laws; the most recent extension was through the American Relief Act, 2025, though it is set to expire on March 31, 2025.¹⁷

Emerging Threats

The threat posed by fentanyl is compounded by the increased prevalence of new and deadly substances such as xylazine and nitazenes, and their inclusion in fentanyl mixtures. Illicit fentanyl and fentanyl mixtures are often intentionally designed to mimic trademarked prescription medications, and as a result, people are buying and consuming illegal drugs that they believe are legitimate prescription pills.¹⁸

Xylazine, also known as “tranq,” is a potent animal tranquilizer that is not a controlled substance under the CSA. The presence of xylazine in fentanyl mixtures increases the risk of fatal drug poisoning because it is not an opioid, and therefore naloxone cannot be used to reverse its effects.¹⁹ People who inject drug mixtures containing xylazine also can develop severe wounds, including necrosis that may lead to amputation.²⁰ As of 2024, DEA has seized xylazine and fentanyl mixtures in 49 of 50 states.²¹

Nitazenes are a class of synthetic opioids, and some nitazene analogs are as potent or more potent than fentanyl. Several nitazene analogues are classified as Schedule I substances and are also internationally controlled.²² Similar to what was seen with fentanyl, chemical suppliers, primarily located in China, are introducing new nitazene analogues as a means to evade regulations. Given that nitazenes may be more potent than fentanyl, patients may require several doses of naloxone to reverse a nitazene related overdose.²³ The lack of awareness of nitazenes poses significant challenges to identifying and treating nitazene overdoses.

¹⁵ U.S. Government Accountability Office, *Synthetic Opioids: Considerations for the Class-Wide Scheduling of Fentanyl-Related Substances*, 2021, <https://www.gao.gov/products/gao-21-499>.

¹⁶ Congressional Research Service, *An Expiration Date for Temporary Control of Fentanyl Analogues*, Nov. 21, 2024, <https://crsreports.congress.gov/product/pdf/lsb/lb10404>.

¹⁷ American Relief Act, 2025, Pub. L. No. 118-158, §5105.

¹⁸ *Id.*

¹⁹ DEA, *DEA Reports Widespread Threat of Fentanyl Mixed with Xylazine*, PUBLIC SAFETY ALERT, <https://www.dea.gov/alert/dea-reports-widespread-threat-fentanyl-mixed-xylazine>.

²⁰ *Id.*

²¹ DEA, *Xylazine Information*, 2024, <https://www.dea.gov/xylazine-information>.

²² *National Drug Threat Assessment 2024*.

²³ Johnson, Arianna, *What to Know About Nitazenes: Rare But Emerging Opioids More Potent Than Fentanyl*, FORBES, Jan. 2, 2024, <https://www.forbes.com/sites/ariannajohnson/2024/01/02/what-to-know-about-nitazenes-rare-but-emerging-opioids-more-potent-than-fentanyl/>.

This hearing will examine the landscape of existing and emerging drug threats and offer an opportunity to discuss what can be done to combat ongoing drug problems and prevent new substances from entering our communities.

IV. STAFF CONTACTS

If you have questions regarding this hearing, please contact Emma Schultheis of the Committee staff at (202) 225-3641.