



Prepared Statement of:  
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Hearing before the:  
**House Committee on Energy and Commerce**  
**Oversight and Investigations Subcommittee**  
**“Fentanyl: The Next Wave of the Opioid Crisis”**

March 21, 2017

Chairman Murphy, Ranking Member DeGette, distinguished Members of the Subcommittee: thank you for the opportunity to appear before you today to discuss the Department of State's work to combat illicit fentanyl, heroin, and synthetic opioids driving the current national opioid epidemic. I am also pleased to be joined today by colleagues from across the U.S. government. Together, we bring to the table a variety of tools driven by a common goal – ending a health epidemic that has already taken thousands of lives and torn apart families and communities around the United States and the world. This is the most serious U.S. drugs crisis since the cocaine boom of the 1980s, and the first time we have seen a surge in opioid abuse since the post-WW II period when morphine originally destined for the battlefield found its way onto the illicit drug market in the United States. The current crisis, however, is fueled by the supply of illicit drugs sourced from abroad. Ending this crisis, therefore, depends on reducing this supply, the focus of the Department of State's efforts, together with robust demand reduction efforts here in the United States.

Reducing the availability of foreign-produced illicit drugs in the United States, whether it is heroin, fentanyl, or other illicit drugs, is part of the Department of State's comprehensive approach to protecting national security. It is our mission to prevent and disrupt the flow of these substances, cutting off crime, including drug trafficking, at its source. The Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL), which I have the honor to lead, safeguards American communities by combating all manner of international crime, including drug trafficking, through robust bilateral programs and multilateral engagement. These efforts strengthen the capacity of foreign partners and build multilateral support for international action to fight crime more effectively. The President's February 9 Executive Order on Enforcing Federal Law with Respect to Transnational Criminal Organizations (TCO) and Preventing International Trafficking will enhance our ability to do this.

The illicit manufacture of fentanyl is fueling today's drug trade because it is highly profitable – it is inexpensive to produce and can be incorporated into heroin or other drugs, pressed into pills, or sold on its own. In order to achieve similar effects to that of heroin in the human body, fentanyl and its analogues require much smaller doses. It is largely sourced in China and brought in through a variety of routes including by small mail order packages shipped directly into the United States or smuggled across our borders. In accordance with the 2016 National Drug Threat Assessment and based on seizure data from the U.S. Drug Enforcement Administration (DEA), we suspect that Mexico may be operating as a transit country, whereby illicit fentanyl is shipped from China to Mexico, where

traffickers lace it into heroin or press it into fake prescription pills, which are then sold in the United States. There is also evidence to suggest that fentanyl synthesis may be occurring on some scale in Mexico.

Internationally, we are not alone in this crisis. Canada, and some countries, such as Estonia, are experiencing similar challenges related to illicit fentanyl. Canada confirms that its illicit fentanyl is being sourced from China as well. INL is combatting this global crisis through bilateral and multilateral channels, primarily with Mexico, Canada, and China, as well as through international action to stem the flow of illicit fentanyl, its analogues, and the precursor chemicals needed to produce them.

## **Bilateral Priorities**

### *Mexico*

Due to the prevalence of drug trafficking in Mexico, our partnership with our southern neighbor has never been more vital in the fight to combat illicit fentanyl, heroin, and synthetic drugs. Since 2008, under the Merida Initiative, the \$1.9 billion appropriated for International Narcotics Control and Law Enforcement (INCLE) funding has provided training, equipment, and technical assistance to complement Mexico's much larger investment in building the capacity of Mexican institutions to counter organized crime, uphold the rule of law, and protect our shared border from the movement of illicit drugs, money, and goods. This includes fixed and mobile non-intrusive inspection equipment and related detection devices provided at Mexico's border crossings, checkpoints, and ports-of-entry. Strengthening Mexican capacity to interdict drugs, dismantle criminal organizations, and disrupt their proceeds protects Americans. Under Merida, INL works closely with the DEA to train and equip Mexican law enforcement officials to identify and safely dismantle clandestine drug laboratories that make heroin, methamphetamine, and other synthetic or semi-synthetic drugs destined for U.S. communities. This includes a recent agreement through DEA to train and equip specialized law enforcement responders on the scheduling, classification, safe detection, and handling of fentanyl and its precursor chemicals. Our programs also strengthen the intelligence analysis and investigative capabilities of Mexican agencies to carry out complex investigations against organized crime groups involved in drug trafficking and the fentanyl trade. As a result of these efforts, cooperation between the United States and Mexico on this issue remains strong.

## *China*

Since China has been determined as a source country, the Department of State continues to advance cooperation with China to address illicit fentanyl, including through the U.S.-China Joint Liaison Group on Law Enforcement Cooperation (JLG), the United States' primary law enforcement dialogue with China. During the fall 2016 meetings of the JLG, the United States requested that Chinese authorities consider a list of chemical substances for scheduling, prioritizing fentanyl precursors and a number of analogues.

The Chinese agreed to consider fast-tracking the request, if the U.S. would prioritize the substances that were of highest priority for our government. In the context of the JLG, the United States strongly prioritized fentanyl analogues among a broader list of substances we hoped to see domestically controlled in China. As a result of this collaboration, China announced that, as of March 1, it domestically controlled four critical fentanyl analogues, including carfentanil, a particularly lethal analogue of fentanyl. By controlling the most critical analogues of fentanyl, China has demonstrated its willingness to take on the illicit fentanyl market, reducing the supply of these analogues to the United States and saving U.S. lives.

## *Afghanistan*

Although Afghan-produced heroin currently accounts for a very small percentage of the U.S. market, Afghanistan remains the source of nearly 80 percent of the world's illicit opiate supply. Canada estimates over 90 percent of its domestic heroin market is traced to Afghanistan, demonstrating the ability of traffickers to supply North America, and while Mexico is currently the predominant source of heroin in the United States, source countries have changed multiple times since DEA began tracking in 1977. U.S. support for Afghanistan's efforts to reduce illicit opioid supplies remains critical to combat use and related criminality in the Homeland, and cut off funding which fuels the insurgency in Afghanistan. INL's efforts in Afghanistan support a coordinated and comprehensive approach that balances supply and demand reduction interventions, including interdiction, eradication, public information, and prevention efforts. Interdiction efforts over the past year have been particularly productive, with two specialized units supported by the United States successfully—and increasingly independently—carrying out high-profile arrests and dozens of airmobile operations neutralizing heroin and morphine laboratories. While reports of seizures in a combat environment are subject to imprecision, these units are responsible for seizing or destroying roughly ten percent of Afghanistan's annual

opium production in 2016—more than 100 metric tons of opium, morphine, and heroin, 160 tons of hashish — with a cumulative value of over \$200 million denied to narco-traffickers and insurgent leaders which threaten U.S. interests. While most Afghanistan-sourced heroin is destined for Europe, Asia and Africa, not the United States, these efforts are integral to the U.S. commitment targeting the world heroin trade. Afghanistan is not a source country for fentanyl.

## **Multilateral Priorities**

### *International Control*

Recognizing that the unregulated purchase of chemical precursors helps fuel illicit fentanyl manufacturing, one of INL's pivotal efforts has been to help establish controls of the production and trafficking of two primary fentanyl precursors, 4-anilino-N-phenethyl-piperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP). These two precursors are controlled in the United States, but not internationally, meaning countries are not required to regulate their production for legitimate purposes. It is currently legal in many countries that have not domestically controlled these precursors to purchase and ship them, making them easily available for use in the illicit manufacture of fentanyl. INL, the Office of National Drug Control Policy (ONDCP), and DEA contributed to the collaborative process that led State to request the UN Secretary-General to initiate the process to control these chemical precursors under the United Nations Convention against Illicit Traffic in Narcotics Drugs and Psychotropic Substances (1988 Convention). Adding these precursors to the 1988 Convention will make it more difficult for traffickers to access them for illicit purposes, because international control will require that individual countries regulate production. International control will not prohibit their legitimate use in producing fentanyl in the United States or other countries for critical pain management purposes.

Working within our treaty obligations, we accelerated the process for international control of these harmful substances which traditionally requires 1-2 years from the time a member state makes the request to five months. In October 2016, we notified the United Nations' International Narcotics Control Board (INCB) that we will lose thousands of lives if we fail to internationally control these substances. The INCB responded efficiently and completed the required scientific reviews in less than four months. On March 16, 2017 the UN Commission on Narcotic Drugs accepted the recommendation of the INCB and voted in favor of controlling these substances. All UN member states now have 180 days to bring these precursors under their regulatory control system. The control of fentanyl precursors will disrupt the fentanyl supply chain of traffickers

and will save American lives. But this vote will not just save lives potentially lost to fentanyl. It is our hope and intention to use this model of accelerated review to prompt quicker international action to control the 700+ synthetic and New Psychoactive Substances that currently exist on drug markets today, an impact that would fundamentally change and make relevant international action.

The United States is also requesting international control of carfentanil, a particularly lethal fentanyl analogue that is being laced into heroin or sold by itself and trafficked in the United States. We are hopeful that the World Health Organization will follow the INCB's example and recommend the substance for control at the next United Nations drug meeting in March 2018.

*North American Dialogue on Drug Policy (NADD)*

Another critical angle of our diplomacy to stop illicit fentanyl is our trilateral work with our neighbors Canada and Mexico. INL and ONDCP inaugurated the NADD in October 2016 and since then have met regularly at all levels to focus predominantly on combatting the opioid crisis across North America. The NADD facilitates North American cooperation against common drug threats, including by advancing (1) information sharing on the results of research and analysis of heroin, fentanyl, methamphetamines, and chemical precursors; (2) exchanging evidence-based best practices related to reducing opioid harms; and (3) coordinating messaging to countries outside of North America that are impacting the illicit opioid threat in our continent. Discussions together cover a wide range of topics including best practices in prevention and treatment; trends in the trafficking of heroin, fentanyl, methamphetamine, and drug chemical precursors; and distribution networks in each country and across our borders. This trilateral engagement furthers cooperation between our three governments.

*Regional Programming with UN Office on Drugs and Crime (UNODC)*

Additionally, through technical assistance to the UN Office on Drugs and Crime (UNODC) in Southeast Asia, INL is funding capacity building programs to assist officials in better identifying trafficking of chemical precursors, including fentanyl chemical precursors, at land borders. The UNODC program is also providing training to international law enforcement officials in key countries to raise awareness about fentanyl.

Mr. Chairman, Ranking Member DeGette, and Members of the Subcommittee, addressing this international crisis is a work in progress and far from an easy objective to achieve. However, the clear purpose that drives our engagement on the world stage is the health and security of our citizens; a goal of critical importance that cannot be overstated. While the task at hand is incredibly challenging, our significant partnerships including with Mexico, Canada, and China and efforts within the UN system, represent the most effective and pragmatic approaches to countering this threat. Working together in unison as a government, and as an international community, we are curbing the impact of this crisis, and will continue to double down on these efforts as we address this threat to the United States.