

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

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927

Minority (202) 225-3641

February 23, 2017

Mr. Kemp Chester
Acting Director
Office of National Drug Control Policy
750 17th St., N.W.
Washington, DC 20006

Dear Mr. Chester:

Pursuant to Rules X and XI of the U.S. House of Representatives, the Committee is investigating the opioid epidemic in the U.S. that is taking 78 lives per day, according to a recent report of the U.S. Surgeon General.¹ As part of this investigation, the Committee is focused on the unique threat posed by a cheap, synthetic opioid known as fentanyl, which “has spawned a deadly drug crisis in the United States.”²

Fentanyl is an opioid agonist 50 to 100 times more potent than morphine and 5 to 100 times more potent than heroin.³ Fentanyl was developed in 1959 and approved by the FDA to treat severe pain, especially in patients with cancer and severe diseases. Available information indicates that the current public health threat of fentanyl is not sourced significantly from the diversion of legitimate fentanyl. The threat has emerged from the illicit manufacturing of fentanyl in China, which is mainly shipped directly into the U.S. or processed at clandestine labs in Mexico and then smuggled by drug cartels into the U.S.⁴ As noted by the DEA, “traffickers

¹ Facing Addiction: The Surgeon General’s Report on Alcohol, Drugs, and Health, U.S. Department of Health and Human Services (2016).

² U.S. Drug Enforcement Administration, DEA Warning to Police and Public: Fentanyl Exposure Kills, June 10, 2016, <https://www.dea.gov/divisions/hq061016.shtml>.

³ Estimate on potency compared to morphine is sourced from U.S. Drug Enforcement Administration, DEA Issues Nationwide Alert on Fentanyl as threat to Health and Public Safety (March 2015), <http://www.dea.gov/divisions/hq/2015/hq031815.shtml>. Estimate on potency compared to heroin was provided by Dr. Nora Volkow, Director of the National Institute on Drug Abuse, during a committee staff briefing on February 14, 2017.

⁴ DEA Intelligence Brief, Counterfeit Prescription Pills Containing Fentanyls: A Global Threat, DEA-DCT-DIB-021016, 2 (July 2016).

usually purchase powdered fentanyl and pill presses from China to create counterfeit pills to supply illicit U.S. drug markets.”⁵

Since late 2013, fentanyl and its analogues have contributed to at least 5,000 overdose deaths in the United States.⁶ The fentanyl crisis is uniquely dangerous because of its high potency and the speed that it reaches the brain. Emergency responders have found patients dead before the victim has finished injecting, needles still in hand. The lethality of fentanyl also undermines the effectiveness of evidence-based public health strategies. Fentanyl narrows the window for rescue with the overdose reversal drug, naloxone, and may require multiple administrations to reverse an overdose.

Fentanyl is an urgent public health threat. Overdoses and deaths associated with fentanyl are spreading across the country. Nonetheless, it remains unclear if key law enforcement and public health agencies have developed a strategic plan aimed at the fentanyl threat, particularly one that disrupts the illicit supply of fentanyl coming into the U.S.

The subject is a top oversight priority of the Committee, and we request your immediate assistance in coordinating an effort to get any information and data related to the fentanyl threat. We ask that you circulate the following questions to all federal agencies participating in, or assisting with, ONDCP working groups:

1. From where is foreign-made fentanyl trafficked? By whom? How is it being trafficked?
2. How much fentanyl is estimated to have been smuggled into the United States in 2016, or alternatively for the most recent calendar year with data available?
3. How much fentanyl is estimated to have been delivered into the United States through the U.S. Postal Service in 2016, or alternatively for the most recent calendar year with data available?
4. How much fentanyl is estimated to have been delivered into the United States through foreign mail in 2016, or alternatively for the most recent calendar year with data available?
5. How much fentanyl is estimated to have been delivered into the United States through consignment carriers in 2016, or alternatively for the most recent calendar year with data available?
6. How many overdose deaths were associated with heroin containing fentanyl in 2016, or alternatively for the most recent calendar year with data available?

⁵ *Id.*


⁶ R.A. Rudd, et al., Increases in Drug and Opioid-Involved Overdose Deaths – United States, 2010-2015, 65 MMWR 1445 (December 30, 2016) <https://www.cdc.gov/mmwr/volumes/65/wr/mm65051e1.htm>.

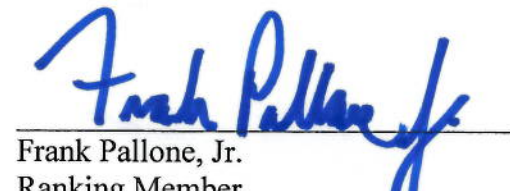
7. How many overdose deaths were associated with counterfeit drugs containing fentanyl in 2016, or alternatively for the most recent calendar year with data available?
8. How many overdose deaths were associated with diverted fentanyl in 2016, or alternatively for the most recent calendar year with data available?
9. How many illegal (i.e. falsely labeled and/or used for opioid production) pill-making machines were detected and seized in 2016, or alternatively for the most recent calendar year with data available? Please include information on the type of machine detected and seized, if identifiable, in your response.
10. How many illegal (i.e., falsely labeled and/or used for opioid production) component parts to pill-making machinery were detected and seized in 2016, or alternatively for the most recent calendar year with data available? Please include information on the location points of seizure and the number and type of components seized from each location in your response.
11. How many thousands of counterfeit pills containing any amount of fentanyl were seized in 2016, or alternatively for the most recent calendar year with data available? Please include information on the most prevalent geographic locations where counterfeit pills were seized in your response.
12. Please provide a list of the known types of pills containing any amount of fentanyl being misrepresented as another drug, such as oxycodone, oxycontin, or Xanax, and the quantities of each type of misrepresented drug.
13. Please provide the top ten locations in the United States with (1) the greatest increases in the number of deaths related to fentanyl and (2) the amount of fentanyl seized in 2016 compared to 2015?
14. Which law enforcement agencies are actively working on the fentanyl threat? Please list all federal law enforcement and interagency working groups addressing the fentanyl threat, including a list of agencies represented in each working group.
15. Has any law enforcement agency or interagency working group developed a strategic plan to address this threat? If so, please provide a copy of any such plan to the Committee.

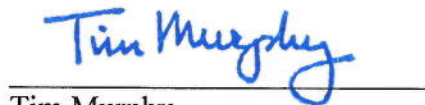
Given the urgency of the fentanyl problem and the committee's immediate need for this information, please provide a coordinated response derived from the information from the pertinent federal agencies by March 2, 2017.

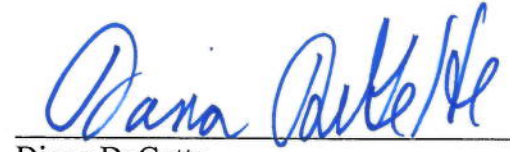
An attachment to this letter provides additional information about responding to the Committee's request. If you have any questions about this request, please contact Alan Slobodin of the Majority Committee staff at (202) 225-2927 and Chris Knauer of the Minority Committee staff at (202) 225-3641.

Sincerely,


Greg Walden
Chairman
Committee on Energy and Commerce


Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce


Tim Murphy
Chairman
Subcommittee on Oversight and
Investigations


Diana DeGette
Ranking Member
Subcommittee on Oversight and
Investigations

Attachment