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United States Senate

May 12, 2016

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The Honorable John F. Kerry
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, DC 20520

Dear Secretary Kerry:

I write to request information about the U.S. Department of State's efforts to mitigate the trafficking of synthetic opioids, especially fentanyl, into the United States. Opioid addiction and overdose is rampant across the nation. According to the Centers for Disease Control and Prevention, almost 30,000 drug overdose deaths in 2014 involved some type of opioid.¹ The largest increase in the death rate from drug overdose over the previous year — 80 percent — was due to illicitly manufactured fentanyl and synthetic opioid pain relievers.² Between 2013 and 2014, more than 700 deaths in the United States were attributed to fentanyl and its analogs.³

In March 2015, the Drug Enforcement Administration (DEA) issued a nationwide alert on fentanyl as a threat to health and public safety.⁴ This alert highlighted illicit fentanyl's significant potency — up to 50 times stronger than heroin and up to 100 times more powerful than morphine.⁵ Fentanyl is often mixed with other illicit drugs, like heroin, or disguised as an opioid painkiller, like OxyContin.⁶ Drug users often overdose because they are unaware that they are ingesting fentanyl and do not anticipate its strength. The DEA alert also highlighted the danger fentanyl poses to law enforcement personnel and other first responders through skin contact or accidental inhalation.⁷ Exposure to even small amounts of fentanyl in these ways can be fatal.

Mexico and China are the primary foreign sources for fentanyl, its precursors, and analogs that are trafficked into the United States,⁸ and those two countries have been the focus of diplomatic efforts to curb fentanyl trafficking. Under the bilateral agreement known as the Mérida Initiative, the United States agreed to help Mexico stop heroin and fentanyl production and trafficking.⁹

¹ <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6450a3.htm>

² *Id.*

³ <http://www.dea.gov/docs/2015%20NDTA%20Report.pdf>

⁴ <http://www.dea.gov/divisions/hq/2015/hq031815.shtml>

⁵ *Id.*

⁶ <https://www.statnews.com/2016/04/05/fentanyl-traced-to-china/>

⁷ <http://www.dea.gov/divisions/hq/2015/hq031815.shtml>

⁸ <http://www.crs.gov/Reports/R42066?source=search&guid=e8ad1617e78046ee9ad78a325726a1b1&index=2>

⁹ <http://www.fas.org/sgp/crs/row/IN10456.pdf>

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China recently enacted new regulations intended to control the production and sale of non-pharmaceutical narcotic and psychotropic drugs, including forms of fentanyl.¹⁰ And at the most recent U.S.-China Strategic & Economic Dialogue in June 2015, the two countries planned to continue the joint efforts of the General Administration of China Customs, U.S. Immigration and Customs Enforcement, and the DEA to combat cross-border drug trafficking.¹¹

I am committed to stopping the import of illicit fentanyl into the United States. In furtherance of efforts to achieve that goal, I would appreciate your responses to the following questions by June 2, 2016:

1. Please provide the status of any joint efforts between the United States and China to combat the trafficking of fentanyl and other synthetic opioids, including updates on the joint efforts identified in the June 2015 U.S.-China Strategic & Economic Dialogue.
2. Please describe the domestic rules that China has enacted to stem the production and sale of fentanyl and its precursors, including any enforcement mechanisms and any empirical evidence of the rules' success. Are there other steps that the State Department would like to see China take to address the fentanyl problem?
3. Please provide the status of any joint efforts between the United States and Mexico to combat the cross-border trafficking of fentanyl and other synthetic opioids, including any fentanyl eradication efforts undertaken through the Mérida Initiative. Could the Mérida Initiative, or a similar initiative, serve as a framework for partnerships with other countries, including China? If so, how and what type of resources would be necessary?
4. The Office of National Drug Control Policy's National Drug Control Strategy includes "identifying labs creating dangerous synthetic opioids like fentanyl and acetyl-fentanyl and enhancing border efforts to decrease the flow of these drugs into the country."¹² How is the State Department helping to further this effort? Does it have sufficient authority and resources to help? If not, what further authority or resources are needed? What more can be done to enhance the National Drug Control Strategy through bilateral discussions between the United States and other impacted countries?

Thank you for your prompt response to these inquiries. If you have any questions, please contact Andrew Cohen of my staff at 202-224-2742.

Sincerely,

Edward J. Markey
United States Senator

¹⁰ <http://www.state.gov/j/inl/rls/nrcrpt/2016/vol1/253251.htm>

¹¹ <http://www.state.gov/r/pa/prs/ps/2015/06/244205.htm>

¹² <http://www.hsgac.senate.gov/download/?id=42BF4FEF-7D88-46E0-BDF9-EFF31666C0BE>