

Congress of the United States
Washington, DC 20515

August 2, 2023

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Blinken,

We write today as a group of lawmakers with serious concerns about the People's Republic of China's (PRC) ongoing role in our nation's fentanyl crisis. As you continue to engage in high-level conversations with the PRC to halt the flow of drugs and precursor chemicals to the United States, we urge you to institute a whole-of-government approach focused on comprehensively addressing the financial incentives associated with the drug trafficking ecosystem. We must act with urgency to ensure that additional American lives are not lost to fatal drug overdoses.

It is critical that we address the mounting flow of precursor chemicals and synthetic opioids like fentanyl into our country. Precursor chemicals manufactured in China are sold to Mexican transnational criminal organizations (TCOs), like cartels, who produce illicit fentanyl and traffic it into the United States. The PRC continues to be the main source for the starting chemical materials used to illicitly manufacture drugs that have been involved in the deaths of far too many Americans. While fentanyl is a synthetic opioid approved by the U.S. Food and Drug Administration (FDA) with legitimate medical uses, illicit fentanyl has emerged as a leading cause of death and continues to plague our communities. Of the 109,940 fatal overdoses between February 2022 and February 2023, 75,929 deaths involved illicit fentanyl.¹

The number of pills containing fentanyl seized by law enforcement in the United States has dramatically increased every year since 2018, more than doubling from 2020 to 2021.² Last year, the Drug Enforcement Administration (DEA) found that 6 out of 10 counterfeit pills it tested contained a lethal dose of fentanyl.³ In addition, the DEA alone "seized more than 50 million fake pills and 10,000 pounds of fentanyl powder equating to approximately 379 million deadly doses of fentanyl," enough fentanyl to kill every person in the United States last year.⁴ U.S. law enforcement agencies continue to fight against the proliferation of this devastating drug, but they cannot win without a reduction in the supply of PRC-derived fentanyl.

¹ <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

² <https://nida.nih.gov/news-events/news-releases/2022/03/law-enforcement-seizures-of-pills-containing-fentanyl-increased-dramatically-between-2018-2021>

³ <https://www.dea.gov/alert/dea-laboratory-testing-reveals-6-out-10-fentanyl-laced-fake-prescription-pills-now-contain#:~:text=The%20DEA%20Laboratory%20has%20found,potentially%20lethal%20dose%20of%20fentanyl.>

⁴ https://www.foreign.senate.gov/imo/media/doc/f4597c23-de04-fa71-e612-bcbc49b6826c/021523_Milgram_Testimony.pdf

While the supply chain for illicit fentanyl is vast and complicated, it is estimated that 97 percent of fentanyl in the United States is manufactured using precursor chemicals from China.⁵ Precursor chemicals are the basis for illicit fentanyl, as well as other drugs, and can be synthesized, pressed into pill form, and trafficked through U.S. ports of entry to towns across the country. Entities within the PRC work hand-in-hand with criminal organizations such as the Sinaloa and Jalisco Cartels, which process and distribute fentanyl from clandestine labs across Mexico. This transnational criminal ecosystem fuels profits at the expense of American lives.

The coordinated relationships between entities in the PRC and cartels in Mexico has created a sophisticated criminal financial network that is fueling the drug epidemic in America and other countries around the globe. We must comprehensively address this crisis by negating the financial incentives that fuel profits and incentivize entities to continue their businesses at all costs. We must institute additional, heightened monitoring of transactions and trades that have previously proven to be markers for trafficking operations, such as illegal wildlife trafficking of internationally protected species. We must also enhance inspections led by U.S. Fish and Wildlife Services (USFWS) and other U.S. wildlife investigators, as well as lean heavily on the experts at the Financial Crimes Enforcement Network (FinCEN). These actions will more effectively disrupt criminal networks in the PRC and Mexico. These criminal actors show every intention of continuing to hide in the shadows and flouting international law in pursuit of profits from fentanyl sales—at the cost of hundreds of American lives per day.

Enhanced focus on the financial incentives associated with drug trafficking must go hand in hand with efforts by law enforcement agencies to address the domestic availability of certain precursor chemicals and other illicit substances. Fortunately, the DEA has already added many dangerous substances to Schedule I of the Controlled Substances Act (CSA), which includes drugs and substances with no currently accepted medical use in the United States.⁶ Late last month, the good work of our law enforcement agencies was on full display when the U.S. Department of Justice (DOJ) announced the arrests of individuals from the PRC and indictments of several PRC-based companies for their role in the production, distribution, and sale of precursor chemicals into the United States. This marked the first prosecution of PRC-based nationals and companies related to fentanyl trafficking, capping off an investigation during which the DEA and its law enforcement partners seized more than 200 kilograms of these chemicals—enough to kill 25 million Americans.⁷ We are hopeful that your diplomatic efforts will complement U.S. law enforcement's work and enable even more results in disrupting drug trafficking operations.

While U.S.-PRC tensions are at a record high today and diplomatic efforts remain difficult, they are also more important than ever, and the lives of Americans lost to overdoses must never be used as a bargaining chip. U.S. diplomatic efforts in 2018 and 2019 yielded some success, as the PRC moved to regulate some fentanyl analogs and precursors in May 2019. However, without successful engagement to ensure enforcement, the short-term win gave way to the dynamic we see today. Unfortunately, as relations between our nation and China have deteriorated, the volume of fentanyl trafficked into the United States has only gone up.

⁵ https://www.usitc.gov/publications/332/executive_briefings/ebot_george_serletis_fentanyl_from_china_pdf.pdf

⁶ https://www.deadiversion.usdoj.gov/schedules/orangebook/f_chemlist_alpha.pdf

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This crisis will continue to worsen if we do not take swift action. Our neighborhoods and families depend on you ensuring that the issue of combatting fentanyl trafficking remains high on the agenda in every discussion with the PRC, as well as other nations involved in the drug ecosystem. We urge you to commit all due diplomatic pressure to ensure that the PRC meaningfully polices its precursor chemical producers and cuts off the flow of fentanyl into the United States. In addition, we urge you to drive forward aggressive diplomatic action, as part of a whole-of-government, coordinated effort, to secure an agreement with the PRC that results in a true clamp down on the devastating illicit fentanyl trade. In the spirit of that goal, we respectfully request answers to the following questions within 60 days of receiving this letter:

1. What actions has the U.S. Department of State taken to strengthen its coordination with other federal agencies, not limited to DEA, USFWS, and FinCEN, to enhance information sharing about entities potentially involved in drug trafficking operations?
2. During your visit to Beijing last month, what progress was made regarding export control restrictions, not limited to more strict labeling requirements and enhanced screening at key distribution points?
 - a. What incentives did the PRC's leaders indicate would be needed to do its part to limit the trafficking of precursor chemicals out of the country?
3. It is our sincere hope that your proposed U.S.-China Working Group to Combat Illicit Fentanyl Trafficking is successful and leads to renewed cooperation between both countries on this issue. What timeline is the State Department considering for this working group?
 - a. Should diplomatic efforts fail to see meaningful progress, what tools remain at your disposal to protect American lives?
4. Are there authorities or flexibilities that you do not have that Congress could provide you to help address this crisis?

We look forward to working with you on this effort and appreciate a reply with your thoughts on the path ahead.

Sincerely,



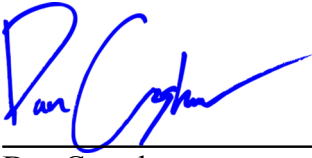
Susie Lee
Member of Congress



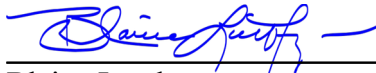
David J. Trone
Member of Congress



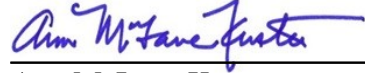
Lisa C. McClain
Member of Congress



Dan Crenshaw
Member of Congress



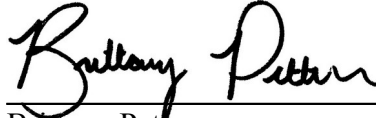
Blaine Luetkemeyer
Member of Congress



Ann McLane Kuster
Member of Congress



Nancy Mace
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Brittany Pettersen
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Brad Sherman
Member of Congress



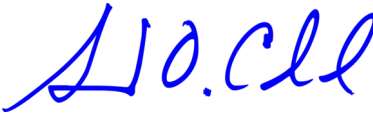
Jasmine Crockett
Member of Congress



Emilia Strong Sykes
Member of Congress



Marilyn Strickland
Member of Congress



Salud Carbajal
Member of Congress



Jim Costa
Member of Congress



Josh Gottheimer
Member of Congress



Donald G. Davis
Member of Congress



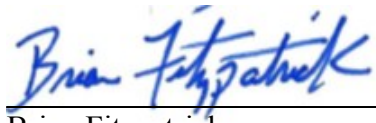
Greg Stanton
Member of Congress



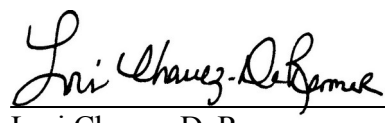
Patrick Ryan
Member of Congress



Chris Pappas
Member of Congress



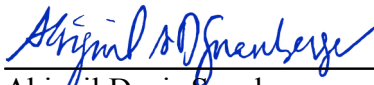
Brian Fitzpatrick
Member of Congress



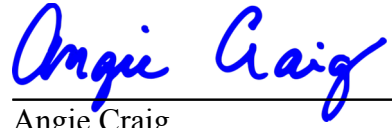
Lori Chavez-DeRemer
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Mikie Sherrill
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Abigail Davis Spanberger
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Angie Craig
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Sharice L. Davids
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Juan Ciscomani
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Katie Porter
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Chris Deluzio
Member of Congress



Dina Titus
Member of Congress



Daniel T. Kildee
Member of Congress



Anthony D'Esposito
Member of Congress



Mike Levin
Member of Congress



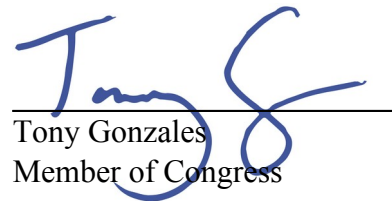
Wiley Nickel
Member of Congress



Nick LaLota
Member of Congress



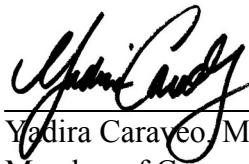
Madeleine Dean
Member of Congress



Tony Gonzales
Member of Congress



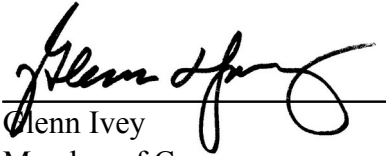
Marie Gluesenkamp Perez
Member of Congress



Yedira Caraveo, M.D.
Member of Congress



Scott H. Peters
Member of Congress

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Glenn Ivey
Member of Congress

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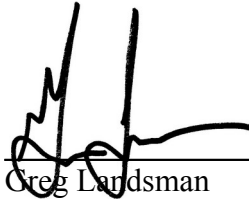
Jeff Jackson
Member of Congress

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Diana Harshbarger
Member of Congress

A blue ink signature of Eric Swalwell, written in a cursive style.

Eric Swalwell
Member of Congress

A black ink signature of Greg Landsman, written in a cursive style.

Greg Landsman
Member of Congress

A blue ink signature of J. Luis Correa, written in a cursive style.

J. Luis Correa
Member of Congress