

# COUNTERING ILLICIT FENTANYL TRAFFICKING

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## HEARING

BEFORE THE

### COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

—————  
FEBRUARY 15, 2023  
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## **COUNTERING ILLICIT FENTANYL TRAFFICKING**

**WEDNESDAY, FEBRUARY 15, 2023**

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:34 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez presiding.

Present: Senators Menendez [presiding], Cardin, Shaheen, Murphy, Kaine, Merkley, Booker, Van Hollen, Risch, Rickett, Young, Cruz, Hagerty, and Scott.

### **OPENING STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order.

Two years ago, Tanya Niederman, a mother in New Jersey, was at a restaurant when she answered her phone. The call that she got would change her life forever, a call that would tear any parent's heart out.

Her only son, JJ, a typical American kid who loved to be outside, loved fishing, played hockey, had been found dead in his bedroom at home, dead from a recreational drug laced with fentanyl, poisoned by a drug so potent it can kill someone with an amount equivalent to a few grains of salt.

Across our nation from big cities to small towns, fentanyl is driving a surge of deaths. Last year, the Center for Disease Control estimated that over 70,000 Americans died from fentanyl overdoses in 2021. It is the leading cause of death for Americans ages 18-49.

Secretary Robinson, Administrator Milgram, Director Gupta, thank you for appearing before us today to speak about one of the most urgent challenges facing the American public.

The Foreign Relations Committee is holding this hearing because this is a crisis we cannot solve just within our borders. According to the Drug Enforcement Administration, most of the fentanyl trafficked into the United States is produced in clandestine labs in Mexico with precursor chemicals secured from China.

We need to use every foreign policy tool we have to stop the flow of fentanyl into our country. This means asking Mexico to do more to disrupt criminal organizations from producing and trafficking fentanyl, although a politicized judiciary and incidents of Mexican

security forces colluding with drug cartels will make that very difficult, but we have to try.

It means expanding our work with India to strengthen regulation of its chemical and pharmaceutical industries and, of course, it also means confronting China.

I doubt Xi Jinping cares about his chemical and pharmaceutical industry supplying the Mexican cartels that are flooding the United States with fentanyl, but let us be clear. His government's negligence is helping unleash a deadly wave of fentanyl-related deaths not only here in the United States, but also in Canada, in Mexico, as well as countries in East and Southeast Asia that are struggling with their own crisis of synthetic opioids from China.

While we have been trying to address this crisis for years, we all need to do more. That is why I co-authored the *Fentanyl Sanctions Act* with Senator Schumer in 2019 which established the Commission on Combating Synthetic Opioid Trafficking to chart a strategic approach for addressing this crisis, and last year I co-sponsored and helped secure the enactment of Senator Shaheen's *FENTANYL Results Act*.

That is why I am urging the Biden administration to take additional steps to confront the fentanyl epidemic, prioritizing counter narcotics cooperation with willing partners, holding perpetrators and enablers of illicit fentanyl trafficking accountable.

It is time for the United States to build a multilateral coalition to hold China accountable for failure to meet its international obligations to stop illicit drug trafficking.

China needs to take practical and common sense steps to address this problem right now, like implementing know your customer standards, which protect against fraud, corruption, and money laundering.

If Beijing fails to cooperate in good faith on indictments or on money laundering investigations, on information sharing on fentanyl and fentanyl precursor trafficking, the United States will have no choice but to take unilateral steps by expanding sanctions, visa restrictions, and other tools to protect the American people.

As the Commission on Combating Synthetic Opioid Trafficking detailed in its semiannual report last year, we need to be just as proactive here at home, from strengthening high-tech screening at our borders to disrupting the open trafficking of fentanyl across our social media platforms to taking additional steps to expand access to treatment and support services for those in our community struggling with substance use disorder.

That is why I think it is time to revisit the 2018 *SUPPORT Act* to confront the growing threat of fentanyl and the pressing need to expand access to mental health and substance use services.

These are just some of the dimensions of this incredible challenge and I look forward to working on all of those iterations.

With that, let me turn to the ranking member, Senator Risch, for his opening statement.

**STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

Senator RISCH. Thank you very much, Mr. Chairman.

First of all, I think we all know that illicit fentanyl and other synthetic opioids pose an unprecedented threat to American families.

Far too many people in America know the heartache associated with the loss of life related to these deadly substances since almost all have had some contact with the heartache that is associated with that.

In 2021, more than 100,000 Americans—more than 100,000 Americans—died from drug overdoses, nearly 70 percent of which were from fentanyl poisoning. Fentanyl-related deaths among children 14 and under have also tripled since 2019.

Many of these deaths involve counterfeit prescription pills laced with fentanyl, which law enforcement agencies report are easily accessible through social media.

Addressing this threat will require greater awareness about the dangers of fentanyl, better coordination of local, state, and federal law enforcement resources for mental health, and effective—very effective—international cooperation.

Where do these drugs even come from? Another way to stem this crisis is to identify and cut off the pipelines where we can. China is the primary source of illicit fentanyl and synthetic opioid precursors that the Mexican cartels are using to manufacture lethal drugs.

They are then smuggling these drugs into the United States. Chinese traffickers and money launderers are also increasing cooperation with Mexican cartels.

Mexican cartels leverage their drug trafficking profits to acquire sophisticated weapons, corrupt officials, challenge the authority of the Mexican state, and commit terrible atrocities.

The same cartels are profiting from and prolonging the illegal migration crisis caused by the Biden administration's weak enforcement of border security and immigration controls.

Several of my Senate Foreign Relations Committee colleagues and I released a report last year offering concrete recommendations to improve border security. Unfortunately, the Administration refuses to even acknowledge we have a problem.

It is time the Administration wakes up. We have a serious threat at the border and the President needs to be serious about addressing it.

The Chinese Government's tacit endorsement of this massive drug trade is a huge issue. Yet, the readout of the President's meeting with Xi Jinping in November makes no mention whatsoever of this really serious problem.

Worse, if China is complicit in supplying fentanyl that comes to the United States, then we need to consider an appropriate sanctions regime. Chinese officials should also understand the drug-producing or transit countries eventually become drug-using countries. China's complacency could have dire consequences for the future of its nation.

I encourage President Obrador of Mexico to deepen our bilateral security cooperation for the sake of our region's security and prosperity.

I look forward to hearing from our witnesses today and I commend the men and women of your organizations who work every day protecting our communities.

Thank you, Mr. Chairman.

Oh, as a matter of personal privilege, Mr. Chairman, I would like to welcome our Idaho Secretary of State. He is here meeting with the other Secretary of States who do a great job running our elections around America. Thank you for being here.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you, Senator Risch, and welcome to the Secretary. We are happy to have you here with us as well.

Let me introduce our panel.

Assistant Secretary Todd Robinson leads international narcotics and law enforcement affairs at the Department of State. Secretary Robinson previously served as U.S. Ambassador to the Republic of Guatemala and our chargé d'affaires in Venezuela. We are looking forward to hearing from you today.

We are also joined by the administrator of the Drug Enforcement Administration, Anne Milgram. Administrator Milgram previously served as New Jersey's Attorney General and a federal prosecutor in the United States Department of Justice where she was a special litigation counsel for the prosecution of human trafficking crimes. We appreciate your appearance.

Finally, we are joined by Dr. Rahul Gupta, Director for the Office of National Drug Control Policy. Previously, Dr. Gupta served as health commissioner in the state of West Virginia and as the chief medical and health officer and senior vice president at the March of Dimes.

We welcome you all. Your full statements will be included in the record, without objection. I would ask you to try to summarize your statements in about 5 minutes or so, so that we can have a robust discussion.

Dr. Gupta, I understand you are going to go first, followed by Administrator Milgram and then Secretary Robinson.

Dr. Gupta.

**STATEMENT OF THE HONORABLE DR. RAHUL GUPTA, DIRECTOR OFFICE OF NATIONAL DRUG CONTROL POLICY, EXECUTIVE OFFICE OF THE PRESIDENT, WASHINGTON, DC**

Dr. GUPTA. Good morning.

Chairman Menendez, Ranking Member Risch, and members of the committee, thank you for inviting me to testify here today.

I am honored to be joined by my colleagues who are vital partners in implementing President Biden's National Drug Control Strategy and keeping our communities safe.

This hearing could not have come at a more important time. America is facing the worst drug crisis we have ever seen with 46 million Americans suffering from substance use disorder and more than 107,000 Americans dying from drug overdose or accidental poisonings a year.

These are not just numbers, but represent devastating losses to families and communities with an American dying every 5 minutes of every hour of every day.

This is unacceptable to me and it is unacceptable to the President. This crisis does more than cause tragic and preventable deaths. It is tearing the very fabric of our nation. It presents a direct and surging threat to public health as well as our national security and economic prosperity.

As a practicing physician I have had a front row seat to the evolution of this epidemic. As you have seen in your own states, it cuts across every geographic, demographic, and economic boundary.

The majority of illicit drugs harming Americans are produced outside of the United States. Criminal elements, mostly in the People's Republic of China, ship precursor chemicals to Mexico where they are used to produce illicit fentanyl. Illicit fentanyl has infiltrated the entire drug supply, including cocaine and meth.

Finally, somewhere in America today a teenager will find illicit drugs simply by opening a social media app on their phone. This is a new era of drug trafficking and it requires a new era of drug policy.

President Biden's strategy is tackling this novel threat head on. We are addressing two key drivers of the epidemic: untreated addiction and the drug trafficking profits that fuel it.

Let me be perfectly clear: Addiction is a disease and that must be treated and drug trafficking is a crime that must be prosecuted. If it remains easier to get illicit drugs in America than it is to treatment, we will never end this crisis and that is why in his State of the Union Address, President Biden launched a major surge to stop illicit fentanyl production, trafficking, and distribution at every choke point, including holding accountable the big tech companies that allow the sale of illegal drugs on their platforms. He also called for increasing the number of first responders and other professionals who can respond to mental health and substance use challenges.

Thanks to the hard work of our law enforcement officers, we are seizing record amounts of illicit fentanyl and other drugs, and domestic seizures alone denied drug traffickers nearly \$9 billion in profits last year.

I want to emphasize that while seizures and arrests are critically important, this problem does not begin or end at the United States border. That is why we are working closely with our international partners, especially Mexico, Colombia, India, Canada, and others.

The bilateral relationship between the United States and the PRC is complex and characterized by competition. Yet, there are areas in which we can cooperate and counter narcotics as one. We are urging the PRC to join us in this action.

Rather than demonstrate global leadership by engaging in efforts to rein in illicit precursor production and trafficking—an issue where PRC plays an outsized role—the PRC is instead choosing to not engage.

Now, I want to be clear: A nation that seeks to demonstrate global leadership must act as a global leader on global issues. Where security, prosperity, and lives around the world are at stake there is no excuse for inaction, and the United States will continue to

lead in the global coalition against illicit fentanyl with or without the PRC.

At last month's North America Leaders Summit in Mexico City, for instance, President Biden made illicit fentanyl a main topic of conversation. He pressed President López Obrador to act with a shared sense of responsibility towards the threat of drug trafficking and its associated criminality, and all of us here will work with Mexico to drive results.

At home, President Biden has led public health efforts to tackle this epidemic as well. We are expanding access to naloxone and treatment, focusing on evidence-based prevention, and supporting people in recovery.

Critically, we work closely with Republicans and Democrats in Congress to remove barriers to treatment for millions of Americans. We will save lives as we implement this historic legislation in partnership with DEA and HHS.

We are showing the country what we can accomplish when we work together. As the CDC just announced, we have now seen 6 straight months of reports where overdose numbers have decreased or been flat. That is around 3,000 people who have not died and instead are at the dinner table each night.

The opioid crisis is not a red state problem or a blue state problem. This is America's problem, and the President knows as all of you know that it will take all of us working together to solve it. All of us.

This is the time to put politics aside and make life better for the American people. To this end, my request to you and to Congress at large is to fully fund President Biden's drug control budget, which will be released soon, and I look forward to working with Congress to accomplish our shared goals to save American lives and keep our communities healthy and safe.

Thank you, Mr. Chairman.

[The prepared statement of Dr. Gupta follows:]

### **Prepared Statement of Dr. Rahul Gupta**

#### INTRODUCTION

Chairman Menendez, Ranking Member Risch, and Members of the Committee, thank you for inviting me to testify today on the ever-changing illicit drug environment we face in the United States, which in the last year has claimed nearly 107,000<sup>1</sup> lives and torn families and communities apart, as well as the Biden-Harris administration's work to reduce the availability of illicit fentanyl in the United States, expand access to addiction treatment, and save American lives.

I am honored to be joined today by my colleagues from the Drug Enforcement Administration and the Department of State's Bureau of International Narcotics and Law Enforcement Affairs, who are vital partners in implementing the President's National Drug Control Strategy, and in keeping our country and our communities safe.

#### THE OPIOID CRISIS

This hearing could not come at a more important time. America faces the worst drug crisis we have ever seen, with 107,000 Americans dying from drug overdose or accidental poisoning in 1 year. That is one of our fellow citizens dying every 5 minutes, of every hour, of every day, here in America. This is unacceptable, full stop.

<sup>1</sup>Centers for Disease Control and Prevention, NCHS. "Vital Statistics Rapid Release: Provisional Drug Overdose Death Counts." January 11, 2023. Accessed January 11, 2023. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

We are in the throes of the most dynamic drug trafficking and use environment in our nation's history. As you have all seen in your own states, this crisis cuts across every geographic, demographic, and economic boundary in our Nation. It inflicts a severe human toll with lost lives and suffering in our communities and damages on our prosperity, public health, public safety, and national security.

Addiction is a disease and has been prevalent in the U.S. for centuries. More recently, our Nation has experienced a rise in overdose and drug poisoning deaths for the decades leading up to the emergence of illicit fentanyl, which is now involved in the majority of these deaths. We are all too familiar with how this epidemic began: The overprescribing of prescription opioid pain medications, which led many being denied those medications to turn to heroin, and then the introduction of illicit fentanyl into the heroin supply, and then to an exploding market for synthetic opioids, many of which are either pressed into pills and sold as counterfeit prescription pain medications or added to other illicit substances like methamphetamine and cocaine, too often with deadly consequences. As a practicing physician, I have had a front seat to this. In fact, polysubstance use has become a growing concern and has contributed to this unprecedented death toll because illicit fentanyl has contaminated the drug supply at large.

Today we are faced with a global illicit market that produces and traffics in illicit drugs on a worldwide scale, with a domestic illicit drug supply that is increasingly toxic, regardless of whether one thinks they are using opioids, methamphetamine, or cocaine, and where the ability of an American teenager to find illicit drugs is literally in the palm of his or her hand, and as simple as opening a social media app.

We must comprehend that the ground has shifted beneath us in relation to the drug supply environment. While the era of the large volume of plant-based drugs being cultivated and produced has not ended, the age of small volume, high-potency, synthetic drug production has clearly begun. Drug production no longer requires thousands of acres of poppy or coca grows and hundreds of workers all serving within a hierarchical drug cartel. Individual producers and traffickers today can enter the illicit drug business on their own with little more than a relatively few chemicals, a small area to work, and a reliable internet connection.

Synthetic opioids like illicit fentanyl and its analogues are produced using precursor chemicals made available by malicious actors, often in the People's Republic of China (PRC), which are shipped to Mexico, where they are used to produce illicit fentanyl or fentanyl-related substances. This illicit fentanyl is either sold in powder form or pressed into the fake pills that have poisoned so many Americans. These drugs are then either moved across our southern border, typically through the existing ports of entry, or shipped into the United States through the mail or through express consignment carriers.

This changing drug environment creates an enormous challenge for law enforcement and public safety because these drugs can be created anywhere, including in a small apartment in an urban area; they can be transported in smaller amounts because of their potency in small doses; they do not require trafficking routes controlled by drug trafficking organizations and instead can be shipped through private sector commercial carriers; and technological advances not only enable these drugs to be bought and sold online, including on social media, but also provide new options for laundering the proceeds of illicit drug sales.

It also creates an enormous challenge for public health because illicit fentanyl is incredibly lethal, leading to high levels of both fatal and non-fatal overdoses each day; the burden of responding to overdoses falls often to first responders and hospital emergency departments; our Nation lacks the necessary addiction infrastructure to treat everyone who has a substance use disorder; and millions of Americans in communities nationwide are forced to deal with the fallout of overdoses and drug poisoning deaths, including providing services and care for children left behind when a parent dies.

Additionally, this crisis is further complicated by polysubstance use, including the more recent addition of xylazine, which is a non-opioid veterinary tranquilizer being added to illicit fentanyl that negatively affects breathing, complicating the ability of naloxone to reverse an overdose. In the *SUPPORT Act* of 2018, Congress charged ONDCP with reviewing emerging threats such as this and we are examining the data closely and working with local partners in areas affected by xylazine in order to determine the appropriate response.

#### THE ADMINISTRATION'S RESPONSE

The Biden-Harris administration's response has been historic in nature and specifically designed to tackle this new threat environment head-on.

The new era of drug trafficking requires a new era of drug policy, targeting the two key drivers of this crisis, untreated addiction and the drug trafficking profits that fuel it, with equal effort and determination.

In his State of the Union Address, President Biden called for launching a major surge to stop illicit fentanyl production, trafficking, and distribution, and increasing the number of first responders and other professionals who can respond to mental health and substance use challenges.

What does that mean? It means we will build on the historic progress we have already made by employing more advanced technology to detect and interdict more illicit fentanyl at our borders.

We will expand our work with commercial package delivery companies to identify and intercept more packages containing illicit opioids and the raw materials to make them.

We will lead a sustained diplomatic push that will address fentanyl and its supply chain abroad, including working with international partners to disrupt the global fentanyl production and supply chain, and call on others to join our efforts.

We will continue our work with Congress to permanently schedule all fentanyl-related substances so we can close, once and for all, a loophole illicit drug producers and traffickers have used for too long, and ensure they receive the justice they richly deserve.

We will work with the Ad Council to launch a national campaign to educate young people on the dangers of fentanyl and how they can save the lives of those around them who fall victim to it.

We will work to ensure everyone who needs treatment for substance use disorder gets it, including people who are incarcerated and at much higher risk for overdose death when they're released.

And, we will continue to expand access to lifesaving medications for opioid use disorder, allowing countless more Americans to stay alive and begin the path to long-term recovery.

In addition to all of this, we are continuing our ongoing work to improve access to the tools necessary to reduce the harms of these dangerous drugs, and the risks of falling victim to a fatal poisoning or overdose.

This includes ensuring the lifesaving drug naloxone is in the hands of everyone who may need it; expanding our efforts to prevent the youth of our Nation from initiating drug use and developing substance use disorder; and building a recovery-ready America that opens opportunities for those who have emerged from the depths of addiction and are on the path to recovery. Furthermore, President Biden's National Drug Control Strategy calls for supporting the addiction treatment and recovery workforce like never before in order to help build the addiction infrastructure our Nation so desperately needs.

Finally, we will sprint directly toward the source of this problem, and disrupt the global supply chain of illicit fentanyl production and trafficking that manufactures these drugs in foreign countries, and brings them across our borders and into our communities.

Reducing the market for these drugs in the United States, and disrupting their supply chain into our country, are two sides of the same coin and will allow us to shrink this illicit global market and reduce the harms it is causing our Nation.

Let me be perfectly clear: addiction is a disease and it must be treated, and illicit fentanyl trafficking is a crime and it must be prosecuted to save lives and protect our communities.

All of these actions build on the historic work the Administration has already done over the past 2 years to address this crisis.

From the very beginning, the Biden-Harris administration has undertaken a comprehensive evidence-based approach to reduce drug-related deaths, expand access to treatment for substance use disorder, and target the global production and trafficking of synthetic opioids, like illicit fentanyl, which kill tens of thousands of Americans each year.

President Biden's inaugural National Drug Control Strategy, released in 2022, relies on the best evidence and data we have available, and sets out a whole-of-government approach to attack the two drivers of the opioid overdose epidemic: untreated addiction, and the drug trafficking profits that fuel this crisis. The Administration's approach addresses both the public health aspects of this crisis as well as its national security, public safety, and economic dimensions, because addressing this problem holistically is the best approach to prevent overdose deaths and achieve long term and sustainable success against a problem that has claimed more than 1 million American lives over the past 24 years. We have also taken a new and more comprehensive approach to disrupt the production of these substances in



other countries, interdict their global movement, and target the trafficker profits and operating capital that sustains this global illicit enterprise.

We will expand sanctions across the global supply chain targeting bad actors that enable illicit fentanyl production. The Executive Order that the President issued in December 2021, “Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,” broadened and modernized our authorities to impose sanctions on a range of targets related to the trafficking of illicit synthetic opioids, giving the United States the ability to effectively target actors across the diffuse and decentralized global illicit drug supply chain. Since this Executive Order was signed, the Department of the Treasury imposed new sanctions against an array of narcotic targets around the world, including those within the illicit synthetic opioid trade. In fact, just 2 weeks ago, the Department of the Treasury sanctioned three additional illicit fentanyl traffickers, including the leader of a Mexico-based network and two of his associates. Overall, the Department of the Treasury’s sanctions under both the Kingpin Act and the December 2021 Executive Order have targeted not only individuals and entities tied to the Sinaloa cartel and the Jalisco New Generation Cartel (CJNG), but also the online illicit fentanyl trade and the corruption that facilitates drug trafficking.

#### SECURING THE BORDER AND SUPPORTING LAW ENFORCEMENT

Disrupting the flow of drugs into the United States is important not only to keep them from harming our citizens and denying drug traffickers the proceeds, but it is especially important as the means to allow our historic investments in public health interventions to take hold.

We must do both, together, because the simple truth is this: if we make it harder to get illicit drugs in America and easier to get treatment, we will make progress to reduce overdose deaths and bring this crisis to a close.

That is why we are continuing the necessary and difficult work of interdicting illicit drugs at our borders and within communities across the country. Thanks to the hard work and dedication of our U.S. Customs and Border Protection (CBP) officers and agents, as well as the 33 High Intensity Drug Trafficking Areas (HIDTAs) covering all 50 states, seizures of illicit fentanyl, methamphetamine, and cocaine are all up significantly.

In fiscal year 2022, CBP seized nearly 15,000 pounds of fentanyl, nearly 2,000 pounds of heroin, 175,000 pounds of methamphetamine, and more than 70,000 pounds of cocaine.<sup>2</sup> That’s twice as much as CBP seized in 2021 and four times as much as 2019.

These numbers not only speak to the magnitude of the threat, but also the incredible work of the men and women of our CBP who keep our borders secure and our communities safe.

It is the fundamental duty of every nation to secure its borders and protect its people from harm, and President Biden has repeatedly called for more resources to secure our border from the threat of illicit drug trafficking.

In addition, domestically, during fiscal year 2022, our HIDTA Task Forces seized more than 26,000 pounds of illicit fentanyl, nearly 6,500 pounds of heroin, more than 335,000 pounds of meth, and nearly 370,000 pounds of cocaine, representing nearly \$9 billion of profits denied to drug traffickers.<sup>3</sup>

And, thanks to our men and women on our borders, and our law enforcement professionals across the country, these are drugs that are not in our communities, will never kill a single American, and this is money that cannot be used to fund this illicit business or allow drug traffickers to enjoy obscene profits from the suffering of others.

Our CBP officials, and our 33 HIDTAs nationwide, deserve our thanks and appreciation for all their hard work in preventing drug poisoning deaths and holding traffickers accountable. I also want to thank the Congress and the members of this Committee for your long history of strong support for our HIDTA program. HIDTA has played a critical role in our success thus far and will continue to be a critical part of our work going forward.

<sup>2</sup> Customs and Border Protection. “CBP Drug Seizure Statistics Dashboard, FY2023.” (Dashboard filtered for FY2022 only.) Accessed January 22, 2023. <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>

<sup>3</sup> Office of National Drug Control Policy. “Press Release: Dr. Gupta and Law Enforcement Officials Announce New Domestic Seizure Data from ONDCP’s High Intensity Drug Trafficking Areas.” January 23, 2022. <https://www.whitehouse.gov/ondcp/briefing-room/2023/01/23/dr-gupta-and-law-enforcement-officials-announce-new-domestic-seizure-data-from-ondcps-high-intensity-drug-trafficking-areas/>

To that point, we must ensure we are supporting the brave women and men in law enforcement who risk life and limb to stop drug traffickers. We must also ensure they have the tools they need to do their jobs.

In last year's Budget request, President Biden called for a funding increase to support the work of CBP and the DEA.<sup>4</sup> They have risen to meet the increasing threat our Nation faces, and we thank the Congress for providing them the resources they need to continue their vital work in keeping us safe from these dangerous drugs.

In December, the Congress passed a 2-year extension of the scheduling of fentanyl-related substances, which controls these substances as a class and provides the necessary authorities for our law enforcement entities to prevent the production and trafficking of all potential fentanyl analogues.

Thank you for your leadership and partnership on extending this temporary authority. However, the production and trafficking of fentanyl-related substances is now a permanent and defining feature of the global drug trafficking landscape, and it demands a permanent solution. We look forward to working with the Congress to bring this about, as outlined in the Administration's proposal to Congress in September 2021, which was developed jointly by ONDCP, HHS, and DOJ.

#### BEYOND THE BORDER: THE UNITED STATES' GLOBAL LEADERSHIP

While seizures and arrests are critically important, this problem does not begin or end at the United States border.

To address this new and dynamic environment, we have broadened our approach to focus on commercially disrupting what is, in essence, an illicit global business enterprise with huge capital resources, routine collaboration with raw material suppliers across international borders, advanced technology to fund and conduct business, and product innovation and strategies to expand markets.

We are doing this through a deliberate and coordinated whole-of-government effort that focuses and synchronizes all the national policy levers to disrupt the global illicit synthetic drug production and trafficking enterprise. This includes strategically targeting criminal facilitators and enablers, and the targeting of key vulnerabilities in the illicit fentanyl supply chain to maximize our impact across the drug producers' and traffickers' spectrum of capabilities.

Through Commercial Disruption, we are targeting not only the finished drugs themselves and those who sell them, but also the raw materials and machinery used to produce them, the commercial shipping that moves these items around the world, and the illicit financial structures that allow this illicit global business to operate and allows drug producers and traffickers the ability to enjoy the profits and benefits of their illicit business.

Our approach embraces the fact that the production and trafficking of these drugs is a global problem, and United States leadership at the global level is absolutely essential.

We must also remember that while drug trafficking is harmful in its own right, and imperils the health, well-being, and safety of our citizens and their communities, it is also part of a larger complex of criminal behaviors that have negative effects not only in the United States but in the rest of the world.

In illicit drug producing and transit countries, drug trafficking drives state and regional instability and fuels corruption, and there are too many regions, in too many countries, where drug producers and traffickers supplant democratic norms and good governance with brute force and intimidation to secure the freedom of movement they need to pursue their criminal activities.

In Fall 2021, Secretary of State Blinken requested that the United Nations (UN) consider placing international controls on three fentanyl precursors. And through U.S. leadership, the March 2022 UN Commission on Narcotic Drugs unanimously voted to internationally control three key chemicals used by drug traffickers to produce illicit fentanyl.<sup>5</sup>

We are also working closely with our international partners, including Mexico, Colombia, India, Canada, and others such as the PRC on this work.

The bilateral relationship between the United States and the PRC is complex, and progress with them on this issue does not move in a straight line.

<sup>4</sup>Office of National Drug Control Policy. "FY 2023 Budget Highlights." March 22, 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/03/FY-2023-Budget-Highlights.pdf>

<sup>5</sup>Office of National Drug Control Policy. "Press Release: At Urging of U.S., UN Commission Acts Against 'Precursor' Chemicals Used to Produce Illicit Fentanyl." March 16, 2022. Accessed January 22, 2023. <https://www.whitehouse.gov/ondcp/briefing-room/2022/03/16/at-urging-of-u-s-un-commission-acts-against-precursor-chemicals-used-to-produce-illicit-fentanyl/>

We will continue to manage our competition with the PRC responsibly while exploring possible cooperation on transnational challenges, and counternarcotics is one such issue.

That's why I was disappointed, and expressed that publicly in a *Wall Street Journal* op-ed, when the PRC decided to suspend cooperation on counternarcotics after Speaker Pelosi's visit to Taiwan last August.

We are calling on the PRC to take swift action to enforce "Know Your Customer" regulations for certain chemicals, pill presses, and die molds, to the end-user level; ensuring the proper labeling of these items before export in accordance with World Trade Organization standards; and helping the international community to identify and share information on chemicals that pose a risk for diversion.

These are commonsense due diligence measures that should be expected of every responsible country, and we have repeatedly urged the PRC to undertake them for the benefit of all countries suffering from the synthetic drug problem, not just the United States.

However, in recent years the PRC has not substantially engaged on this issue, despite the fact that it is a major source country for chemical precursors. This is a fact.

Years of seizure and law enforcement data show that the PRC is the major source country for precursor chemical shipments, pill presses, and die molds to the Western Hemisphere.

When the PRC demonstrates the willingness to address the grave and growing problem of illicit synthetic drug production and trafficking, they will find a willing partner in the United States. And that, too, is a fact.

As we urge the PRC to join us in leading the world against illicit synthetic opioids, we must also recognize the downstream effects of going after drug traffickers—and prepare to address these unintended consequences. For example, when the PRC scheduled all fentanyl-related substances in 2019 at our behest, this had an unintended impact.

Traffickers adjusted from sending shipments of finished illicit fentanyl directly to the U.S. to instead sending precursor chemicals to Mexico, where illicit fentanyl production has proliferated. Today, our work with Mexico is critical.

That's why President Biden made illicit fentanyl a main topic at last month's North American Leaders Summit in Mexico City. Given the combination of our shared border, our 200-year bilateral relationship, and the effect that criminal elements in Mexico have on the drug production and trafficking environment on both sides of the border, it is vitally important that our bilateral relationship be characterized by mutual respect, and a sense of the shared responsibility we have to address the shared threat of drug trafficking and its associated criminality.

During the 2021 High-Level Security Dialogue between the United States and Mexico, we reaffirmed our joint commitment to take concrete actions on both sides of the border to address the shared security challenges affecting our communities, including human trafficking and smuggling, violence and illicit firearms, as well as substance use disorder and illicit drugs.

In our first year under the Bicentennial Framework, we protected the health of our citizens by expanding our collaboration to reduce substance use disorder and its associated harm. We also intensified efforts to prevent transnational criminal organizations from harming our countries. And, we pursued criminal networks by cracking down on transnational money laundering networks and extraditing criminals. Our specific asks of Mexico included increasing the number of municipalities using crime prevention methods to guide at-risk youth and disrupt cycles of violence; reducing impunity for homicides and high-impact crimes using data, analysis, prioritization, and task forces focused on investigating specific crimes; committing to and implementing an action plan to prevent the consumption and trafficking of synthetic drugs, specifically fentanyl and methamphetamines; working together to advance cybersecurity and infrastructure security cooperation; and more.

Relatedly, the United States counternarcotics relationship with India is robust and growing rapidly. India, with its expanding chemical and pharmaceutical industries, access to international ports, and vast educated workforce is a natural partner in addressing the synthetic drug problem.

The United States and India have formally established a bilateral Counter Narcotics Working Group, the first of its kind between us, and we have created the architecture and relationships to achieve tangible outcomes against synthetic drug production and trafficking at the global level. We are also working closely with the Indian Government to collaborate more closely on youth substance use prevention, our public health responses to substance use, the science of addiction medicine, law enforcement, and regulatory development and enforcement.

The U.S.-India counternarcotics relationship, the world's oldest democracy working so closely with the world's largest, can serve as an example of nations working together to tackle difficult problems for the common good.

The United States is leading the global effort against synthetic drugs. By focusing on the commercial disruption of the global illicit enterprise of synthetic drug trafficking, through our bilateral relationships with key partners and our leadership at the multilateral level to address both the interrelated national security, public health, and public safety aspects of drug trafficking, and by stopping the drugs at our border and taking the fight to illicit drug producers and traffickers wherever they are, this Administration is tackling this crisis with the focus and determination it demands.

#### PROGRESS MADE

Under President Biden's leadership, we have begun to make progress in addressing this epidemic.

In last year's State of the Union address, the President called for removing barriers to medication treatment, and we have done that—working with Republicans and Democrats in Congress to remove the X-waiver. This will expand access to medication treatment for millions of Americans with opioid use disorder, and it will save lives. This is what we can accomplish when we work together to beat this. And I want to thank the members of this Committee and the Congress at large for supporting this bill.

Additionally, this Administration has worked diligently to expand access to treatment through other means and to prevent overdoses by expanding access to naloxone. DEA intends to issue proposed rulemaking to make permanent the COVID-era flexibilities regarding telehealth buprenorphine induction and HHS issued a proposed rule to allow continued flexibility for take-home methadone doses, and by summer, the Bureau of Prisons will offer in-house medication-assisted treatment at each of their 122 facilities. Naloxone has become more widely available thanks to the Centers for Disease Control and Prevention allowing Overdose Data to Action grantees to purchase naloxone using federal grant dollars, and the Food and Drug Administration has begun the process for potentially allowing naloxone to be purchased over the counter.

The Department of Justice's Office of Justice Programs administers the Comprehensive Opioid, Stimulant, and Substance Use Program, which provides grant funding and training and technical assistance to state, local, Tribal, and territorial efforts in response to substance use and misuse in order to reduce overdose deaths, promote public safety, and support access to prevention, harm reduction, treatment, and recovery services in the community and justice system. Increasing access to naloxone at no cost is a key strategy for many COSSUP-funded projects.

Finally, HHS now requires that states submit naloxone distribution and saturation plans as part of their application for State Opioid Response grants, which Congress recently increased the funding for by \$50 million in the Omnibus Appropriations Act.

Today, thanks to the Biden-Harris administration, more people than ever can access treatment for opioid use disorder, we are stopping more fentanyl at the border than ever before, and we bringing traffickers to justice.

According to provisional data, thanks to these efforts and our historic public health advances, we have now seen five straight months where overdose numbers have decreased. That's almost 3,000 people who haven't died and instead are at the dinner table each night. And for the first time in years, there appears to be a flattening of overdose deaths.

This is a hopeful sign, but we must not slow down our efforts to beat this crisis. Instead, we must use this momentum to accelerate our actions against untreated addiction and the drug trafficking profits that fuel it.

#### CONCLUSION: THE PATH FORWARD

For President Biden and his Administration, the path forward is clear: We must do everything in our power to save American lives, and work with a sense of urgency because American lives depend on it.

Having been a physician for my entire adult life, I have seen the nature of addiction with my own eyes, and I can share with you that people with a substance use disorder are in a fight every single day. They and their families should expect nothing less from us.

We are facing this challenge, and we are doubling down on what we know works: expanding access to public health services and cracking down on fentanyl trafficking.

We should always remember that while the international drug trafficking enterprise is adaptive, resilient, and incredibly capable, it is not without its own vulnerabilities. And it is no match for the experience, talent, and commitment the United States and its international partners can bring to bear on this pressing global problem when we muster the will to do so.

President Biden is launching this surge because our approach must surpass the tenacity, resolve, innovation, and resources of what we are up against. And together, we, this Administration, this Congress, and our partners in communities nationwide, can solve this problem and beat this epidemic.

The opioid crisis is not a red state problem or a blue state problem. This is America's problem—and the President knows, just as you all know, that it will take all of us working together to solve it. All of us. This is the time to put politics aside and make life better for the American people.

As President Biden said in his State of the Union address: "We are the United States of America and there is nothing, nothing beyond our capacity if we do it together."

My request to you and to the Congress at large is to fully fund President Biden's drug control budget, which will be released next month. I also ask that you continue to work with ONDCP and the Administration to ensure that each and every American has the support they need to avoid overdose or drug poisoning death and instead be healthy and productive members of their community and our Nation.

Finally, I commend this Committee for holding this hearing so early in the 118th Congress. The fact that the issue of illicit fentanyl is such a priority for the Senate Foreign Relations Committee, just as it is for the House Energy and Commerce Committee, which ONDCP testified before earlier this month, demonstrates not only the strong bicameral and bipartisan interest and support for addressing the opioid crisis, but also the breadth and depth of this issue, which cuts across domestic and foreign policy, as well as public health, public safety, law enforcement, and beyond. So, thank you for having both the commitment and the foresight to bring light to this issue so early in this session.

On behalf of the hardworking women and men of the Office of National Drug Control Policy, I look forward to working with the Congress to accomplish our shared goals and save American lives, and I look forward to this Committee's questions today.

Thank you.

The CHAIRMAN. Thank you.  
Administrator Milgram.

**STATEMENT OF THE HONORABLE ANNE MILGRAM, ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, DC**

Ms. MILGRAM. Thank you, Senator. Thank you for the privilege of testifying before the committee today.

Every single day when I walk into DEA headquarters in Arlington, Virginia, I walk past the faces of Fentanyl Memorial Wall that we have built.

Starting last summer we asked families across the United States if they wanted to share with us a photo of one of their loved ones that they had lost to fentanyl poisoning.

We started with about 100 photos in the first week last May. Today, there are 4,895 photos that line our headquarters walls at DEA in Arlington.

The wall is a memorial to the lives that have been lost and it is a call to action for the men and women of DEA that at this moment in time we have to do everything we can to save American lives.

The youngest person on that wall is Serenity Faith, forever 17 months-old, and the oldest is James Cox, forever 70 years-old. Those are just some of the lives lost and we know that between August of 2021 and August of 2022, 107,735 American lives were lost to drug poisoning.

Perhaps the most important thing that I can tell this committee today is that we know who is responsible. The Sinaloa cartel and the Jalisco, or CJNG cartel, both cartels in Mexico, are responsible for the vast majority of fentanyl that is coming into the United States. It is why DEA has made defeating those two cartels our top operational priority.

To explain a little more, those two cartels dominate the entire global fentanyl supply chain. They start in China where they are purchasing precursor chemicals to make fentanyl.

They then take those chemicals into Mexico where they are mass producing fentanyl, first, fentanyl powder, and second, they are pressing a great deal of that powder into fake prescription pills in Mexico.

Those pills look identical to real American and international medicines, things like oxycodone, percocet, adderall, or xanax, but they have no real medicine in them. They are fentanyl and filler.

The cartels then move the fentanyl powder and the fake pills into the United States. They sell a lot of it on social media and in other ways across our country. We are now seizing fentanyl in all 50 states and it is the deadliest drug threat our country has ever faced.

After the cartels sell those drugs in the U.S., they work to get their profits back to Mexico and they do that through illicit finance. Often today we see, through Chinese money laundering, organizations that are operating both in the United States and in Mexico.

For all these reasons, our top operational priority right now is to defeat these two cartels. First, we have taken a network-based approach to the cartels. We can no longer just target the high-value targets—the people at the top of the cartels—and expect that we will see a change.

We are targeting the entire networks, from the precursor chemical companies in China to the chemists and the members of the cartel mass producing fentanyl in Mexico, to the people transporting the fentanyl into the United States, selling the fentanyl in the United States, and then moving the money back into Mexico.

Second, we formed this past September two counter-threat teams. Right now, on top of all of DEA, are 332 offices worldwide in 69 countries. We have one counter-threat team devoted solely to defeating the Sinaloa cartel and one devoted to the Jalisco cartel.

On those teams we have special agents, we have intelligence analysts, we have targeters, we have data scientists, and we have subject matter experts like chemists and experts on illicit finance and Chinese precursors.

Those teams are mapping these entire cartels worldwide. We have now to date identified those two cartels in more than 40 countries around the world.

In addition to mapping those cartels they are analyzing those cartels to identify the key notes that we can use to defeat the cartels and they are also targeting the cartels. We have already begun sending out target packages across the United States.

In addition to all of that work, we are working in our communities. We know drug-related violence has increased and we have seen the devastation of drug poisoning deaths.

Finally, we are working on public awareness and I know so many members of this committee are doing the same, but we believe that every American has to understand that One Pill Can Kill and that fentanyl is the deadliest threat facing our country today.

I want to close by saying that as you hear me talk today you will hear anger, frustration, and sadness in my voice and I admit that I feel all of those things, but what drives me is not that. What drives me is the belief, the knowledge, that working together we can defeat these two cartels, we can make our communities safe and healthy, and we can save American lives.

Thank you for the privilege of being with you today.  
[The prepared statement of Ms. Milgram follows:]

#### **Prepared Statement of Ms. Anne Milgram**

Chairman Menendez, Ranking Member Risch, and distinguished members of the committee: On behalf of the Department of Justice (Department), and in particular the over 10,000 employees working at the Drug Enforcement Administration (DEA), thank you for the opportunity to appear before you today to discuss DEA's work to save lives and to combat the deadly drug poisoning epidemic in our country.

From September 2021 through August 2022, an estimated 107,477 people lost their lives to drug poisonings in the United States. Every day, 294 people die from drug poisonings. Countless more people are poisoned and survive. These drug poisonings are a national crisis.

The DEA's top operational priority is to defeat the two Mexican drug cartels—the Sinaloa cartel and Jalisco New Generation (Jalisco) cartel—that are responsible for driving the drug poisoning epidemic in the United States. DEA is focusing its resources to counter this worldwide threat, and has launched a number of key initiatives to meet the moment.

#### **THE DRUG POISONING EPIDEMIC**

According to the Centers for Disease Control and Prevention (CDC), a majority of the drug poisoning deaths in the United States involve synthetic opioids, such as fentanyl, that are being distributed in new forms. Fentanyl is being hidden in and being mixed with other illicit drugs such as cocaine, heroin, and methamphetamine. Drug traffickers are also flooding our communities with fentanyl disguised in the form of fake prescription pills. These fake pills are made and marketed by drug traffickers to deceive Americans into thinking that they are real, diverted prescription medications. In reality, these fake prescription pills are highly addictive and are potentially deadly. DEA lab testing reveals that 6 out of 10 of these fentanyl-laced fake prescription pills contain a potentially lethal dose.

The availability of fentanyl throughout the United States has reached unprecedented heights. In 2022, DEA seized more than 50 million fake pills and 10,000 pounds of fentanyl powder equating to approximately 379 million deadly doses of fentanyl. This is enough fentanyl to supply a potentially lethal dose to every member of the U.S. population. These seizures occurred in every state in the country.

#### **THE DRUG ENFORCEMENT ADMINISTRATION**

As the single mission agency tasked with enforcing our nation's drug laws, DEA's top operational priority is to relentlessly pursue and defeat the Sinaloa and Jalisco Cartels that are responsible for the current fentanyl and drug poisoning epidemic.

DEA is the lead agency on the law enforcement elements in the Biden-Harris administration's whole-of-government response to defeat the cartels and combat the drug poisoning epidemic in our communities. DEA's role in leading the law enforcement response to the fentanyl epidemic protects the safety of agents, officers, and sources. Importantly, a unified response to the fentanyl epidemic ensures that the whole-of-government is moving in one direction that protects the safety and health of Americans.

DEA operates 23 domestic field divisions with 239 domestic offices and nine forensic labs. Internationally, DEA has 92 foreign offices in 69 countries. DEA's robust domestic and international presence allows it to map and target the entire Sinaloa Cartel and Jalisco Cartel networks.

In addition, DEA has launched two cross-agency counterthreat teams to execute a network-focused operational strategy. The two teams are mapping, analyzing, and

targeting the cartels' entire criminal networks. The teams are composed of special agents, intelligence analysts, targeters, program analysts, data scientists, and digital specialists. This network-focused strategy is critical to defeating the Sinaloa and Jalisco Cartels.

DEA is simultaneously focused on protecting American communities. We are targeting the drug trafficking organizations and gangs located in the United States that are responsible for the greatest number of drug-related deaths and violence. DEA's Operation Overdrive uses a data-driven, intelligence-led approach to identify and dismantle criminal drug networks operating in areas with the highest rates of violence and drug poisoning deaths. In each of these locations, DEA is working with local and state law enforcement officials to conduct threat assessments identifying the criminal networks and individuals that are causing the most harm. DEA works with state, local, and federal law enforcement and prosecutorial partners to pursue investigations and prosecutions that will reduce drug-related violence and drug poisonings. Phase one of Operation Overdrive took place in 34 locations across the United States, and phase two is currently occurring in 57 locations.

In 2021, DEA launched the "One Pill Can Kill" enforcement effort and public awareness campaign. As part of the first two phases of the enforcement effort, DEA and our law enforcement partners seized more than 20 million fake, fentanyl-laced prescription pills. In phase three of the enforcement effort, which was conducted between May and September 2022, DEA seized more than 10 million fake, fentanyl-laced prescription pills and approximately 980 pounds of fentanyl powder. This equates to roughly 36 million potential lethal doses of fentanyl, which could have entered our communities. Additionally, this enforcement effort resulted in 390 investigated cases, including 35 cases with a direct link to one or both of the primary Mexican cartels responsible for the majority of fentanyl in the United States: the Sinaloa Cartel and the Jalisco Cartel. Moreover, DEA investigated 129 cases directly linked to the sale of fake pills containing fentanyl on social media.

DEA is working closely with our local, state, tribal, territorial, federal, and international counterparts to target every part of the illegal drug supply chain and every level of the drug trafficking organizations that threaten the health and safety of our communities. To succeed, we must use every tool to combat this substantial threat that is being driven by the cartels, as well as the Chinese-sourced precursor chemicals and Chinese money laundering operations that facilitate the cartels' operations.

#### MEXICAN CARTELS AND DRUG TRAFFICKING

The Sinaloa and Jalisco Cartels pose the greatest criminal drug threat the United States has ever faced. These ruthless, violent, criminal organizations have associates, facilitators, and brokers in all 50 states in the United States, as well as in more than 40 countries around the world.

The Sinaloa Cartel and the Jalisco Cartel and their affiliates control the vast majority of the fentanyl global supply chain, from manufacture to distribution. The cartels are buying precursor chemicals in the People's Republic of China (PRC); transporting the precursor chemicals from the PRC to Mexico; using the precursor chemicals to mass produce fentanyl; pressing the fentanyl into fake prescription pills; and using cars, trucks, and other routes to transport the drugs from Mexico into the United States for distribution. It costs the cartels as little as 10 cents to produce a fentanyl-laced fake prescription pill that is sold in the United States for \$10 to \$30 per pill.

Drugs manufactured by the Sinaloa Cartel and the Jalisco Cartel often end up being marketed by dealers using social media platforms to relentlessly expand their business and deceptively sell fake prescription pills directly to young people and teenagers. Drug traffickers operate on multiple platforms simultaneously, and often drive traffic between platforms.

The business model used by the Sinaloa and Jalisco Cartels is to grow at all costs, no matter how many people die in the process. The cartels are engaging in deliberate, calculated treachery to deceive Americans and drive addiction to achieve higher profits.

#### *The Sinaloa Cartel*

The Sinaloa Cartel, based in the Mexican State of Sinaloa, is one of the oldest drug trafficking organizations in Mexico. The Sinaloa Cartel controls drug trafficking activity in various regions in Mexico, particularly along the Pacific Coast. Additionally, it maintains the most expansive international footprint of the Mexican cartels. The Sinaloa Cartel exports and distributes wholesale amounts of methamphetamine, marijuana, cocaine, heroin, and fentanyl in the United States by maintaining distribution hubs in cities that include Phoenix, Los Angeles, Denver, and Chicago. Illicit drugs distributed by the Sinaloa Cartel are primarily smuggled



into the United States through crossing points located along Mexico's border with California, Arizona, New Mexico, and Texas. Sinaloa reportedly has a presence in 15 of the 32 Mexican states.

*The Jalisco Cartel*

The Jalisco Cartel is based in the city of Guadalajara in the Mexican state of Jalisco, and was originally formed as a spin off from the Milenio Cartel, a subordinate to the Sinaloa Cartel. The Jalisco Cartel maintains illicit drug distribution hubs in Los Angeles, Seattle, Charlotte, Chicago, and Atlanta. Internationally, the Jalisco Cartel has a presence and influence through associates, facilitators, and brokers on every continent except Antarctica. The Jalisco Cartel smuggles illicit drugs such as methamphetamine, heroin, cocaine, and fentanyl into the United States by accessing various trafficking corridors along the southwest border that include Tijuana, Mexicali, Ciudad Juarez, Matamoros, and Nuevo Laredo. The Jalisco Cartel's rapid expansion of its drug trafficking activities is characterized by the organization's willingness to engage in violent confrontations with Mexican Government security forces and rival cartels. The Jalisco Cartel reportedly has a presence in 21 of the 32 Mexican states.

PEOPLE'S REPUBLIC OF CHINA AND PRECURSOR CHEMICALS

Chemical companies within the PRC produce and sell the majority of precursor chemicals that are used today by the Sinaloa and Jalisco Cartels to manufacture fentanyl and methamphetamine. These precursor chemicals from companies within the PRC are the foundation of the fentanyl and methamphetamine that is manufactured and transported from Mexico into the United States, and is causing hundreds of thousands of drug-related deaths in our country.

According to the State Department's 2021 International Narcotics Control Strategy Report, there are approximately 160,000 chemical companies in the PRC. Chemical companies within the PRC distribute and sell precursor chemicals that are used in fentanyl and methamphetamine production around the world. Some companies within the PRC, for example, engage in false cargo labeling and ship chemicals to Mexico without tracking the customers purchasing the chemicals.

DEA has been and remains willing to engage the PRC Government on fentanyl related substances and fentanyl precursor chemicals. However, due to diplomatic tensions between the United States and the PRC, the government has suspended all counter-narcotics cooperation with the United States. Moreover, since 2019, the PRC Government has repeatedly declined diplomatic and congressional requests to stop precursor chemicals from going to Mexico for the production of illicit fentanyl and methamphetamine.

CHINESE MONEY LAUNDERING OPERATIONS AND THE CARTELS

The Sinaloa and Jalisco Cartels utilize U.S.-based Chinese Money Laundering Organizations (CMLOs) around the world to facilitate laundering drug proceeds. CMLOs use trade-based money laundering and bulk cash movement to facilitate the exchange of foreign currency. The use of CMLOs by the cartels simplifies the money laundering process and streamlines the purchase of precursor chemicals utilized in manufacturing drugs.

These money laundering schemes are designed to remedy two separate issues: (1) the desire of Mexican cartels to repatriate drug proceeds into the Mexican banking system, and (2) wealthy Chinese nationals who are restricted by the PRC's capital flight laws from transferring large sums of money held in Chinese bank accounts for use abroad. To address these issues, CMLOs acquire U.S. dollars held by Mexican cartels as a means to supply their customers in China.

CONCLUSION

DEA will continue our relentless pursuit to dismantle the Sinaloa Cartel and Jalisco Cartel that are driving drug poisonings and threatening the safety and health of our communities. Thank you again for the opportunity to appear before the committee today. I look forward to answering your questions.

The CHAIRMAN. Thank you, Madam Administrator.  
Secretary Robinson.

**STATEMENT OF THE HONORABLE TODD ROBINSON, ASSISTANT SECRETARY OF STATE, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Mr. ROBINSON. Chairman Menendez, Ranking Member Risch, and members of the committee, thank you for the opportunity to testify today.

Synthetic drugs, including fentanyl, are a shared global challenge requiring a global approach. This is a top priority for President Biden and the Administration, as he stated during last week's State of the Union address.

I share the President's commitment to stop fentanyl production, sale, and trafficking. Secretary of State Blinken also has made clear we must bring the full power of American diplomacy to this challenge.

We are engaging our foreign partners to protect national security and global health by disrupting the illicit synthetic drug supply chain and supporting the effective prevention, treatment, and recovery to end this epidemic and save American lives.

Synthetic drugs can be produced virtually anywhere, often using legal chemicals and equipment. Traffickers adapt quickly to evade regulatory controls and we must stay ahead of the curve with a more agile and comprehensive approach.

We will treat this as both a security and public health threat. We will bring new partners on board including countries that may soon be affected as well as the private sector, and we will approach countries and other partners through the lens of joint responsibility for action.

Most fentanyl seized in the United States is synthesized in Mexico using precursor chemicals sourced primarily from the PRC and then trafficked via the U.S. southern border.

Our enduring security cooperation with Mexico is critical to our efforts to address fentanyl trafficking. The U.S.-Mexico Bicentennial Framework and the North American Drug Dialogue guide our work to disrupt the synthetic drugs supply chain and promote public health.

Both countries seized historic amounts of fentanyl in 2022. INL-donated canines in Mexico helped seize more than 75,000 fentanyl pills from January to August 2022.

Meanwhile, Mexico created a watch list to flag chemicals that can be diverted to illicit drug production and expanded this list from 14 to 69 chemicals.

We hope Mexico will invest more in combating the synthetic drug threat from prevention, treatment, and recovery to the investigations and prosecutions.

The United States remains committed to meaningful counter narcotics cooperation with the PRC despite the PRC's limited willingness to engage on the issue of late.

Past cooperation has proven to be fruitful and effective. The PRC decision to schedule fentanyl-related substances as a class in 2019 essentially ended PRC-origin shipments to the United States. Transnational criminal organizations adapted and now use PRC-sourced precursor chemicals to synthesize the fentanyl in Mexico.

The PRC can and must do more as a global partner to limit criminal access to these chemicals. We continue to press them to take meaningful concrete actions to curb criminal diversion of precursor chemicals, improve information sharing on global chemical flows, strengthen enforcement of customs manifesting agreements, and implement Know Your Customer standards to restrict sales of precursor chemicals.

Foreign partners look to the United States for leadership on this issue. The 2022 U.N. Commission on Narcotic Drugs at U.S. urging unanimously decided to internationally control three emerging fentanyl precursor chemicals.

At the same U.N. meeting the United States also secured agreement to redouble action on diversion and trafficking in unscheduled and designer precursors.

We support global tools that facilitate international law enforcement cooperation, establish best practices for denying criminals access to the tools of modern commerce, and strengthen norms to prevent the sale of precursor chemicals and tableting equipment.

Private industry must also play a role since many precursor chemicals used in illicit drug production have legitimate uses. We will partner with a variety of industries to disrupt synthetic drug supply chains.

Finally, Congress can play a role—a vital role—in supporting our efforts. We need Congress to look at permanently controlling fentanyl-related substances as a class.

Synthetic drugs are an urgent priority for us and we are committed to working with all partners, including Congress, to develop solutions.

Thank you for the opportunity to testify before you today and I look forward to your questions.

[The prepared statement of Mr. Robinson follows:]

#### **Prepared Statement of Mr. Todd Robinson**

Chairman Menendez, Ranking Member Risch, and distinguished Members of the Committee, thank you for the opportunity to testify today regarding the Department of State's efforts to address the global health and security threat posed by illicitly manufactured fentanyl and other synthetic drugs. Addressing international trafficking of synthetic drugs is an essential element of foreign policy that delivers for the American people.

As you and too many of our fellow Americans know from personal experience, synthetic drugs, particularly synthetic opioids, such as fentanyl, continue to ravage our communities. At last week's State of the Union address, President Biden shared the all-too familiar and tragic story of a family grieving the loss of their daughter to a fentanyl overdose. I share the President's commitment to stop fentanyl production, sale, and trafficking.

The State Department is leading the way to ensure our foreign assistance tools and diplomacy help drive a global response to the synthetic drug threat that is oriented toward protecting public health by expanding evidence-based prevention, treatment, and recovery support measures, while disrupting the ability of transnational criminal organizations (TCOs) to push synthetic drugs into our communities.

Since fentanyl and other synthetic drugs can be produced virtually anywhere—often using perfectly legal chemicals and equipment—and traffickers adapt quickly to evade regulatory controls, addressing this threat requires a more agile and comprehensive approach beyond traditional law enforcement and import control measures. That includes a strong focus on harm reduction, substance use prevention, treatment, and recovery support services, both at home and abroad, even as we unstintingly work to address the illicit drug supply. Secretary of State Blinken has made clear we have to bring to bear the full power of American diplomacy, as part

of a whole-of-government effort, to address this challenge. We will seek bilateral collaboration, conveying that responding urgently to this mutual challenge is a shared responsibility. We will continue to urge our international partners to act, and we will support their efforts to do so. We will advance cooperation and galvanize action more broadly through our leadership in multilateral fora such as the UN. And, recognizing the key role of the private sector to help prevent the diversion of precursor chemicals and better monitor and share information about fentanyl and precursor chemicals shipped by air, sea, or express consignment, we will intensify our collaboration with the business community.

While our focus is global, we will continue partnering with countries key to current production trends. Most of the fentanyl seized in the United States is synthesized in Mexico, using precursor chemicals sourced primarily from the People's Republic of China (PRC) and then smuggled into the U.S. via the U.S. southern border. Our enduring security cooperation with Mexico is critical to our efforts to address fentanyl trafficking, reverse our overdose crisis, and prepare to confront emerging synthetic drug threats in the future. The U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities guides our counternarcotics cooperation as well as other important shared security priorities. At the October 2022 High-Level Security Dialogue (HLSD), Secretary Blinken, Attorney General Garland, DHS Secretary Mayorkas, Director of National Drug Control Policy Dr. Gupta, and their Mexican counterparts recommitted to the Framework and our joint efforts to better protect the health and safety of our citizens, prevent criminal organizations from harming our countries, and pursue criminal networks and bring them to justice.

In addition to both countries' seizing historic amounts of fentanyl in 2022, Mexico created a watchlist to flag chemicals that can be diverted to illicit drug production for additional scrutiny; it subsequently expanded this list from 14 to 69 chemicals. The Bureau of International Narcotics and Law Enforcement (INL) has sponsored U.S.-Mexico forensic chemist exchanges on synthetic drug synthesis, held fentanyl awareness trainings for Mexican law enforcement, and donated detection canines and protective equipment to facilitate fentanyl interdiction. INL-donated canines in Mexico helped seize more than 75,000 fentanyl pills from January to August 2022. Still, as we noted during the last HLSD, Mexican resource constraints limit the reach of our cooperation. The United States Government invested billions of dollars, both domestically and abroad, to address synthetic drugs and other bilateral security challenges in 2022. We hope Mexico will make similar investments in all aspects of combatting the synthetic drug threat, from prevention, treatment, and recovery to investigations and prosecutions.

At the last HLSD, recognizing the need to broaden our approach beyond law enforcement, the United States and Mexico committed to a joint synthetic drug action plan. This plan complements ongoing cooperation between our law enforcement agencies, which continue to focus on dismantling the transnational criminal organizations that synthesize and traffic these dangerous drugs. The action plan brings in additional entities not traditionally involved in counternarcotics efforts—regulatory agencies, health- and trade-focused agencies, and the private sector—to harmonize our regulatory and public health approaches and focus together on building the capacity needed to disrupt the broader synthetic drug supply chain.

Our efforts extend beyond Mexico across all of North America through the North American Drug Dialogue. This longstanding partnership with Mexico and Canada is a crucial element to address the movement of deadly drugs like fentanyl into the United States. However, our efforts to disrupt the illicit synthetic drug supply chain must broaden to encompass all countries where chemicals are produced or shipped.

The PRC has an important role to play. The United States remains committed to meaningful counternarcotics cooperation with the PRC, despite the PRC's limited willingness to engage on the issue of late. Past cooperation between the United States and the PRC on counternarcotics has proven to be fruitful and effective, as exemplified by the PRC decision in 2019 to schedule fentanyl-related substances as a class, essentially ending PRC-origin shipments of these substances to the United States. However, transnational criminal organizations have since adapted to this change and now use PRC-sourced precursor chemicals to synthesize fentanyl, methamphetamine, and other synthetic drugs in Mexico and around the world. The PRC can and must do more to act meaningfully in this regard beyond its class-wide control of fentanyl-related substances. Through all available channels, we continue to press the PRC to take meaningful, concrete actions to curb criminal diversion of precursor chemicals for the illicit production of synthetic drugs. We have encouraged the PRC to improve information-sharing on global chemical flows, strengthen enforcement of customs manifesting agreements, and implement know-your-customer

standards to restrict sales of precursor chemicals to only customers with legitimate needs.

As the PRC is not the only potential source of precursor chemicals and equipment used in illicit drug production, we also work with other international partners. India is a key partner in this global approach. We have yet to see significant flows of fentanyl or related precursors from India to the United States or Mexico, but as we increase pressure on criminal networks elsewhere, some criminal organizations could look to India as a possible source. Recognizing India's role as the global leader in the chemical and pharmaceutical industry, expanding our bilateral counternarcotics cooperation with India is a priority, and we're investing heavily in working with India. Since the U.S.-India Counternarcotics Working Group started in 2020, we have strengthened our counternarcotics cooperation, most recently by establishing three topical steering groups that are building a robust annual calendar of meetings to identify specific actions we can partner on together across law enforcement, regulatory, multilateral, and public health spectrums.

This is a global problem, and multilateral fora play a critical role in driving coordinated global action against these threats. We will leverage U.S. engagement in the UN, G7, G20, and OAS and with the EU to mobilize strategic action at the national, regional, and international levels, building information sharing, fostering exchange of best practices, and galvanizing uptake of international tools that can help countries take action. Through targeted advocacy, we secured commitments from our G7 and EU partners to enhance cooperation in multilateral fora to address synthetic drug challenges. We will broaden and intensify this cooperation in 2023. Additionally, we are collaborating closely with India on ways to introduce a dedicated workstream in the G20 focused on counternarcotics as part of India's G20 presidency.

International scheduling under the UN drug control conventions remains a valuable tool because it requires State Parties to enact commensurate controls—in other words, regulation—within their national frameworks. At the UN Commission on Narcotics Drugs (CND) in 2022, as a result of U.S. leadership, the CND decided unanimously to place three emerging fentanyl precursor chemicals under international control. This disrupts the illicit market by forcing traffickers to find alternative ways to illicitly manufacture fentanyl and reduces the presence of dangerous substances in the illicit supply chain.

Recognizing that traffickers can quickly adapt to international scheduling actions by shifting to alternative, unscheduled precursor chemicals, the United States also leveraged the CND in 2022 to proactively address this workaround by sponsoring a resolution on diversion and trafficking in unscheduled and designer precursors. This resolution, adopted by consensus, will advance international efforts to outpace criminals working in this illegal trade by providing Member States with concrete, actionable steps and tools to preemptively restrict access to chemicals likely to be used as substitutes for existing precursors. We also support the World Health Organization efforts to accelerate the rate at which the Expert Committee on Drug Dependence can review new psychoactive substances and make recommendations for international control.

We supported the development of and are amplifying global tools that facilitate international law enforcement cooperation, establish best practices for denying criminals access to the tools of modern commerce, and strengthen norms to prevent the sale of precursor chemicals and tableting equipment. We support the International Narcotics Control Board's (INCB) Precursor Chemical Control Program, which enables real-time intelligence sharing and international law enforcement cooperation to prevent the diversion and illicit manufacturing of precursor chemicals and support transnational investigations. INL funds the INCB's Global Rapid Interdiction of Dangerous Substances Program, or GRIDS, which supports the real-time exchange of intelligence on shipments or trafficking of new psychoactive substances, including fentanyl-related substances. With the information provided through GRIDS, the INCB is facilitating more multilateral investigations that result in the disruption of international trafficking cells and high-profile arrests.

To further enhance international awareness of synthetic drug risks, INL funded the development of the UN Toolkit on Synthetic Drugs in partnership with the United Nations Office on Drugs and Crime. The online platform has helped governments better address synthetic drug challenges, including by enacting legislative responses to the emergence of new psychoactive substances, strengthening air cargo and aviation security, and developing drug surveillance and early warning systems. The Toolkit also provides a wealth of information to support countries to improve drug prevention, treatment, and recovery programs. Over 30,000 users from 200 jurisdictions have accessed the Toolkit's manuals, guidelines, and e-learning videos.

Private industry must also play a role, since many precursor chemicals used in illicit drug production have legitimate uses. The U.S. Government will partner with global pharmaceutical, chemical, and shipping industries, as well as online marketplaces, to share information and galvanize further action, and we ask that other countries do as well.

To reinforce our diplomatic efforts, INL employs deterrence and disruption tools to discourage high-level corruption and support the work of law enforcement. Specific to illicit drug trafficking, INL manages two rewards programs targeting high-level drug traffickers and other transnational criminal leaders. These rewards programs have helped our law enforcement partners bring more than 75 international drug kingpins and crime bosses to justice. INL also coordinates action across the Department to provide foreign policy guidance to the Department of the Treasury's Office of Foreign Assets Control on the use of financial sanctions to target individuals and businesses facilitating or supporting the illicit drug trade.

As promoting public health is a critical component to addressing this challenge, INL made that an important element of its cooperation with other countries. INL programs build our partners' capacity to deliver life-saving drug use prevention, treatment, and recovery support interventions worldwide.

Finally, Congress can play a vital role in supporting our efforts. We are assessing whether new authorities would help to fight fentanyl more effectively—and will not hesitate to ask for your support. Right now, we need Congress to lead in permanently controlling fentanyl-class substances. Our approach of successive temporary controls undercuts the power of our arguments to encourage other countries to take action. Adopting this approach helps countries stay one step ahead of the narcochemists and protects our citizens. Additionally, we ask that as you engage foreign leadership, you join us in calling for increased partnership on this shared threat.

Synthetic drugs are a shared global challenge requiring a global approach. Any overdose is one too many and each overdose death is devastating to the families and communities that experience a loss. Every country must do its part. At the State Department, we will continue to engage our foreign partners to protect global health and security by disrupting the illicit synthetic drug supply chain and supporting the effective prevention, treatment, and recovery of substance use to end this epidemic and save American lives. We are committed to working with our international and interagency partners, and with Congress to develop sustainable solutions for a safer and more secure future.

Thank you for the opportunity to testify before you today, and I look forward to your questions.

The CHAIRMAN. Thank you all and we will start a round of questions.

Administrator Milgram, is it fair to say that the vast majority of fentanyl trafficking comes into our nation through official ports of entry?

Ms. MILGRAM. Thank you, Senator, for that question.

As you know, the Department of Homeland Security is responsible for the American border and the ports of entry, so DEA is not engaged at the border or the ports of entry.

What I can tell you from our cases and the work that we do across the United States and across the world is that virtually all the fentanyl that we are seizing in the United States is coming from Mexico and we do believe that much of that is coming through ports of entry in California and Arizona.

Again, I would defer conversation or questions specifically about the port to DHS.

The CHAIRMAN. Okay. To the extent that you know, are they coming through the hands of vulnerable people seeking to fleeing their country?

Ms. MILGRAM. I would have to defer that question, Senator, to the Department of Homeland Security.

The CHAIRMAN. Okay.

Ms. MILGRAM. Thank you.

The CHAIRMAN. Let me ask a question maybe you can answer and that is in Mexico—dealing with this problem without a partner in Mexico is not possible. The two cartels that you mentioned emanate from Mexico. It is impossible to tackle fentanyl trafficking without a productive partnership with Mexico.

However, there are obstacles to improving cooperation. Mexico's increased politicized national prosecutor's office has shown little appetite to prosecute fentanyl-related cases.

Collusion between cartels and Mexico authorities is a recurring challenge as seen in the ongoing trial of former security minister Garcia Luna, and Mexican authorities seem unwilling to acknowledge that the vast majority of fentanyl entering the United States is manufactured in clandestine labs in Mexico.

What is it that we are doing with the López Obrador government to change that reality? As you go after these cartels, do you—is it your assessment that the primary obstacles to improving cooperation with Mexican authorities to combat fentanyl trafficking, is that either we do not have a willing partner or that, in fact, the state itself is infiltrated by the cartels?

Ms. MILGRAM. Senator, thank you for that question.

We believe Mexico needs to do more to stop the harm that we are seeing. As I stated, what we are seeing is that these two cartels in Mexico—the Sinaloa and the Jalisco cartel—are dominating and controlling the entire global supply chain of fentanyl and they are operating throughout Mexico.

The Sinaloa cartel, we believe, is operating in 19 of 32 Mexican states and the Jalisco cartel is operating in 23 of 32 Mexican states.

What we know is that Mexico in the past worked relentlessly from 2012 to 2015 to disrupt one of the most violent criminal networks in Mexico, the Zetas, and they were effective at dismantling that cartel.

We want Mexico to do the same thing here, to make their top operational priority also to defeat the two cartels that we believe are responsible for the fentanyl as well as the methamphetamine that is responsible for the loss of American lives today.

The CHAIRMAN. That is not the present state of Mexico's will?

Secretary Robinson.

Mr. ROBINSON. Thank you, Senator, for that question.

I would say that we—in the conversations we have had, Mexico is willing to do more. They have actively engaged with us both through the U.S. Bicentennial—the U.S.-Mexico Bicentennial Framework where they have committed to doing more.

They have also committed to doing more in the discussions we have had in the North American Drug Dialogue. What we have been asking Mexico to do is put more resources into this effort, which is, obviously, for Mexico and the Mexican Government a domestic issue.

For us it is an international issue. For us it is a national security issue. The amount of resources they put into this effort is for them a domestic issue and it is something that we are trying to deal with.

The CHAIRMAN. I have to be honest with you, I do not see it. I just do not see it. I do not see the willingness. I do not see the ur-

gency. I do not see the commitment. I do not see the actions that would indicate to me that Mexico is being a good partner.

Have you talked to our ambassador there about this? Is he engaged on this issue?

Mr. ROBINSON. Yes and yes to both questions.

The CHAIRMAN. I hope he is vigorously engaged on the issue because we start with China and precursor chemicals and we need to create an international coalition that pressures China.

They promote themselves as a big counternarcotics nation, quite on the contrary, just from my perspective. Then we have our next door neighbor who this is a critical issue and I just do not see it happening. I have to be honest with you, if the good overtures to try to get them to act is not working then there has to be other considerations.

I just think that we work with our Mexican friends with kid gloves on this issue and I just—it is fundamentally wrong. I do not know how many more lives have to be lost for Mexico to get engaged. If this was in the reverse they would be all over us. President López Obrador would be all over us in this regard.

Lastly, can you work—Administrator, can your people work freely with Mexican counterparts? Are you concerned about the information, the intelligence, the security of what you are trying to do with your counterparts in Mexico?

Ms. MILGRAM. Senator, thank you. Thank you for the question, and there are three ways in which we believe that we would like to see Mexico cooperate far more with DEA and with the United States.

The first—and this is under the Bicentennial Framework—the first is information sharing. We are not getting information on fentanyl seizures.

We are not getting information on seizures of precursor chemicals, and that kind of information, as you rightly state, is vital for both countries, both for Mexico and for the United States.

Second, we are very concerned about the clandestine labs across Mexico and we have offered and continue to offer and stand ready to work in partnership with Mexican authorities to dismantle and take down those clandestine labs throughout Mexico jointly and to be of any service that we can.

Finally, the last point you just mentioned—the Garcia Luna trial, which is a DEA investigation—the trial is ongoing in the Eastern District of New York this week.

One of the things we are looking for Mexico to do is to arrest and extradite more individuals to the United States. Last year, Mexico extradited 24 drug-related defendants to the United States, but there are 232 drug-related defendants that are awaiting extradition.

This is also a critical part of our work and, again, we are working globally across the world as we are now tracking these cartels in 40 different countries, but it is vital that we be able to work in Mexico as well.

The CHAIRMAN. Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

Ambassador Robinson, I have the President's readout from his conversation with Xi Jinping on November 14 and I am sure you



have probably seen this and been through it, and what struck me is that there is not one mention in here of the fentanyl problem that we have got with China.

Do you know whether or not the President raised this with Xi Jinping when he had this conversation?

Mr. ROBINSON. Thank you, Senator.

I do not know if they were able to get to it during their conversation. I do know that, as you know, the relationship between the United States and China is complex. There are a lot of issues on the table.

There is no doubt that this Administration and the Secretary are both keenly aware of the importance of this issue and have charged us at the State Department with reaching out to our international partners to work as closely as possible on this.

Senator RISCH. I think complex is as kind a way as you could say it regarding our relationship with China at the present time.

We understand from other people at State that you guys are getting the Heisman from them. They are just stiff arming you and saying, well, you guys should quit using drugs and that is the end of it. Is that your experience with what you are getting from the Chinese?

Mr. ROBINSON. We have had very limited engagement with China on this issue in particular. I know our ambassador, Ambassador Burns in Beijing, has had some conversations at the ministerial level.

There is a lot more that we could do together and we know good things happen when China takes responsibility for these—for issues like this. We saw it in 2019 when they scheduled fentanyl and the chemicals. It stopped almost completely coming directly from China to the United States.

Senator RISCH. Right. I think most people are aware of that. The difficulty, of course, is that that situation deteriorated dramatically and quickly and we are back to where we were before and nothing is—China is not impressing us as doing anything on this issue anymore. Is that your impression?

Mr. ROBINSON. My impression is that they could do—that there are basic steps they could take that they are not taking right now that could help a lot.

They could monitor and make more transparent the labeling of chemicals leaving the country. They could exchange more information with us and they could follow the trail and make sure that the companies that are exporting these chemicals know who the chemicals are going to, particularly in Mexico where we know the drug is being synthesized.

They are not doing that now. They are not talking to us, really, about it. They should, and if they did we think that this would go a long way towards helping to get at the issue.

Senator RISCH. That is an accurate description of what I have heard also and I do not know what the path forward is. I guess that is your guys' job, but you need to come up with something to get their attention, and I do not know what it is, but it certainly is not working right now.

Administrator Milgram, first of all, let me say I want to associate myself with the remarks of the chairman regarding our impression of what Mexico is not doing and causing us no end to the problem.

Your appearing here today and your very clear-eyed description of what is happening and not happening and putting the blame right where it belongs is greatly appreciated and I think it will help underscore for the American people what needs to be done, and I think the chairman has laid out very clearly that there does need to be something done differently or there is going to have to be other action taken.

One of the things that bothers me and I always—I hate to put it in these terms, but I cringe every time I hear somebody from the Administration say, oh, well, the border is secure.

I do not know—America does not believe that, that the border is secure with the thousands of people that are coming across.

Do you agree that this catastrophe we have on the border is contributing to the problem of the drugs coming into the country?

Ms. MILGRAM. Senator, thank you so much for that question.

The DEA does not operate the border or the ports of entry.

Senator RISCH. I get that. That is not your fault.

Ms. MILGRAM. Thank you. We do not operate the border or the ports of entry. I would defer questions to them.

What I can tell you is that at DEA we view our job as playing offense. That is targeting the cartels worldwide to do everything we can to stop the fentanyl and the methamphetamine and other deadly drugs from even getting to that point and we also—once the drugs have entered the United States, we work relentlessly to make sure our communities are safe and healthy by stopping drug-related violence and drug poisonings.

We view DHS' role as they have the primary mission of playing defense, of stopping fentanyl from entering at the border, and so we know that that is a vital part of this conversation.

Last year we seized—at year's end the final calculation was 57 million fake fentanyl pills and more than 13,000 pounds of fentanyl. That is the equivalent of 410 million potential deadly doses that we seized in the United States of America.

Senator RISCH. I appreciate that and I appreciate that that is not your primary obligation, but I think you should keep pressure on those that we know who—that their primary obligation is to secure the border. I think that would be very helpful.

My time is up, but let me ask one quick question about the social media aspects of this. Are you having any luck at all with the social media platforms?

I understand that is secondary. You want to stop it from coming in first, but once it gets here, obviously, as you have indicated, social media platforms are a real scourge for distributing this stuff. Are you having any luck there at all?

Ms. MILGRAM. Senator, thank you for the question and I think it is a critical point for us to discuss today.

We view social media right now as the superhighway of drugs, and if I could just take a moment and—it will seem like I am going a little bit off social media, but I promise I am coming right back.

The question I get asked when I am out in the public more than any other is why would these cartels kill their customers and the

answer today is that fentanyl is so addictive that the cartels are using it to drive addiction and for them if a user dies it is the cost of doing business.

We are in a very different position than we were 20 years ago before social media existed where someone who might be selling narcotics had more of a personal relationship with the person who was buying.

Today, the cartels understand that if someone dies from taking their deadly fentanyl that there are 100 million other users on Snapchat that they can sell their drugs to.

There are more than 150 million American users on Facebook and on Instagram that they can sell their drugs to, and so social media is truly the superhighway of drugs. I welcome a visit from any of the members of this committee to DEA headquarters and I can show you the faces of the American lives lost from fake pills purchased on Snapchat, from fake pills purchased on Facebook, from fake pills purchased on Instagram and TikTok and other sites.

The long answer coming to the short closing is that the social media sites are not doing nearly enough and we would welcome the opportunity to work with this committee and others in Congress to make sure that the social media companies are held accountable and that they become fully transparent about what is happening and what they are doing.

Senator RISCH. Did I understand you right that half of the American people—150 million people or a third, 100 million are using—are fentanyl customers?

Ms. MILGRAM. No, Senator. I am sorry. They are customers of social media. What has happened in the decades since the internet and globalization is that there are a vast number of Americans who are on social media and those transactions where the cartels and their traffickers are marketing and selling these fake prescription pills and other drugs all over social media.

We see that on a daily basis and what we see is that the cartels will just pivot to the next potential buyer on those social media platforms and there are many Americans on those social media platforms.

The CHAIRMAN. Thank you.

Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman.

Let me just add to the bipartisan consensus on this panel. I understand that our witnesses have to be diplomatic in the way that they talk about Mexico.

Let us be honest, at best, Mexico is not taking this crisis seriously enough and, at worst, the Mexican Government or at least significant parts of it are either looking the other way or complicit with the cartels. That is just the truth.

To answer Senator Menendez's question from before, it is actually true that the vast majority of fentanyl that is coming into the United States at the southern border is coming through the ports. As the chairman of the Appropriations Subcommittee that funds our border operations, that is why we are putting increased amounts of resources to catch it there.

I do not necessarily know that the DEA should defer to DHS on that question. It is obviously your job to know where and how the drugs are coming across the border.

It is also true that the ports in Mexico are a big problem as well and I just do not think it is realistic that we are going to defeat the Mexican drug cartels in the next 5 years. Maybe you think differently.

Concentrating efforts on those ports—on the Mexican ports—which are often controlled by those cartels, I think, is a interesting place to start.

Administrator Milgram, I wanted to ask you that question. What is our level of integration with Mexican authorities to unwind the corruption that exists at the ports and is that a logical place for us to try to target our resources, given that that is where most of the precursor is showing up and being transferred to the cartels?

Ms. MILGRAM. Senator, thank you. Thank you for that question. If I could, let me start by talking a little bit about corruption, generally.

What we see is that corruption is a part of narcotics trafficking worldwide and there are many examples that we could give. DEA was the lead investigative agency on the current case we just spoke about, the Garcia Luna case. We also did the investigation that led to the charges against the current Venezuelan president, Nicolás Maduro.

Senator MURPHY. I am talking about the ports, just because I am going to run out of time.

Ms. MILGRAM. Yes. Let me say two things. The first is that you are correct in saying that the vast majority of precursor chemicals for methamphetamine are coming in at the Mexican ports. I would see it differently on the fentanyl precursors. We see many of those also coming into the airports. What is—

Senator MURPHY. I guess I mean land and sea ports.

Ms. MILGRAM. Yes. What is happening, and I would just sort of describe this a little bit, is that the precursor chemicals necessary for methamphetamine are enormously big.

The precursor chemicals necessary for fentanyl are much smaller and, again, we know that tiny amounts—the amount that fits on the tip of a pencil—are potentially deadly for fentanyl and the precursors needed to make that amount are far smaller.

Are we focused on the ports and the airports and also overland conveyances through Latin America? Yes, Senator, we are.

Dr. GUPTA. Can I jump in?

Senator MURPHY. Let me just turn to another topic, because I want to get at least one more in.

In a meeting I had with the now Chinese foreign minister—and I will ask this to, you Secretary Robinson, but hopefully, you are the right person to answer this—they made a claim that our coordination has been limited by a set of sanctions that the Commerce Department applied in 2020 against China's Institute for Forensic Science at the Ministry of Public Security and their national narcotics laboratory.

Now, these were sanctions connected to human rights violations authorized by Congress. Is there any validity that these sanctions have impacted our ability to work with the Chinese Government?

The claim is that if we were to lift those particular sanctions that we would open up new avenues of cooperation on this question of precursor export into Mexico.

Mr. ROBINSON. Thank you, Senator, for that question. The short answer is no.

The facility that they are talking about is a large facility. One part of that facility was sanctioned by the Commerce Department, but the larger—the narcotics bureau or laboratory was not. The PRC has been using this as an excuse not to engage with us on this issue.

Senator MURPHY. Then maybe I will submit this question for the record, but I also think it is important to understand the circular trade that happens at the Mexican border with these cartels. It is American guns going south and it is Chinese and Mexican drugs coming north.

I congratulate this Congress—

Mr. ROBINSON. And money.

Senator MURPHY. And money. And money, right, going both ways.

I congratulate this Congress because in the last budget for the first time we put \$50 million specifically towards the work of interrupting the gun trade—the firearms trade—going south, and I would encourage us to understand the sort of full circle of this trade, that much of this is what is coming to us, but we are fueling the cartels' ability to run this trade by allowing these guns to be bought in the United States through background checks exceptions and sent down to Mexico.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. The next member is Senator Ricketts, who we welcome to the committee as a new member.

Senator Ricketts.

Senator RICKETTS. Thank you, Mr. Chairman.

Taryn Lee Griffith was a 24-year-old mom from Nebraska who died in 2021 of a fentanyl overdose. Her father, Mike, said that once you met Taryn you would never forget her. She had a personality that drew people's attention the moment she walked into the room and a big heart for others.

The day that Taryn died, she was out with friends and took a pill she thought was percocet that was laced with fentanyl and that is what killed her.

Taryn's youngest daughter was just 6-months-old when her mother died and she has a five-year-old half sister, and they will have to get to know Taryn through pictures and stories from family.

Fentanyl, as I think we all agree, robs children of their parents and parents of their children. They rob communities of our friends, co-workers, and neighbors.

From 2014 to 2019 most fentanyl entered the U.S. by the international mail directly from China. Now it is being shipped from China to Mexico, manufacturing the pills at illegal labs and then smuggled across the border.

The Mexican cartels have taken advantage of the weak border enforcement to surge a flow of fentanyl to the U.S. With border agents and local law enforcement overwhelmed by the surge of ille-

gal immigration it is easier than ever for cartels to bring fentanyl into the U.S.

Last year—last fiscal year, the CBP seized 14,700 pounds of fentanyl, and I can tell you as my experience as a governor in the last 2 years of my administration we saw the amounts of fentanyl, methamphetamine, and cocaine double, triple, quintuple as our state patrol confiscated it as it came through our state.

Until the Biden administration takes action to secure our southern border to stop the flow of illegal immigration and drugs, I am afraid that this is going to be a bigger problem in the future.

My question is for Dr. Gupta. CBP reported 156,274 enforcement counters on the border only last month. With this large amount of unregulated activity and movement of people, is it even possible to stop the flow of fentanyl across the border?

Do we need to stop the flow of illegal immigration first? It seems like either there is more drugs coming across the border or the Biden administration is not stopping those drugs coming across the border.

What is the Biden administration's plan for this?

Dr. GUPTA. Thank you, Senator.

The fact is all the elements we have we know that most of the drugs that are coming through are through ports of entry and it is through commercial traffic, it is through private traffic, and it is through individuals.

We still do not scan enough of that traffic and that is where the President has talked about having—making sure that we have scanners, that we do have technology to place and scan every vehicle that needs scanning. We are not there yet. We want to be there, and that is the whole point.

When we see increased fentanyl it is because we are applying technology and I want to see every port have that technology and be able to scan every vehicle that we can coming in.

The problem, again, does not begin or end at the border. We got to be working at ports in Mexico, which we are with the Coast Guard, training SEMAR, the Mexican navy, to make sure that they are doing their job because they are the ones who have the control of the ports there to stop those shipments of precursors, but also the prepared product as well.

Senator RICKETTS. When I was down at the southern border a couple of times as governor, one of the things in talking to the folks down there they said is that the cartels will push across a group of illegal immigrants in one location, thus, drawing our resources off, and then push the fentanyl in a different location.

Is that—so you are saying it is coming through the ports, but when I was on the border that is not what I was hearing when I was down there.

Dr. GUPTA. Senator, we have got to understand one basic pretext here. These are dispassionate businessmen, working men and women, working after—going after profit.

They deploy these technologies and these tactics to do all of these things, and every time we seize we deny them the profits. The thing is these are calculated losses.

Instead of going through the unforgiving terrain, they want their retail product to get in the market and make money for them as quickly as possible and that is where ports of entry make sense.

What we have to do is deny them just enough so it is no longer profitable and it no longer supports their operating capital, and that is the strategy that it is important to understand that working where they are dependent upon their product to get through is exactly what needs to obstruct and disrupt that.

Senator RICKETTS. We have talked about the CCP and some of the supply chain there. What is the Biden administration's thought on how we stop the CCP from not only violating our airspace with spy balloons, but also on the precursors and this very deadly drug?

Dr. GUPTA. Senator, I have been several times to the border and will be going again. I have seen the tunnels—the subterranean tunnels—as well as marine drones and other aspects and, therefore, it becomes important that we provide those resources to our brave women and men at Custom Border Protection for both technology, infrastructure, as well as resources to be able to go after and that is exactly what the President will be asking for in his budget really soon.

This is why having those 123 additional scanners—the large scanners—is going to be so important at our ports of entry as well.

Senator RICKETTS. Thank you.

The CHAIRMAN. Thank you.

Senator Cardin.

Senator CARDIN. Thank you, Mr. Chairman, and let me assure my colleague from Nebraska, whether it is Nebraska or Maryland or any state in this country, the fentanyl crisis is a crisis and we are losing citizens every day to fentanyl, and the tragedy here is that there are a lot of innocent users that are dying from the fentanyl, not expecting it to be laced with fentanyl. This is an urgent issue in our nation.

Chairman, thank you for holding an early hearing on this subject because it is not an easy issue. We always talk about supply and demand. Well, the demand side is a little bit challenging here because, as the senator from Nebraska pointed out, people do not expect that they are going to be dealing with a fentanyl-laced product.

We will always deal with demand, but let us talk supply, and supply is complicated because we have the cartels and the distribution networks and then we have the supply of the precursors, which are taking over from the fentanyl itself being manufactured through the precursors.

Ms. Milgram, you mentioned the cartels and your—you have a task force to deal with that. What do you need from us in order for us to be able to make a real impact on the viability of these cartels?

They operate in trafficking of drugs and so many other activities, anything they can make money off of, but without the cartels the network would certainly be much less dangerous to our country.

Ms. MILGRAM. Thank you, Senator.

Let me start by actually thanking Congress. We were very pleased and we feel fortunate to have gotten additional funding from Congress in the last budget—\$40 million—that allows us to

expand our counter threat teams that we are operating worldwide to target these two cartels.

It also allows us to build vital infrastructure around data and technology to integrate all the information we have at DEA and so, first, let me say thank you for that.

Second, as you point out, a couple of things. The first is that right now we have pivoted to a world of synthetic drugs where the fentanyl we are talking about and the methamphetamine we are talking about that is made by these two cartels—Sinaloa and Jalisco—it is entirely manmade and right now there is no limit on how much of those drugs can be made. The only limit are the amount of precursor chemicals that the cartels can get access to.

First of all, working to have China do more to stop—

Senator CARDIN. I want to get to the precursors, and the challenge here—you may want to elaborate and others might want to also, particularly Ambassador Robinson, on this—but these are—the precursors are now coming in from various countries.

I understand India is becoming a major source also of precursor drugs. They have lawful purposes, but they have illegal purposes, meaning put together for fentanyl.

How do we get a handle on the precursors when it seems like the illegal traffickers are one step ahead of us? As we clamp down on fentanyl coming in they, move to the precursors that manufactured the fentanyl.

Mr. ROBINSON. Senator, thank you. Thank you so much for the question, and you hit on an important topic.

We—the United States Government, the Administration—are working aggressively engaging with our European partners. We are working quite closely with India.

We do not see, in fact, precursors, largely, coming from India to Mexico to make fentanyl. It is almost exclusively distributors from China and, in fact, the Indians have been—the Indian Government has been positive on this issue. They are working with us in the G-20.

We are in discussions about setting up a counter narcotics working group during their presidency of the G-20. We are engaged with the international community both on a multilateral level with the U.N. in Vienna at the CND, but also on a bilateral level with countries like India and individual European countries.

The last thing I would say, though, is for the United States fentanyl is the problem. For Europe, it is methamphetamines. For Africa, it is tramadol.

The issue of synthetic opioids—opioids in general—is a global issue and has a lot of different layers. They are all engaged at some level, both bilaterally and internationally, in engaging and addressing it.

Senator CARDIN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Hagerty.

Senator HAGERTY. Thank you, Mr. Chairman.

I am looking at the leaders of the effort that is supposed to be stopping drugs in America. I just got off the phone the other day with a father from my home state of Tennessee who found his son dead on Thanksgiving morning. Dead from fentanyl.



Each of the three of you have been charged with addressing this scourge, yet it continues to run rampant. The number-one killer of Americans today, of young people between the ages of 18 and 45, is drug overdose, most of it fentanyl coming across our southern border being supplied by China, just as Secretary Robinson mentioned. China is the principal source of these drug precursors that are going to the Mexican cartels.

Dr. Gupta, you have mentioned this. In August, you stated that fentanyl will continue to flood the world unless China stops drug trafficking. Indeed, I want to use your quote: “China’s decision to refuse cooperation in this issue will result in more American deaths.”

Dr. Gupta, has China done enough to stop the transport of fentanyl precursors from China to Mexico? I would appreciate a yes or no answer.

Dr. GUPTA. No, Senator.

Senator HAGERTY. I agree. Is pressing the Chinese Communist Party to stop fentanyl precursors coming from China a top Administration priority? Again, I would appreciate a yes or no answer.

Dr. GUPTA. Senator, it is.

Senator HAGERTY. I am glad to hear that.

Dr. Gupta, the White House issued a press release last week on its proposals for cracking down on fentanyl trafficking. Yet, not once—not once—in the entire press release was China mentioned.

Moreover, during the State of the Union, not once did the President call out China’s role in this fentanyl crisis. If getting China to stop fentanyl production that is killing hundreds of Americans daily is a top priority, then why did President Biden not mention it at the State of the Union?

Dr. GUPTA. Senator, if I can elaborate.

This is one of the top priority issues both for the President and for myself. I have had a conversation with Secretary Blinken for whom it also remains a top issue as well.

Senator HAGERTY. I certainly do not see that from Secretary Blinken either. Less than a week before his planned trip to China—before the Secretary’s planned trip to China—the Treasury Department rolled out sanctions against Mexican drug cartels that are involved in the exportation of fentanyl and precursors that end up in the United States.

The Treasury Department in this press release explicitly called out China’s role in supplying these precursors to Mexican drug lords. However, the Secretary of State’s parallel press statement omitted any mention of China.

Assistant Secretary Robinson, for the record, was there any internal disagreement or debate between your bureau, the Bureau of International Narcotics and Law Enforcement Affairs, which you lead, and the Bureau of East Asian and Pacific Affairs on whether or not to omit any mention of China in Secretary Blinken’s press statement? Please give me a yes or no answer.

Mr. ROBINSON. No.

Senator HAGERTY. No debate? No discussion?

Mr. ROBINSON. Oh, there was debate. There was discussion, but, at the end of the day, we agreed on the statement that the Secretary—

Senator HAGERTY. With no mention of China in it.

While the Biden administration increasingly self-censors itself on China's role in America's fentanyl crisis, China's ambassador to the United States, Qin Gang, who is now the foreign minister, falsely claimed last year that China has "done everything possible on our end," using his words, "out of goodwill to help the United States address this problem."

How can the Administration continue to pursue meetings with China to develop a so-called floor in the relationship when China so obviously lies about its involvement and refuses to stop the flow of fentanyl?

In addition to securing and defending our open southern border we have got to hold the CCP accountable. Does anybody have an answer about why we continue to do this?

Mr. ROBINSON. I would say that we are working aggressively to engage China on this issue at a number of levels, but as I mentioned earlier, the relationship with China is complicated. We have a number of issues to discuss with them and there is no doubt—

Senator HAGERTY. I will interrupt you because the number-one issue we have just established—a top priority for this Administration—is dealing with the poisoning of our kids.

Mr. ROBINSON. Absolutely.

Senator HAGERTY. Yet, we are not going to call them out. We are not going to mention it. That seems to be the priority. Treasury will, but the State Department will not.

Mr. ROBINSON. We are going to work as hard as we can to engage with the PRC multilaterally and bilaterally if possible to address this issue.

Senator HAGERTY. If the State Department and the White House will not call out this problem, we will never address it. We will never—

Dr. GUPTA. Senator, I have called them out publicly after Speaker Pelosi's visit when they stopped cooperation. We are going to continue to do that. We are going to continue to pressure them, including using sanctions authority.

Senator HAGERTY. I encourage you to do that, but I encourage you to get the Commander-in-Chief to call it out and I encourage our top diplomat to call it out, too.

Mr. Chairman, I would like to enter all these documents for the record.

The CHAIRMAN. Without objection.

[EDITOR'S NOTE.—The information referred to above can be found in the "Additional Material Submitted for the Record" section at the end of this hearing.]

The CHAIRMAN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman, and thank you for holding this hearing as—and thank you to our witnesses for your testimony this morning.

As you can tell, this is an issue that is very personal for everyone on this committee because we see—Administrator Milgram, you talked about the faces of those killed by fentanyl. We see that in our home states every day.

In New Hampshire's largest city of Manchester since the beginning of February, we have 10 overdose deaths from fentanyl and what we are seeing now is an increasing number of cases related to xylazine, which is an animal tranquilizer that is being cut into drugs, including fentanyl, and unlike opioids there is no reverse agent like narcan to reverse those overdoses.

Can you tell me, Administrator Milgram, does the DEA have a position on scheduling drugs like xylazine that are used for legitimate medical purposes, but that are being used illicitly and what is your position on that?

Ms. MILGRAM. Senator, thank you so much for that question.

We are tracking xylazine across the United States and there is no question that it is an increasing threat. We are seeing it cut into fentanyl powder in almost every state in the country at this moment in time and what we see is that fentanyl, which is the deadliest drug we have ever seen in the United States, it is now being made deadlier by xylazine being combined with it.

We asked HHS about 15 months ago to begin the process of scheduling xylazine. I would defer to them on the timing of that scheduling, but what I can tell you is we are looking—

Senator SHAHEEN. Did you—excuse me for interrupting.

Eighteen 18 months ago, did you say?

Ms. MILGRAM. Fifteen months ago we sent a request to HHS to schedule. We then last fall sent a follow-up request with additional information of what we were seeing.

At this moment, my belief is that we have to do everything we can internally at DEA to stop this threat from happening and my commitment to you is we will do everything we can to stop it.

Senator SHAHEEN. Thank you.

Mr. Chairman, I would argue that this committee may want to take a position on that with the FDA and HHS to schedule this when it is being used illicitly.

I want to go back to Senator Risch's and others' comment about social media because that, to me, is the most insidious aspect of what we are seeing right now because social media platforms—Snapchat, TikTok, Instagram—they are all being used to market and sell pills that are laced with fentanyl.

Right now, Senator Marshall and I have a piece of legislation named after a young man from Kansas who, much like Senator Ricketts' housewife, used—bought a fake prescription online on Snapchat. He thought it was percocet. He took a half a pill and he died. I think we have got to do more to force our social media companies to be responsible.

Can I ask each of you what you are doing? I appreciate, Secretary Robinson, that this is not necessarily your area of responsibility, but it seems to me much as we are talking about we have got—how we have to engage globally that we also have to engage all of the ways in which people are getting access to fentanyl and illicit drugs.

What are each of you doing to engage the social media companies and what should we be doing as Congress to shut down these platforms that are being used to sell drugs?

Dr. GUPTA. I will start. Senator, thank you.

Clearly, there is a lot more that social media platforms can do. President Biden called them out for big tech in the State of the Union last Tuesday. We are looking forward to working with you—Congress—to figure out what those solutions are.

It is fairly clear when illegal activity happens on those platforms that cannot be tolerated any longer. We are looking forward to working with you on that.

Senator SHAHEEN. Administrator.

Ms. MILGRAM. Thank you, Senator.

We have told the social media companies that American lives are being lost because of what is happening on their platforms and we have asked them to do more.

We have not seen them doing more. I would welcome the opportunity, DEA would welcome the opportunity, to work with this committee and others on the Hill to get to what I think are the two core goals.

One is accountability. Right now, we are not seeing sufficient accountability for the lives being lost.

The second is full transparency. As I sit here today, Senator, I cannot tell you how the algorithms operate on any of these social media platforms. I cannot explain the algorithms that are connecting the traffickers—the cartels—with potential buyers. I cannot tell you the algorithms that those companies are using to purportedly remove illegal content.

What I can tell you—and I also cannot tell you how many people they have working for their social media companies that are actively engaged on these issues.

What I can tell you is that on a regular basis we are on these social media websites platforms and we are seeing drug marketing and drug sales for these fake prescription pills—fake oxys, fake adderall, fake percocet—that have been up for months. For months.

We know enough is not being—whatever the social media companies are doing, it is nowhere near enough to save lives.

Senator SHAHEEN. Thank you very much.

Secretary Robinson.

Mr. ROBINSON. Senator, thank you so much for that question.

I would just add that we understand the social media platforms play a role, but it is e-commerce across the board. It is freight forwarders across the board. It is chemical producers, both globally and internally, across the board.

The private sector, across the board, has a responsibility and I look forward to working with my colleagues both here at the table and within the inner agency in getting at that responsibility and engaging with the private sector on this issue.

Senator SHAHEEN. I certainly agree with you it is broader, but my grandchildren are not on those commercial websites on a daily basis. They are on the social media sites.

Thank you, Mr. Chairman.

The CHAIRMAN. I hope we could get Americans to understand do not buy your pills on social media as a general proposition. We should be doing an education campaign to that effect because if that is where you revert to then the integrity of the product can never be guaranteed, at the end of the day.

Senator Scott.

Senator SCOTT. Thank you, Mr. Chairman.

Thank you all for being here this morning to talk about such an important issue that is impacting so many Americans around this country and that we all recognize the 107,000-plus deaths because of overdoses and how tragic it is.

So often we talk about the numbers without really appreciating the personal impact that it is having on families throughout this country, devastation from West Virginia to South Carolina, and I just think we have to do more to close our southern borders, stop fentanyl from coming across the border and killing American lives in such a way that has been devastating to families.

A friend of mine just Saturday before last buried his son—27-year-old son—because of fentanyl, and too often we see these issues as large numbers—107,000 Americans. We think about the thousands in South Carolina, but we do not think about the actual tragedy, it seems like, to the average family that loses a loved one.

There is no family in this nation that is disconnected from the issue of fentanyl and we should do more. We can do more and I believe it starts with our southern border.

If we close our southern border, stop fentanyl from coming across, we could end the devastation and the tragedy that is being experienced by so many American families.

I just want to read what Alan Shao, who is the former dean of the business school at the College of Charleston in my hometown—a longtime friend of mine—that what he said about his son at his son's funeral:

“To my loving son, Alan. The day you were born was the day I gained a son. You were by far the most beautiful baby out of everyone. You looked at me and gave me a big smile. I knew that my life was complete with you as my child.

“We named you Alan after me, of course, because you stole my heart with such a loving force. As the years went by and you grew to play sports, in my eyes you were the best on all fields and all courts. I was always so proud of you as my son that no matter the score we always knew that we won.

“The years kept on passing. Our family went separate ways, but you and I never did. We were together to stay. You eventually went to college, even got your degree. I was such a proud father as proud as could be.

“Well, we went through hard times and good times over the years, often ending up with a hug and a whole lot of tears. Now for the hard part. To even speak breaks my heart.

“A few days ago, I learned the worst news I could imagine. You left me too soon and went on to heaven. I want you to know, son, that I will join you someday. I cannot wait to see you. We will hold hands and we will pray.

“But for now, I will have a broken heart that will never ever mend. So I will just live my life until I see you again. I love you, Alan.”

Too many of these stories, of these words, are being spoken at too many funerals. Completely avoidable.

Dr. Gupta, what are we going to do to close our southern border so that we can stop hearing fathers bury their sons, mothers burying their kids? I think it is very much avoidable.

Dr. GUPTA. Senator Scott, thank you for those beautiful words and, obviously, every tragedy, every single tragedy, what it is we are talking about it is important.

I am a father of two 25-year-old boys and I know I talk to them every day because of that. I think when—this is exactly how I approach the job is just to figure out where all we can do and what we can do.

This is the reason that we are pushing for a global commercial disruption concept to deny profits, to make sure that we take data, take evidence where it exists, and act on it, act on it not worrying about what is in the past.

This is why, as a majority of that—the drugs come through the ports of entry, there is technology that we can adopt and they can magnify resources, infrastructure, that could put—that will help us detect as much fentanyl as possible we can, and this is exactly what the President is calling out for, making sure that we have those scanners—they can have the technology.

Senator SCOTT. Mr. Chairman, in my last seconds left I would just say that we have to do more and technology is one way of doing more, but the truth of the matter is until we close our border this issue continues without the physical impediments to be in the place where we cannot have technology, where we cannot have people, we need to actually do everything in our power to change the course of American history.

I think we can do that. We should take it as a bipartisan challenge. Thank you. Thank you.

The CHAIRMAN. Thank you, Senator Scott.

As I turn to Senator Kaine, let me just—for the record, I asked questions at the beginning of this hearing and I have my own answers based upon the information, and I would like to include it in the record because I think it creates context for our discussion.

According to the bipartisan Commission on Combating Synthetic Opioid Trafficking, Mexican cartels traffic illicit fentanyl into the United States primarily via established ports of entry at the southwestern border, and according to CBP data in fiscal year 2022, roughly 85 percent of all fentanyl seizures occurring at the southwestern border of the United States occurred at ports of entry through tractor-trailer trucks and passenger vehicles.

When we talk about doing more, making sure that those ports of entries have the technology that can be invasive so that 85 percent of all of that fentanyl can be stopped is a huge reality.

I think it is important to know where the process of how the entry of the fentanyl into the United States is taking place so that we can ultimately combat it.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair, and I would just like to pick up on that and on Senator Scott's request, hey, can we not find a bipartisan path forward.

We should be able to invest more in ports of entry to get a lot more fentanyl before it crosses the border. There is sort of a lottery situation where we can only inspect one out of every so many vehi-

cles and the cartels know that and they do not mind somebody getting caught and going to prison as long as they can get a lot of other fentanyl through the ports of border.

I am sure hoping that the President's budget that comes over here next month asks Congress to do a robust investment in border security at ports of entry because CBP is pioneering technologies that have shown that they can work, but we just have to do it with all vehicles and do it in a prompt way so that we can pick up more.

I want to thank the CBP agents. When you look at the amount that has been interdicted either at the border by CBP agents or by the HIDTA task forces internally, you want to thank those folks, but you also want to say as bad as this is hundreds of thousands more pounds of these drugs had they not been interdicted in that way by these public servants how much worse it would be.

The other bit of news, Dr. Gupta, that I was pleased to read in your testimony, and you mentioned it in your verbal testimony too, was that just as before COVID we were seeing overdose deaths coming down and then during COVID for a variety of reasons, including fentanyl, but other reasons as well—the isolation of COVID—we saw overdose deaths go back up.

You now have indicated at least preliminary data suggests that for the last 5 months they have been coming down. Again, it is too soon to call it a trend, but we want to watch it and learn from it.

In Virginia, we will expect about 2,500 fentanyl deaths this year and, Senator Scott, what he read from his friend, I mean, this—there are these funerals happening multiple, multiple times a day.

I am particularly—I guess I want to ask you, Dr. Milgram—Secretary Milgram—about kids. The kids get drugs and often accidentally overdose because they think they are getting an Adderall or they think they are getting something else and it is cut with fentanyl.

You mentioned in your testimony the One Pill Can Kill campaign. Tell us more about that campaign and are you seeing it as a success? Because, clearly, if we cannot make people aware of the danger and curb demand that way there will always be a supplier who will be creative. What can we do on the demand side? One Pill Can Kill is designed to address that.

Ms. MILGRAM. Thank you. Thank you so much, Senator, for that question.

At this moment in time, we believe that public awareness is one of the most vital things that we can do. We have a very hardened senior agent in charge in the United States who said to me not too long ago that if he had an hour of time right now and he had to choose between putting handcuffs on someone or doing public awareness, right now he would do public awareness because still too many Americans do not understand the dangers.

We launched the One Pill Can Kill campaign in the fall of 2021 and we have done enforcement actions as well and we have seized pills across the United States in all 50 states to highlight this work.

We also give that campaign to anyone and everyone who wants it. We have intentionally not branded it from DEA or DOJ, and so we have a university in the Midwest that just launched it.

We have a police department in Florida that has taken it on and we have countless families and parents who have lost their children who have taken the One Pill Can Kill campaign and all the materials we have.

We have also started meeting with families who have lost loved ones, and last year for the first time we did nationwide family summits on drug poisoning deaths. Again, trying to understand from the families what information would be vital for them to have known and to have had to make sure that their loved ones knew of the threat.

I believe, Senator, as I sit here that the cartels are acting with deliberate, calculated treachery. They make these pills, buying pill presses and dyes and die molds, mostly from China as well, that look identical to the real pharmaceutical medicines.

Senator Kaine. Let me ask you sort of a data question. In the data about overdose deaths, do we closely track those that are accidental—someone thought they were taking something else and it turned out that it was laced with fentanyl?

Because obviously any death through an overdose is a tragedy but the strategy for dealing with the accidentals is a little bit different than the strategy for dealing with people who might have become a patient taking prescribed opioids and then they go into fentanyl.

Do we track that data?

Ms. Milgram. Two pieces. One is if you listen to the language I use today, I do not use the term overdose anymore and that is because of the time I have spent with the families who have lost loved ones.

So many Americans are dying right now and they are dying because fentanyl is cut into other drugs that they are taking or it is in a fake prescription pill.

Senator Kaine. Overdose suggests you were taking something and maybe you took too much, but actually it is accidental. They were not intending to take fentanyl or a opioid at all.

Ms. Milgram. We think that using the term “drug poisoning,” whatever is happening, the fentanyl is actually poisoning people’s bodies and so we prefer to talk about it now as drug poisoning.

Senator Kaine. I am over time, but do you track that data? If so, I am going to ask that follow-up. I will ask that for the record. I want to yield back to the chair.

Ms. Milgram. Yes.

The Chairman. Senator Cruz.

Senator Cruz. Thank you, Mr. Chairman.

Administrator Milgram, would you agree that the vast majority of the heroin and the methamphetamine and fentanyl we see in American communities comes from Mexico?

Ms. Milgram. Senator, I would say that the vast majority of fentanyl and meth is coming from the two cartels, Jalisco and Sinaloa, from Mexico. They also transport heroin and cocaine in.

I would not say the vast majority of heroin and cocaine. I would say the vast majority of fentanyl and meth.

Senator Cruz. Would you also agree that the brave men and women working along the southern border and at our ports of



entry—our Border Patrol and CBP officers—serve a critical role in interdicting drugs before they hit our streets?

Ms. MILGRAM. Senator, as I say often, the way—at DEA we are the single—the only single mission federal law enforcement agency committed to narcotics and to stopping the global supply chain. We play offense and so we are tracking these cartels worldwide and across our—

Senator CRUZ. Is that a yes? We have got limited time.

Ms. MILGRAM. DHS' responsibility is to maintain the southern border and the ports of entry. Our investigations do tell us that the vast majority of fentanyl is coming in the ports of entry, two particularly in California and two in Arizona.

Senator CRUZ. Is that a yes? That you would agree that CBP officers both on the southern border and the ports of entry play a critical role in interdicting drugs?

Ms. MILGRAM. Yes, Senator. I believe it is a DHS responsibility and it is a critical one.

Senator CRUZ. If we decided to cut the number of Border Patrol agents dramatically, let us say, in half, would you agree that would hurt our efforts to stop illegal drugs?

Ms. MILGRAM. Senator, I would defer some of this to the Department of Homeland Security and Secretary Mayorkas.

Senator CRUZ. You are not willing to answer that question?

Ms. MILGRAM. Here is what I would say about this. We believe that DHS plays vital defense.

Senator CRUZ. Okay. Those are talking points. Would cutting the number of CBP agents in half hurt our ability to stop drugs, yes or no?

Ms. MILGRAM. Senator, I believe it would.

Senator CRUZ. Okay. That is effectively what has happened under the Biden administration because right now today more than half of the CBP agents are engaged in housekeeping and chauffeurs and babysitting of the 5.5 million illegal aliens who have crossed the border.

They are not on the border. They are not at the ports of entry. They are instead processing the highest rate of illegal immigration in history.

Now, Democrat members of Congress have the remarkable claim that the open borders under Joe Biden has no impact on the record fentanyl and drugs that are flooding across our borders.

Between October 2021 and September 2022, one CBP source estimated there were 364,000 gotaways, people that ran away at the southern border. Another Border Patrol official put the number of gotaways at 1.2 million.

Gotaways can vary from terrorists on the terror watch list—in fiscal year 2022, 98 people on the terror watch list were encountered at the southern border that we know of—or they can be drug dealers carrying drugs. Is that correct?

Ms. MILGRAM. Senator, I am going to defer questions on the border and the ports of entry to the Department of Homeland Security.

Senator CRUZ. The DEA has no view on whether drug dealers crossing the border carry drugs?

Ms. MILGRAM. Senator, as I said from our investigations, what we see is that the majority of fentanyl coming into the United States—

Senator CRUZ. I did not ask the majority. I said drug dealers and gotaways are carrying drugs, many of them.

Ms. MILGRAM. Senator, what we see is mostly interdict—what we see is mostly tractor-trailers and personal vehicles.

Senator CRUZ. All right. You are sticking to the talking points closely, and congratulations. It is the Democrat talking points, that the open borders do not matter, that 328,000 or 1.2 million gotaways do not matter. We had a hundred thousand people die last year of drug overdoses. My sister died of a drug overdose just over a decade ago.

This is a crisis, but it is a man-made crisis. This Administration made a conscious political decision to open the borders and one of the results is they have turned Mexican drug cartels into multi-billionaires.

In 2018, the amount of money cartels made from human trafficking, according to *The New York Times*, was \$500 million. Now, just from human trafficking, the cartels are making \$13 billion a year—again, according to *The New York Times*. That is a 2,600 percent increase.

Administrator Milgram, the single best thing that happened to Mexican drug cartels in history was Joe Biden becoming President, opening the border, and making tens of billions of dollars for these vicious criminals.

In your judgment, is it a good thing that these cartels now have tens of billions of dollars from human trafficking and drug trafficking?

Ms. MILGRAM. Senator Cruz, I really appreciate the opportunity to answer your question, and as I have said clearly and will continue to say, there are two cartels in Mexico, the Sinaloa and Jalisco cartel, that are responsible for the devastation that we are seeing on the streets of our country.

It is our top operational priority—

Senator CRUZ. Would you answer the question?

Ms. MILGRAM. —to defeat those two cartels and to stop the fentanyl and methamphetamine that is flooding into our communities.

Senator CRUZ. Would you answer the question I asked? Is it a good thing for them to have tens of billions of dollars now that they did not have?

Ms. MILGRAM. Senator, we are doing everything we can—

Senator CRUZ. You are refusing to answer the question.

Ms. MILGRAM. —to take every amount of money—

Senator CRUZ. This should not be a hard question for the DEA to answer.

Ms. MILGRAM. If I—please, if I could finish.

Senator CRUZ. Please.

Ms. MILGRAM. I very much understand your point. We believe that the cartels are making billions of dollars on illicit fentanyl.

Senator CRUZ. Is that good or bad?

Ms. MILGRAM. It is a terrible thing.

Senator CRUZ. Okay. Thank you.

The CHAIRMAN. Senator Merkley.

Senator MERKLEY. Thank you very much, Mr. Chairman, and thank you all.

Mr. Robinson, the efforts have been talked about, about trying to stem the precursors from China to Mexico and everyone, I know, has raised it. Is there any other insights that you can share that you have not shared already with the committee about our efforts to stop this?

China did respond when we pushed them hard on the direct sending of fentanyl into the United States. How do we now accomplish shutting them down on the precursors?

Mr. ROBINSON. As I said earlier, we are going to continue to try to engage with the PRC on this issue, but the fact is because this is a global problem, other countries are engaging the PRC on this issue. We have had positive engagements with India, with Pakistan, with Mexico, with Canada. All of them have also pushed the PRC to do more to monitor the precursors leaving China.

Senator MERKLEY. Okay. I am just—thank you very much, and I know you are pushing on this. It is a piece that seems so critical if we are going to stop the flow or reduce it greatly and I think we have already heard some comments about some other countries are starting to send precursors as well. It is a world challenge, but that is the biggest piece at the moment.

I will tell you, every—I have had now 19 town halls this year in Oregon, 19 of the 36 counties. I do a town hall in every—this issue comes up everywhere. There are parents in every county who have lost their brothers or sisters or spouses or children to the contamination from fentanyl and that is just a horrific impact on America.

I know that all of you are doing the best you can and I think the whole bipartisan effort here is to say, yes, keep going. We support you. How can we help you more.

Administrator Milgram, I have statistics from the U.S. Sentencing Commission and I just wanted to see if they fit what you have in the DEA, and they say that the—from 2016–2021, the 5-year average was that 90 percent of the fentanyl seized was from border crossings and interior vehicle checkpoints. Does that fit your understanding?

Ms. MILGRAM. Senator, we—at DEA we do not have the specific information that CBP or Border Patrol would have. I could—we could ask the Department of Homeland Security and get back to you.

Senator MERKLEY. Okay, because I think understanding the dynamics of where the drugs are coming and we have heard reference to the fact—Dr. Gupta, you were referring to the fact that the cartels want to move it fast and in what—and that the fast and most efficient way seems to be through border crossings and that statistic seems to back that up.

The other thing that I found very surprising was according to the same stats from the Sentencing Commission, that 91 percent of those seizures at the border are from U.S. citizens, and so I also just wanted to ask if you are familiar with that stat and if you consider it accurate.

Ms. MILGRAM. Senator, again, DEA is not responsible for the border or the Border Patrol, but I am happy to ask.

Senator MERKLEY. No, I sure understand that.

Ms. MILGRAM. Yes.

Senator MERKLEY. In drug enforcement you want to understand the issue and these are basic fundamental facts about the drug flow. So—

Ms. MILGRAM. What we see, Senator, we see—basically, we see Americans and we see Mexicans and we see people. We interdict many. We are not responsible for the border.

When we are doing investigations, we are generally doing them in the United States and, yes, we are making seizures of Americans as well as Mexican nationals.

Senator MERKLEY. Dr. Gupta, that 90 percent, is that accurate? That most of the drug seizures are actually from U.S. citizens crossing?

Dr. GUPTA. Senator, I cannot vouch to the exact number, but the fact is that there is a lot of people that cross the border every day, just a matter of work, going to work, and those people, wittingly or unwittingly, often end up and that is why—but it is still ports of entry that they are entering through.

Senator MERKLEY. Okay. I am surprised that given our effort to understand the challenge that neither of you kind of have the firm grip on the dynamics at the border. I just want to encourage you to expand your horizon to understanding those pieces because it is such an important part of the conversation.

I wanted to turn to the social media challenge, and so is it basically that our youth are finding contacts through social media and then those contacts have a supply chain to where they can deliver to the door or how does that work?

Ms. MILGRAM. We see a number of different things on social media, Senator, in our work.

One of the things we see are, for example, the cartels recruiting couriers or others to sell narcotics in the United States. We also see many instances that are exactly as you describe where you have someone who is on social media and within three or four clicks will connect with someone selling.

Often what we see are fake pills. They are meant to look exactly like they were oxycodone, but they are fentanyl and filler, and that those pills are then delivered to their home or their office or their front door by someone that they do not know within often minutes or hours.

Senator MERKLEY. Thank you. My time is up. I really appreciate you all doing everything you can to tackle this incredibly horrific challenge decimating America's families.

Senator BOOKER [presiding]. Senator Young.

Senator YOUNG. Thank you, Chairman. I thank our witnesses for being here today.

This is an issue that is important to thousands of my constituents. Right now, 85 percent of all drug deaths in the state of Indiana are as a result of fentanyl and I am deeply concerned about the gaps along our southern border. A number of my colleagues have asked about those. I know that invokes the responsibility of Mexico where the cartels have a significant presence.

It is China that is one of the top producers of these active pharmaceutical ingredients that go into the production of fentanyl. Of

course, those inputs are—exist for licit purposes, but are diverted criminally for illicit purposes of producing fentanyl.

You have stated clearly, Administrator Milgram, that your top priority is dealing with the Sinaloa and Jalisco cartels in Mexico. Given the role of the People's Republic of China in terms of production of these raw materials, that seems to be a really important line of effort as well. You did mention this in your opening statement.

Is it your agency's assessment that we are going to be able to stop the cartels from getting these precursor chemicals from the People's Republic of China?

Ms. MILGRAM. Thank you for the question, Senator.

When I talk about DEA's network-wide approach, I am including the facilitators in China, whether it is Chinese chemical companies or Chinese nationals, chemical brokers, or illicit finance people operating in China, the U.S., or Mexico.

Just to make sure that I am accurately explaining, our top operational goal is to defeat the two cartels and their criminal networks and those networks are not just the command and control—

Senator YOUNG. They extend into China. Right.

Ms. MILGRAM. Exactly. Those partnerships, we—DEA investigation was just unsealed last week. It is a Chinese national, Carlos Algreto, who was a precursor chemical broker operating from Mexico.

He is alleged to have basically taken precursor chemicals from China and India into Mexico so that the Jalisco cartel could make them.

Senator YOUNG. Okay. I have limited time, but I thought it was really important that Dr. Gupta mentioned that China has been unwilling to engage with us on this topic.

The Chinese Government, they are part of the network if they are going to allow this to happen without intervention. The ranking member mentioned that fentanyl did not even come up during the President's conversation with Xi Jinping.

I think that is a notable failure to bring up something that is a top priority of my constituents. The President's State of the Union address, he mentioned fentanyl, commendably, but failed to call out China's role in production of fentanyl.

We are clearly facing a lot of challenges vis-à-vis the Chinese Communist Party. I acknowledge that. What actions diplomatic or otherwise have we taken against China for their failure to meaningfully engage?

Mr. ROBINSON. Thank you, Senator, for that question.

Number one, we do continue to engage or try to engage with the PRC on various levels. We are also talking to other countries to see if they can engage with China on a number of levels.

We have identified—as Administrator Milgram has noted, we have identified businesses in China that we know are working with the cartels—

Senator YOUNG. I am coming to the end of—but the Chinese Government has not engaged. I know we have tried to engage. You deserve credit for that.

What has been the consequences to the Chinese Government for their failure to engage with us about the shipment of precursor

fentanyl-producing agents into Mexico that end up in Indiana and kill 85 percent of people who die of drug deaths?

Mr. ROBINSON. As I was going to say, we will use every tool in our toolbox, including rewards programs—the narcotics rewards programs and the transnational organized crime rewards programs—to go after those entities in China that are moving these chemicals.

The fact is China wants to be on the world stage and in order to do that, because this is a global problem, other countries are also going to push them to do the right thing on this issue.

Senator YOUNG. You will use. That is prospective.

Mr. ROBINSON. No, we are using.

Senator YOUNG. You are using?

Mr. ROBINSON. We are using. Yes.

Senator YOUNG. Okay. What leverage have we brought to bear against the Chinese Government themselves to shape their future risk calculus and decision-making framework so that they can cooperate with us to prevent these shipments in the first place?

Mr. ROBINSON. We are going to continue to push for engagement. We have worked with them just last year in a multilateral forum to schedule three precursor chemicals. We will continue to do what it takes to bring China back to the table.

Senator YOUNG. Should we expect President Biden to bring this issue to the attention of—and his concerns—directly to Xi Jinping?

Mr. ROBINSON. There should be no doubt that this is a priority, a topic of concern, for this President, for the Secretary of State, to get at both directly with the PRC and in a global effort bringing together other countries to get at this issue as well.

Senator YOUNG. Thank you, sir. I am going to stay on top of this.

Senator BOOKER. Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Mr. Chairman. I thank all of you for your testimony here today and for your service.

As you have heard and I am sure you know, everybody on this dais has met a family that has lost a loved one to opioids. Probably the same is true for all of you as well.

In Maryland, for the most recent 12 months of reporting that is available, we had 2,487 fatal overdoses and fentanyl was involved in over 80 percent of those.

That is the—those are the numbers in Maryland. Behind those numbers, obviously, is a family that has lost a loved one and that is magnified throughout the country.

I would like to follow up on some of the questions my colleagues have asked. We have had a lot of questions today.

Director Gupta, I think it is important that you get back to the committee on this issue of where most of the fentanyl is crossing the border of the United States and how because the figures we have seen from the Customs and Border Patrol indicate that 90 percent, as Senator Merkley indicated, is coming over legal crossing points and interior vehicle checkpoints.

You cannot confirm that today? Is that your testimony?

Dr. GUPTA. What I can confirm, Senator Van Hollen, is that we know that overall majority and 90 percent—not individual carriers, but overall through the ports of entry is where it is coming.

Senator VAN HOLLEN. Right, in terms of the volume of fentanyl, over 90 percent is coming through ports of entry?

Dr. GUPTA. Correct. Right.

Senator VAN HOLLEN. I think that is important because we have an important discussion on immigration and immigration reform, but fentanyl comes in very potent small quantities potentially, right? I mean, a very little bit can kill you.

What it indicates to me is we need to do even more at our ports of entry to try to detect and intercept fentanyl and we have been working to provide additional resources to do exactly that.

Now, to my knowledge, we do not have a similar problem with fentanyl crossing our northern border. Is that correct?

Dr. GUPTA. Correct.

Senator VAN HOLLEN. Right. Which gets to the question of why. We have heard about China's involvement with the precursors and we absolutely need to insist that they engage in that conversation with us.

It also indicates that the drug cartels in Mexico are out of control and it would suggest, as you said, Administrator Milgram, that not enough is being done by the Government of Mexico to crack down on these cartels and that in the past when there has been a will to do it we have seen results.

I understand that was something you stated earlier. Is that right?

Ms. MILGRAM. Yes, Senator. We believe that Mexico was very effective at taking down the Zetas cartel between 2012 and 2015 and that they absolutely have the capability, and would welcome working with them to take down these two cartels.

Senator VAN HOLLEN. When you raise this with them and you point to their earlier success and determination to take down cartels and point out that that is not happening now, what is their response?

Ms. MILGRAM. When we work with—and I would defer a little bit on this to the secretary.

Senator VAN HOLLEN. I would—Secretary Robinson, if you want to—yes.

Mr. ROBINSON. Senator, what I would say is I think the Mexican Government is very aware of the mal-influence of the cartels in Mexico. They have resource issues, but the López Obrador government has made some decisions on law enforcement that have engaged the military at ports of entry.

There are other parts of the Mexican Government that can definitely do more and we will, working with our ambassador and our team in Mexico City, push them to do more.

Senator VAN HOLLEN. All right. I think, again, if you look at their past success compared to what is happening now it does indicate, to me anyway, that if they are determined to do it they can do a better job than they are now.

The last question relates to something Senator Shaheen brought up regarding this new ingredient that is mixed into fentanyl and opioids, xylazine, also known as “tranq.” I think that is the street name.

This has become a big issue in parts of Maryland and throughout the country. I heard what you said, Madam Administrator, about asking the Department of Health and Human Services to list them.

Where is—so there are legal uses to this, obviously, but where is it being diverted, to the best of our knowledge? Who is diverting it to these bad purposes?

Ms. MILGRAM. Thank you for the question, Senator.

I should have clarified this before with Senator Shaheen. There are no lawful uses for humans. There are lawful uses for veterinarians—

Senator VAN HOLLEN. Yes.

Ms. MILGRAM. —and it is called tranq because it is a horse tranquilizer and is being sold throughout the country as—for veterinarians.

What we are doing right now at DEA is we are looking internally at every authority that we potentially have to address this issue.

Senator VAN HOLLEN. Right. Just in terms of the tranq, do you—have you been able to identify where it is being diverted? As you say, there are legal veterinarian purposes for this, but, obviously, it is being diverted to other uses. Do you have any guide, any leads, as to who is doing that?

Ms. MILGRAM. Senator, I cannot discuss investigations and I apologize for that, but I can tell you that we are actively working on this issue.

Senator VAN HOLLEN. Okay. Thank you.

The CHAIRMAN [presiding]. Thank you.

Senator Booker.

Senator BOOKER. Mr. Chairman, we are having a hearing on countering illicit fentanyl trafficking. A lot of my colleagues have seemed to be focusing on the real substantive challenges we have at the border.

I think it was suggested earlier that we close the border, but we know that Homeland Security Secretary Alejandro Mayorkas said that it is unequivocally false that fentanyl is being brought to the United States by noncitizens encountered between the ports of entry who are making claims of credible fear and seeking asylum.

The problem at the border is real. It spiked tremendously under the Trump administration relative to the Obama administration, but in a hearing about fentanyl, when there is nobody from Customs and Border Patrol here, to try to say that this—that folks coming to our border seeking asylum or seeking—escaping challenges, to say that that is the center of the fentanyl crisis is just not true.

We have a bipartisan urgency to deal with this crisis and it is frustrating to me that in this hearing a lot of folks want to try to levy other issues that are not central to dealing with this scourge.

I would like to just shift my questioning really quickly back to what I think are some of the real pressing issues at hand.

Secretary Robinson, if I may, the challenges we have are connected, as we have talked about, to countries around the world and the need is clear to coordinate an effective strategy.

I know that one forum where I hope that this is dealt with is the U.N. Commission on Narcotic Drugs and I understand the commission is expected to meet just next month.



I am wondering, number one, how active is the PRC, which is a source—major source—of this problem—how active has the PRC been on this commission and what do you hope to see come from it?

Mr. ROBINSON. Thank you, Senator, for that question.

In fact, the PRC is active. As I mentioned earlier, just last year we were able to schedule internationally three precursors—three precursor chemicals—and put them under international monitoring with the agreement of the PRC on this issue.

The CND—the Commission on Narcotic Drugs—is active on this issue. The U.N. across the board is active on this issue. Dr. Gupta and I will be representing the United States at the CND in March precisely on this issue.

Senator BOOKER. Because, again, I just want to reiterate for the record that folks seeking asylum or fleeing horrific violence—we know that the problem is really coming through ports of entry. Overwhelmingly, the fentanyl problem in the United States, that is the source, right?

Mr. ROBINSON. That is correct.

Senator BOOKER. The role that China is playing in that is something that should be at the center of our focus in dealing with this, correct?

Mr. ROBINSON. Absolutely.

Senator BOOKER. All right.

Administrator Milgram, a recent *Washington Post* article highlighted the expansion of legalization of fentanyl test kits. While these kits were historically considered paraphernalia, Republican governors and lawmakers in Alabama, Ohio, Mississippi, Texas, and elsewhere have supported and legalized these kits that can help people see if the drugs are contaminated with fentanyl—the drugs they are taking.

I just really want to know what your view is of these fentanyl test kits.

Ms. MILGRAM. Senator, that—fentanyl test kits are run from HHS. They are the lead agency in addressing these issues.

What I can tell you is we know that a number of things are being researched at HHS and the one thing that I have looked to see and just to make sure that I can understand is the use of something like a fentanyl test strip on a counterfeit fake pill and just how effective that can be to make sure that people understand, again, one of our core things is having public awareness and making sure people understand the threats that are out there.

Senator BOOKER. That is your One Pill Can Kill campaign?

Ms. MILGRAM. That is our One Pill Can Kill campaign, so I would really turn to the health experts at HHS that I know are looking at the test kits issue.

Senator BOOKER. Maybe I can get you just to respond for the record. You said something I thought was really important that you are not even using the language overdose anymore. These are folks who think they are taking something else and then they take one pill and face this horrific health reaction that could result in death.

You can understand at least these Republican leaders around our country saying, well, let us try to figure out ways with which we can prevent that from happening and that maybe this is one way

that people who are actually looking to save lives, perhaps, this is one way to go about that?

Ms. MILGRAM. Senator, I can tell you part of DEA is our regulatory division and so we think every day about are there ways that we can save American lives through that work and that is why we have been supportive, for example, of the *MAT Act* to expand treatment to all Americans who need it for medication and for opioid use disorder. Anything that DEA can do within our authorities we are looking at.

Senator BOOKER. Just with the indulgence of the chair, one last point.

Here we have this horrific problem that all of us have personal connection to—the people dying in our states. New Jersey, obviously, has seen this crisis.

As we go about dealing with this I am wondering the normal—the past lessons we have learned from the so-called war on drugs and others, seeing an array of ways of approaching it, and maybe I can direct that to Dr. Gupta.

We need to start looking at other ways to solve this crisis that may not have been in the playbook at all in our past efforts with the so-called war on drugs from decades past.

Dr. GUPTA. Exactly right, Senator Booker, and this is why the Biden drug control strategy for the first time in the history of the United States Government recognizes harm reduction as an important tool.

That includes naloxone, includes testing strips for fentanyl, as well as student service programs, in addition to expanding treatment, recovery, and prevention, because to add those pieces is the second part of the same coin.

We need to be looking at it as one coin where there is challenges with supply and aspects, but also demand reduction is very critical because we have got 9 million Americans that are suffering from opioid use disorder today in addition to those who are dying.

Senator BOOKER. Just a simple—law enforcement is necessary, but not sufficient to solving this crisis in the United States of America, correct?

Dr. GUPTA. Absolutely correct.

Senator BOOKER. Thank you, sir. Thank you.

The CHAIRMAN. Thank you, Senator Booker.

We are going to close this hearing. I called this hearing because this is a national urgent issue and there are foreign policy dimensions to it, and I called it in the spirit that both Democrats and Republicans need to join together in order to meet this challenge, collectively, as the United States of America.

It is disheartening that even though the fentanyl overdose in terms of a skyrocketing spike began under the previous President's watch, President Trump, and continues to be a challenge today that there are those who want to characterize it in a certain way.

When DEA seizes over 50 million fentanyl-laced fake prescription pills and more than 10,000 pounds of fentanyl powder in 2022, we know those are not individuals carrying that. That is why the ports of entry. That is why CBP says the points of entry, 85 percent all coming through tractor-trailers and vans.

If we want to meet part of the challenge here, let us focus on where the challenge really is. It is at ports of entry and what we do at ports of entry to have sophisticated scanning equipment to stop it there as you fight the two cartels globally. That is how we are going to do that.

Then also we have to challenge China and Mexico. I am not satisfied in either of the two contexts that we are doing what we need to do.

Lastly, I am very well considering filing legislation that stops the sale of any form of prescription drug on social media because you do not know whether it is a real prescription drug or not and that maybe can very well help us realize less deaths.

With the thanks of the committee for your collective testimony, this hearing will remain open until the close of business tomorrow.

This hearing is adjourned.

[Whereupon, at 12:31 p.m., the hearing was adjourned.]

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#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

##### RESPONSES OF MR. TODD ROBINSON TO QUESTIONS SUBMITTED BY SENATOR JAMES E. RISCH

*Question.* Are we properly leveraging the U.S. National Guard partnership programs, such as Colombia-South Carolina or Peru-West Virginia, and the U.S. National Guard's expertise in counter-drug operations, as we seek to train and equip partners in high drug trafficking regions?

*Answer.* U.S. national security priorities and foreign policy goals provide the overarching framework for the U.S. National Guard's State Partnership Program (SPP), which broadly seeks to strengthen the institutional and operational capacity of our foreign military partners. In Colombia and Peru this includes the imperative to address drug trafficking and improve their institutional capacity across the board in related areas, including humanitarian assistance and disaster response, as well as other related challenges. The National Guard SPP in the Andes, including in Colombia and Peru, are organized on a military-to-military basis, with requests for support typically originating from embassy Office of Military Cooperation personnel or the Geographic Combatant Commander. I respectfully refer you to the Department of Defense for additional information.

*Question.* I understand INL's rotary-wing fleet is critical to its counter-drug mission, especially in Central and South America, where we are training and advising local units. What is the state of INL's rotary-wing aviation assets?

*Answer.* INL currently owns 99 rotary-wing aircraft, 50 of which are active—Colombia (26), Costa Rica (4), Peru (16), and Patrick Space Force Base (PSFB), FL (4). An additional 17 helicopters are in programmed depot maintenance or other extensive maintenance, and 32 are in storage pending deployment, induction into maintenance, or disposal.

*Question.* Can you outline the current capacity, availability, and capability of these helicopters?

*Answer.* INL has three different models of helicopters operating overseas—Huey-II (single engine), UH-1ST (twin engine), and UH-60 (twin engine) supporting operations in Colombia, Costa Rica, and Peru, and training at PSFB. The availability/readiness of this fleet is reflected in the table below:

Mission Capable Rates (October 2022 - January 2023)			
	Huey-II	UH-1ST	UH-60
Colombia	63%	N/A	59%
Costa Rica	N/A	65%	N/A
Peru	84%	N/A	N/A
PSFB	66%	85%	N/A

Model	Passengers	Useful Load (LBS)	Range (NM)
Huey-II	8	2,806	220
UH-1ST	8	2,806	174
UH-60	11	7,288	375

The representative capability/capacity of the various helicopter models is depicted in the table below. It should be noted that actual allowable passenger/cargo loads and range are dependent on weather and other factors.

These rotary-wing aircraft have the capability to transport passengers and cargo, provide logistical support to eradication operations, support interdiction missions, conduct observation, and perform search and rescue and medical evacuation missions. They have proven to be critical to successful counternarcotics and law enforcement missions as well as humanitarian efforts after hurricanes, floods, and other emergencies. In some instances, they provide the only means available to reach remote and austere areas.

*Question.* Do these helicopters meet your present and future needs as global threats and challenges evolve?

*Answer.* UH-1 series helicopters (Huey-IIs and UH-1STs) are Vietnam era airframes and are increasingly difficult to maintain and sustain due to increasing scarcity of parts and their age and wear and tear, but INL and its partners are still conducting the mission successfully with them. They are also relatively underpowered for many of the missions we are undertaking. INL's current emphasis is to replace all single engine helicopters which are particularly vulnerable when operating over triple canopy jungle, water, or mountains and are not usable for maritime operations. INL currently provides support to Panama which operates six host government owned Huey-IIs and will replace those aircraft with UH-1STs in the coming months. INL recently acquired 28 used UH-60 Black Hawks from the U.S. Army, 12 of which will be utilized in Colombia, replacing the remaining 11 U.S. titled Huey-II helicopters there. INL also has a plan to begin replacing Huey-IIs in Peru with Black Hawks, subject to reaching a formal agreement with the Government of Peru, to assume an increased share of responsibility for supporting the effort to maintain their fleet.

Moving forward INL intends to pursue additional fleet modernization by phasing out all remaining UH-1 series helicopters and replacing them with UH-60 or, in some cases, even more recent and technologically advanced helicopter models (for example, UH-72B Lakota helicopters). Specific airframe selection will be dependent on further mission analysis, to include the continuation of existing counternarcotics missions as well as new mission sets that may evolve as the Department works to counter synthetic opioids.

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RESPONSES OF MS. ANNE MILGRAM TO QUESTIONS  
SUBMITTED BY SENATOR TIM KAINE

*Question. Data Collection:* Within currently collected overdose death-related statistics, do DEA or other agencies track or disaggregate data by accidental deaths or drug poisoning? If not, does DEA have views on whether this data should be collected?

*Answer.* DEA uses the term "drug poisoning" to refer to all drug-related deaths because the illicit drug poisons the human body.

*Question. Public Awareness:* You spoke about the “One Pill Can Kill” enforcement and public awareness campaign to increase the public’s knowledge about the dangers of fentanyl, and about DEA making this campaign available nationally. Please elaborate on DEA’s efforts to increase and encourage national adoption of this campaign. What can Congress do to increase adoption of this campaign by state and local authorities and other institutions?

Answer. DEA strongly encourages Members of Congress and their staff to continue to help us amplify our “One Pill Can Kill” campaign and increase awareness around fentanyl, methamphetamine, and fake pills. To effectively combat the fentanyl epidemic, it is critical that when Members of Congress return to their communities, they inform their constituents, friends, and families on the dangers of fentanyl and that “One Pill Can Kill.” In addition, DEA has publicly available materials on its website that can be used by media, parents, teachers, educators, and community organizations to raise awareness of the dangers of fentanyl and fake pills.

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RESPONSES OF MS. ANNE MILGRAM TO QUESTIONS  
SUBMITTED BY SENATOR BILL HAGERTY

*Question. On the Drug Enforcement Administration’s (DEA) cooperation with Mexican authorities:* How is DEA’s working relationship with Mexico?

Answer. The United States continues to work with Mexico to take concrete actions on both sides of the border to address the fentanyl crisis affecting both of our countries. An example is the January 2023 arrest of Ovidio Guzman Lopez. We honor the Mexican servicemembers who lost their lives in this capture operation. Another example is the capture operation last year of Rafael Caro Quintero. We all still need to do more and we stand ready to work together with Mexico.

*Question.* What metrics does DEA use to assess the success of counter-narcotics cooperation with Mexico?

Answer. DEA is laser focused on defeating two of the two cartels based in Mexico—the Sinaloa Cartel and Jalisco Cartel—which are responsible for the influx of fentanyl into the United States that is killing Americans today. To defeat these cartels, DEA is open to all forms of cooperation with the Government of Mexico, including the sharing of information on drug or chemical seizures and trafficker arrests, the shutting down of clandestine labs in Mexico, and the arrest and extradition of cartel members.

*Question.* How does the current level of cooperation with Mexico compare to the period preceding President López Obrador’s election?

Answer. The United States continues to work with Mexico to take concrete actions on both sides of the border to address the fentanyl crisis affecting both of our countries. An example is the January 2023 arrest of Ovidio Guzman Lopez. We honor the Mexican servicemembers who lost their lives in this capture operation. Another example is the capture operation last year of Rafael Caro Quintero. We all still need to do more and we stand ready to work together with Mexico.

*Question.* Has cooperation improved since Mexico hosted the first High-Level Security Dialogue in October 2021?

Answer. Yes. The High-Level Security Dialogue (HLSD) has allowed more communications to flow between the countries giving both governments the space and time to voice their priorities and their concerns. Although our work with Mexico extends far beyond the HLSD, the framework gives us another opportunity to raise issues of mutual concern with the Government of Mexico.

*Question.* Which Mexican authorities are the most effective in combating the Mexican drug cartels?

Answer. The Mexican Navy (SEMAR) and the Mexican Army (SEDENA) have been effective in combatting the Mexico-based Sinaloa Cartel and the Jalisco Cartel.

For example, in July 2022, SEMAR arrested Rafael Caro Quintero, a high-ranking member of the Sinaloa Cartel, and responsible for the brutal torture and murder of DEA Special Agent Enrique Camarena.

In addition, SEDENA arrested Ovidio Guzman-Lopez, one of the leaders of the Sinaloa Cartel and son of Joaquin Guzman-Loera, also known as “El Chapo,” Juan Gerardo Trevino-Chavez, the head of Cartel de Noreste (CDN), and recently arrested Jose Guadalupe Tapia Quintero and Erick Valencia Salazar, high ranking members of the Jalisco Cartel.

*Question.* What Mexican authorities are the most trustworthy partners for counter-narcotics cooperation?

*Answer.* DEA has developed numerous trustworthy relationships with state and local level partners in Mexico.

*Question.* What is DEA's relationship with the newly established Mexican National Guard?

*Answer.* DEA has only had limited interactions with the Mexican National Guard.

*Question.* To what extent does DEA work with Mexican authorities to interdict fentanyl precursors?

*Answer.* DEA understands the importance of developing bi-lateral relationships to successfully combat narcotics trafficking, and seeks to work with Mexican Government authorities on all levels. These efforts are not limited to law enforcement, but include Mexican regulatory agencies and financial institutions, such as the Financial Intelligence Unit, that is responsible for freezing bank accounts of companies associated with the trafficking of pre-cursor chemicals.

*Question.* What are the biggest hurdles to deepening cooperation with Mexican authorities?

*Answer.* Both the Sinaloa Cartel and Jalisco Cartel have extensive networks across Mexico and across the world. We all must do more to apprehend and prosecute members of these criminal networks, disrupt the supply of precursor chemicals used to make illicit fentanyl, and prevent the trafficking of fentanyl into the United States.

*Question.* On China's role in money laundering for the Mexican drug cartels: DEA's Project Sleeping Giant investigation has unearthed Chinese money launderer's key role in funding Mexican drug cartels. These Mexico-based Chinese money launderers have come to dominate international money laundering markets and some have ties to senior China Communist Party (CCP) officials.<sup>1 2</sup>

What is DEA's estimate on the amount of money laundered annually by Mexico-based Chinese brokers?

*Answer.* Approximately \$1 billion USD annually and growing.

*Question.* How many of these Chinese money launderers have ties to CCP officials?

*Answer.* DEA cannot comment at this time.

*Question.* Do you assess that the CCP is actively directing these money launderers to move money for Mexican drug cartels? If not, what is the CCP's role?

*Answer.* DEA cannot comment at this time.

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RESPONSES OF MR. TODD ROBINSON TO QUESTIONS  
SUBMITTED BY SENATOR BILL HAGERTY

*Question.* In response to my question on whether there any internal disagreement or debate between the Bureau of International Narcotics and Law Enforcement Affairs (INL) and the Bureau of East Asian and Pacific Affairs (EAP) on omitting any mention of China in Secretary Blinken's press statement titled "U.S. to Sanction Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis" (January 30, 2023, hereinafter "Secretary's press statement"), you initially said, "No." But then you clarified: "There was debate. There was discussion. But at the end of the day, we agreed on the [Secretary's] statement." In contrast, the Treasury Department's parallel press statement titled "Treasury Sanctions Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis (January 30, 2023) explicitly named sanctioned Chinese entities ("OFAC-designated Chinese chemical transportation company Shanghai Fast-Fine Chemicals") and prominently cited the Mexican drug traffickers' importation of "precursor chemicals from China into Mexico, which are then used to manufacture synthetic drugs, including fentanyl." Did INL, including any employees within the bureau, support at any point the inclusion of China or OFAC-designated Chinese entities in the Secretary's press statement?

*Answer.* The Department drafted a proposed public statement from Secretary Blinken to amplify the Department of Treasury's sanctions actions and statement. The proposed statement was reviewed and cleared through standard Department of

<sup>1</sup> <https://www.propublica.org/article/china-cartels-xizhi-li-money-laundering>

<sup>2</sup> <https://www.reuters.com/article/mexico-china-cartels-idLTAL8N2I34RV>

State processes. Treasury's action was against Mexican and Guatemalan nationals involved in the manufacturing and smuggling of fentanyl. The Department's focus was on the individuals and their criminal actions, including during the internal process I reference above.

*Question.* Did INL, including any employees within the bureau, receive at any point any information or explanation from EAP on why China or OFAC-designated Chinese entities should not be included in the Secretary's press statement?

*Answer.* INL received edits from throughout the Department during the drafting and clearance process, including from EAP.

*Question.* What were INL's and EAP's arguments for and against mentioning China in the Secretary's press statement?

*Answer.* INL carefully weighed edits from throughout the building related to the proposed statement with the explicit goal of amplifying the action Treasury was taking against two Mexican and one Guatemalan nationals.

*Question.* Was Secretary Blinken aware of this internal debate or discussion prior to the release of the Secretary's press statement?

*Answer.* To the best of our knowledge, Secretary Blinken was not personally aware of any discussions or edits to this statement that took place during the review and clearance process referenced above.

*Question.* Was Deputy Secretary Sherman aware of this internal debate or discussion?

*Answer.* To the best of our knowledge, Deputy Secretary Sherman was not personally aware of any discussions or edits to this statement that took place during the review and clearance process referenced above.

*Question.* Was the decision to omit mention of China in the Secretary's press statement intended to avoid antagonizing the Chinese Communist Party or the People's Republic of China (PRC) Government ahead of Secretary Blinken's planned trip to China? Please begin your answer with a yes or no.

*Answer.* No such "decision" occurred as framed in your question. The Department's intention was to highlight Treasury's actions on this important crisis and the three actors who are now sanctioned as a result of their criminal actions.

## Smuggling Migrants at the Border Now a Billion-Dollar Business

*Submitted by Senator Ted Cruz*

2/15/23, 12:37 PM

Smuggling Migrants at the Border Now a Billion-Dollar Business - The New York Times

The New York Times | <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>

### ***Smuggling Migrants at the Border Now a Billion-Dollar Business***

With demand for smugglers on the rise, organized crime has moved in, with cruel and violent results.



By Miriam Jordan

July 25, 2022

CARRIZO SPRINGS, Texas — From the street, the little brown house was unremarkable yet pleasant. A bright yellow toy school bus and red truck hung on the hog-wire fence, and the home's facade featured a large Texas lone star. But in the backyard was a gutted mobile home that a prosecutor later described as a "house of horrors."

It was discovered one day in 2014, when a man called from Maryland to report that his stepfather, Moises Ferrera, a migrant from Honduras, was being held there and tortured by the smugglers who had brought him into the United States. His captors wanted more money, the stepson said, and were pounding Mr. Ferrera's hands repeatedly with a hammer, vowing to continue until his family sent it.

When federal agents and sheriff's deputies descended on the house, they discovered that Mr. Ferrera was not the sole victim. Smugglers had held hundreds of migrants for ransom there, their investigation found. They had mutilated limbs and raped women.

"What transpired there is the subject of science fiction, of a horror movie — and something we simply don't see in the United States," the prosecutor, Matthew Watters, told a jury when the accused smugglers went on trial. Organized crime cartels, he said, had "brought this terror across the border."

But if it was one of the first such cases, it was not the last. Migrant smuggling on the U.S. southern border has evolved over the past 10 years from a scattered network of freelance "coyotes" into a multi-billion-dollar international business controlled by organized crime, including some of Mexico's most violent drug cartels.



<https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>

1/7



2/15/23, 12:37 PM

Smuggling Migrants at the Border Now a Billion-Dollar Business - The New York Times

The deaths of 53 migrants in San Antonio last month who were packed in the back of a suffocating tractor-trailer without air conditioning — the deadliest smuggling incident in the country to date — came as tightened U.S. border restrictions, exacerbated by a pandemic-related public health rule, have encouraged more migrants to turn to smugglers.

While migrants have long faced kidnappings and extortion in Mexican border cities, such incidents have been on the rise on the U.S. side, according to federal authorities.

More than 5,046 people were arrested and charged with human smuggling last year, up from 2,762 in 2014.

Over the past year, federal agents have raided stash houses holding dozens of migrants on nearly a daily basis.

Title 42, the public health order introduced by the Trump administration at the beginning of the coronavirus pandemic, has authorized the immediate expulsion of those caught crossing the border illegally, allowing migrants to cross repeatedly in the hope of eventually succeeding. This has led to a substantial escalation in the number of migrant encounters on the border — 1.7 million in fiscal 2021 — and brisk business for smugglers.

In March, agents near El Paso rescued 34 migrants from two cargo containers without ventilation on a single day. The following month, 24 people being held against their will were found in a stash house.



The dense brush in South Texas conceals migrants and smugglers trying to evade detection by U.S. authorities. "You could hide a million elephants here," said Jerry Martinez, a captain in the Dimmit County Sheriff's Office. Christopher Lee for The New York Times

Law enforcement agents have engaged in so many high-speed chases of smugglers lately in Uvalde, Texas — there were nearly 50 such "bailouts" in the town between February and May — that some school employees said they failed to take a lockdown order seriously during a mass shooting in May because so many previous lockdowns had been ordered when smugglers raced through the streets.

<https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>

2/7

2/15/23, 12:37 PM

Smuggling Migrants at the Border Now a Billion-Dollar Business - The New York Times

Teófilo Valencia, whose 17- and 19-year-old sons perished in the San Antonio tragedy, said he had taken out a loan against the family home to pay the smugglers \$10,000 for each son's transport.

Fees typically range from \$4,000, for migrants coming from Latin America, to \$20,000, if they must be moved from Africa, Eastern Europe or Asia, according to Guadalupe Correa-Cabrera, an expert on smuggling at George Mason University.

For years, independent coyotes paid cartels a tax to move migrants through territory they controlled along the border, and the criminal syndicates stuck to their traditional line of business, drug smuggling, which was far more profitable.

That began to change around 2019, Patrick Lechleitner, the acting deputy director at U.S. Immigration and Customs Enforcement, told Congress last year. The sheer number of people seeking to cross made migrant smuggling an irresistible moneymaker for some cartels, he said.

The enterprises have teams specializing in logistics, transportation, surveillance, stash houses and accounting — all supporting an industry whose revenues have soared to an estimated \$13 billion today from \$500 million in 2018, according to Homeland Security Investigations, the federal agency that investigates such cases.



Rigs hauling migrants blend with the 20,000 trucks that travel daily on the I-35 freeway to and from Laredo, the country's busiest land port. Christopher Lee for The New York Times

Migrants are moved by plane, bus and private vehicles. In some border regions, such as the Mexican state of Tamaulipas, smugglers affix color-coded bands to the wrists of migrants to designate that they belong to them and what services they are receiving.

"They are organizing the merchandise in ways you could never imagine five or 10 years ago," said Ms. Correa-Cabrera.

Groups of Central American families who crossed the Rio Grande recently into La Joya, Texas, wore blue bracelets with the logo of the Gulf Cartel, a dolphin, and the word "entregas," or "deliveries" — meaning they intended to surrender to U.S. authorities and seek asylum. Once they had crossed the river, they were no longer the cartel's business.

<https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>

3/7

2/15/23, 12:37 PM

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Previously, migrants entering Laredo, Texas, waded across the river on their own and faded into the dense, urban landscape. Now, according to interviews with migrants and law enforcement officials, it is impossible to cross without paying a coyote connected to the Cartel del Noreste, a splinter of the Los Zetas syndicate.

Smugglers often enlist teenagers to transport arrivals to stash houses in working-class neighborhoods. After they gather several dozen people, they load the migrants onto trucks parked in Laredo's vast warehouse district around Killam Industrial Boulevard.

"Drivers are recruited at bars, strip joints, truck stops," said Timothy Tubbs, who was deputy special agent in charge of Homeland Security Investigations for Laredo until he retired in January.

2/15/23, 12:37 PM

Smuggling Migrants at the Border Now a Billion-Dollar Business - The New York Times



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5/7



2/15/23, 12:37 PM

Smuggling Migrants at the Border Now a Billion-Dollar Business - The New York Times

Before smugglers confronted the risk of crime, some migrants crossed back and forth daily, said Timothy Tuohy, a retired agent with Homeland Security investigations in Laredo, Texas, a busy smuggling corridor. Christopher Lee for The New York Times

Rigs hauling migrants blend with the 20,000 trucks that travel daily on the I-35 freeway to and from Laredo, the country's busiest land port. Border Patrol agents posted at checkpoints inspect only a fraction of all the vehicles to ensure traffic keeps flowing.

The tractor-trailer discovered on June 27 with its tragic cargo had passed through a checkpoint about 30 miles north of Laredo without arousing suspicions. By the time it stopped three hours later on a remote road in San Antonio, most of the 64 people inside had already died.

The driver, Homero Zamorano Jr., one of two men indicted on Thursday in connection with the tragedy, said that he was unaware that the air-conditioning system had failed.

The 2014 incident at the stash house in Texas resulted in the arrest of the perpetrators and a subsequent trial, providing an unusually vivid look at the brutal tactics of smuggling operations. Though kidnapping and extortion happen with some frequency, such trials with cooperating witnesses are relatively rare, federal law enforcement officials say. Fearing deportation, undocumented relatives of kidnapped migrants seldom call the authorities.

That case began in the thick brush country eight miles from the Rio Grande, in Carrizo Springs, a popular transit point for people trying to elude detection. "You could hide a million elephants here, this brush is so thick," said Jerry Martinez, a captain in the Dimmit County Sheriff's Office.

Mr. Ferrera, 54, the torture victim, first migrated to the United States in 1993, heading to construction sites in Los Angeles and San Francisco, where he made more than 10 times what he earned back in Honduras. He returned home a few years later.



Moises Ferrera lost mobility in his right hand after smugglers struck it repeatedly with a hammer. "I came here for a better life, to help my family," he said in court testimony. "This is how my hand ended up. This hand's not any good now to work with." Amanda Andrade-Rhodes for The New York Times

"In those days, you didn't need a coyote," he said in an interview from his home in Maryland. "I came and went a couple times."

<https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>

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2/15/23, 12:37 PM

Smuggling Migrants at the Border Now a Billion-Dollar Business - The New York Times

When he set out in early 2014, Mr. Ferrera knew that he would have to hire a smuggler to breach the border. In Piedras Negras, Mexico, a man promised to guide him all the way to Houston. Mr. Ferrera's stepson, Mario Pena, said he wired \$1,500 as payment.

After reaching Texas, Mr. Ferrera and several other migrants were delivered to the trailer in Carrizo Springs.

Before long, Mr. Ferrera's stepson received a call demanding an additional \$3,500. He said he did not have any more money.

The calls became frequent and menacing, Mr. Pena recalled in an interview; the smugglers let him hear the sound of his stepfather's shrieks and groans as a hammer came down on his fingers.

Mr. Pena managed to wire \$2,000 via Western Union, he said, but when the captors realized they could not collect the cash because it was a Sunday, they intensified their assaults.

Mr. Pena called 911.

Law enforcement agents found Mr. Ferrera in the trailer "severely, severely physically harmed, with lots of blood all over him, laying on a sofa" in the living room, according to testimony by one of the agents, Jonathan Bonds.

Another migrant, stripped down to his underwear, was squirming in pain, his bludgeoned hand held aloft, in the front bedroom. In the rear bedroom, agents encountered a nude woman, another migrant, who had just been raped by a smuggler who emerged naked from the bathroom.

The house's owner, Eduardo Rocha Sr., who went by Lalo and was identified as the leader of the smuggling ring, was arrested along with several others, including his son, Eduardo Rocha Jr. The younger Mr. Rocha testified that their cell was affiliated with the Los Zetas cartel and that over two years it had funneled hundreds of migrants into the United States and collected hundreds of thousands of dollars.

The elder Mr. Rocha was sentenced to life in prison. His son and the man who had carried out most of the physical abuse received 15- and 20-year sentences.

Mr. Ferrera testified at their trial. As a victim of a crime who had assisted law enforcement, he was allowed to remain in the United States. But his new life had come with a cost, which he displayed when he held up his right arm for the jury, the fingers now lifeless. "This is how my hand ended up," he said.

Susan C. Beachy contributed research.

# Terrorists Could be Among 1.2 Million Million U.S. Border “Gotaways”

Submitted by Senator Ted Cruz

2/16/23, 3:42 PM

Terrorists could be among 1.2 million million US border 'gotaways



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## 'Tremendous concern' that terrorists could be among 1.2 million million 'gotaways' that slipped into US: border chief

By MaryAnn Martinez

February 7, 2023 6:47pm Updated



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**BORDER SECURITY**  
**JOHN MODLIN**  
U.S. Customs & Border Protection  
Tucson Sector, Chief Patrol Agent

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A Border Patrol chief admitted his "tremendous concern" terrorists and spies have infiltrated into the country through the porous US-Mexico border during a Congressional hearing Tuesday morning.

The stunning response was an answer to a question asked during a border security hearing in which two US Border Patrol chiefs assigned to different parts of the international boundary testified.

Republican Congressman Paul Gosar of Arizona asked if terrorists or foreign agents could be among the 1.2 million "gotaways" — people Border Patrol have spotted on camera or by sight but been unable to stop getting into the country — since President Biden took office.

"To speculate who could possibly be in the 'gotaways' or the unknowns would just simply be speculation," said Chief Patrol Agent John Modlin, who heads up the Tucson sector of the agency.

2/16/23, 3:42 PM

Terrorists could be among 1.2 million million US border 'gotaways



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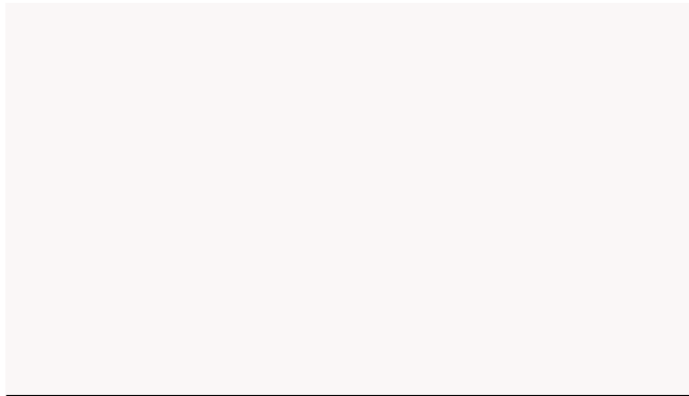


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Border Patrol Chief Patrol Agent John Modlin is in charge of the Tucson sector of the agency. Bloomberg via Getty Images

"All I can tell you is that it is a tremendous concern that anyone goes through the border undetected, but the reality is that we know that there are people getting by."



In the fiscal year 2022, Customs and Border Protection apprehended 98 people whose names appeared on the terror watchlist trying to enter the US illegally. Since the new year started in October 2022, 38 people identified as known terrorists, suspected terrorists, or associates of both were stopped from attempting to cross into the US.

A record-shattering 2.4 million migrants were encountered by federal agents at the border in the fiscal year 2022 — the most ever. The second highest year was 2021 when 1.7 million attempts to cross the southern border were made, according to federal statistics.



2/16/23, 3:42 PM

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Rio Grand Valley Sector Chief Patrol Agent Gloria Chavez said, "the world is watching" how the US handles the ongoing border crisis. Bloomberg via Getty Images

Rep. Byron Donalds, a Florida Republican, blamed President Biden's policies for the historic surge and asked immigration officials if they agreed.

"Interviewing [migrants] post-arrest, what became the most common response was that they believed that when the administration changed, the policy changed, and that there was an open border," stated the Tucson chief.

2/16/23, 3:42 PM

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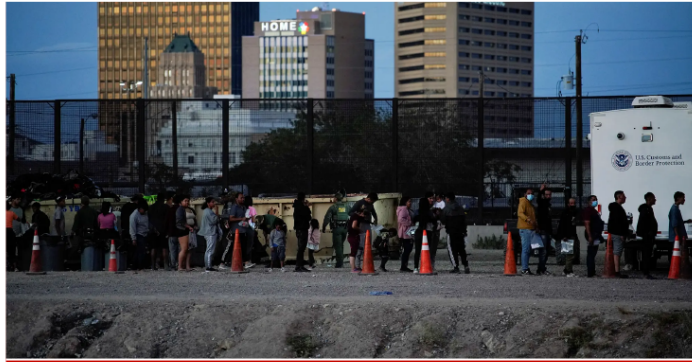
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El Paso, Texas became the epicenter of the migrant crisis in the last year and currently has the most migrant apprehensions in the entire nation. REUTERS

However, Modin added that while perception among those coming to the border may have shifted, the law and policies did not. He said immigration agents are not enforcing the law differently than they did under previous administrations.

Like many Congressional hearings, Tuesday's border hearing featured more political point-scoring than a discussion of how to fix problems. However, one lawmaker did ask the border chiefs what solutions they could offer to help end the border crisis.



1 of 3



Migrants who crossed the US-Mexico Border evade capture by a Customs and Border Protection officer on Jan. 4, 2023 James Keivom



Asylum-seeking migrants from Peru being Go Nakamura for New York Post

2/16/23, 3:42 PM

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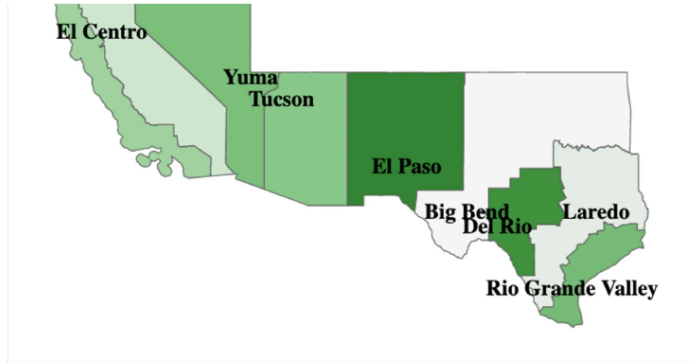
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A map of the Border Patrol sectors in the US. Courtesy: US Customs and Border Protection

Gloria Chavez, the chief of the Rio Grande Valley sector in Texas, said the men and women on the front lines should be helping lawmakers to reform immigration policy.

31 What do you think? Post a comment.

"Whenever Congress is ready to put that team together, look at Border Patrol agents to come in and advise you," Chavez stated. "If we don't have the right policies or consequences, the world is watching us — we're going to continue to see these large migration flows from around the world entering here at our southern border."

FILED UNDER ARIZONA, MIGRANTS, TEXAS, US BORDER, US CUSTOMS AND BORDER PROTECTION, 2/7/23

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## U.S. To Sanction Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis

*Submitted by Senator Bill Hagerty*

2/15/23, 11:59 AM

U.S. to Sanction Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis - United States Department of State

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## U.S. to Sanction Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis

PRESS STATEMENT

ANTHONY J. BLINKEN, SECRETARY OF STATE

JANUARY 30, 2023

The United States is determined to confront illicit fentanyl traffickers, including by exposing them and preventing them from accessing and exploiting the international financial system. Today, we are designating Mexican-based drug trafficker Jose Angel Rivera Zazueta and his two associates. These individuals used precursor chemicals to manufacture and smuggle fentanyl and other illicit synthetic drugs into the United States.

Illicit synthetic drugs pose a grave threat to the health and security of the people of the United States and other countries. Foreign-sourced illicit synthetic opioids, such as fentanyl, remain the deadliest drug threat to the American people. The CDC estimates that more than 100,000 Americans died of a drug overdose in 2021, with two-thirds of fatal overdoses involving synthetic opioids.

Today's action is part of a whole-of-government effort to disrupt and dismantle the transnational criminal organizations that facilitate the illicit fentanyl supply chain and other illicit drug trafficking.

TAGS

<https://www.state.gov/u-s-to-sanction-three-fentanyl-traffickers-contributing-to-the-u-s-opioid-crisis/#:~:text=U.S. to Sanction Three Fentanyl Traffickers...> 1/3

## Treasury Sanctions Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis

*Submitted by Senator Bill Hagerty*

2/15/23, 12:01 PM

Treasury Sanctions Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis | U.S. Department of the Treasury

### U.S. DEPARTMENT OF THE TREASURY

#### Treasury Sanctions Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis

January 30, 2023

WASHINGTON – Today, the Department of the Treasury's Office of Foreign Assets Control (OFAC) designated the leader of a Mexico-based network and two associates pursuant to Executive Order (E.O.) 14059 for procuring precursor chemicals to manufacture and traffic illicit fentanyl and other synthetic drugs to the United States. Today's action is the result of ongoing efforts by U.S. agencies to disrupt the importation into and distribution of illicit fentanyl within the United States. This action was coordinated closely with the government of Mexico and would not have been possible without the cooperation and support of the Drug Enforcement Administration.

"Illicit fentanyl has led to unprecedented overdose deaths in the United States, with a majority of these drugs flowing from Mexican cartels, including the Sinaloa Cartel, using precursor chemicals from East Asia," said Under Secretary of the Treasury for Terrorism and Financial Intelligence Brian E. Nelson. "The United States will continue working with the government of Mexico to disrupt this deadly trade."

Today's designation includes Mexican national **Jose Angel Rivera Zazueta (Rivera Zazueta)**, the leader of a drug manufacturing and trafficking organization based in Culiacan, Sinaloa and Mexico City, Mexico. Rivera Zazueta's network operates on a global scale with nodes in the United States, Mexico, South and Central America, Europe, Asia, Africa, and Australia. Rivera Zazueta imports precursor chemicals from China into Mexico, which are then used to manufacture synthetic drugs, including fentanyl, MDMA (ecstasy), crystal methamphetamine, 2C-B, and ketamine.

Rivera Zazueta has worked closely with OFAC-designated Chinese chemical transportation company Shanghai Fast-Fine Chemicals, which has shipped various, often falsely labeled, precursor chemicals to Drug Trafficking Organizations in Mexico for illicit fentanyl production intended for U.S. markets. OFAC designated Shanghai Fast Fine Chemicals on December 15, 2021, pursuant to E.O. 14059. Additionally, Rivera Zazueta is responsible for moving large quantities of cocaine from Colombia to the United States, Spain, Italy, Guatemala, Mexico, and other countries in Europe and Central America.

2/15/23, 12:01 PM

Treasury Sanctions Three Fentanyl Traffickers Contributing to the U.S. Opioid Crisis | U.S. Department of the Treasury

In addition to Rivera Zazueta, OFAC sanctioned his associates **Nelton Santiso Aguila (Santiso Aguila)**, a Mexican national, along with Guatemalan national **Jason Antonio Yang Lopez (Yang Lopez)**, for aiding in the procurement and importation of fentanyl precursor chemicals into Mexico for manufacturing, with the final product arriving in the United States.

OFAC designated Rivera Zazueta, Santiso Aguila, and Yang Lopez for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production pursuant to E.O. 14059.

## SANCTIONS IMPLICATIONS

As a result of today's action, all property and interests in property of these designated individuals that are in the United States or in the possession or control of U.S. persons must be blocked and reported to OFAC. OFAC's regulations generally prohibit all transactions by U.S. persons or persons within (or transiting) the United States that involve any property or interests in property of designated or otherwise blocked persons. U.S. persons may face civil or criminal penalties for violations of E.O. 14059.

Today's action is part of a whole-of-government effort to counter the global threat posed by the trafficking of illicit drugs into the United States that is causing the deaths of tens of thousands of Americans annually, as well as countless more non-fatal overdoses. OFAC, in coordination with its U.S. government partners and foreign counterparts, will continue to target and pursue accountability for foreign illicit drug actors.

U.S. sanctions need not be permanent; sanctions are intended to bring about a positive change of behavior. Consistent with the findings of Treasury's 2021 Sanctions Review, the removal of sanctions is available for persons designated under counter narcotics authorities who demonstrate a change in behavior and no longer engage in activities linked to international illicit drug trafficking or other sanctionable activity. For information concerning the process for seeking removal from any OFAC list, including the Specially Designated Nationals and Blocked Persons List, please refer to OFAC's Frequently Asked Question 897.

More information on the individuals designated today.

[View a chart on the individuals designated today](#) .

## Full Transcript of Biden's State of the Union Address

### *Submitted by Senator Bill Hagerty*

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### ***Full Transcript of Biden's State of the Union Address***

In his first State of the Union speech under a divided Congress, President Biden highlighted his economic record and appealed to Republicans to work with him.

Feb. 8, 2023

*President Biden delivered his annual State of the Union address on Tuesday to a joint session of Congress. The following is a transcript of his remarks, as recorded by The New York Times.*

Mr. Speaker: Thank you. You can smile, it's OK. Thank you, thank you, thank you. Thank you. Please.

Mr. Speaker: Madam Vice President. Our first lady and second gentleman. Good to see you guys up there. Members of Congress.

And by the way, Chief Justice, I may need a court order. She gets to go to the game tomorrow, next week; I have to stay home. We got to work something out here.

Members of the cabinet. Leaders of our military. Chief Justice, associate justices and retired justices of the Supreme Court. And to you, my fellow Americans.

You know, I start tonight by congratulating the 118th Congress and the new speaker of the House, Kevin McCarthy.

Speaker, I don't want to ruin your reputation, but I look forward to working with you.

And I want to congratulate the new leader of the House Democrats, the first African American minority leader in history, Hakeem Jeffries. He won in spite of the fact I campaigned for him.

Congratulations to the longest-serving leader in the history of the United States Senate, Mitch McConnell. Where are you, Mitch?

And congratulations to Chuck Schumer, another — you know, another term as Senate minority leader. You know, I think you — only this time you have a slightly bigger majority, Mr. Leader. You're the majority leader. About that much bigger?

Well, I tell you what, I want to give special recognition to someone who I think is going to be considered the greatest speaker in the history of the House of Representatives, Nancy Pelosi.

Folks, the story of America is a story of progress and resilience. Of always moving forward. Of never, ever giving up.

It's a story unique among all nations.

We're the only country that has emerged from every crisis we've ever entered stronger than we got into it.

Look, folks, that's what we're doing again.

Two years ago, the economy was reeling.

I stand here tonight after we have created, with the help of many people in this room, 12 million new jobs — more jobs created in two years than any president has created in four years, because of you all, because of the American people.

Two years ago — and two years ago, Covid had shut down, our businesses were closed, our schools were robbed of so much.

And today, Covid no longer controls our lives.

And two years ago, democracy faced its greatest threat since the Civil War.

And today, though bruised, our democracy remains unbowed and unbroken.

As we gather here tonight, we're writing the next chapter in the great American story, a story of progress and resilience. When world leaders ask me to define America, and they do, believe it or not, I say I can define it in one word, and I mean this: possibilities. We don't think anything is beyond our capacity. Everything is a possibility.

You know, we're often told that Democrats and Republicans can't work together.

But over the past two years, we proved the cynics and naysayers wrong.

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Yes, we disagreed plenty. And yes, there were times when Democrats went alone.

But time and again, Democrats and Republicans came together.

Came together to defend a stronger and safer Europe.

You came together to pass once-in-a-generation infrastructure law, building bridges connecting our nation and our people.

We came together to pass the most significant law ever helping victims exposed to toxic burn pits.

And in fact — it was important — and in fact, I signed over 300 bipartisan pieces of legislation since becoming president. From reauthorizing the Violence Against Women Act, the Electoral Count Reform Act, the Respect for Marriage Act that protects the right to marry the person you love.

And to my Republican friends, if we could work together in the last Congress, there's no reason we can't work together and find consensus on important things in this Congress as well.

Folks, you all are as informed as I am, but I think the people sent us a clear message. Fighting for the sake of fighting, power for the sake of power, conflict for the sake of conflict, gets us nowhere.

That's always been my vision of our country, and I know it's many of yours.

To restore the soul of this nation.

To rebuild the backbone of America, America's middle class.

And to unite the country.

We've been sent here to finish the job, in my view.

For decades, the middle class has been hollowed out, and more than — and no one administration, but for a long time.

Too many good-paying manufacturing jobs moved overseas. Factories closed down.

Once-thriving cities and towns that many of you represent became shadows of what they used to be.

And along the way, something else we lost.

Pride. Our sense of self-worth.

I ran for president to fundamentally change things, to make sure our economy works for everyone so we can all feel that pride in what we do.

To build an economy from the bottom up and the middle out, not from the top down. Because when the middle class does well, the poor have a ladder up and the wealthy still do very well. We all do well.

I know a lot of you always kid me for always quoting my dad, but my dad used to say, "Joey, a job is about a lot more than a paycheck." He really would say this. It's about a lot more than a paycheck. It's about your dignity. It's about respect. It's about being able to look your kid in the eye and say, "Honey, it's going to be OK," and mean it.

Well, folks, so let's look at the results. We're not finished yet by any stretch of the imagination. But unemployment rate is at 3.4 percent, a 50-year low. Near record — near record unemployment. Near record unemployment for Black and Hispanic workers.

We've already created, with your help, 800,000 good-paying manufacturing jobs, the fastest growth in 40 years.

And where is it written — where is it written that America can't lead the world in manufacturing? And I don't know where that's written.

For too many decades, we imported projects and exported jobs.

Now, thanks to what you've all done, we're exporting American products and creating American jobs.

Folks, inflation — inflation has been a global problem because the pandemic disrupted our supply chains and Putin's unfair and brutal war in Ukraine disrupted energy supplies as well as food supplies, blocking all that grain in Ukraine.

But we're better positioned than any country on earth right now.

But we have more to do. But here at home, inflation is coming down.

Here at home, gas prices are down \$1.50 from their peak.

Food inflation is coming down, not fast enough but coming down.

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Inflation has fallen every month for the last six months while take-home pay has gone up.

Additionally, over the last two years, a record 10 million Americans applied to start new businesses. Ten million.

And by the way, every time — every time someone starts a small business, it's an act of hope.

And Madam Vice President, I want to thank you for leading that effort to ensure that small businesses have access to capital and the historic laws we enacted that are going to just come into being.

Standing here last year, I shared with you a story of American genius and possibilities.

Semiconductors, small computer chips the size of a fingerprint that power everything from cellphones to automobiles and so much more. These chips were invented in America. Let's get that straight. They were invented in America.

And we used to make 40 percent of the world's chips.

In the last several decades, we lost our edge. We're down to only producing 10 percent. We all saw what happened during the pandemic when chip factories shut down overseas.

Today's automobiles need 3,000 chips, each of those automobiles. But American automobiles couldn't make enough cars because there weren't enough chips.

Car prices went up. People got laid off. So did everything from refrigerators to cellphones.

We can never let that happen again.

That's why — that's why we came together to pass the bipartisan CHIPS and Science Act.

Folks, I know I've been criticized for saying this, but I'm not changing my view. We're going to make sure the supply chain for America begins in America. The supply chain begins in America.

We've already created — we've already created 800,000 new manufacturing jobs without this law, before the law kicks in.

With this new law, we're going to create hundreds of thousands of new jobs across the country. And I mean all across the country. Throughout not just the coast, but through the middle of the country as well.

That's going to come from companies that have announced more than \$300 billion in investment in American manufacturing over the next few years.

Outside of Columbus, Ohio, Intel is building semiconductor factories on a thousand acres — literally a field of dreams.

It's going to create 10,000 jobs, that one investment. Seven thousand construction jobs. Three thousand jobs in those factories once they're finished — they call them factories.

Jobs paying an average of \$130,000 a year, and many do not require a college degree.

And jobs — because we worked together, these jobs where people don't have to leave home to search for opportunity.

And it's just getting started.

Think about the new homes, the small businesses, the big, the medium-size businesses — so much more that's going to be needed to support those 3,000 — those 3,000 permanent jobs in the factories that are going to be built.

Talk to mayors and governors, Democrats and Republicans, and they'll tell you what this means for their communities.

We're seeing these field of dreams transform the heartland.

But to maintain the strongest economy in the world, we need the best infrastructure in the world.

And folks, as you all know, we used to be No. 1 in the world in infrastructure. We've sunk to 13th in the world. The United States of America — 13th in the world in infrastructure, modern infrastructure.

But now we're coming back because we came together and passed the bipartisan infrastructure law, the largest investment in infrastructure since President Eisenhower's Interstate Highway System.

And folks, already, we've funded over 20,000 projects, including major airports from Boston to Atlanta to Portland.

Projects that are going to put thousands of people to work rebuilding our highways, our bridges, our railroads, our tunnels, ports, airports, clean water, high-speed internet all across America. Urban, rural, tribal.

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And folks, we're just getting started. We're just getting started. And I mean it sincerely. I want to thank my Republican friends who voted for the law.

And my Republican friends who voted against it as well. But I'm still — I still get asked to fund the projects in those districts as well, but don't worry.

I promised I'd be a president for all Americans.

We'll fund these projects. And I'll see you at the groundbreaking.

Look, this law — this law will further unite all of America.

Projects like Brent Spence Bridge in Kentucky over the Ohio River. Built 60 years ago. Badly in need of repairs. One of the nation's most congested freight routes carrying \$2 billion worth of freight every single day across the Ohio River. And folks have been talking about fixing it for decades, but we're really finally going to get it done.

I went there last month with Democrats and Republicans, and from both states, to deliver a commitment of \$1.6 billion for this project.

While I was there, I met a young woman named Saria, who is here tonight. I don't know where Saria is, is she up in the box? I don't know. Saria, how are you?

Well, Saria, for 30 years, for 30 years, I learned, she told me, she'd been a proud member of the Ironworkers Local 44, known as — known as the "cowboys in the sky." The folks who built — built Cincinnati's skyline.

Saria said she can't wait to be 10 stories above the Ohio River building that new bridge. God bless her. That's pride.

And that's what we're also building, we're building back pride.

Look, we're also replacing poisonous lead pipes that go into 10 million homes in America. Four hundred thousand school and child care centers, so every child in America, every child in America can drink the water instead of having permanent damage to their brain.

Look, we're making sure — we're making sure that every community, every community in America, has access to affordable, high-speed internet.

No parent should have to drive by a McDonald's parking lot to help them do their homework online with their kids, which many thousands were doing across the country.

And when we do these projects — and again, I get criticized for this but I make no excuses for it — we're going to buy American. We're going to buy American.

Folks — and it's totally, it's totally consistent with international trade rules. Buy American has been the law since 1933. But for too long, past administrations, Democrat and Republican, have fought to get around it.

Not anymore.

Tonight, I'm announcing new standards to require all construction materials used in federal infrastructure projects to be made in America. Made in America. I mean it.

Lumber, glass, drywall, fiber-optic cable.

And on my watch, American roads, bridges and American highways are going to be made with American products as well.

Folks, my economic plan is about investing in places and people that have been forgotten. So many of you listening to me tonight, I know you feel it. So many of you felt like you've just simply been forgotten. Amid the economic upheaval of the past four decades, too many people have been left behind and treated like they're invisible.

Maybe that's you, watching from home.

Remember the jobs that went away. You remember them, don't you? The folks at home remember them. You wonder whether the path even exists anymore for your children to get ahead without having to move away.

Well, that's why I get that.

That's why we're building an economy where no one's left behind.

Jobs are coming back, pride is coming back, because choices we made in the last several years. You know, this is, in my view, a blue-collar blueprint to rebuild America and make a real difference in your lives at home.

For example, too many of you lay in bed at night like my dad did, staring at the ceiling, wondering what in God's name happens if your spouse gets cancer or your child gets deadly ill or something happens to you.

What are you going to — are you going to have the money to pay for those medical bills? Or are you going to have to sell the house or try to get a second mortgage on it?

I get it, I get it. With the Inflation Reduction Act that I signed into law, we're taking on powerful interests to bring health care costs down so you can sleep better at night, with more security.

You know, we pay more for prescription drugs than any nation in the world. Let me say it again. We pay more for prescription drugs than any major nation on earth.

For example, one in 10 Americans has diabetes. Many of you in this chamber do, and in the audience.

But every day, millions need insulin to control their diabetes so they can literally stay alive. Insulin has been around for over 100 years. The guy who invented it didn't even patent it because he wanted it to be available for everyone. It costs the drug companies roughly \$10 a vial to make that insulin. Package it and all and you may get up to \$13.

But Big Pharma has been unfairly charging people hundreds of dollars, \$400 to \$500 a month, making record profits.

Not anymore. Not anymore. So many things that we did are only now coming to fruition. We said we were doing this and we said we passed the law to do it, but people didn't know because the law didn't take effect until Jan. 1 of this year.

We capped the cost of insulin at \$35 a month for seniors on Medicare.

People are just finding out. I'm sure you're getting the same calls I'm getting. Look, there are millions of other Americans who do not or are not on Medicare, including 200,000 young people with Type 1 diabetes who need this insulin to stay alive.

Let's finish the job this time.

Let's cap the cost of insulin for everybody at \$35.

Folks, Big Pharma is still going to do very well, I promise you all. I promise you, they're going to do very well. This law also caps — and it won't even go into effect until 2025 — the cost, out-of-pocket drug costs for seniors on Medicare at a maximum of \$2,000 a year. You don't have to pay more than \$2,000 a year no matter how much your drug costs are. Because you know why? You all know it. Many of you, like many in my family, have cancer. You know the drugs can range from \$10,000, \$11,000, \$14,000, \$15,000 for the cancer drugs.

And if drug prices rise faster than inflation, drug companies are going to have to pay Medicare back the difference.

And we're finally — finally giving Medicare the power to negotiate drug prices. Bringing down — bringing down prescription drug costs doesn't just save seniors money.

It cuts the federal deficit by billions of dollars, by hundreds of billions of dollars, because these prescription drugs are drugs purchased by Medicare to keep their commitment to the seniors. Well, guess what? Instead of paying \$400 or \$500 a month, you're paying \$15. That's a lot of savings for the federal government.

And by the way, why wouldn't we want that?

Now, some members here are threatening — and I know it's not an official party position so I'm not going to exaggerate — but threatening to repeal the Inflation Reduction Act. As my coach — that's OK. That's fair. As my football coach used to say, lots of luck in your senior year.

Make no mistake, if you try anything to raise the cost of prescription drugs, I will veto it.

Look — I'm pleased to say that more Americans have health insurance now than ever in history.

A record 16 million people are enrolled in the Affordable Care Act.

And thanks — thanks to the law I signed last year, saving — millions are saving \$800 a year on their premiums.

By the way, that law was written, and the benefit expires in 2025.

So my plea to some of you at least in this audience: Let's finish the job and make these savings permanent. Expand coverage of Medicaid.

Look, the Inflation Reduction Act is also the most significant investment ever in climate change. Ever.

Lowering utility bills, creating American jobs, leading the world to a clean energy future.

I've visited the devastating aftermath of record floods, droughts, storms and wildfires, from Arizona to New Mexico to all the way up to the Canadian border. More timber has been burned that I've observed from helicopters than the entire state of Missouri. And we don't have global warming? Not a problem.

In addition to emergency recovery from Puerto Rico to Florida to Idaho, we're rebuilding for the long term.

New electric grids that are able to weather major storms and not prevent those forest fires.

Roads and water systems to withstand the next big flood.

Clean energy to cut pollution and create jobs in communities often left behind.

We're going to build 500,000 electric vehicle charging stations installed across the country by tens of thousands of IBEW workers.

And we're helping families save more than \$1,000 a year with tax credits to purchase electric vehicles and efficient appliances, energy-efficient appliances.

Historic conservation efforts to be responsible stewards of our land.

Let's face reality.

The climate crisis doesn't care if you're in a red or blue state. It's an existential threat.

We have an obligation, not to ourselves, but to our children and our grandchildren to confront it. I'm proud of how America at last is stepping up to the challenge. We're still going to need oil and gas for a while. But guess what? No, we do. But there's so much more to do.

We've got to finish the job.

And we pay for these investments in our future by finally making the wealthiest and biggest corporations begin to pay their fair share. Just begin.

Look, I'm a capitalist. I'm a capitalist. But pay your fair share.

I think a lot of you at home — a lot of you at home agree with me and many people that you know. The tax system is not fair. It is not fair.

Look, the idea that in 2020, 55 of the largest corporations in America, the Fortune 500, made \$40 billion in profits and paid zero in federal taxes? Zero?

Folks, it's simply not fair.

But now, because of the law I signed, billion-dollar companies have to pay a minimum of 15 percent, God love them.

Fifteen percent.

That's less than a nurse pays. Let me be crystal clear: I said at the very beginning, under my plans, as long as I'm president, nobody earning less than \$400,000 will pay an additional penny in taxes.

Nobody. Not one penny.

But let's finish the job. There's more to do.

We have to reward work, not just wealth. Pass my proposal for the billionaire minimum tax. You know, there's a thousand billionaires in America. It's up from about 600 at the beginning of my term.

But no billionaire should be paying a lower tax rate than a schoolteacher or a firefighter. I mean it. Think about it.

I mean, look. I know you aren't enthusiastic about that, but think about it. Think about it. Have you noticed Big Oil just reported its profits? Record profits.

Last year, they made \$200 billion in the midst of a global energy crisis.

I think it's outrageous.

Why? They invested too little of that profit to increase domestic production, and when I talked to a couple of them, they say, "We're afraid you're going to shut down all the oil wells and all the oil refineries anyway, so why should we invest in them?"

I said, "We're going to need oil for at least another decade." And that's going to exceed — and beyond that — we're going to need it. Production. If they had in fact invested in the production to keep gas prices down — instead, they used the record profits to buy back their own stock, rewarding their C.E.O.s and shareholders.

Corporations ought to do the right thing.

That's why I propose we quadruple the tax on corporate stock buybacks and encourage long-term investments.

They'll still make considerable profit.

Let's finish the job and close the loopholes that allow the very wealthy to avoid paying their taxes.

Instead of cutting the number of audits for wealthy taxpayers, I just signed a law to reduce the deficit by \$114 billion by cracking down on wealthy tax cheats.

That's being fiscally responsible.

In the last two years, my administration has cut the deficit by more than \$1.7 trillion — the largest deficit reduction in American history.

Under the previous administration, the American deficit went up four years in a row.

Because those record deficits, no president added more to the national debt in any four years than my predecessor.

Nearly 25 percent of the entire national debt that took over 200 years to accumulate was added by just one administration alone, the last one. There are the facts, check it out. Check it out.

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How did Congress respond to that debt? They did the right thing.

They lifted the debt ceiling three times without preconditions or crisis.

They paid American bills to prevent an economic disaster to the country.

So tonight, I'm asking the Congress to follow suit.

Let's commit here tonight to the full faith and credit of the United States of America will never, ever be questioned.

Some of my Republican friends want to take the economy hostage — I get it — unless I agree to their economic plans. All of you at home should know what those plans are.

Instead of making the wealthy pay their fair share, some Republicans, some Republicans, want Medicare and Social Security to sunset. I'm not saying it's the majority.

Let me give you — anybody who doubts it, contact my office. I'll give you a copy — I'll give you a copy of the proposal. That means Congress doesn't vote — I'm glad to see — no, I tell you, I enjoy conversion.

You know, it means if Congress doesn't keep the programs the way they are, they go away.

Other Republicans say — I'm not saying it's a majority of you, I don't even think it's even a significant — but it's being proposed by individuals. I'm not — politely not naming them, but it's being proposed by some of you.

Look, folks, the idea is that we're not going to be — we're not going to be moved into being threatened to default on the debt if we don't respond.

Folks — so folks, as we all apparently agree, Social Security and Medicare is off the books now, right? They're not to be — all right. We've got unanimity.

Social Security and Medicare are a lifeline for millions of seniors. Americans have to pay into them from the very first paycheck they started.

So tonight, let's all agree — and we apparently are — let's stand up for seniors. Stand up and show them we will not cut Social Security. We will not cut Medicare.

Those benefits belong to the American people. They earned it.

And if anyone tries to cut Social Security, which apparently no one's going to do, and if anyone tries to cut Medicare, I'll stop them. I'll veto it. And look, I'm not going to allow them to take away — be taken away.

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Not today. Not tomorrow. Not ever. But apparently it's not going to be a problem.

Next month when I offer my fiscal plan, I ask my Republican friends to lay down their plan as well. I really mean it.

Let's sit down together and discuss our mutual plans together. Let's do that. I can tell you, the plan I'm going to show you is going to cut the deficit by another \$2 trillion.

And it won't cut a single bit of Medicare or Social Security.

In fact, we're going to extend the Medicare trust fund at least two decades. Because that's going to be the next argument, how do we keep it solvent, right?

Well, we'll not raise taxes on anyone making under 400 grand. But we'll pay for it the way we talked about, by making sure that the wealthy and big corporations pay their fair share.

Look, look, look, here's the deal. They're not just taking advantage of the tax code. They're taking advantage of you, the American consumer.

Here's my message to all of you out there: I have your back. We're already preventing Americans from receiving surprise medical bills, stopping \$1 billion surprise bills per month so far.

We're protecting seniors' life savings by cracking down on nursing homes that commit fraud, endanger patient safety, prescribe drugs that are not needed.

Millions of Americans can now save thousands of dollars because they can finally get a hearing aid over the counter without a prescription.

Look, capitalism without competition is not capitalism. It's extortion. It's exploitation.

Last year I cracked down, with the help of many of you, on foreign shipping companies that were making you pay higher prices for every good coming into the country.

I signed a bipartisan bill that cut shipping costs by 90 percent, helping American farmers, businessmen and consumers.

Let's finish the job.

Pass the bipartisan legislation to strengthen antitrust enforcement and prevent big online platforms from giving their own products an unfair advantage.

My administration is also taking on junk fees, those hidden surcharges too many companies use to make you pay more.

For example, we're making airlines show you the full ticket price upfront. Refund your money if your flight is canceled or delayed.

We've reduced exorbitant bank overdrafts by saving consumers more than \$1 billion a year.

We're cutting credit card late fees by 75 percent, from \$30 to \$8.

Look, junk fees may not matter to the very wealthy, but they matter to most other folks in homes like the one I grew up in, like many of you did. They add up to hundreds of dollars a month.

They make it harder for you to pay your bills or afford that family trip.

I know how unfair it feels when a company overcharges you and gets away with it.

Not anymore.

We've written a bill to stop it all. It's called the Junk Fee Prevention Act.

We're going to ban surprise resort fees that hotels charge on your bill. Those fees can cost you up to \$90 a night at hotels that aren't even resorts.

We — the idea that cable, internet and cellphone companies can charge you \$200 or more if you decide to switch to another provider — give me a break.

We can stop service fees on tickets to concerts and sporting events and make companies disclose all the fees upfront.

And we'll prohibit airlines from charging \$50 round trip for a family just to be able to sit together.

Baggage fees are bad enough. Airlines can't treat your child like a piece of baggage.

Americans are tired of being — we're tired of being played for suckers.

So pass — pass the Junk Fee Prevention Act so companies stop ripping us off.

For too long, workers have been getting stiffed, but not anymore.

We're beginning to restore the dignity of work.

For example, I should have known this but I didn't until two years ago: 30 million workers had to sign noncompete agreements with the jobs they take. Thirty million. So a cashier at a burger place can't walk across town and take the same job at another burger place to make a few bucks more. It just changed — well, they just changed it because we exposed it. That was part of the deal, guys. Look it up.

But not anymore.

We're banning those agreements so companies have to compete for workers and pay them what they're worth.

And I must tell you — this is bound to get a response from my friends on my left, but the right — I'm so sick and tired of companies breaking the law by preventing workers from organizing.

Pass the PRO Act because businesses have a right — workers have a right to form a union. And let's guarantee all workers have a living wage.

Let's make sure working parents can afford to raise a family with sick days, paid family medical leave, affordable child care. That's going to enable millions more people to go and stay at work.

And let's restore the full child tax credit, which gave tens of millions of parents some breathing room and cut child poverty in half, to the lowest level in history.

And by the way, when we do all of these things, we increase productivity. We increase economic growth.

So let's finish the job and get more families access to affordable, quality housing.

Let's get seniors who want to stay in their homes the care they need to do so. Let's give more breathing room to millions of family caregivers looking after their loved ones.

Pass my plan so we get seniors and people with disabilities the home care and services they need and support the workers who are doing God's work.

These plans are fully paid for, and we can afford to do them.

Restoring the dignity of work means making education an affordable ticket to the middle class.

You know, when we made public education — 12 years of it — universal in the last century, we became the best-educated, best-paid nation in the world.

But the rest of the world has caught up. It's caught up.

Jill, my wife, who teaches full time, has an expression — I hope I get it right, kid. "Any nation that out-educates us is going to outcompete us." Any nation that out-educates us is going to outcompete us.

Folks, we all know 12 years of education is not enough to win the economic competition of the 21st century.

If you want to have the best-educated work force, let's finish the job by providing access to preschool for 3- and 4-years-old.

Studies show that children who go to preschool are nearly 50 percent more likely to finish high school and go on to earn a two- or four-year degree, no matter their background they came from.

Let's give public-school teachers a raise.

We're making progress by reducing student debt, increasing Pell grants for working- and middle-class families.

Let's finish the job and connect students to career opportunities starting in high school. Provide access to two years of community college, the best career training in America, in addition to being a pathway to a four-year degree.

Let's offer every American a path to a good career whether they go to college or not.

And folks, folks, in the midst of the Covid crisis, when schools were closed and we were shutting down everything, let's recognize how far we came in the fight against the pandemic itself.

While the virus is not gone, thanks to the resilience of the American people and the ingenuity of medicine, we have broken the Covid grip on us.

Covid deaths are down by 90 percent.

We've saved millions of lives and opened up our — we've opened our country back up.

And soon we'll end the public health emergency.

But — that's called a public health emergency, but we'll remember the toll and pain that's never going to go away. More than a million Americans lost their lives to Covid. A million.

Families grieving. Children orphaned. Empty chairs at the dining room table constantly reminding you that she used to sit there.

Remembering them, we remain vigilant.

We still need to monitor dozens of variants and support new vaccines and treatments.

So Congress needs to fund these efforts and keep America safe.

And as we emerge from this crisis stronger, we're also got to double down on prosecuting criminals who stole relief money meant to keep workers and small businesses afloat.

Before I came to office, you remember, during that campaign, the big issue was about inspector generals who would protect taxpayers' dollars who were sidelined. They were fired. Many people said we don't need them. And fraud became rampant.

Last year, I told you the watchdogs are back. Since then, since then, we've recovered billions of taxpayer dollars.

Now, let's triple the anti-fraud strike force going after these criminals, double the statute of limitations on these crimes and crack down on identity fraud by criminal syndicates stealing billions of dollars, billions of dollars, from the American people.

And the data shows that for every dollar we put into fighting fraud, the taxpayers get back at least 10 times as much. It matters. It matters.

Look, Covid left its scars, like the spike in violent crime in 2020, the first year of the pandemic.

We have an obligation to make sure all people are safe.

Public safety depends on public trust, as all of us know. But too often that trust is violated.

Joining us tonight are the parents of Tyre Nichols — welcome — who had to bury Tyre last week. As many of you personally know, there's no words to describe the heartache or grief of losing a child.

But imagine, imagine if you lost that child at the hands of the law.

Imagine having to worry whether your son or daughter came home from walking down the street, playing in the park or just driving a car.

Most of us in here have never had to have the talk, the talk, that Brown and Black parents have had to have with their children. Beau, Hunter, Ashley, my children — I never had to have the talk with them.

I never had to tell them if a police officer pulls you over, turn your interior lights on right away. Don't reach for your license. Keep your hands on the steering wheel.

Imagine having to worry like that every single time your kid got in a car.

Here's what Tyre's mother shared with me when I spoke to her, when I asked her how she finds the courage to carry on and speak out.

The faith in God, she said her son was, quote, a beautiful soul and something good will come of this.

Imagine how much courage and character that takes.

It's up to us, to all of us.

We all want the same thing.

Neighborhoods free of violence.

Law enforcement who earns the community's trust. Just as every cop when they pin on that badge in the morning has a right to be able to go home at night, so does everybody else out there. Our children have a right to come home safely.

Equal protection under the law is a covenant we have with each other in America.

<https://www.nytimes.com/2023/02/08/us/politics/biden-state-of-the-union-transcript.html>



We know police officers put their lives on the line every single night and day. And we know we ask them in many cases to do too much — to be counselors, social workers, psychologists; responding to drug overdoses, mental health crises and so much more.

In one sense we ask much too much of them.

I know most cops and their families are good, decent, honorable people — the vast majority. But they risk — and they risk their lives every time they put that shield on.

But what happened to Tyre in Memphis happens too often.

We have to do better.

Give law enforcement the real training they need, hold them to higher standards, help them succeed in keeping us safe.

We also need more first responders and professionals to address the growing mental health substance abuse challenges.

More resources to reduce violent crime and gun crime, more community intervention programs, more investments in housing, education and job training.

All this can help prevent violence in the first place.

And when police officers or police departments violate the public trust, they must be held accountable.

With the support — with the support of the families of victims, civil rights groups and law enforcement, I signed an executive order for all federal officers banning chokeholds, restricting no-knock warrants and other key elements of the George Floyd Act.

Let's commit ourselves to make the words of Tyler's mom true: Something good must come from this. Something good.

And all of us, all of us — folks, it's difficult but it's simple. All of us in this chamber, we need to rise to this moment.

We can't turn away.

Let's do what we know in our hearts that we need to do.

Let's come together to finish the job on police reform.

Do something. Do something.

That was the plea of parents who lost their children in Uvalde — I met with every one of them. Do something about gun violence.

Thank God, thank God we did. Passing the most sweeping gun safety law in three decades.

That includes things like that the majority of responsible gun owners already support: enhanced background checks for 18- to 21-year-olds. Red flag laws keeping guns out of the hands of people who are a danger to themselves and others.

But we know our work is not done.

Joining us tonight is Brandon Tsay, a 26-year-old hero.

Brandon put his college dreams on hold to be at his mom's side, his mom's side when she was dying from cancer. And Brandon, Brandon now works at the dance studio started by his grandparents.

And two weeks ago, during the Lunar New Year celebrations, he heard the studio door close and he saw a man standing there pointing a semiautomatic pistol at him.

He thought he was going to die, but he thought about the people inside.

And in that instant, he found the courage to act and wrestled the semiautomatic pistol away from the gunman, who had already killed 11 people at another dance studio. Eleven.

He saved lives. It's time we do the same.

Ban assault weapons now. Ban them now. Once and for all.

I led the fight to do that in 1994.

In 10 years that ban was law, mass shootings went down. After we let it expire in a Republican administration, mass shootings tripled.

Let's finish the job and ban these assault weapons.

And let's also come together on immigration and make it a bipartisan issue once again.

We know we now have a record number of personnel working to secure the border, arresting 8,000 human smugglers, seizing over 23,000 pounds of fentanyl in just the last several months.

We've launched a new border plan last month. Unlawful migration from Cuba, Haiti, Nicaragua and Venezuela has come down 97 percent as a consequence of that.

But American border problems won't be fixed until Congress acts.

If we don't pass my comprehensive immigration reform, at least pass my plan to provide the equipment and officers to secure the border. And a pathway to citizenship for Dreamers, those on temporary status, farm workers, essential workers.

Here in the people's House, it's our duty to protect all the people's rights and freedoms.

Congress must restore the right, and the — Congress must restore the right that was taken away in Roe v. Wade and protect Roe v. Wade. Give every woman [inaudible] right.

The vice president and I are doing everything to protect access to reproductive health care and safeguard patient safety. But already, more than a dozen states are enforcing extreme abortion bans.

Make no mistake about it: If Congress passes a national ban, I will veto it.

But let's also pass — let's also pass the bipartisan Equality Act to ensure L.G.B.T.Q. Americans, especially transgender young people, can live with safety and dignity.

Our strength — our strength is not just the example of our power, but the power of our example. Let's remember the world is watching.

I spoke from this chamber one year ago, just days after Vladimir Putin unleashed his brutal attack against Ukraine.

A murderous assault, evoking images of death and destruction Europe suffered in World War II.

Putin's invasion has been a test for the ages. A test for America. A test for the world.

Would we stand for the most basic of principles?

Would we stand for sovereignty?

Would we stand for the right of people to live free of tyranny?

Would we stand for the defense of democracy?

For such defense matters to us because it keeps peace and prevents open season on would-be aggressors and threatens our prosperity. One year later, we know the answer.

Yes, we would, and we did. We did.

And together, we did what America always does at our best.

We led.

We united NATO. We built a global coalition.

We stood against Putin's aggression.

We stood with the Ukrainian people.

Tonight, we're once again joined by Ukraine's ambassador to the United States. She represents not just her nation, but the courage of her people.

Ambassador, our ambassador is here. We're united in our support of your country. Would you stand so we can all take a look at you? Thank you. Because we're going to stand with you as long as it takes.

Our nation is working for more freedom, more dignity and more peace, not just in Europe, but everywhere.

Before I came to office, the story was about how the People's Republic of China was increasing its power and America was failing in the world.

Not anymore.

We made clear, and I've made clear in my personal conversations, which have been many, with President Xi that we seek competition, not conflict.

But I will make no apologies that we're investing to make America stronger. Investing in American innovation, in industries that will define the future, that China intends to be dominating.

Investing in our alliances and working with our allies to protect advanced technologies so they will not be used against us.

Modernizing our military to safeguard stability and deter aggression.

Today, we're in the strongest position in decades to compete with China or anyone else in the world. Anyone else in the world.

And I am committed — I'm committed to work with China where we can advance American interests and benefit the world.

But make no mistake about it: As we made clear last week, if China threatens our sovereignty, we will act to protect our country. And we did.

Look, let's be clear: Winning the competition should unite all of us. We face serious challenges across the world.

But in the past two years, democracies have become stronger, not weaker.

Autocracy has grown weaker, not stronger. Name me a world leader who would change places with Xi Jinping. Name me one. Name me one.

America is rallying the world to meet those challenges, from climate to global health to food insecurity to terrorism to territorial aggression.

Allies are stepping up, spending more and doing more.

Look, the bridges we're forming between partners in the Pacific and those in the Atlantic. And those who bet against America are learning how wrong they are.

It's never, ever been a good bet to bet against America. Never.

Well — when I came to office, most assured the bipartisanship assumed was impossible. But I never believed it.

That's why a year ago, I offered a unity agenda to the nation as I stood here.

We've made real progress together.

We passed a law making it easy for doctors to prescribe effective treatments for opioid addiction.

We passed a gun safety law making historic investments in mental health.

We launched the ARPA-H drive for breakthrough in the fights against cancer, Alzheimer's and diabetes, and so much more.

We passed the Heath Robinson PACT Act, named after the late Iraq war veteran whose story about exposure to toxic burn pits I shared here last year. I understand something about those burn pits.

But there's so much more to do. And we can do it together.

Joining us tonight is a father named Doug from Newton, New Hampshire.

He wrote Jill, my wife, a letter, and me as well, about his courageous daughter Courtney. Her contagious laugh. His sister's best friend — her sister's best friend.

He shared a story all too familiar to millions of Americans, and many of you in the audience.

Courtney discovered pills in high school. It spiraled into addiction and eventually death from a fentanyl overdose.

She was just 20 years old.

Describing the last eight years without her, Doug said, "There's no worse pain."

Yet their family has turned pain to purpose, working to end the stigma and change laws.

He told us he wants to start a journey toward American recovery.

Doug, we're with you.

Fentanyl is killing more than 70,000 Americans a year. You got it.

So let's launch a major surge to stop fentanyl production, and the sale and trafficking, with more drug detection machines, inspection cargo, stop pills and powder at the border.

<https://www.nytimes.com/2023/02/08/us/politics/biden-state-of-the-union-transcript.html>

Working with couriers like FedEx to inspect more packages for drugs. Strong penalties to crack down on fentanyl trafficking.

Second, let's do more on mental health, especially for our children. When millions of young people are struggling with bullying, violence, trauma, we owe them greater access to mental health care at their schools.

We must finally hold social media companies accountable for experimenting they're doing running children for profit.

And it's time to pass bipartisan legislation to stop Big Tech from collecting personal data on our kids and teenagers online. Ban targeted advertising to children and impose stricter limits on the personal data the companies collect on all of us.

Third, let's do more to keep this nation's one truly sacred obligation: to equip those we send into harm's way and care for them and their families when they come home.

Job training, job placement for veterans and their spouses as they come to return to civilian life.

Helping veterans afford their rent because no one should be homeless in America, especially someone who served the country. Denis McDonough is here of the V.A. We had our first real discussion when I asked him to take the job. I'm glad he did.

We were losing up to 25 veterans a day on suicide. Now we're losing 17 a day to the silent scourge of suicide. Seventeen veterans a day are committing suicide. More than all the people being killed in the wars.

Folks, the V.A. is doing everything it can, including expanding mental health screenings. Proven program that recruits veterans to help other veterans understand what they're going through. Get them the help they need. We've got to do more.

And fourth, last year Jill and I reignited the cancer moonshot that I was able to start with President Obama — asked me to lead our administration on this issue.

Our goal is to cut the cancer death rates at least by 50 percent in the next 25 years. Turn more cancers from death sentences to treatable diseases. Provide more support for patients and their families.

It's personal for so many of us. So many of us in this audience.

Joining us are Maurice and Kandice, an Irishman and a daughter of immigrants from Panama.

They met and fell in love in New York City and got married in the same chapel as Jill and I got married in New York City.

Kindred spirits.

He wrote us a letter about his little daughter Ava, and I saw her just before I came over.

She was just a year old when she was diagnosed with a rare kidney disease, cancer.

After 26 blood transfusions, 11 rounds of radiation, eight rounds of chemo, one kidney removed. Given a 5 percent survival rate.

He wrote how in the darkest moments he thought, "If she goes, I can't stay." Many of you have been through that as well.

Jill and I understand that, like so many of you.

And he read Jill's book describing our family's cancer journey and how we tried to steal moments of joy where we could with Beau.

For them, that glimmer of joy was the half-smile of their baby girl. It meant everything to them.

They never gave up hope.

Little Ava never gave up hope. She turns 4 next month.

They just found out Ava is beating the odds, is on her way to being cured of cancer, and she's watching from the White House tonight if she's not asleep already.

For the lives we can save — for the lives we can save and the lives we've lost, let this be a truly American moment that rallies the country and the world together and proves that we can still do big things.

Twenty years ago, under the leadership of President Bush and countless advocates and champions, he undertook a bipartisan effort through PEPFAR to transform the global fight against H.I.V./AIDS. It's been a huge success. He thought big, he thought large. He moved.

I believe we can do the same thing with cancer.

Let's end cancer as we know it. Cure some cancers once and for all.

Folks, there's one reason why we've been able to do all of these things: our democracy itself.  
It's the most fundamental thing of all.  
With democracy, everything is possible. Without it, nothing is.  
For the last few years our democracy has been threatened and attacked, put at risk.  
Put to the test in this very room on Jan. 6.  
And then, just a few months ago, an unhinged Big Lie assailant unleashed political violence at the home of the then-speaker of the House of Representatives, using the very same language the insurrectionists used as they stalked these halls and chanted on Jan. 6.  
Here tonight in this chamber is the man who bears the scars of that brutal attack but is as tough and as strong and resilient as they get.  
My friend Paul Pelosi. Paul, stand up.  
But such a heinous act should have never happened.  
We must all speak out. There's no place for political violence in America. We have to protect the right to vote, not suppress that fundamental right. Honor the results of our elections, not subvert the will of the people. We have to uphold the rule of the law and restore trust in our institutions of democracy.  
And we must give hate and extremism in any form no safe harbor.  
Democracy must not be a partisan issue. It's an American issue.  
Every generation of Americans has faced a moment where they have been called to protect our democracy, defend it, stand up for it.  
And this is our moment.  
My fellow Americans, we meet tonight at an inflection point. One of those moments that only a few generations ever face, where the direction we now take is going to decide the course of this nation for decades to come.  
We're not bystanders of history. We're not powerless before the forces that confront us. It's within our power, of We the People. We're facing the test of our time.  
We have to be the nation we've always been at our best. Optimistic. Hopeful. Forward-looking.  
A nation that embraces light over dark, hope over fear, unity over division. Stability over chaos.  
We have to see each other not as enemies, but as fellow Americans. We're good people, the only nation in the world built on an idea. The only one.  
Other nations are defined by geography, ethnicity. But we're the only nation based on an idea: that all of us, every one of us, is created equal in the image of God. A nation that stands as a beacon to the world. A nation in a new age of possibilities.  
So I have come to fulfill my constitutional obligation to report on the state of the union. And here is my report.  
Because the soul of this nation is strong, because the backbone of this nation is strong, because the people of this nation are strong, the state of the union is strong.  
I'm not new to this place. I stand here tonight having served as long as about any one of you have ever served here. But I've never been more optimistic about our future, about the future of America. We just have to remember who we are.  
We're the United States of America, and there's nothing, nothing, beyond our capacity if we do it together.  
God bless you all, and may God protect our troops. Thank you.

## **FACT SHEET: In State of the Union, President Biden to Outline Vision To Advance Progress on Unity Agenda in Year Ahead**

*Submitted by Senator Bill Hagerty*

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FEBRUARY 07, 2023

### **FACT SHEET: In State of the Union, President Biden to Outline Vision to Advance Progress on Unity Agenda in Year Ahead**

During his first State of the Union address, President Biden announced a four-part Unity Agenda focused on areas where members of both parties can come together and make additional progress for the American people: ending cancer as we know it; delivering on the sacred obligation to veterans; tackling the mental health crisis; and beating the opioid and overdose epidemic.

Over the last year, the President was proud to work with Democrats and Republicans to enact major legislation that delivers on all aspects of this four-part agenda. In his State of the Union today, the President will announce a new set of policies to continue to make progress advancing his Unity Agenda and deliver results for families across the country.

#### **Accelerating Progress to End Cancer as We Know It Today**

Cancer has touched nearly every American family, and it remains the second leading cause of death in America. To accelerate progress in the fight against cancer, last year, the President and First Lady reignited the Cancer Moonshot with the goal of cutting U.S. cancer death rates by at least half in 25 years and improving the experience of individuals, caregivers, and families living with and surviving cancer. Over the past year, the Cancer Moonshot has announced nearly 30 new federal programs, policies and resources to close the screening gap, tackle environmental exposure, decrease preventable cancers, advance cutting-edge research, support patients and caregivers, and more. More than 60 private companies, non-profits, academic institutions, and patient groups have also answered the President's call and stepped up with new actions and collaborations. The President will call on Congress to act to end cancer as we know it, and the Cancer Moonshot will drive additional progress this year by:

**Bringing America's cancer research system into the 21st century.** As we work to continue the progress we've made over the last year, the Administration is urging Congress to reauthorize the National Cancer Act, which 52 years ago set up the National Cancer Institute (NCI) in its current form. The reauthorization will update the nation's cancer research and

care systems to put modern American innovation fully to work to end cancer as we know it. This includes standing up clinical trial networks, creating new data systems that break down silos, and ensuring that knowledge gained through research is available to as many experts as possible, so we can find answers faster and make a difference for patients. Working with Congress, we can also lock in the strong investment in cancer research that passed in 2016 as part of the broadly bipartisan 21<sup>st</sup> Century Cures Act, which otherwise expires this year.

**Providing patient navigation support to every American facing cancer.** The Biden-Harris Administration will take steps to ensure that patient navigation services – services that help guide individuals, caregivers, and families through cancer screening, diagnosis, treatment, and survivorship – are covered benefits going forward for as many people facing cancer as possible. These patient navigation services not only improve the experience for those patients and their families, they improve patient outcomes and provide value back to the health care system.

**Tackling the biggest single driver of cancer deaths in this country – smoking.** The Administration is preparing further action to help people avoid smoking in the first place and support Americans who want to quit. These steps could prevent as much as 30 percent of cancer deaths in this country, saving up to 130,000 American lives, annually. While we have made progress, tobacco products still hook too many young people at an early age and take control away from individual Americans to make the decision not to smoke. The Administration is working to put that control back in the hands of Americans.

During his first State of the Union address, President Biden cited the recent announcement of his plan to supercharge the Cancer Moonshot and called on Congress to fund **ARPA-H, the Advanced Research Projects Agency for Health**, to drive breakthroughs in cancer, Alzheimer's, diabetes, and other diseases. Since that time, the President and Congress have stepped up together to provide ARPA-H \$2.5 billion in initial investment. The President also signed into law the Inflation Reduction Act, which will lower prescription drug costs for tens of thousands of cancer patients with Medicare coverage. The Bipartisan Infrastructure Law will also help cut cancer deaths by accelerating clean-up at Superfund sites and helping states and communities replace lead pipes and service lines.

**Supporting America's Veterans and Their Families, Caregivers, and Survivors**

The President believes there is no more sacred obligation than taking care of our nation's military service members, veterans, and their families, caregivers, and survivors. On health care, education, and housing, the Administration and Congress have worked together to make progress to connect veterans and their families to needed resources. Over the past year, the Administration expanded benefits for veterans as well as their caregivers and survivors, and

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delivered more benefits and health care more quickly to more veterans than ever before. In 2022, VA processed an all-time record 1.7 million veteran claims, and delivered \$128 billion in earned benefits to 6.1 million veterans and survivors. In the State of the Union, the President will announce his Administration plans to continue that work by:

**Reducing veteran suicide.** Suicide among veterans is a public health and national security crisis. Since 2010, more than 71,000 veterans have died by suicide – more than the total number of deaths from combat during the Vietnam War and operations in Iraq and Afghanistan combined. Since releasing a comprehensive strategy for reducing military and veteran suicide, both DOD and VA reported declines in suicide deaths, but much more remains to be done. This will include actions to:

- Support states and territories. The Department of Veterans Affairs (VA) is working with the Departments of Health and Human Services (HHS) and Defense (DOD) to partner with 49 states and 5 territories through the Governor's Challenge. To help facilitate this work, VA will launch a new \$10 million program to provide federal resources to states, territories, Tribes and Tribal organizations to develop and implement proposals under the program.
- Increase lethal means safety: In the coming year, VA will deploy new resources to improve suicide risk identification and increase lethal means safety counseling and safe storage. VA will offer additional training for the 1.3 million community providers and expand KeepItSecure, the landmark lethal means safety campaign, with new resources and materials for providers, caregivers, family members of veterans, and gun shop owners to encourage safe storage of firearms and lethal medications.
- Expand outreach to justice involved veterans. Veterans who become involved in the criminal justice system may be at high risk of suicide. Through Veteran Treatment Courts and other justice outreach engagements, VA is able to provide veterans access to benefits and services that can be life-changing, and VA will accelerate hiring of veteran justice outreach professionals to expand these programs.
- Expand Access to Legal Support Services. VA will build upon and expand its current 28 Medical-Legal Partnerships. Family caregivers participating in VA's Program of Comprehensive Assistance will also be able to receive Financial and Legal Assistance later this year. VA will also award up to 75 grants under its new Legal Services for Homeless



Veterans and Veterans at Risk for Homeless (LSV-H) program to provide legal services to veterans who are homeless or at risk of homelessness.

**Expanding access to peer support, including mental health services.** Military service increases the risk of mental health problems and other adjustment challenges for veterans. Veteran Peer Specialists are a critical asset within VA's workforce, working across various programs to connect their fellow veterans to services, participate as members of health care teams, and provide individual and group-based peer support. Last year, VA pledged to hire an additional 280 peer specialists and is on track to meet this goal by the end of 2023. VA will increase the number of peer specialists working across VA medical centers by 350 over the next 7 years.

**Ensuring access to affordable, stable housing for low-income veterans.** Every veteran should have a roof over their head. The President's upcoming budget will triple the number of extremely low-income veterans who can access the assistance they need to afford rent over the years ahead, paving the path to an entitlement for those who have served our country. The number of veterans experiencing homelessness declined by 11% between 2020 and 2022 and the United States permanently housed more than 40,000 veterans in 2022 alone.

**Delivering high-quality job training for veterans and their spouses.** Roughly 200,000 service members transition from the military to civilian life each year. In the coming year, DOL's Veteran Employment and Training Service (DOL-VETS) will implement its Employment Navigator Partnership Pilot, which has already provided one-on-one career assistance to 6,500 transitioning service members and military spouses. And, the Department of Defense will use the Military Spouse Career Accelerator Pilot program, a 12-week paid fellowship program, to expand employment opportunities for eligible military spouses.

In last year's State of the Union, the President called for Congress to pass comprehensive legislation to address military toxic exposures. In August 2022, President Biden signed the bipartisan PACT Act into law, the most significant expansion of benefits and services for toxic exposed veterans in more than 30 years. Over the last year, the Administration also took critical action to help reduce veteran suicide, including transitioning the Veterans Crisis Line to "988, press 1." The Administration also expanded access to reproductive health services for women veterans, supported more than 2.3 million children living with wounded, ill, or injured service members through the First Lady's Joining Forces Initiative, and implemented key measures to protect veterans from predatory for-profit colleges.

**Tackling the Mental Health Crisis**

Forty percent of American adults report symptoms of anxiety and depression, and the percent of children and adolescents with anxiety and depression has risen nearly thirty percent. Last year, President Biden called for additional actions to advance his Mental Health Strategy across its three objectives: support Americans by creating healthy environments; strengthening system capacity, and connecting more Americans to care. Over the last year, the Administration invested critical resources to provide mental health and substance use supports to Americans, including by expanding Certified Community Behavioral Health Clinics, investing unprecedented resources in the 988 suicide prevention hotline, and taking steps to help address the harms of social media on youth. In the State of the Union, the President will say that we will continue that work by:

**Creating healthy environments.** Decades of research show that coordinating prevention and recovery support across settings can pay long-term dividends. The Biden-Harris Administration will:

- **Protect kids online.** There is compelling and growing evidence that social media and other tech platforms can be harmful to mental health, wellbeing and development. Children, adolescents, and teens are especially vulnerable to such harm. More than one-third of American teens say they use a major social media platform “almost constantly” and that they spend “too much time on social media.” Far too often, the platforms do not enforce their own terms of service with respect to minors who use their products and services. Children are also subject to the platforms’ excessive data collection vacuum, which they use to deliver sensational and harmful content and troves of paid advertising. Children also suffer from bullying, harassment, abuse, and even sexual exploitation by other users online. And platforms use manipulative design techniques embedded in their products to promote addictive and compulsive use by young people in the name of “user engagement” – all to generate more revenue. The Administration will build on the Surgeon-General’s Youth Mental Health Advisory, the Department of Health and Human Services’ new Center of Excellence on Social Media and Mental Wellness, *and the recent passage of the Children and Media Research Advancement Act.* Platforms and other interactive digital service providers should be required to prioritize the privacy and wellbeing of young people above profit and revenue in their product design, including safety by design standards and practices for online platforms, products, and services. The President is calling for bipartisan support to ban targeted advertising online for children and young people and enact strong protections for their privacy, health and safety online.

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- **Strengthen data privacy and platform transparency for all Americans:** Big Tech companies collect huge amounts of data on the things we buy, the websites we visit, and the places we go. There should be clear and strict limits on the ability to collect, use, transfer, and maintain our personal data, especially for sensitive data such as geolocation and health information, and the burden must fall on companies – not consumers – to minimize how much information they collect. We must also demand transparency about the algorithms companies use that far too often discriminate against Americans and sow division. The President has called for imposing much stronger transparency requirements on Big Tech platforms and is calling for bipartisan support to impose strong limits on targeted advertising and the personal data that companies collect on all Americans.
- **Support the mental health of the health workforce.** Even before the pandemic, health workers were experiencing high levels of burnout, anxiety, and depression. Studies have shown that burnout have reached crisis levels, affecting up to 54 percent of nurses and physicians. This year, the Centers for Disease Control and Prevention will launch a new campaign to provide a hub of mental health and resiliency resources to health care organizations in better supporting their workforce
- **Promote youth resilience.** While rates of anxiety, depression, and self-harm among youth have been on the rise over the past several years, there are also remarkable stories of hope and resilience. To help foster innovation in promoting resilience, HHS will launch a new Children and Youth Resilience Prize Challenge, awarding a total of \$750,000 in a new pilot program.

**Connecting more Americans to care.** On average, it takes 11 years after the onset of mental health symptoms for someone to seek treatment. We can do better. To mitigate these challenges, the Administration is working to make care more affordable and accessible across all types of health insurance, integrating mental health services into settings that are more familiar, such as schools, and expanding access to telehealth. To continue this progress, the Biden Administration will:

- **Improve school-based mental health.** The Department of Education (ED) will announce more than \$280 million in grants to increase the number of mental health care professionals in high-need districts and strengthen the school-based mental health profession pipeline. HHS and ED intend to issue guidance and propose a rule, respectively, to remove red tape for schools, making it easier for them to provide health care to students

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and more easily bill Medicaid funding for these critical services.

- **Strengthen parity.** This spring, the Administration will propose new rules to ensure that insurance plans are not imposing inequitable barriers to care and mental health providers are being paid by health plans on par with other health care professionals.
- **Enhance crisis services.** The Administration launched 988, the National Suicide & Crisis Lifeline, in 2022, making it easier for individuals experiencing a behavioral health crisis to receive timely care. In the coming year, HHS will improve the capacity of the 988 Lifeline by investing in an expansion of the crisis care workforce; scaling mobile crisis intervention services; and developing additional guidance on best practices in crisis response.
- **Expand access to telehealth.** HHS will triple resources dedicated to promoting interstate license reciprocity for delivery of mental health services across state lines. VA will launch a new nationwide network of behavioral health clinicians to ensure timely access to evidence-based mental health services to veterans enrolled in VA health care. And, DoD will continue to expand the BRAVE program, a virtual behavioral health center providing services 24/7 to service members and their families located on federal installations across the globe.

**Strengthening system capacity.** Severe shortages in the behavioral health workforce are at the center of the mental health crisis. In addition to implementing legislation passed by Congress that creates 350 new slots to help train the next generation of mental health professionals, the Administration will:

- **Recruit diverse candidates to the mental health profession:** HHS will increase funding to recruit future mental health professionals from Historically Black Colleges and Universities and to expand the Minority Fellowship Program.
- **Prioritize research:** The Office of Science and Technology Policy and Domestic Policy Council released the White House Report on Mental Health Research Priorities, which identifies key areas where additional scientific research is needed to address our national mental health crisis. These priorities will ensure coordination across the federal agencies and private sector partners that support or perform mental health research.

Last year, after the President called for addressing the nation's mental health crisis in the State of the Union, the Administration made important progress on expanding access to mental health services and treatment for substance use. President Biden signed into law the **Bipartisan Safer Communities Act**, which makes unprecedented investment in youth mental health and supports school-based health services. The Administration also oversaw the **successful transition to 988, the National Suicide & Crisis Lifeline, investing over \$500 million to strengthen 988 infrastructure** and grow local crisis-center capacity – a twenty-fold increase over the prior administration. The Biden Administration also developed new resources to support the mental health and resilience of frontline workers, **expanded Medicare coverage to include additional mental health and substance use disorder services**, and encouraged states to better address youth mental health for those with Medicaid coverage.

**Beating the Opioid and Overdose Epidemic by Accelerating the Crackdown on Fentanyl Trafficking and Public Health Efforts to Save Lives**

Last year, President Biden announced his plan to beat the opioid epidemic as part of his Unity Agenda, because opioid use and trafficking affect families in red communities and blue communities and every community in between. Under President Biden's leadership, overdose deaths and poisonings have decreased for five months in a row – but these deaths remain unacceptably high and are primarily caused by fentanyl. In the State of the Union, the President will announce key actions the Administration to tackle this issue head on, including by:

**Disrupting the trafficking, distribution, and sale of fentanyl.** In just the last year Customs and Border Protection (CBP) has seized a historic 260,000 pounds of illicit drugs primarily at ports of entry on our border, including nearly 15,000 pounds of fentanyl. The Drug Enforcement Administration and the White House Office of National Drug Control Policy's (ONDCP) High-Intensity Drug Trafficking Areas (HIDTA) program were involved in the seizure of more than 26,000 pounds of fentanyl in FY22—including 50.6 million fentanyl-laced counterfeit prescription pills—along with over 6,500 pounds of heroin, 335,000 pounds of methamphetamine, and 370,000 pounds of cocaine. The HIDTA seizures denied \$9 billion to drug traffickers, cutting into their profits. Further, through President Biden's *Executive Order on Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade*, the Department of the Treasury has imposed sanctions against dozens of individuals and entities involved in the illicit drug trade. To aggressively expand on this historic effort, the President will announce in the State of Union that his administration will:

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- Stop more fentanyl from getting into the U.S. at the Southwest Border Ports of Entry. By providing 123 new large-scale scanners at Land Points of Entry along the Southwest Border by Fiscal Year 2026, Customs and Border Protection (CBP) will increase its inspection capacity from what has historically been around two percent of passenger vehicles and about 17 percent of cargo vehicles to 40 percent of passenger vehicles and 70 percent of cargo vehicles. These investments will crack down on a major avenue of fentanyl trafficking, securing our border and keeping dangerous drugs from reaching our country.
- Stop more packages from being shipped into the United States with fentanyl and the materials used to make it. Drug traffickers use small, hard-to-track packages to ship opioids and other illicit materials into and within the United States, hidden among the millions of packages sent daily via commercial package delivery companies. That's why CBP is working with these companies to have them voluntarily provide data that help law enforcement identify, inspect and intercept suspicious packages. Through these combined public-private efforts, CBP has increased seizures in commercial package delivery services' warehouses from 42,000 pounds of illicit substances to more than 63,000 pounds in just the past two years. This year, CBP will expand these voluntary data sharing partnerships to capture more information – and, in turn, seize more packages.
- Lead a sustained diplomatic push that will address fentanyl and its supply chain abroad. The Administration will work with international partners to disrupt the global fentanyl production and supply chain, and call on others to join our efforts. We will focus on seizing chemical ingredients and fentanyl before it can reach our communities, and hold accountable the producers, traffickers, and facilitators of these deadly drugs. Many of these ingredients and materials originate outside our borders, and we will call on global partners to work with us and do more to disrupt the criminal elements within their countries who sell chemicals and tools for the production of counterfeit pills around the world.
- Work with Congress to make permanent tough penalties on suppliers of fentanyl. The federal government regulates illicitly produced fentanyl analogues and related substances as Schedule I drugs, meaning they are subject to strict regulations and criminal penalties. But traffickers have found a loophole: they can easily alter the chemical structure of fentanyl—creating “fentanyl related substances” (FRS)—to evade regulation and enhance the drug’s impact. The DEA and Congress temporarily closed this loophole by making all

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FRS Schedule I. The Administration looks forward to working with Congress on its comprehensive proposal to permanently schedule all illicitly produced FRS into Schedule I. Traffickers of these deadly substances must face the penalties they deserve, no matter how they adjust their drugs.

**Expanding access to evidence-based prevention, harm reduction, treatment, and recovery.** Over the last year, the Biden-Harris Administration took unprecedented steps to expand access to naloxone and other harm reduction interventions, such as permitting the use of \$50 million for local public health departments to purchase naloxone, releasing guidance to make it easier for programs to obtain and distribute naloxone to at-risk populations, and prioritizing the review of over-the-counter naloxone applications. The Administration has also fundamentally changed addiction treatment across the country by working with Congress to remove barriers that prevented medical professionals from prescribing treatment for opioid use disorder and pursuing rulemaking to make permanent the COVID-19 era flexibilities that allowed for telehealth prescribing of buprenorphine and take-home methadone doses. To further connect people to life-saving help, the Biden-Harris Administration will:

- Deliver more life-saving naloxone to communities hit hard by fentanyl. In late spring, HHS will take new steps to encourage and aid states in their efforts to use existing funding to purchase naloxone and distribute it in their communities. The Substance Abuse and Mental Health Services Administration (SAMHSA) will provide enhanced technical assistance to states who have existing State Opioid Response funds, and will host peer learning forums, national policy academies, and convenings with organizations distributing naloxone beginning this spring.
- Ensure every jail and prison across the nation can provide treatment for substance use disorder. Providing treatment while individuals are in jails and prisons, and continuing their treatment in their communities, has been proven to decrease overdose deaths, reduce crime, and increase employment during reentry. By this summer, the Federal Bureau of Prisons will ensure that each of their 122 facilities are equipped and trained to provide in-house medication-assisted treatment (MAT). Further, since more than 90 percent of individuals who are incarcerated are in state and local jails and prisons, the Centers for Medicare and Medicaid Services will provide guidance this spring allowing states to use Medicaid funds to provide health care services—including treatment for people with substance use disorder—to individuals in those facilities prior to their release.

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- Build on historic progress to drastically expand access to medications for opioid use disorder. The Biden-Harris Administration will further expand access to treatment by working with medical professionals to make prescribing proven treatments, including buprenorphine for opioid use disorder, part of routine health care delivery and ensure that manufacturers, wholesalers, and pharmacies are making medications available to everyone with a prescription.
- Launch a national campaign to educate young people on the dangers of fentanyl, and how naloxone saves lives. The Ad Council's Real Deal on Fentanyl campaign has raised awareness about the dangers of fentanyl among youth. ONDCP and the Ad Council will build on this work by launching a naloxone education component of the campaign, which will reach the young people who are the fastest-growing age group to experience opioid overdose and poisoning by engaging popular social media platforms, college athletes and campus-based organizations. The campaign will also develop media to be shared on college campuses, in bars, public transportation stations, and retail locations to educate young people about the dangers of fentanyl and highlight naloxone resources.

During his first State of the Union address, President Biden called on Congress to get rid of outdated rules that stop doctors from prescribing treatments and provide law enforcement with the tools necessary to stop the flow of illicit drugs like fentanyl. In his State of the Union today, President Biden will highlight a bipartisan effort that delivered on his promise by **passing the MAT Act**, which removed the X-waiver as a barrier for health care providers prescribing life-saving medications for opioid use disorder at a time when fewer than 1 out of 10 of Americans can access the treatment they need. President Biden also signed into law the Consolidated Appropriations Act that included a **two-year extension to classify fentanyl-related substances as Schedule I substances** under the Controlled Substances Act, ensuring law enforcement has the tools they need to respond to the manufacture and trafficking of illicitly manufactured synthetic opioids driving the overdose epidemic.

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