Commission on Combating Synthetic Opioid Trafficking

Initial Report

The Director of the Office of National Drug Control Policy
The Administrator of the Drug Enforcement Administration
The Secretary of Homeland Security
The Secretary of Defense
The Secretary of the Treasury
The Secretary of State
The Director of National Intelligence
EXECUTIVE SUMMARY

CHARGE

The Commission on Combating Synthetic Opioid Trafficking (“the Commission”), established under Section 7221 of the National Defense Authorization Act for Fiscal Year 2020, is charged with developing a consensus on a strategic approach to combating the flow of synthetic opioids into the United States. This document describes how the Commission will conduct the research and analysis leading to a final report on developing that consensus approach.

Per the law, the nine duties of the Commission are as follows:

1. To define the core objectives and priorities of the strategic approach [to combating the flow of synthetic opioids into the United States].

2. To weigh the costs and benefits of various strategic options to combat the flow of synthetic opioids from the People’s Republic of China, Mexico, and other countries of concern with respect to trafficking in synthetic opioids.

3. To evaluate whether the options described in [the second duty] are exclusive or complementary, the best means for executing such options, and how the United States should incorporate and implement such options within the strategic approach [to combating the flow of synthetic opioids into the United States].

4. To review and make determinations on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

5. To report on efforts by actors in the People’s Republic of China to subvert United States laws and to supply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

6. To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls with respect to such substances in the People’s Republic of China and other countries that allow opioid traffickers to subvert such regulations and controls to traffic illicit opioids into the United States.

7. To report on the scale of contaminated or counterfeit drugs originating from Mexico, the People’s Republic of China, India, and other countries of concern with respect to the exportation of contaminated or counterfeit drugs.

8. To report on how the United States could work more effectively with subnational and local officials in the People’s Republic of China and other countries to combat the illicit production of synthetic opioids.

9. In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government. 1
EXECUTIVE SUMMARY

MEETING THE CHARGE

A comprehensive assessment and review of available and emerging information is necessary to meet the Commission’s charge. To accomplish these duties, the Commission must first scope the project’s objective and priorities to arrive at a robust understanding of the problem set that can contribute to comprehensive and consensus-based strategies for Congress and the executive branch. It is imperative that the Commission answers the appropriate questions to help elucidate this new, cross-cutting, and challenging phenomenon of synthetic opioid trafficking.

The final report will address the following or similar research questions:

- What are the recent advances in synthetic opioid production, and how have they enhanced illegal production capacity overseas?
- In overseas production, what has changed about the source countries involved, the chemicals used in manufacture, and the final products produced?
- What are the regional and national trends in the seizures of synthetic opioids?
- What are the regional and national trends in overdose deaths involving synthetic opioids?
- To what extent is demand for illegally sourced opioids changing?
- How do seizure trends vary by chemical composition, by port of entry, and over time?
- What have been the developments in online sourcing of synthetic opioids through the dark web specifically and the internet more generally?
- What steps have been taken to address illegal production overseas, and what gaps in reducing production remain?
- Regarding U.S. interdiction efforts aimed at rapidly responding to emerging and rapidly changing threats, what are the lessons learned and practices taken, what gaps remain, and what additional actions could be taken?
- How are drug markets affected by synthetic opioids, and what might that mean for available policy interventions?
- What strategies outside of existing practices may offer some means to reduce the scope of the problem, including overdoses?

TASKS

The Commission’s scope of work encompasses several key priority areas that span strategy and policy, a descriptive understanding of foreign supply and other emerging problems, and an assessment of existing regulatory or policy gaps. To meet its statutorily defined duties, the Commission will accomplish six tasks and include findings from these tasks in the final report to shed light on the illegal supply of synthetic opioids. The six tasks are as follows:

1. Create a scoping document.
2. Summarize the history, context, and state of synthetic opioid production methods.
4. Describe the extent of online sourcing.
5. Summarize the roles and regulatory capacities in the United States and abroad.
6. Map the gaps in knowledge.
METHODOLOGICAL APPROACH

The Commission’s work will take a mixed-method approach that incorporates (1) *quantitative secondary data analysis*, including descriptive trends, hypothesis tests, and visual comparisons, and (2) *qualitative analysis*, including interviews with subject-matter experts and key stakeholders in the U.S. government and elsewhere, site visits, document reviews (unclassified, sensitive, and classified), and literature reviews. These methods will help the Commission build a comprehensive portrait of the problem and how it has changed in the past several years. The Commission will focus on data that highlight the regional and national trends concerning emerging synthetic opioid compounds, production sources, the evolution of precursor chemicals used in the compounds, and trafficking routes and destinations. The end result of this research will incorporate other questions raised by the Commission during the course of the work. The Commission might also request that qualified outside consultants serve as subject-matter experts to contribute to and extend efforts.

DOCUMENTING THE FINDINGS

The six tasks and others set forth by the Commission will culminate in a final report that exhaustively describes the problem and recent trends, maps the gaps in knowledge and regulation, posits key conceptual framing for why this problem deviates from prior drug problems and is challenging available policies and resources, and puts forward a consensus approach that will guide future policymaking with the goal of saving American lives and reducing the illegal flow of synthetic opioids.

TIMELINE

The statutory language creating the Commission requires that the final report be submitted, at most, 540 days after enactment of legislation, which occurred in December 2019. The original final date of submission was to be June 2021. Due to complications from coronavirus disease 2019 and other matters, the Commission has extended the deadline of the final report to October 2021. The Commission will likely extend this deadline further by no more than 120 days, or through February 8, 2022, to ensure the completion of a comprehensive report as described in this document.
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Chapter 1
INTRODUCTION

The Commission on Combating Synthetic Opioid Trafficking (“the Commission”), established under Section 7221 of the National Defense Authorization Act for Fiscal Year 2020, is charged with developing a consensus on a strategic approach to combating the flow of synthetic opioids into the United States. The Commission will examine all aspects of the synthetic drug threat to the United States and produce a final report that develops and articulates a consensus, bipartisan, strategic approach to combating the flow of synthetic opioids, which have been a driver of overdose deaths since 2015. The challenge of reducing synthetic opioid production, importation into the United States, and other related harms incorporates several aspects of national security, homeland security, intelligence, legal, supply chain, and other areas related to demand. Addressing this challenge requires both a whole-of-nation and a globally coordinated approach addressing supply and demand.

The ongoing opioid crisis in the United States remains a key public health and public security challenge that has evolved rapidly since the emergence of fentanyl and other synthetic opioids, but it also has continued to worsen during the coronavirus disease 2019 (COVID-19) pandemic. Decades of improper prescribing of prescription analgesics have led to a large group of Americans who use opioids, and some of those individuals have developed an opioid-use disorder. Starting in 2014, illegal suppliers of drugs catering to this user base began to supply illicit drug markets with potent and cheaper alternatives, such as fentanyl and other synthetic opioids that are available for purchase online or can be synthesized with minimal technical and chemical inputs. Mexican drug-trafficking organizations are increasingly supplying fentanyl over traditional plant-based opiates, such as heroin. Most alarmingly, illegal suppliers have now started pressing fentanyl powder into counterfeit tablets made to look like genuine prescription products.

Fentanyl, though an essential medication used every day in anesthesia and for end-of-life cancer pain, poses acute life-threatening risks to those who use drugs but also has driven a fundamental change in illegal drug markets. The dominance of fentanyl and other synthetic opioids in long-standing heroin markets suggests that more-potent opioids can displace traditionally misused opioids. This shift is a technological leap for illegal suppliers and dealers who stand to benefit from a market transition to cheaper and more-potent alternatives that are easier to produce and conceal and that necessitate more-frequent dosing by consumers.

Although illegally produced fentanyl and other synthetic opioids entered illicit drug markets in the United States as early as the late 1970s, the short-term rise and dominance of these chemicals poses a substantial challenge to available policy tools and responses. Prior outbreaks involving fentanyl or similar analogs were short-lived and localized to a few heroin markets. That is not true for this most recent fentanyl outbreak, which continues to worsen. Since 2013, overdose deaths involving synthetic opioids, predominantly illegally manufactured fentanyl, have continued to rise. The annual number of U.S. overdose deaths involving synthetic opioids jumped from 3,000 in 2013 to 60,000 in 2020.1 Globalization and advances in encrypted communication and trade have helped facilitate the emergence of novel drugs, synthesis methods, and synthetic opioids. The lack of government oversight of chemical controls and large industries overseas, particularly in China, has contributed to regulatory environments that are conducive to illegal groups. It is clear that the current outbreak, having worsened during COVID-19, is far from over and that suppliers are likely to continue to favor synthetic opioids over heroin, given

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1 Globalization and advances in encrypted communication and trade have helped facilitate the emergence of novel drugs, synthesis methods, and synthetic opioids. The lack of government oversight of chemical controls and large industries overseas, particularly in China, has contributed to regulatory environments that are conducive to illegal groups. It is clear that the current outbreak, having worsened during COVID-19, is far from over and that suppliers are likely to continue to favor synthetic opioids over heroin, given.
their economic advantages and other pharmacological factors (e.g., tolerance) that shape opioid markets. New strategies and approaches are needed to address this growing problem of increased complexity.

COMMISSION DUTIES

As noted, the Fiscal Year 2020 National Defense Authorization Act established the Commission to develop a consensus on a strategic approach to reduce the flow of synthetic opioids to the United States. To that end, the Commission will publish a final report on items involving the illegal manufacturing and trafficking of synthetic opioids and the deficiencies in countering their production and distribution. This report and the findings therein will allow the Commission to propose recommendations to appropriate congressional committees and executive agencies. Per the law, the nine duties of the Commission are as follows:

(1) To define the core objectives and priorities of the strategic approach [to combating the flow of synthetic opioids into the United States].

(2) To weigh the costs and benefits of various strategic options to combat the flow of synthetic opioids from the People’s Republic of China, Mexico, and other countries of concern with respect to trafficking in synthetic opioids.

(3) To evaluate whether the options described in [the second duty] are exclusive or complementary, the best means for executing such options, and how the United States should incorporate and implement such options within the strategic approach [to combating the flow of synthetic opioids into the United States].

(4) To review and make determinations on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People’s Republic of China to subvert United States laws and to supply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls with respect to such substances in the People’s Republic of China and other countries that allow opioid traffickers to subvert such regulations and controls to traffic illicit opioids into the United States.

(7) To report on the scale of contaminated or counterfeit drugs originating from Mexico, the People’s Republic of China, India, and other countries of concern with respect to the exportation of contaminated or counterfeit drugs.

(8) To report on how the United States could work more effectively with subnational and local officials in the People’s Republic of China and other countries to combat the illicit production of synthetic opioids.

(9) In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.
OUTPUTS, OBJECTIVES, AND PRIORITIES

The first of the Commission’s duties is to define core objectives and priorities. To that end, the Commission explored several underlying research questions seeking to elucidate trends in supply, other emerging developments, gaps in regulations, and lessons learned (see Chapter 2). The final report’s objective is to comprehensively describe the landscape in recent years, the problem as the Commission understands it, and potential paths forward with the goal of saving American lives and reducing the illegal production and importation of synthetic opioids.

The priorities of this Commission are manifold but emphasize elements of the illegal supply of highly potent synthetic opioids that are diffusing into contemporary illegal drug markets, resulting in the deaths of tens of thousands of Americans each year. Although the term synthetic opioid is broad and encompasses such medications as methadone and tramadol, the Commission is focused primarily on illegally manufactured fentanyl, its analogs, and other non-fentanyl synthetic opioids that fall outside of existing drug controls in the United States or internationally and are supplied or are potentially supplied into illicit drug markets in the United States.

TIMELINE

The statutory language creating the Commission requires that the final report be submitted, at most, 540 days after enactment of legislation, which occurred in December 2019. The original final date of submission was to be June 2021. Due to complications from COVID-19 and other matters, the Commission has extended the deadline of the final report to October 2021. The Commission will likely extend this deadline further by no more than 120 days, or through February 8, 2022, to ensure the completion of a comprehensive report as described in this document.

The next chapter describes the Commission’s tasks and approaches to accomplishing its congressionally mandated duties. Chapter 3 describes how the Commission will document its findings.
Chapter 2

THE COMMISSION’S DUTIES: TASKS AND APPROACHES

A comprehensive assessment and review of available and emerging information is necessary to meet the Commission’s charge as set forth in the Fiscal Year 2020 National Defense Authorization Act. To accomplish these duties, the Commission must first scope the objective and priorities to arrive at a robust understanding of the problem set that can contribute to comprehensive and consensus-based strategies for Congress and the executive branch. It is imperative that the Commission answers the appropriate questions to help elucidate this new, cross-cutting, and challenging phenomenon of synthetic opioid trafficking.

The final report will address the following or similar research questions:

- What are the recent advances in synthetic opioid production, and how have they enhanced illegal production capacity overseas?
- In overseas production, what has changed about the source countries involved, the chemicals used in manufacture, and the final products produced?
- What are the regional and national trends in the seizures of synthetic opioids?
- How do seizure trends vary by chemical composition, by port of entry, and over time?
- What have been the developments in online sourcing of synthetic opioids through the dark web specifically and the internet more generally?
- What steps have been taken to address illegal production overseas, and what gaps in reducing production remain?
- Regarding U.S. interdiction efforts aimed at rapidly responding to emerging and rapidly changing threats, what are the lessons learned and practices taken, what gaps remain, and what additional actions could be taken?
- How are drug markets affected by synthetic opioids, and what might that mean for available policy interventions?
- What strategies outside of existing practices may offer some means to reduce the scope of the problem, including overdoses?

Although nearly all synthetic opioids are illegally imported, trends in how they are sourced and how they flow to markets have changed in recent years. Nevertheless, the producers of the chemical and active pharmaceutical ingredients in Asia are likely still the primary sources for drug-trafficking groups in Mexico, which are increasingly synthesizing fentanyl. To complicate matters, these drugs are sometimes available online and can be shipped to buyers directly through the postal system or express consignment carriers. Overall, it appears that trends have changed across the following dimensions:

1. chemicals
2. manufacturing techniques
3. manufacturing locations
4. shipping and trafficking routes
5. U.S. destinations
6. customs ports of entry
7. demand across markets.

Using publicly available and privileged data sources from U.S. law enforcement and other international partners, the Commission’s work will assess illegal production and distribution of synthetic opioids that are imported into the United States. The effort will include a review of synthesis methods and how they have changed, the evolution of precursor chemicals used in the illegal manufacture of synthetic opioids, the means by which synthetic opioids are supplied and imported to the United States, and other ongoing developments related to regulatory responses and control efforts overseas and in the United States.

TASKS AND METHODS

The Commission’s scope of work encompasses several key priority areas that span strategy and policy, a descriptive understanding of foreign supply and other emerging problems, and an assessment of existing regulatory or policy gaps. To meet its statutorily defined duties, the Commission will accomplish six tasks and include findings from these tasks in the final report to shed light on the illegal supply of synthetic opioids. The six tasks are as follows:

1. Create a scoping document.
2. Summarize the history, context, and state of synthetic opioid production methods.
4. Describe the extent of online sourcing.
5. Summarize the roles and regulatory capacities in the United States and abroad.
6. Map the gaps in knowledge.

Throughout these tasks, the Commission’s work will take a mixed-method approach that incorporates (1) quantitative secondary data analysis, including descriptive trends, hypothesis tests, and visual comparisons, and (2) qualitative analysis, including interviews with subject-matter experts and key stakeholders in the U.S. government and elsewhere, site visits, document reviews (unclassified, sensitive, and classified), and literature reviews. Collectively, both approaches allow for greater triangulation of this emerging problem to build a more comprehensive picture for decisionmaking.

The Commission will focus on data since 2013 that highlight the regional and national trends concerning emerging synthetic opioid compounds, production sources, the evolution of precursor chemicals used in the compounds, and trafficking routes and destinations. The end result of this research will incorporate other questions raised by the Commission during the course of the work. The Commission might also request that qualified outside consultants serve as subject-matter experts to contribute to and extend efforts.

Table 2.1 outlines the thematic focus of each of the nine Commission duties and how each duty aligns with the six tasks. This section explains in greater detail each task and the approach and methodology employed for each.

Task 1: Create a Scoping Document

The scoping document will outline the Commission’s charge and scope of work. Per the requirements set forth by the Commission (see Chapter 1), the document will define the scope of analysis for the final report and serve as a discussion document to inform the initial report. Findings from the next five tasks will be included in the final report.
Table 2.1

Each Commission Duty’s Thematic Focus and Alignment with Commission Tasks

<table>
<thead>
<tr>
<th>§7721(c)</th>
<th>Commission Duty</th>
<th>Thematic Focus</th>
<th>Commission Tasks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Define objectives and priorities.</td>
<td>Core objectives and priorities</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Weigh the costs and benefits of strategic options.</td>
<td>Strategy and policy</td>
<td>2–6</td>
</tr>
<tr>
<td>3</td>
<td>Evaluate the exclusivity or complementarity of the strategic options.</td>
<td>Strategy and policy</td>
<td>2–6</td>
</tr>
<tr>
<td>4</td>
<td>Make determinations to effectuate meaningful regulation of dangerous synthetic opioids.</td>
<td>Strategy and policy</td>
<td>2–6</td>
</tr>
<tr>
<td>5</td>
<td>Report on the supply of illegally manufactured synthetic opioids from the People’s Republic of China.</td>
<td>Foreign supply</td>
<td>2–4</td>
</tr>
<tr>
<td>6</td>
<td>Report on regulatory deficiencies regarding controlled substances and export controls in the People’s Republic of China and elsewhere.</td>
<td>Foreign supply</td>
<td>5</td>
</tr>
<tr>
<td>7</td>
<td>Report on the scale of contaminated or counterfeit drug production and exportation.</td>
<td>Counterfeit drugs sold in illicit drug markets</td>
<td>3, 4</td>
</tr>
<tr>
<td>8</td>
<td>Report on how to work more effectively with authorities overseas.</td>
<td>Regulations and authorities</td>
<td>5</td>
</tr>
<tr>
<td>9</td>
<td>Augment the capacity of the U.S. government to combat the trafficking of synthetic opioids.</td>
<td>Regulations and authorities</td>
<td>6</td>
</tr>
</tbody>
</table>

Task 2: Summarize the History, Context, and State of Synthetic Opioid Production Methods

The Commission will examine the chemical synthesis literature to help identify both known and novel opioids and synthetehes. In addition, it will conduct a document analysis of, for example, unclassified, classified, public, and law enforcement sensitive reports that describe changes in production and supply trends, emerging novel synthetic opioids, the use of precursor chemicals, and other production methods and advances. This document review will include reports published by special testing and forensic labs from the Drug Enforcement Administration (DEA) and U.S. Customs and Border Protection (CBP), such as the ongoing Fentanyl Signature Profiling Program reports.

This research will build on interviews with subject-matter experts and other key stakeholders in the U.S. government and elsewhere who can speak to ongoing and emerging trends in synthetic opioid production and the use of precursor chemicals. These efforts may be further supplemented with a review of classified intelligence reports and diplomatic cables that speak to ongoing trends in the sourcing, production, supply, or use of other synthesis methods and precursors.

Task 3: Summarize Trends in Supply and Demand

The Commission will perform extensive interview, literature, and secondary data analysis of drug seizure and overdose death trends to improve the understanding of supply modes and market evolution. The analysis will
examine distribution methods, counterdrug policy approaches, and outcomes of enforcement and synthetic opioid use. Analysis of federally collected secondary data, such as drug seizure events, can offer important insights into emerging trends in production, trafficking, and distribution. Expected data sources are listed later in this chapter, but they include many key seizure databases maintained by several federal law enforcement agencies. Additionally, the Commission will review data from not only the United States but also Canada and other international partners to gain insight into potential alternative approaches being taken there.

Interviews with key personnel from federal law enforcement agencies, public health agencies, and international partners in Canada and elsewhere will offer extensive firsthand understanding of the current knowledge base in detecting and interdicting seizures and the challenges therein. To better understand supplier operations and strategies, the Commission will review charging and indictment data from U.S. court systems, which will help illustrate the variation in supply modes and decisions behind the means of acquisition and distribution of synthetic opioids. This task will be augmented by a review of classified material and diplomatic cables to provide further understanding of criminal activities and recent trends overseas.

Recognizing that demand for opioids, including heroin and diverted prescription analgesics, induces supply of synthetic opioids, the Commission will also assess aspects of demand. Understanding facets of demand for opioids can complement findings on supply, generating a more comprehensive assessment of the problem. This task will involve a review of overdose deaths across time and space to capture possible demand-side changes, such as polysubstance use and increased risk of overdoses in individuals. This research will be augmented by (1) a review of the ethnographic literature of people who use street-sourced opioids and experience changing market dynamics and (2) interviews with researchers who are in direct contact with individuals currently using opioids and those in recovery. This effort will provide a better understanding of changing domestic markets, which can serve as early indicators of shifts in supply.

Task 4: Describe the Extent of Online Sourcing

The Commission will collect primary data on synthetic opioid listings on the internet and examine the extent to which online supply trends are shifting. This analysis will include examining the prices, source countries, and chemicals mentioned in listings and on online vendor websites. The task will leverage the RAND Corporation’s Dark Web Observatory, which houses a primary data collection tool (i.e., a dark web crawler and scraper) and acts as a database and knowledge repository that RAND researchers can use to study the dark web’s drug marketplaces (e.g., cryptomarkets and single vendor sites), discussion forums, and other sites. For example, the Dark Web Observatory contains a database of scraped product listings and vendors from the dark web’s top cryptomarkets. The Commission will analyze these data to understand and describe recent trends and will review other published reports in the emergent literature on darknets.

Building on these quantitative analyses, research will focus on interviews with key informants and subject-matter experts in the U.S. government and elsewhere to get a firm understanding of how synthetic opioids are sourced from the internet and the challenges in responding to this new threat vector. Additionally, the Commission’s work may extend to review classified information specific to online and darknet sourcing of synthetic opioids.

Task 5: Summarize the Roles and Regulatory Capacities in the United States and Abroad

The Commission will undertake a public document review (including of documents in Mandarin, where possible) to assess the role of government partners and relevant pharmaceutical or chemical industries in North America and Asia. This task will look especially at pharmaceutical and chemical producers involved or likely to be involved in the production of synthetic opioids, precursor materials, and other equipment used in their manufacture. The
Commission will also examine the regulatory structure of the pharmaceutical and chemical industries in India and the People’s Republic of China, with an overall goal of identifying regulatory deficiencies and oversight.

This effort will be further augmented through interviews with subject-matter experts and other key stakeholders in the U.S. government and elsewhere. A review of diplomatic cables will elucidate trends in foreign governments’ efforts to improve or strengthen regulations and will indicate the means by which those regulations are circumvented. The Commission may also conduct site visits to such locations as Beijing, Mexico, and the International Mail Facility at John F. Kennedy International Airport in New York to gain firsthand knowledge.

Task 6: Map the Gaps in Knowledge

The Commission will map gaps in data collection and analysis systems that impede effective responses to curtailing the supply of synthetic opioids. Here, the Commission will put forward a key framework for why this problem is unlike traditional drug-trafficking threats and continues to challenge available policy responses and resources. This effort will include conducting stakeholder interviews to assess intelligence capabilities, existing shortcomings in the U.S. threat posture, diplomatic efforts both bilaterally and multilaterally, supply chain and logistics issues, and scientific and technological knowledge of recent developments in the production and supply of synthetic opioids and their precursors.

DATA SOURCES AND INTERVIEWS

To accomplish these six tasks, the Commission will rely on several sources of data, including those that are public, classified, or sensitive. These data encompass quantitative data sets of drug seizure events in recent years, published literature in peer-reviewed journals, other research and analysis products put out by law enforcement and the intelligence community, diplomatic cables, primary data collected by the RAND Corporation, public reports published by governmental agencies in Asia and North America, and qualitative information gleaned from semi-structured interviews.

Table 2.2 documents several of these data sources (primarily from the U.S. government), their key measures, what they can tell us about the synthetic opioid problem, and how they map to the Commission’s tasks.

During its work, the Commission might identify other data and reports from the United States or elsewhere, such as reports by the U.S. Department of Homeland Security’s Homeland Security Investigations division. Quantitative seizure data from outside the United States will cover seizure measures from Canada and the United Nations. Other annual reports from regulatory agencies inside and outside the United States may also be sought and reviewed. And, as noted earlier, the RAND Corporation has developed a tool to examine darknet web listings, and data from earlier efforts will be used to examine trends in online sourcing of synthetic opioids.

Apart from an analysis of quantitative data and other pertinent documents, all six tasks will benefit from semi-structured classified and unclassified interviews guided by a protocol. Potential interview participants include subject-matter experts and other governmental practitioners who have been responding to this problem in recent years. Potential interviewees include personnel from several U.S. government agencies, such as DEA, CBP, the Department of Homeland Security, the Federal Bureau of Investigation, the U.S. Postal Inspection Service, the State Department, the Food and Drug Administration, and the Financial Crimes Enforcement Network. Potential interviewees from elsewhere include personnel from Canadian law enforcement (e.g., the Royal Canadian Mounted Police, the Canada Border Services Agency, and the Drug Analysis Service), the European Union (e.g., Europol and the European Monitoring Centre for Drugs and Drug Addiction), and elsewhere (e.g., the United Nations Office on Drugs and Crime and the International Narcotics Control Board).
### Table 2.2

#### Anticipated Data Sources

<table>
<thead>
<tr>
<th>Source</th>
<th>Database, Data Set, or Document</th>
<th>Measure</th>
<th>Useful Details on the Synthetic Opioid Problem</th>
<th>Relevant Commission Tasks</th>
</tr>
</thead>
</table>
| CBP                                         | Data on location of seizures    | Individual seizure events    | • Location and type of synthetic opioids seized  
• Variation over time at land, air, and sea ports of entry and international mail facilities                | 2, 3                      |
| DEA                                         | National Forensic Laboratory Information System | Individual seizure events    | • Location and type of synthetic opioids seized  
• Variation over time in local markets                                                                     | 2, 3                      |
| DEA                                         | System to Retrieve Information from Drug Evidence | Individual seizure events    | • Location and type of synthetic opioids seized  
• Variation over time in local markets  
• Price, purity, and formulation                                                                       | 2, 3                      |
| U.S. courts                                 | Public Access to Court Electronic Records service | Convictions and indictments from court cases | • Individuals and locations involved in the illegal supply of synthetic opioids  
• Modus operandi of people involved                                                                | 3, 4                      |
| United Nations Office on Drugs and Crime    | Drugs Monitoring Platform       | Individual seizure events    | • Location and type of synthetic opioid seized globally                                                       | 3                          |
| DEA                                         | Fentanyl Signature Profiling Project data | Analytic seizure analyses    | • Concentrations and variations of chemicals  
• Likely sources of chemicals  
• Precursors used and synthesis methods  
• Purity and formulation of opioids                                                               | 2, 3                      |
| U.S. State Department                       | Embassy cables                 | Information on suppliers and regulatory gaps | • Locations of production  
• Modus operandi of criminal groups  
• Regulatory structures  
• Foreign government policies                                                                  | 5, 6                      |
| Intelligence community (e.g., Federal Bureau of Investigation, U.S. Department of the Treasury, U.S. Secret Service) | Finished intelligence reports | Reports on production and distribution trends by foreign and criminal actors | • Insight into what is occurring overseas to augment law enforcement, court, and other data describing the U.S. aspect of the equation | 2–6                      |
Participants will be interviewed and asked a variety of questions involving their knowledge of the synthetic opioid problem; the challenges therein; and the means with which agencies have responded, successfully and unsuccessfully, to the problem. The Commission will code interview notes and analyze them for cross-cutting themes to help elucidate a more comprehensive picture of the problem and how to approach it.
Chapter 3

DOCUMENTING THE FINDINGS

The unprecedented and sudden rise in overdose deaths involving synthetic opioids suggests that existing U.S. policy tools and approaches are insufficient to respond to this new challenge. The reasons for the inadequate approach are not fully understood, and one of the Commission’s goals is to better describe and understand why and how this problem is different from traditional drug threats. To that end, one of the major contributions of the final report will be to document a conceptual framework for understanding the emerging flows of synthetic opioids and why that framework is important to contemporary drug policy and security.

Using the research and analysis outlined in the previous chapter, the Commission will write a report documenting the synthetic opioid production and distribution problem. The report will note gaps, if any, in the information available; discuss their significance; and offer potential ways to reduce or mitigate the gaps. Relevant classified or sensitive findings will be presented in a separate classified or limited-distribution report. The Commission’s final report will put forward a consensus approach that will guide future policymaking with the goal of saving American lives and reducing the illegal flow of synthetic opioids.
REFERENCES


## COMMISSIONERS

<table>
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<tr>
<th>Commission Co-Chairs</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td>Tom Cotton</td>
<td>U.S. Senator, minority</td>
</tr>
<tr>
<td>David Trone</td>
<td>U.S. Representative, majority</td>
</tr>
</tbody>
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<table>
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<tr>
<th>Commissioners</th>
<th>Title</th>
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<tbody>
<tr>
<td>Ed Markey</td>
<td>U.S. Senator, majority</td>
</tr>
<tr>
<td>Fred Upton</td>
<td>U.S. Representative, minority</td>
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<tr>
<td>Dewardric McNeal</td>
<td>Senate majority appointee</td>
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<tr>
<td>Vic Brown</td>
<td>Senate minority appointee</td>
</tr>
<tr>
<td>James “Sandy” Winnefeld, ADM USN, ret</td>
<td>House majority appointee</td>
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<tr>
<td>Karen Tandy</td>
<td>House minority appointee</td>
</tr>
<tr>
<td>Rob Silvers</td>
<td>Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security</td>
</tr>
<tr>
<td><strong>Kelli Ann Burriesci (replaced by Rob Silvers)</strong></td>
<td><strong>Acting Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security</strong></td>
</tr>
<tr>
<td>Amanda Dory</td>
<td>Performing the duties of Deputy Under Secretary of Defense for Policy</td>
</tr>
<tr>
<td>Chris Evans</td>
<td>Chief of Operations, Drug Enforcement Administration</td>
</tr>
<tr>
<td>Andrea Gacki</td>
<td>Acting Under Secretary for Terrorism and Financial Intelligence, Department of the Treasury</td>
</tr>
<tr>
<td>Regina LaBelle</td>
<td>Acting director, Office of National Drug Control Policy</td>
</tr>
<tr>
<td>Jon Stainbrook</td>
<td>National intelligence manager, Transnational Crime, Homeland, and the Western Hemisphere, Office of the Director of National Intelligence</td>
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<tr>
<td>Jim Walsh</td>
<td>Acting Assistant Secretary for Intelligence and Law Enforcement Affairs, Department of State</td>
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<tr>
<td>Kemp Chester</td>
<td>Executive director</td>
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<tr>
<td>David Luckey</td>
<td>Professor of policy analysis and senior international and defense researcher, RAND Corporation</td>
</tr>
<tr>
<td>Bryce Pardo</td>
<td>Physical scientist, RAND Corporation</td>
</tr>
</tbody>
</table>
ABOUT THE COMMISSION

The Commission on Combating Synthetic Opioid Trafficking ("the Commission"), established under Section 7221 of the National Defense Authorization Act for Fiscal Year 2020, is charged with examining all aspects of the synthetic drug threat to the United States and with producing initial and final reports that develop a consensus and articulate a bipartisan, strategic approach to combating the flow of synthetic opioids into the United States, which have been a driver of overdose deaths in the country since 2014. The challenge of reducing synthetic opioid production, importation into the United States, and other related harms incorporates several aspects of national security, homeland security, intelligence, legal, supply chain, and other areas related to demand. Addressing this challenge requires both a whole-of-nation and a globally coordinated approach addressing both supply and demand.

To ensure that the Commission’s recommendations are grounded in accurate and objective information, the Commission engaged the Homeland Security Operations Analysis Center (HSOAC), a federally funded research and development center (FFRDC) operated by the RAND Corporation for the Department of Homeland Security, to complete research and analysis in support of the Commission’s work. HSOAC’s research and analysis allowed the Commission to articulate a strategic approach to Congress with the aim of reducing the flow of synthetic opioids to the United States by (1) examining overall and emerging trends in production and supply of synthetic opioids that are illegally imported to the United States, (2) assessing law enforcement and data deficiencies to help counter these emerging problems, and (3) identifying helpful observations to stem the illegal production and flow of these drugs with the ultimate aim of reducing overdose deaths.

This research was sponsored by the Commission to Combat Synthetic Opioid Trafficking and conducted within the Strategy, Policy, and Operations Program of HSOAC. Henry Willis is the program director and can be reached at hwillis@rand.org.

ABOUT THE HOMELAND SECURITY OPERATIONAL ANALYSIS CENTER

The Homeland Security Act of 2002 (Section 305 of Public Law 107-296, as codified at 6 U.S.C. § 185) authorizes the Secretary of Homeland Security, acting through the Under Secretary for Science and Technology, to establish one or more FFRDCs to provide independent analysis of homeland security issues. The RAND Corporation operates the Homeland Security Operational Analysis Center (HSOAC) as an FFRDC for the Department of Homeland Security (DHS) under contract HSHQDC-16-D-00007.

The HSOAC FFRDC provides the government with independent and objective analyses and advice in core areas important to the department in support of policy development, decisionmaking, alternative approaches, and new ideas on issues of significance. The HSOAC FFRDC also works with and supports other federal, state, local, tribal, and public- and private-sector organizations that make up the homeland security enterprise. The HSOAC FFRDC’s research is undertaken by mutual consent with DHS and is organized as a set of discrete tasks. This
The results presented in this report do not necessarily reflect official DHS opinion or policy.

For more information on HSOAC, see www.rand.org/hsoac.
NOTES

SUMMARY


1. INTRODUCTION

