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COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE ON CONSUMER PROTECTION
AND FINANCIAL INSTITUTIONS

SUBCOMMITTEE ON NATIONAL SECURITY,
INTERNATIONAL DEVELOPMENT, AND
MONETARY POLICY



Congress of the United States
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March 20, 2020

The Honorable Lucille Roybal-Allard
Chairwoman
Subcommittee on Homeland Security
Committee on Appropriations
2006 Rayburn House Office Building
Washington, DC 20515

The Honorable Chuck Fleischmann
Ranking Member
Subcommittee on Homeland Security
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairwoman Roybal-Allard and Ranking Member Fleischmann:

As the opioid addiction crisis continues to evolve, federal agencies in charge of tracking the flow of drugs are seeing a shift in how fentanyl, a deadly synthetic opioid, is entering the United States. In recent years, China has been accused of fueling the opioid addiction crisis and exploiting the U.S. Postal Service and international express mail carriers to ship fentanyl into the United States. Now officials say those channels appear to be drying up, while shipments of fentanyl and its precursors through the U.S. southern border are on the rise.

On July 16, Executive Director of the Office of Field Operations within the Department of Homeland Security (DHS), Thomas Overacker, testified in front of the House Energy and Commerce Committee Subcommittee on Oversight and Investigations that, “most of the illicit fentanyl” entering the country “does so at ports of entry along our southwest border.” While we cannot measure the heroin and other opioids that come into the country undetected, it should be noted that federal data since at least 2012 have been consistent in showing that agents encounter far more heroin and other opioids at ports of entry than between ports of entry. The Office of Field Operations, working at ports of entry, seized roughly 5,000 pounds of heroin during fiscal year 2018. During the same period, U.S. Border Patrol, which works in the geographic areas between legal ports of entry, seized 532 pounds of heroin.

Recognizing the problem at ports of entry, in March of 2019 U.S. Customs and Border Protection provided its *Strategy to Combat Opioids*, in which the agency laid out four key objectives. The third goal in this strategy was to “target the opioid supply chain,” with objective 3.3 of the report dedicated to

“improve detection of fentanyl and its analogues” at U.S. ports of entry. As part of this objective, the report says, “in order to improve detection capabilities, CBP is seeking new Non-Intrusive Inspection (NII) technology that can be used to identify fentanyl.”

Thousands of passenger vehicles currently use existing U.S.-Mexico border crossings every day; however, only a small fraction of those vehicles are scanned by NII devices to ensure that no contraband enters the country. While a vast majority of vehicles and cargo entering our country at land ports of entry are legitimate, some of the vehicles do pose a threat to U.S. security by transporting drugs, guns, illicit currency, and explosive materials into the U.S. The challenge that Customs and Border Protection officers often face is identifying the nefarious entrants and separating the legitimate from the illicit – including an exploding growth of fentanyl and other synthetic opioids entering our country.

To address this concern, Congress has already appropriated \$705 million over the past three years specifically for NII applications at ports of entry. Technologies exist to scan close to 100% of the vehicles coming into the United States – technology that uses artificial intelligence and machine learning to detect and identify even trace amounts of fentanyl and other opioids.

However, it is our understanding that hardly any of this funding has been obligated by CBP. This is unacceptable. While our communities continue to be plagued by the opioid epidemic, CBP is sitting on hundreds of millions of dollars that could – and would – deter this scourge from entering our communities.

Therefore, we request the Committee include the following language in the FY21 Homeland Appropriations bill:

From FY18 through FY20, the Committee provided \$705,000,000 for Customs and Border Protection (CBP) specifically for the acquisition and deployment of non-intrusive inspection (NII) equipment at ports of entry. The Committee expects that within 60 days of the date of enactment of this Act, CBP shall provide a briefing to Congress on the execution plans for these funds, including an acquisition and deployment schedule to obligate funding to achieve maximum NII coverage in pre-primary lanes along our southwest border by September 30, 2021. The Commissioner of U.S. Customs and Border Protection is further directed to update the Committee on a quarterly basis on the obligation of funds for NII acquisition and progress made towards 100 percent NII screening in pre-primary lanes along the southwest border.

Additionally, the Committee directs the Commissioner of U.S Customs and Border Protection to provide a report to Congress no later than September 30, 2021 on additional resources necessary to achieve 100 percent NII screening across the entire southwest border between the United States and Mexico.

Deployment of NII technologies in the pre-primary environment will help to protect our communities from the opioid epidemic. It is not the only application necessary, but it is one that is immediately ready to deploy with known capabilities, and with ample resources Congress has already provided to CBP.

Thank you for your attention to this request.

Sincerely

A handwritten signature in cursive script, reading "Roger Williams". The signature is fluid and elegant, with a large initial "R" and a long, sweeping tail on the "s".

Roger Williams
Member of Congress