

United States Senate

April 6, 2023

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

The Honorable Anne Milgram
Administrator
Drug Enforcement Administration
U.S. Department of Justice
Springfield, VA 22152

Dear Secretary Mayorkas and Administrator Milgram:

I write today to focus your attention to an urgent and growing public health concern. Xylazine, a veterinary drug approved by the Food and Drug Administration (FDA) for the sedation of large animals, is now being consumed as a street drug throughout the United States.¹ Xylazine causes fatal poisoning and severe skin wounds, including necrosis—the rotting of human tissue—that may ultimately require amputation. We call on the Department of Homeland Security (DHS) and the Drug Enforcement Administration (DEA) to provide clarity on the status of xylazine-related border countermeasures.

The DEA reports that the prevalence of xylazine has expanded beyond its traditional home in the white-powder heroin markets of the northeastern United States, where it has been known to authorities and users for several years. In 2022, for example, approximately 23% of fentanyl powder and 7% of fentanyl pills seized by the DEA contained amounts of xylazine.² Worse, the life-saving opioid overdose reversal medication naloxone does not reverse the effects of xylazine, since xylazine is not an opioid.³ The intrusion of xylazine into illicit opioids and the broader illicit drug supply continues to accelerate the substance use and overdose epidemic in the United States, which killed over 100,000 people in 2021.⁴ To quote Administrator Milgram, xylazine is “making the deadliest drug threat our country has ever faced even deadlier.”⁵

¹ DEA Joint Intelligence Report, *The Growing Threat of Xylazine and its Mixture with Illicit Drugs*, U.S. Department of Justice Drug Enforcement Administration (October, 2022), available at <https://www.dea.gov/sites/default/files/202212/The%20Growing%20Threat%20of%20Xylazine%20and%20its%20Mixture%20with%20Illicit%20Drugs.pdf>

² Public Safety Alert, *DEA Reports Widespread Threat of Fentanyl Mixed with Xylazine*, U.S. Drug Enforcement Administration (March 20, 2023), <https://www.dea.gov/alert/dea-reports-widespread-threat-fentanyl-mixed-xylazine#:~:text=United%20States%20Drug%20Enforcement%20Administration,-Search&text=>

³ This means that treatment with naloxone is still recommended when unspecified overdoses are occurring but will only counteract the effects of the opioid in a mixture, meaning the victim may require additional measures to survive.

⁴ Mike Stobbe. *U.S. overdose deaths topped 100,000 in one year, officials say*, Stat Health and Medicine (November 17, 2021) <https://www.statnews.com/2021/11/17/us-overdose-deaths-topped-100000-in-one-year/>

⁵ Public Safety Alert, *DEA Reports Widespread Threat of Fentanyl Mixed with Xylazine*, U.S. Drug Enforcement Administration (March 20, 2023), <https://www.dea.gov/alert/dea-reports-widespread-threat-fentanyl-mixed-xylazine#:~:text=United%20States%20Drug%20Enforcement%20Administration,-Search&text=>

So far, xylazine is mostly contaminating drugs in Pennsylvania, Maryland, and Connecticut, though states such as Ohio have found that xylazine may be in 25 to 30 percent of recovered fentanyl paraphernalia.⁶ Xylazine is legitimately sold by pharmaceutical companies and websites directly to veterinarians. However, due to the widely expanding black market, xylazine is also readily available for purchase through other online vendors in liquid and powder form: these vendors often have no association to the veterinary profession and do not require purchases to prove a legitimate need for the drug. While xylazine is not a controlled substance under the Controlled Substances Act of 1970, it is closely correlated with the distribution and use of fentanyl, warranting further scrutiny from authorities such as yourselves.⁷

Xylazine has become a significant public health threat in communities across the United States, as the full extent of its danger to recreational drug users remains unknown. We respectfully request responses on a question-by-question basis to the following inquiries by May 1, 2023.

1. To what extent is the DHS currently tracking the presence of xylazine contained or found in vehicles at American ports of entry? Please provide a timeline of actions from January 2017⁸ to April 2023 that have been taken when responding to this inquiry.
2. The U.S. Customs and Border Patrol's Office of Field Operations inspects passengers, vehicles, and cargo at over 320 land, air, and sea ports of entry.⁹ How effective have presumptive field tests been in prosecuting drug traffickers, particularly those bringing in drugs that are laced with fentanyl or xylazine? Please provide rates of identification both before and after the adoption of Forward Operating Labs (labs standing ready to help identify and accelerate prosecution for positive cases at certain strategic locations).
3. For each of the past five years, what geographic trends has DHS and DEA identified in the distribution of xylazine or xylazine-laced drugs? Additionally, how many items, belongings, vehicles, or cargo have been seized or otherwise evaluated at U.S. ports of entry with large quantities of xylazine since 2017?
4. Indiana has introduced a bill to mandate toxicology screening for opioid-related deaths.¹⁰ Ohio Governor Mike DeWine ordered the Ohio Board of Pharmacy to classify xylazine

⁶ Karen Kasler, *Ohio classifies xylazine as controlled substance*, The Ohio Newsroom (March 31, 2023),

<https://www.ideastream.org/2023-03-31/ohio-classifies-xylazine-as-controlled-substance>

⁷ DEA Joint Intelligence Report, *The Growing Threat of Xylazine and its Mixture with Illicit Drugs*, U.S. Department of Justice Drug Enforcement Administration (October, 2022), available at

<https://www.dea.gov/sites/default/files/202212/The%20Growing%20Threat%20of%20Xylazine%20and%20its%20Mixture%20with%20Illicit%20Drugs.pdf>

⁸ The incidents of fentanyl and synthetic opioid overdoses in the US are known to rise significantly in 2017.

⁹ The OFO is responsible for conducting immigration and customs inspections at ports of entry to prevent the illicit entry of travelers, cargo, merchandise, and other items, while facilitating lawful trade and travel. This statement was part of the 2021 GAO report on border security: U.S. Government Accountability Office, GAO-21-286. BORDER SECURITY: CBP Has Taken Actions to Help Ensure Timely and Accurate Field Testing of Suspected Illicit Drugs (2021).

¹⁰ Staff Reporter, *Meltzer's 'tranq' screening bill now headed to governor's desk*, The Republic (March 28, 2023),

<https://www.therepublic.com/2023/03/28/meltzers-tranq-screening-bill-now-headed-to-governors-desk/>

as a Schedule III controlled substance through executive order.¹¹ Please provide DHS' current plans and partnerships with state and local authorities to identify and prevent the contamination of recreational drugs and public spaces with xylazine.

5. What is DEA doing to identify deaths attributable (in whole or in part) to xylazine and to help state and local authorities enhance their xylazine-specific toxicological reporting capacities?

Thank you for your attention to this critical issue. We look forward to working with you to address this urgent public health concern. If you have any questions, please email my staff at Jacob_Chebowski@braun.senate.gov or Ethan_Ashley@braun.senate.gov.

Sincerely,



Mike Braun
U.S. Senator

¹¹ Karen Kasler, *Ohio classifies xylazine as controlled substance*, The Ohio Newsroom (March 31, 2023), <https://www.ideastream.org/2023-03-31/ohio-classifies-xylazine-as-controlled-substance>