

U.S. Senate Caucus on International Narcotics Control
“Chinese Money Laundering Organizations: Cleaning Cartel Cash”
April 30, 2024

Questions for the Record Submitted by Senator Charles E. Grassley
For Mr. Kemp L. Chester, Senior Advisor to the Director
White House Office of National Drug Control Policy

The report issued by the House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party titled “The CCP’s Role in the Fentanyl Crisis” uncovered that PRC authorities, including China’s Ministry of Public Security, have actively thwarted U.S. enforcement efforts by notifying investigation targets to enable their evasion from further detection. Moreover, PRC officials, including the PRC Ministry of Public Security (MPS) have refused to share critical information to enable U.S. enforcement efforts and have refused to pursue any fentanyl-related prosecutions of their own.

1. Which specific elements of the PRC government do U.S. law enforcement agencies partner with in counter-narcotics enforcement efforts?

The Ministry of Public Security (MPS) is the prime interlocutor in United States-PRC law enforcement cooperation. Within MPS, the Narcotics Control Bureau (NCB) is the primary national narcotics enforcement entity and works in conjunction with provincial public security bureau offices.

2. In your opinion, is the PRC a trustworthy and reliable partner nation when it comes to counter-narcotics interdiction and enforcement efforts?

Counternarcotics is an issue in which United States and PRC interests align. For many years, Chinese diplomats have recognized the cooperation in counternarcotics efforts as a “bright spot” in the bilateral relationship. We look forward to its continued enhanced bilateral cooperation with the PRC on all counternarcotics efforts.

3. Was the Administration’s November 2023 relaxation of sanctions on China’s Institute of Forensic Science, a component of the PRC’s Ministry of Public Security, which actively thwarts U.S. counter-narcotics trafficking efforts a wise policy decision?

Yes. All decisions regarding whether to add an entity to, modify an entity on, or remove an entity from the Entity List are made by the End-User Review Committee (ERC), which is comprised of the Departments of Commerce, Defense, State, Energy, and where appropriate, the Treasury. The ERC makes all such decisions based on U.S. national security and foreign policy considerations. Additions to the Entity List require a majority vote, and decisions to modify or remove an entry require a unanimous vote. The PRC indicated that the continued inclusion of IFS on the Entity List inhibited the potential for counternarcotics cooperation necessary to stem the flow of precursor chemicals fueling the national fentanyl crisis in the United States. With

more than 70,000 American lives being lost to fentanyl and other synthetic opioids, the correct decision was made.

The recently enacted Reforming Intelligence and Securing America Act amended the definition of “foreign intelligence information” to include information that relates to the “international production, distribution, or financing of illicit synthetic drugs, opioids, cocaine, or other drugs driving overdose deaths, or precursors of any aforementioned.”¹ This will presumably allow our intelligence community to target foreigners for intelligence relating to international drug trafficking under traditional FISA authorities and FISA Section 702 targeting authorities.

4. How will this new, expanded authority under FISA empower and/or enhance the government’s mission and ability to combat illicit narcotics trafficking?

The effect will be significant and positive. It will allow elements of the intelligence community to collect and produce finished analysis on a wider portion of the problem set than currently possible. This will directly support the Administration’s comprehensive efforts to disrupt the production and trafficking of the deadly drugs killing Americans.

¹ Reforming Intelligence and Securing America Act, Pub. L. No. 118-49, H.R. 7888—32.