

United States Senate

WASHINGTON, DC 20510

March 8, 2017

The Honorable Rex Tillerson
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, DC 20520

Dear Secretary Tillerson:

From March 13 to 17, 2017, the United Nations Commission on Narcotic Drugs will hold its 60th Session in Vienna, Austria. During this Session, the Commission is expected to vote on a United States request to designate as Table I substances under the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances two precursor chemicals that are used to manufacture illicit fentanyl. We write to ask that the State Department and the U.S. Mission to International Organizations in Vienna urge the fifty-three member states of the Commission on Narcotic Drugs to support the scheduling of these precursors under the 1988 U.N. Convention.

The two precursor chemicals — 4-anilino-*N*-phenethylpiperidine (ANPP) and *N*-phenethyl-4-piperidone (NPP) — are required for the manufacture of fentanyl, a synthetic opioid that is 50 times more powerful than heroin and 100 times more powerful than morphine.¹ Between 2014 and 2015, overdose deaths in the United States from synthetic opioids, principally illicit fentanyl, increased 72 percent.² In 2015, there were 9,580 such overdose deaths in the United States.³

Stronger international controls on ANPP and NPP are desperately needed to help combat the illicit fentanyl epidemic plaguing the United States. Scheduling ANPP and NPP under the 1988 U.N. Convention would be consistent with the recommendations of the United Nations International Narcotics Control Board, which found that the use of ANPP and NPP in the manufacture of illicit fentanyl poses such “serious public health or social problems . . . as to warrant international action.”⁴

Scheduling ANPP and NPP under Table I of the 1988 U.N. Convention would impose several needed international controls on them. Parties to the Convention would be required to establish and maintain a system to monitor international trade in the precursors in order to facilitate the identification of suspicious transactions.⁵ Parties to the Convention would be obligated to provide for the seizure of the precursors if there is sufficient evidence that they are being used to

¹ http://www.incb.org/incb/en/news/press-releases/2017/press_release20170202.html

² <https://www.cdc.gov/mmwr/volumes/65/wr/mm655051e1.htm>

³ *Id.*

⁴ http://www.incb.org/documents/News/2017-CND_Notification1Feb2017.pdf

⁵ United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Art. 12, ¶ 9(a), available at https://www.unodc.org/pdf/convention_1988_en.pdf


manufacture illicit fentanyl or other narcotics.⁶ The Parties would be bound to notify competent authorities as soon as possible if there is reason to believe that the import, export, or transit of either precursor is destined for the illicit manufacture of fentanyl.⁷ Parties to the Convention would also have to require labeling of imports and exports of the precursors,⁸ take steps to prevent the use of the mails for illicit trafficking of the precursors,⁹ and report annually on amounts seized and the methods of diversion and illicit manufacture.¹⁰ These are but some of the requirements that scheduling ANPP and NPP under Table I of the 1988 U.N. Convention would put in place, and they are critical to getting the international trafficking of illicit fentanyl under control.

At your confirmation hearing, you spoke of using an inter-agency approach to combatting the fentanyl epidemic and employing the tools and mechanisms available to the United States to disrupt the flow of illicit fentanyl into the United States. Showing leadership before the Commission on Narcotic Drugs on this issue would put those words into action. Strong U.S. leadership on this issue can help the United Nations play a more effective role in combatting the threat that illicit fentanyl poses to our country.

We therefore urge you to use all your authority as Secretary of State and the good offices of the Department of State and the U.S. Mission to International Organizations in Vienna to ensure that a majority of the fifty-three member nations of the Commission on Narcotic Drugs votes to schedule ANPP and NPP under Table I of the 1988 U.N. Convention.

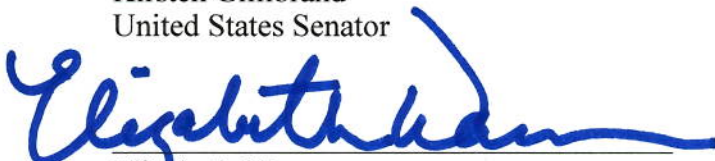
Sincerely,


Edward J. Markey
United States Senator


Cory A. Booker
United States Senator


Kirsten Gillibrand
United States Senator


Amy Klobuchar
United States Senator


Elizabeth Warren
United States Senator


Richard Blumenthal
United States Senator

⁶ *Id.* Art. 12, ¶ 9(b)

⁷ *Id.* Art. 12, ¶ 9(c).

⁸ *Id.* Art. 12, ¶ 9(d).

⁹ *Id.* Art. 19, ¶ 2(b).

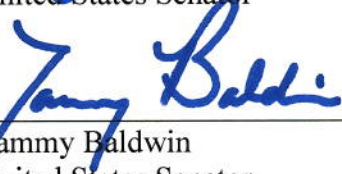
¹⁰ *Id.* Art. 12, ¶ 12.



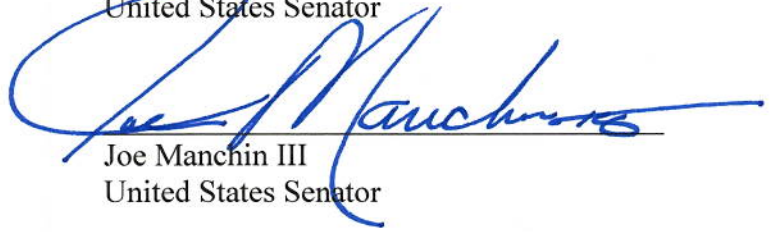
Jack Reed
United States Senator



Sherrod Brown
United States Senator



Tammy Baldwin
United States Senator



Joe Manchin III
United States Senator

cc: The Honorable Nikki Haley