

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

October 26, 2022

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

Dear Secretary Mayorkas:

We write to investigate the Department of Homeland Security's (Department) response to the trafficking of "rainbow fentanyl." The Biden Administration's reckless open border policies have allowed fentanyl to pour across the southern border, which has killed over a hundred thousand Americans and continues to impact communities across the nation. Now, drug cartels are targeting our nation's children by making this dangerous drug look like candy and trafficking it into the United States. We are deeply concerned with the danger "rainbow fentanyl" poses to children, particularly in advance of Halloween. We request documents and communications to examine the Department's response to "rainbow fentanyl."

Drug cartels have been trafficking brightly colored fentanyl pills, dubbed "rainbow fentanyl," in large quantities. As its name indicates, "rainbow fentanyl" poses a unique threat to children because it looks like candy.¹ The Drug Enforcement Agency stated in a warning letter on August 30, 2022, that cartels are specifically manufacturing this new form of fentanyl to get children hooked at a young age.² In August alone, law enforcement in 18 states seized "rainbow fentanyl."³ In September, the U.S. Attorney for Connecticut charged two men with trafficking approximately 15,000 "rainbow fentanyl" pills including thousands in "Nerds candy boxes and Skittles candy bags."⁴

President Biden's radical open border policies have created the worst border crisis in American history. These reckless policies have overwhelmed border authorities and empowered cartels to bring thousands of pounds of deadly fentanyl pills into the United States.⁵ These policies place our children at risk by enabling cartels to smuggle fentanyl manufactured to look like candy specifically to target children in advance of Halloween. Further, the failure of this

¹ *DEA Warns of Brightly-Colored Fentanyl Used to Target Young Americans*, DRUG ENFORCEMENT AGENCY (Aug. 30, 2022).

² *Id.*

³ *Id.*

⁴ *Two Maryland Men Charged with Trafficking Thousands of Fentanyl Pills into Connecticut*, U.S. DEPT. OF JUSTICE U.S. ATTORNEY'S OFFICE DIST. OF CONN. (Sep. 23, 2022).

⁵ Fernie Ortiz, *Fentanyl busts skyrocket to new high with bulk of seizures at U.S. ports of entry*, BORDERREPORT (Aug. 21, 2022). See also Christopher Tremoglie, *Biden's failures at the border are causing a fentanyl crisis in the United States*, WASH. EXAMINER (Aug. 31, 2022).

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Administration to address the crisis at the border has caused illegal immigration to soar and allowed human smugglers to victimize thousands.⁶ You have chosen to ignore Congressional Republicans, who have repeatedly called on this administration to address the border crisis and trafficking of narcotics. Your dereliction of duty to secure our border has only made the problem worse.

To assist Committee Republicans in investigating the Department's response to the trafficking of "rainbow fentanyl," please provide the following documents and information no later than October 31, 2022:

1. All documents and communications within the Office of the Secretary of Homeland Security related to the trafficking of illicit fentanyl and its analogs;
2. All documents and communications within the Department related to preventing cartels from trafficking so-called "rainbow fentanyl" or other drugs manufactured to target children;
3. All documents and communications between personnel at the Department and the White House related to the trafficking of drugs at the southern border, including but not limited to illicit fentanyl and its analogs;
4. All documents and communications within the Department related to responding to fentanyl manufactured to target children, including but not limited to efforts to prevent them from being confused for Halloween candy.

Thank you for your consideration of this important issue. To make arrangements to deliver documents or ask any related follow-up questions, please contact Committee on Oversight and Reform Republican Staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



Michael Cloud
Ranking Member
Subcommittee on Economic
and Consumer Policy



James Comer
Ranking Member
Committee on Oversight & Reform

⁶ Miroff, Nick, U.S. border arrests rose to record high in May, data shows, WASH. POST (Jun. 16, 2022).

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cc: The Honorable Carolyn B. Maloney, Chairwoman
Committee on Oversight & Reform

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy