

Congress of the United States
Washington, DC 20515

May 23, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington DC 20500

Dear President Biden,

We write to you with urgency following reports that nearly 108,000 Americans lost their lives to drug overdoses last year, and that 71,000 of those deaths — or more than 70 percent — involved synthetic opioids, mainly illicit fentanyl. With so many Americans now dying annually from these drugs we *must* act. On February 8, 2022, the Commission on Combating Synthetic Opioid Trafficking — established under the Fiscal Year 2020 National Defense Authorization Act — issued its final report. Congress created and tasked the Commission with examining the threat that synthetic opioids pose to the United States, and with developing a bipartisan, strategic approach to stanching their flow into the country. We urge you to take executive action to implement many of the Commission’s recommendations and save American lives.

The Commission comprised representatives of seven Executive Branch departments and agencies, two sitting members each of the Senate and the House of Representatives, and four subject-matter experts chosen for their deep experience and expertise on this topic. The Commission co-chairs were Congressman David Trone (D-MD-06) and Senator Tom Cotton (R-AR); the other Congressional appointees were Senator Edward J. Markey (D-MA) and Congressman Fred Upton (R-MI-06). The executive departments and agencies represented were the Office of National Drug Control Policy, the Drug Enforcement Administration, the Departments of State, Homeland Security, Treasury, and Defense, and the Office of the Director of National Intelligence.

Over the course of one year, the Commission received almost 40 classified and unclassified briefings; was informed by 60 interviews with subject-matter experts and stakeholders from across the U.S. government, international organizations, and the private sector; and participated in two site visits. After extensive deliberation and review, the Commission published a report, outlining the history and current challenges of the opioid crisis and trafficking landscape, as well as providing 76 bipartisan, consensus-based recommendations for the Legislative and Executive Branches to combat the flow of synthetic opioids into the United States.

The Commission identified five pillars of a U.S. response to the synthetic opioid crisis. While Congress continues its work to respond to the crisis with appropriate legislation, we ask the Administration to carefully review our report and take executive action wherever possible to enact the Commission's recommendations from across all these pillars:

Pillar 1: Policy coordination and implementation

- 1.1. Increase coordination of U.S. authorities, fill critical appointments, and ensure proper levels of staffing.
- 1.2. Assess and update U.S. legislative and regulatory drug control frameworks.

Pillar 2: Supply reduction

- 2.1. Enhance interdiction capabilities, especially in the mail and express consignment systems that facilitate trafficking of synthetic opioids.
- 2.2. Bolster capabilities and capacity of domestic law enforcement efforts to investigate illegal distribution of synthetic opioids.
- 2.3. Work with private-sector stakeholders to implement systems to prevent drug traffickers from acquiring chemicals used illegally to manufacture synthetic opioids.
- 2.4. Target distribution of synthetic opioids and related chemicals advertised online.
- 2.5. With the help of private entities, reduce online advertising and sales.
- 2.6. Intensify efforts to counter transnational criminal organizations' money laundering.

Pillar 3: Demand reduction and public health

- 3.1. Support evidence-informed efforts to reduce substance misuse and progression to substance-use disorder.
- 3.2. Expand access to evidence-based treatment.
- 3.3. Enhance evidence-informed harm-reduction efforts.
- 3.4. Take efforts to promote recovery from substance-use disorder.

Pillar 4: International cooperation

- 4.1. Strengthen coordination with multilateral institutions to promote enhanced control and reporting of drugs and other chemicals.
- 4.2. Examine how the international drug control regime can be improved, expanded on, or otherwise supplemented.
- 4.3. Enhance efforts to ensure a collaborative U.S.–Mexico security and drug partnership by enhancing Mexican counternarcotic capabilities, strengthening

institutions against corruption, and focusing greater resources on the illegal firearm trade.

4.4. Establish a U.S. policy framework to engage with the People's Republic of China to improve oversight and enforcement of its chemical and pharmaceutical industries.

4.5. Press the People's Republic of China to adopt clear rules to improve regulatory oversight and enforcement of industries, control over movements of chemicals and related equipment, and other restrictions on exports.

4.6. Expand engagement with other countries to facilitate information-sharing and promotion of best practices to reduce supply and demand of illegally manufactured synthetic opioids, especially in countries most likely to experience such problems in the near future.

Pillar 5: Research and monitoring

5.1. Direct federal efforts to improve understanding of the illegal supply of synthetic opioids.

5.2. Analyze emergent trends in drug markets and related behaviors through a systematic and standardized approach.

5.3. Use novel, high-frequency, and real-time systems to enhance market surveillance.

We understand that addressing the opioid epidemic is central to your Unity Agenda and presents an opportunity to work collaboratively, across Branches and party lines. We were pleased to see that this year's National Drug Control Strategy includes numerous recommendations that echo those in the Commission's report, including:

- Expanding harm reduction interventions, including increasing access to naloxone and drug test strips (Commission recommendation 3.3)
- Reducing barriers to treatment for those at highest risk of overdose (Commission recommendation 3.2)
- Improving timely and rigorous data collection through new and improved data systems to facilitate the deployment of evidence-based strategies (Commission recommendations 2.2, 3.1, 4.3, 4.5, 5.1, 5.2, and 5.3)
- Disrupting the activities of transnational criminal organizations by targeting money laundering and illicit financial networks (Commission recommendations 2.6 and 4.3)
- Augmenting domestic and international collaboration and coordination, including through a more unified federal response and by leveraging multilateral relationships and organizations (Commission recommendations 1.1, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, and 5.1)

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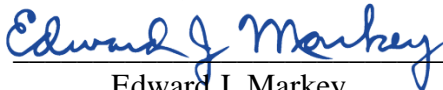
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- Strengthening interdiction and law enforcement capabilities at the border and disrupting trafficking routes and modalities (Commission recommendations 2.1, 2.2, 2.3, 2.4, 2.5, 4.1, 4.2, 4.3, 4.4, and 4.5)

We encourage the Administration to continue to take these steps, as well as adopt additional Commission recommendations through executive actions, including reinstating the Office of National Drug Control Policy Director as a member of the Cabinet.

Without action, the tide of synthetic opioid deaths in the United States will continue to rise. As the Commission concluded, in order to reduce the unprecedented number of these deaths, we must take steps across several policy domains, both domestically and internationally. The Commission's work and final report has provided a roadmap for your Administration. We urge you to follow it.

Sincerely,



Edward J. Markey
United States Senator



David Trone
Member of Congress