

**Congress of the United States**  
**Washington, DC 20515**

February 1, 2023

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

Dear President Biden,

As your State of the Union address approaches, we urge you to use the occasion to announce that you will be returning the Director of the Office of National Drug Control Policy (ONDCP) to a Cabinet-level position. The drug overdose epidemic is one of our nation's most pressing crises, claiming lives at an alarming rate. Re-elevating ONDCP to the Cabinet will allow it to marshal the full resources of the federal government against this scourge of overdoses and demonstrate to the Congress and the American people your commitment to ending it.

We were pleased that, in your State of the Union address last year, you identified ending the opioid epidemic as your top priority in the Unity Agenda.<sup>1</sup> Since then, we have made great strides in the areas you discussed, including increasing funding for prevention, treatment, and recovery, and removing barriers to accessing medication for opioid use disorder. However, we have not yet broken the trend of rising overdose deaths, and patterns in overdose deaths are constantly evolving, as evidenced by the growing challenges related to xylazine.<sup>2</sup> Overdose deaths increased almost 60 percent between 2019 and 2021, and from September 2021 through August 2022 (the most recent twelve-month period available) more than 107,000 Americans died from overdoses, equal to 293 deaths every day.<sup>3</sup> Tragically, overdoses are now the leading cause of death for Americans aged 18 to 45.

ONDCP is an interdisciplinary office, touching national security, law enforcement, public health, and trade. As the President's principal adviser on both domestic and international drug policy,

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<sup>1</sup> Remarks of President Joe Biden – State of the Union Address As Prepared for Delivery, The White House (Mar. 1, 2022), <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/03/01/remarks-of-president-joe-biden-state-of-the-union-address-as-delivered/>.

<sup>2</sup> Readout from Dr. Gupta's Listening Session with Public Health and Safety Leaders on Xylazine and Efforts to Address Trends, The White House (Dec. 27, 2022), <https://www.whitehouse.gov/ondcp/briefing-room/2022/12/27/readout-from-dr-guptas-listening-session-with-public-health-and-safety-leaders-on-xylazine-and-efforts-to-address-trends/#:~:text=Xylazine%2C%20a%20drug%20used%20in%20veterinary%20medicine%20as,local%20officials%20are%20critical%20sources%20of%20such%20information.>

<sup>3</sup> Vital Statistics Rapid Release, Provisional Drug Overdose Death Counts, National Vital Statistics System, Centers for Disease Control and Prevention, <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>.

ONDCP coordinates policy formulation, implementation, and assessment across 19 federal departments and agencies and is responsible for certifying drug control agencies' budgets. Giving the ONDCP Director the same stature as Cabinet members improves the Director's ability to collaborate with, and coordinate interagency strategies among, equals. Having a Cabinet-level ONDCP would also help ensure that drug policy is considered and prioritized across all policy discussions, accountability for performance is standardized across agencies involved in drug control activities, and the Administration is prepared to zealously respond to trends in drug use and overdose.

Reinstating the Director of ONDCP to a Cabinet-level position was the first recommendation in the report of the bipartisan, bicameral U.S. Commission on Combating Synthetic Opioid Trafficking, published in February last year.<sup>4</sup> Since the Director's position was downgraded in 2009, Members of the House and Senate have repeatedly called for the demotion's reversal,<sup>5</sup> and advocacy groups, trade associations, substance use disorder treatment facilities, and former ONDCP leadership all support its reinstatement.<sup>6</sup>

Indeed, you have supported and called for the ONDCP Director to serve at the Cabinet level. In 2001, at the confirmation hearing of the then-ONDCP director, you said: "I have argued that Cabinet-level status is necessary to give the position visibility commensurate with the depth of our Nation's drug problem, providing our drug czar the clout to stop interagency feuding, fight for budgetary resources, and decertify inadequate agency drug budgets."<sup>7</sup> Those words were true more than 20 years ago and they are even truer today.

When meeting with our constituents, drug trafficking and the overdose epidemic are routinely among their top concerns. As Members of Congress, we are doing our best to address this crisis, but we urge you to take every action within your authority to prevent further loss of life.

Reinstatement of the ONDCP Director to the Cabinet would be a meaningful step in improving

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<sup>4</sup> Commission on Combating Synthetic Opioid Trafficking, Final Report (Feb. 2022), [file:///C:/Users/ac82404/Downloads/RAND\\_EP68838-1.pdf](file:///C:/Users/ac82404/Downloads/RAND_EP68838-1.pdf).

<sup>5</sup> *E.g.*, Press Release, Representative David Trone, Trone, Markey Urge President Biden to Act on Opioid Crisis by Enacting Recommendations from Opioid Commission Report (May 23, 2022),

<https://trone.house.gov/2022/05/23/opioid-commission-report/>; Press Release, Sen. Rick Scott to Biden: Give the Fentanyl Crisis Proper Attention by Reinstating Cabinet-Level Drug Policy Director (May 6, 2022),

<https://www.rickscott.senate.gov/2022/5/sen-rick-scott-to-biden-give-the-fentanyl-crisis-proper-attention-by-reinstating-cabinet-level-drug-policy-director/>; Orrin Hatch, *Downgrading of 'drug czar' and his office* (Mar. 31, 2009), <https://www.sandiegouniontribune.com/sdut-lz1e3lhatch194129-downgrading-drug-czar-and-his-of-2009mar31-story.html>.

<sup>6</sup> *Former Drug Czars Join 70+ Public Health Organizations in Letter to Biden-Harris Transition on ONDCP, Smart Approaches to Marijuana* (Nov. 24, 2020), <https://learnaboutsam.org/former-drug-czars-join-70-public-health-organizations-in-letter-to-biden-harris-transition-on-ondep/>.

<sup>7</sup> *Confirmation Hearing on the Nomination of John P. Walters to be Director of the Office of National Drug Control Policy Before the Senate Committee on the Judiciary*, 107<sup>th</sup> Cong. (Oct. 10, 2001) (Opening Statement of Senator Joseph R. Biden, Jr.), <https://www.congress.gov/107/chrq/shrg81443/CHRG-107shrg81443.htm>

The Honorable Joseph R. Biden, Jr.

February 1, 2023

Page 3

interagency collaboration and the effectiveness of drug control programs across the federal government. It is time to restore the Director to a Cabinet position to address the drug crisis with the full force of this Administration and those that follow.

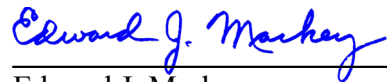
Thank you in advance for your consideration of this request.

Sincerely,



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David J. Trone  
Member of Congress



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Edward J. Markey  
United States Senator



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Brian Fitzpatrick  
Member of Congress



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Ann McLane Kuster  
Member of Congress



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Margaret Wood Hassan  
United States Senator



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Shelley Moore Capito  
United States Senator



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Michael F. Bennet  
United States Senator



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Tammy Baldwin  
United States Senator



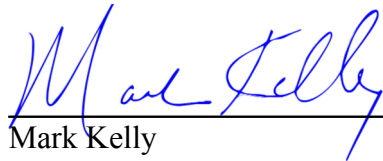
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Elizabeth Warren  
United States Senator



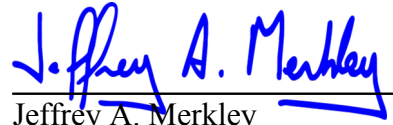
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Susan M. Collins  
United States Senator



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Mark Kelly  
United States Senator



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Jeffrey A. Merkley  
United States Senator



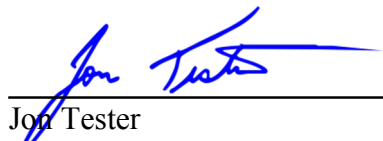
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Dianne Feinstein  
United States Senator



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Catherine Cortez Masto  
United States Senator



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Jon Tester  
United States Senator



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Richard Blumenthal  
United States Senator



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Sheldon Whitehouse  
United States Senator



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Josh Harder  
Member of Congress

*André Carson*

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André Carson  
Member of Congress

*Brittany Pettersen*

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Brittany Pettersen  
Member of Congress

*Kathy Manning*

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Kathy E. Manning  
Member of Congress

*Jamie Raskin*

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Jamie Raskin  
Member of Congress

*Chris Pappas*

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Chris Pappas  
Member of Congress

*Paul Tonko*

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Paul Tonko  
Member of Congress

*Grace F. Napolitano*

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Grace F. Napolitano  
Member of Congress

*Lori Trahan*

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Lori Trahan  
Member of Congress

*John H. Rutherford*

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John H. Rutherford  
Member of Congress

*Patrick K. Ryan*


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Patrick K. Ryan  
Member of Congress



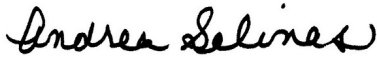
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Susie Lee  
Member of Congress



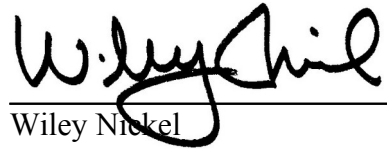
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Joe Courtney  
Member of Congress



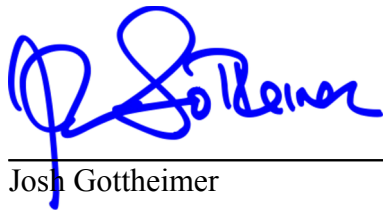
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Andrea Salinas  
Member of Congress



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Wiley Nickel  
Member of Congress



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Josh Gottheimer  
Member of Congress



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Susan Wild  
Member of Congress



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Katie Porter  
Member of Congress



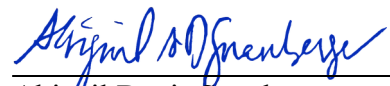
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Chrissy Houlahan  
Member of Congress



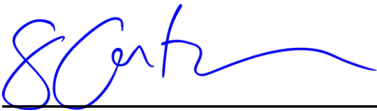
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Marcy Kaptur  
Member of Congress



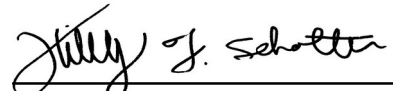
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Abigail Davis Spanberger  
Member of Congress



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Sean Casten  
Member of Congress



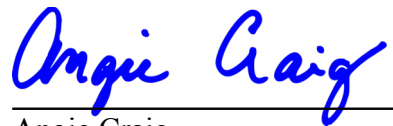
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Hillary J. Scholten  
Member of Congress



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Bill Foster  
Member of Congress



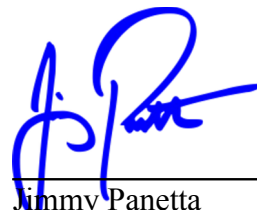
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Angie Craig  
Member of Congress



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Mike Quigley  
Member of Congress



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Jimmy Panetta  
Member of Congress



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Donald Norcross  
Member of Congress



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Greg Stanton  
Member of Congress




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Dean Phillips  
Member of Congress



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Madeleine Dean  
Member of Congress



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Derek Kilmer  
Member of Congress



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Stacey E. Plaskett  
Member of Congress



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Dina Titus  
Member of Congress



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Mike Levin  
Member of Congress



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James P. McGovern  
Member of Congress



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Gregory W. Meeks  
Member of Congress



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Raphael Warnock  
United States Senator