

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.¹ 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.² 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.³ 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,

¹ 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/>.

² 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.>

³ 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.⁴ Since the Director's position was downgraded in 2009, Members of the House and Senate have repeatedly called for the demotion's reversal,⁵ and advocacy groups, trade associations, substance use disorder treatment facilities, and former ONDCP leadership all support its reinstatement.⁶

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."⁷ 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

⁴ Commission on Combating Synthetic Opioid Trafficking, Final Report (Feb. 2022), file:///C:/Users/ac82404/Downloads/RAND_EP68838-1.pdf.

⁵ *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>.

⁶ *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/>.

⁷ *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*, 107th Cong. (Oct. 10, 2001) (Opening Statement of Senator Joseph R. Biden, Jr.), <https://www.congress.gov/107/chrq/shrg81443/CHRG-107shrg81443.htm>

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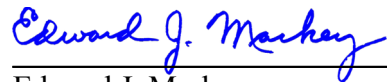
interagency collaboration and the effectiveness of drug control programs across the federal government. It is time to restore the Director to a Cabinet position to address the drug crisis with the full force of this Administration and those that follow.

Thank you in advance for your consideration of this request.

Sincerely,



David J. Trone
Member of Congress



Edward J. Markey
United States Senator



Brian Fitzpatrick
Member of Congress



Ann McLane Kuster
Member of Congress



Margaret Wood Hassan
United States Senator



Shelley Moore Capito
United States Senator



Michael F. Bennet
United States Senator



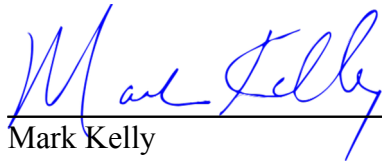
Tammy Baldwin
United States Senator



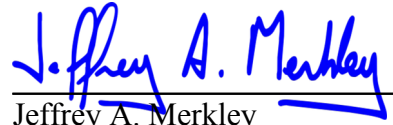
Elizabeth Warren
United States Senator



Susan M. Collins
United States Senator



Mark Kelly
United States Senator



Jeffrey A. Merkley
United States Senator



Dianne Feinstein
United States Senator



Catherine Cortez Masto
United States Senator



Jon Tester
United States Senator



Richard Blumenthal
United States Senator



Sheldon Whitehouse
United States Senator



Josh Harder
Member of Congress

André Carson

André Carson
Member of Congress

Brittany Pettersen

Brittany Pettersen
Member of Congress

Kathy Manning

Kathy E. Manning
Member of Congress

Jamie Raskin

Jamie Raskin
Member of Congress

Chris Pappas

Chris Pappas
Member of Congress

Paul Tonko

Paul Tonko
Member of Congress

Grace F. Napolitano

Grace F. Napolitano
Member of Congress

Lori Trahan

Lori Trahan
Member of Congress

John H. Rutherford


John H. Rutherford
Member of Congress

Patrick K. Ryan

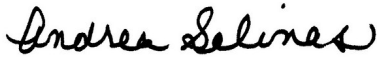
Patrick K. Ryan
Member of Congress



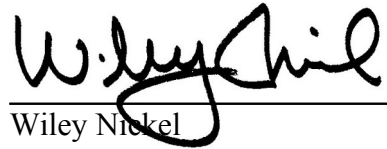
Susie Lee
Member of Congress



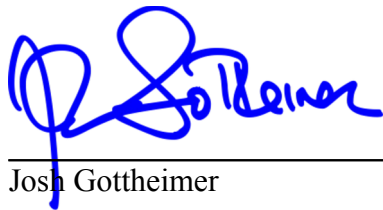
Joe Courtney
Member of Congress




Andrea Salinas
Member of Congress



Wiley Nickel
Member of Congress



Josh Gottheimer
Member of Congress



Susan Wild
Member of Congress



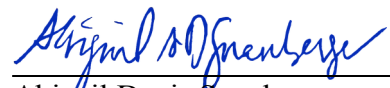
Katie Porter
Member of Congress



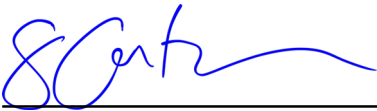
Chrissy Houlahan
Member of Congress



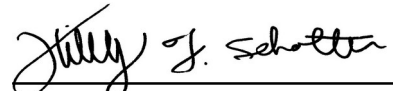
Marcy Kaptur
Member of Congress



Abigail Davis Spanberger
Member of Congress



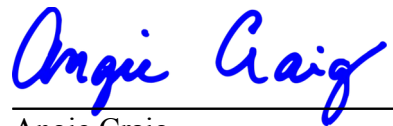
Sean Casten
Member of Congress



Hillary J. Scholten
Member of Congress



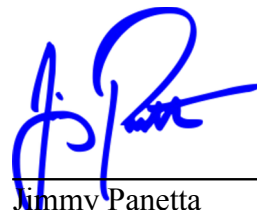
Bill Foster
Member of Congress



Angie Craig
Member of Congress



Mike Quigley
Member of Congress



Jimmy Panetta
Member of Congress



Donald Norcross
Member of Congress



Greg Stanton
Member of Congress



Dean Phillips
Member of Congress



Madeleine Dean
Member of Congress



Derek Kilmer
Member of Congress



Stacey E. Plaskett
Member of Congress



Dina Titus
Member of Congress



Mike Levin
Member of Congress



James P. McGovern
Member of Congress



Gregory W. Meeks
Member of Congress



Raphael Warnock
United States Senator