

United States Senate

WASHINGTON, DC 20510

April 9, 2018

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Trump,

On November 1, 2017, your Commission on Combatting Drug Addiction and the Opioid Crisis issued a set of 56 recommendations directed at your Administration. We are writing today to request information on your Administration's progress in implementing these recommendations "for improving the Federal response to drug addiction and the opioid crisis."¹

The opioid epidemic is a public health emergency that affects almost every community in the United States.² Opioid-related drug overdose deaths have increased fivefold since 1999.³ In 2016 alone, nearly twelve million Americans used heroin or misused prescription painkillers,⁴ and over 42,000 people died from an opioid-related drug overdose—an average of 116 people per day.⁵ Though an estimated 2.1 million Americans suffer from an opioid use disorder,⁶ only one in ten Americans in need of specialty treatment for substance use disorders are able to access it.⁷

On March 29, 2017, you established the President's Commission on Combatting Drug Addiction and the Opioid Crisis (the Commission) to "study ways to combat and treat the scourge of drug abuse, addiction, and the opioid crisis."⁸ The Commission was tasked with "mak[ing] recommendations to the President for improving the Federal response to drug

¹ Office of National Drug Control Policy, "Mission" (online at <https://www.whitehouse.gov/ondcp/presidents-commission/mission/>).

² Brennan Hoban, "The far-reaching effects of the US opioid crisis," *Brookings Institution* (October 25, 2017) (online at <https://www.brookings.edu/blog/brookings-now/2017/10/25/the-far-reaching-effects-of-the-us-opioid-crisis/>).

³ U.S. Centers for Disease Control, "Drug Overdose Death Data" (online at <https://www.cdc.gov/drugoverdose/data/statedeaths.html>).

⁴ Rebecca Ahrnsbrak, Jonaki Bose, Sarra L. Heden, Rachel N. Lipari, and Eunice Park-Lee, "Key Substance Use and Mental Health Indicators in the United States: Results from the 2016 National Survey on Drug Use and Health," *SAMHSA* (September 2017) (online at <https://www.samhsa.gov/data/sites/default/files/NSDUH-FFR1-2016/NSDUH-FFR1-2016.htm#opioid1>).

⁵ U.S. Centers for Disease Control, "Drug Overdose Death Data" (online at <https://www.cdc.gov/drugoverdose/data/statedeaths.html>); U.S. Department of Health and Human Services, "About the U.S. Opioid Epidemic" (online at <https://www.hhs.gov/opioids/about-the-epidemic/>).

⁶ U.S. Department of Health and Human Services, "About the U.S. Opioid Epidemic" (online at <https://www.hhs.gov/opioids/about-the-epidemic/>).

⁷ Katharine Q. Seelye, "Fraction of Americans With Drug Addiction Receive Treatment, Surgeon General Says," *New York Times* (November 17, 2016) (online at <https://www.nytimes.com/2016/11/18/us/substance-abuse-surgeon-general-report.html>).

⁸ The White House, "Office of National Drug Control Policy: President's Commission" (March 29, 2017) (online at <https://www.whitehouse.gov/ondcp/presidents-commission/>).

addiction and the opioid crisis.”⁹ After soliciting input from Governors, Members of Congress, nonprofit organizations, medical professionals, treatment providers, individuals and families impacted by the opioid crisis, and other members of the public, the Commission issued an interim report on July 31, 2017, outlining a set of preliminary recommendations for your Administration.¹⁰ It published its list of final recommendations on November 1, 2017.¹¹

The Commission’s final report includes a list of 56 recommendations for your Administration to take to address the opioid crisis. The Commission identified areas for action by federal agencies and the White House—sometimes working with Congress—in a multi-pronged Administration effort to coordinate federal responses to the epidemic, expand funding for affected communities, increase access to substance use disorder treatment, and reduce opioid misuse. Among its many recommendations, the final report states that the White House Office of National Drug Control Policy (ONDCP)—tasked with coordinating drug policy across the federal government—“must establish a coordinated system for tracking all federally-funded initiatives [related to the opioid epidemic]” and work with a number of federal agencies and stakeholders to “develop model statutes, regulations, and policies that ensure informed patient consent prior to an opioid prescription.”¹²

We are concerned, however, by reports that in spite of the opioid epidemic’s devastating impact on American communities, your Administration has failed to act aggressively to combat it. You declared the opioid epidemic a national public health emergency on October 26, 2017, but there has been little evidence that your Administration has taken advantage of the supplemental executive branch authorities and resources provided by this designation.¹³ In recent months, you proposed slashing the ONDCP budget by \$340 million;¹⁴ nominated an ONDCP Director with no experience in public health or addiction policy;¹⁵ and have reportedly relied on aides with limited public health expertise to coordinate the White House’s opioid response.¹⁶

⁹ The White House, “President’s Commission on Combating Drug Addiction and the Opioid Crisis: Commission Charter” (online at https://www.whitehouse.gov/sites/whitehouse.gov/files/ondcp/commission_charter.pdf).

¹⁰ The President’s Commission on Combating Drug Addiction and the Opioid Crisis, Interim Report (August 3, 2017) (online at <https://www.whitehouse.gov/sites/whitehouse.gov/files/ondcp/commission-interim-report.pdf>).

¹¹ The President’s Commission on Combating Drug Addiction and the Opioid Crisis, Final Report (November 1, 2017) (online at https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Final_Report_Draft_11-15-2017.pdf).

¹² The President’s Commission on Combating Drug Addiction and the Opioid Crisis, Final Report (November 1, 2017) (online at https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Final_Report_Draft_11-15-2017.pdf).

¹³ Brianna Ehley, “Trump declared an opioids emergency. Then nothing changed,” *Politico* (January 11, 2018) (online at <https://www.politico.com/story/2018/01/11/opioids-epidemic-trump-addiction-emergency-order-335848>).

¹⁴ Sarah Karlin-Smith and Brianna Ehley, “Trump again targets drug policy office, proposing 95 percent budget cut,” *Politico* (January 18, 2018) (online at <https://www.politico.com/story/2018/01/18/trump-targets-drug-policy-office-297422>).

¹⁵ Ilene MacDonald, “Trump to nominate Jim Carrol as ‘drug czar,’” *Fierce Healthcare* (February 12, 2018) (online at <https://www.fiercehealthcare.com/healthcare/trump-to-nominate-jim-carroll-as-drug-czar>).

¹⁶ Jessica Kwong, “Kellyanne Conway is Ignoring Drug Experts as She Takes Over Opioid Crisis: Report,” *Newsweek* (February 6, 2018) (online at <http://www.newsweek.com/kellyanne-conway-opioid-crisis-trump-800359>); Robert O’Harrow, Jr., “Trump’s 24-year-old drug policy appointee to step down by month’s end,” *Washington Post* (January 24, 2018) (online at https://www.washingtonpost.com/investigations/trumps-24-year-old-drug-policy-appointee-to-step-down-by-months-end/2018/01/24/77ce5656-0159-11e8-8acf-ad2991367d9d_story.html?utm_term=.11bab0ef963b).

Meanwhile, the position of DEA Administrator remains empty, a critical role in monitoring the distribution and supply of harmful prescription medications that have fueled the opioid crisis.

Over five months have passed since the Commission issued its final recommendations. To help us better understand your Administration's progress on implementing the Commission's recommendations and the efforts to coordinate the opioid response across the federal government, we request that you provide us with answers to the following no later than April 23, 2018, along with a staff-level briefing on your responses no later than April 30, 2018:

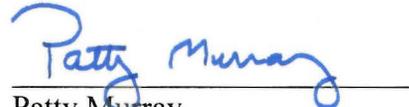
1. For each of the 56 recommendations included in the Commission's final report, please indicate whether the recommendation is "complete," "in progress," or "not yet started."
 - a. For each "complete" recommendation, please provide a detailed summary of the steps that your Administration has taken to complete the recommendation.
 - b. For each "in progress" recommendation, please provide a detailed summary of the steps that your Administration has taken to make progress on the recommendation, as well as a summary of the steps that your Administration plans to take to complete the recommendation and a timeline for completion.
 - c. For each "not yet started" recommendation, please provide a detailed explanation of why your Administration has yet to take action on the recommendation, as well as an overview of the steps that your Administration plans to take to complete the recommendation and a timeline for completion. If the Administration never plans to take action on the recommendation, please provide a detailed explanation of why not.
2. Some of the 56 recommendations included in the Commission's final report require action from Congress.
 - a. Please identify which portions of the 56 recommendations your Administration believes cannot be completed without action from Congress.
 - b. For each of the recommendations identified in (a), please describe the steps your Administration has taken to communicate to Congress the specific steps that lawmakers must take to help complete the recommendation and any timeline for the completion of those steps.
3. Please identify the individual within the Executive Branch, including the White House, who oversees the federal government's response to the opioid epidemic and is responsible for monitoring implementation of the Commission's recommendations. Additionally, please make this individual available to provide the staff-level briefing on the responses to (1) and (2) above.

We look forward to your prompt response. Please do not hesitate to contact Susannah Savage of Senator Warren's staff or Laurel Sakai of Senator Murray's staff with any questions or concerns.

Sincerely,



Elizabeth Warren
United States Senator



Patty Murray
United States Senator