

MIKE JOHNSON

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HOUSE REPUBLICAN CONFERENCE
VICE CHAIRMAN

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COMMITTEE ON ARMED SERVICES

SUBCOMMITTEE ON READINESS

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INNOVATIVE TECHNOLOGIES
AND INFORMATION SYSTEMS



Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON THE CONSTITUTION,
CIVIL RIGHTS AND CIVIL LIBERTIES
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SUBCOMMITTEE ON COURTS,
INTELLECTUAL PROPERTY
AND THE INTERNET

SUBCOMMITTEE ON ANTITRUST,
COMMERCIAL AND
ADMINISTRATIVE LAW

February 15, 2022

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
United States House of Representatives
Washington, D.C. 20515

Chairman Nadler:

Fentanyl overdoses recently became the leading cause of death for Americans aged 18-45,¹ claiming more lives per year than car accidents and cancer. In my home state of Louisiana, drug overdose deaths due to synthetic opioids (primarily fentanyl) rose 119% in just the first four months of 2021 when compared to 2020.² Even more startling, the first quarter of 2021 accounted for more synthetic opioid overdose deaths in Louisiana than occurred in all of 2019.³

As Members of Congress, we have a responsibility to the American people to attack this problem with much greater resolve. Therefore, I ask you to schedule a full Committee on the Judiciary hearing on the permanent scheduling of illicit fentanyl as a Schedule I drug.

As you know, the scheduling of illicit fentanyl as among the most dangerous drugs known to humankind was set to expire on February 18, 2022. Congressional action recently extended this deadline to March 11, 2022, but that is not good enough. There is no reason why Congress should be required to reauthorize illicit fentanyl's temporary classification as a Schedule I narcotic multiple times each year. Our law enforcement agencies need more certainty when prosecuting fentanyl-related offenses and investigating its illegal import from China across our porous southern border.

It is past time for Congress to permanently classify illicit fentanyl as an illegal deadly substance under federal law. Doing so will help our law enforcement agencies get control of the crisis that is destroying so many American families and communities. The criminals responsible for this tragedy must be put on notice that we will no longer tolerate their illegal activities.

¹ Audrey Conklin, *Fentanyl overdoses become No. 1 cause of death among US adults, ages 18-45: 'A national emergency'*, FOX NEWS (Dec. 16, 2021), <https://www.foxnews.com/us/fentanyl-overdoses-leading-cause-death-adults>.

² La. Dep't of Health, *Louisiana Department of Health Reporting Surge of Fatal Drug Overdoses* (Oct. 15, 2021), <https://ldh.la.gov/assets/oph/Center-CP/HANs/HANS21-74-LDH-Reports-Surge-Overdoses.pdf>.

³ *Id.*

Permanently classifying illicit fentanyl as a Schedule I narcotic under the Controlled Substances Act would streamline and standardize the process for prosecuting those manufacturing and distributing illicit fentanyl. Thus, I urge you to expeditiously schedule a hearing on this topic so we can take real action to end the opioid epidemic.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Johnson", with a long horizontal flourish extending to the right.

Mike Johnson
Member of Congress