

Opening Statement of The Honorable Brett Guthrie
“The Overdose Crisis: Interagency Proposal to Combat Illicit Fentanyl-Related Substances”

December 2, 2021

As Prepared for Delivery

Thank you, Chair Eshoo for holding this important hearing.

Today we are discussing how to permanently combat the trafficking of illicit fentanyl-related substances. This committee has a bipartisan history of addressing the growing opioid epidemic. For example, the SUPPORT for Patients and Communities Act, included my bill, the Comprehensive Opioid Recovery Centers Act, which authorized the creation of comprehensive opioid recovery centers throughout the nation. These centers provide evidence-based comprehensive care for those with substance use disorders. However, I’m frustrated my colleagues on the other side of the aisle have failed to join me in permanently scheduling fentanyl analogues.

We lost over 100,000 Americans last year due to overdoses. In my home state of Kentucky, **overdose deaths increased by fifty four percent between Spring 2020 and Spring 2021.** The Kentucky Office of Drug Control Policy described this trend as, “One of the most critical public health and safety issues facing Kentucky.”

Additionally, the agency attributed most of these deaths to the illicit use of fentanyl and fentanyl analogues, which their 2020 Overdose Fatality Report noted was responsible for over seventy percent of all the Commonwealth's drug overdoses in 2020.

But these aren't just numbers on a page. These are mothers, fathers, brothers, sisters, friends, and children.

In March of this year, a Kentucky mother purchased drugs laced with fentanyl; and not too long after found her two-year old son dead after he reached into her purse while she was napping and ingested the deadly poison. These tragedies have unfortunately become too familiar to not just Kentuckians but to thousands of Americans across the country.

Health care closures due to the pandemic and long-time health care access issues have also caused disruptions or lengthy delays in care for individuals who are seeking substance use disorder treatment. These delays have also affected those seeking first-time care for substance use disorder, and have tragically led to a sharp rise in overdoses.

I worry about further disruptions to care due to workforce shortages exacerbated by federal vaccine mandates. CDC found in their recent survey that

30% of health care workers at hospitals are unvaccinated. I oppose this government overreach on our health care heroes.

Even worse, President Biden's border crisis has essentially made Kentucky and every state a "border state." Only 2 milligrams of fentanyl can be a lethal dose; and the US Customs and Border Protection has reported almost four-thousand pounds of fentanyl seized at the Southern Border. Drug Enforcement Administration's own leadership cited statistics showing that the agency seized enough fentanyl this past year alone to give every American a lethal dose.

The Biden Administration's failure to address the problems at our Southern Border is driving the increases in drug overdoses. I have been urging my colleagues to permanently schedule fentanyl analogues by supporting the Federal Initiative to Guarantee Health by Targeting Fentanyl Act.

And although the Administration recently issued a plan to permanently schedule these substances, the proposal misses the mark by failing to impose mandatory minimums on fentanyl analogue traffickers.

By excluding mandatory minimums for trafficking fentanyl analogues, the proposal effectively incentivizes the cartels to continue to develop more variations of fentanyl and ship these deadly substances into our own backyards. Given that fentanyl and its analogues have contributed to the highest levels of overdose rates

this country has ever seen, excluding them from mandatory minimums is disturbing.

It is unfortunate that the Department of Justice can't be here today to explain this policy. Did the DOJ refuse to show up to today's hearing because they are unable to justify the policies in this proposal? Why didn't this administration send their top federal law enforcement agency to share their plans with the American people on how they will get these deadly poisons off our streets?

I will continue to press for permanently scheduling fentanyl analogues and giving law enforcement the resources needed to fight back against the illicit trafficking of fentanyl and fentanyl-related substances across the United States, that are sadly taking the lives of thousands of Americans.

Thank you, and I yield back.