

United States Senate

WASHINGTON, DC 20510

July 29, 2019

The Honorable Uttam Dhillon
Acting Administrator
United States Drug Enforcement Administration
8701 Morrisette Dr.
Springfield, VA 22152

Dear Acting Administrator Dhillon:

As our nation confronts the worst drug overdose epidemic in its history, we write to urge the Drug Enforcement Administration (DEA) to tackle the opioid crisis by utilizing new authorities that Congress provided to establish more sensible opioid production quotas for 2020. Section 3282 of the SUPPORT for Patients and Communities Act (P.L. 115-271) strengthened DEA's statutory quota-setting authority by enhancing transparency and requiring opioid quotas to be adjusted to reflect diversion, overdose deaths, and public health. As the bipartisan authors of that section, we strongly encourage you to use this new authority to rein in the pharmaceutical industry's incessant demand for excessive levels of opioid production.

We have previously shared our deep concern that, between 1993 and 2015, DEA allowed aggregate production quotas for oxycodone to increase 39-fold, hydrocodone to increase 12-fold, hydromorphone to increase 23-fold, and fentanyl to increase 25-fold. Recent reporting from the *Washington Post* revealed that the pharmaceutical industry flooded every corner of the country with 76 billion oxycodone and hydrocodone pills between 2006 and 2012—egregious volumes of painkiller production that was undertaken with DEA approval and awareness.

While we appreciate the initial steps taken in recent years to reduce the aggregate production quotas for schedule II opioids, we remain concerned that they are still far too high. Approximately thirteen billion opioid doses were put on the market in 2017—enough for every adult American to have at least a three-week prescription of painkillers. As powerful painkillers are aggressively marketed and prescribed at high rates, this sheer volume of available opioids heightens the risk for illicit diversion and abuse. For example, four in five new heroin users first began their addiction with prescription painkillers.

We have written on several occasions urging DEA to exercise its statutory quota authority to serve as the gatekeeper for how many opioids are allowed to be sold legally each year in the United States. As DEA proposes and finalizes the schedule II opioid production quotas for 2020, we urge you to apply DEA's new authorities to prevent and limit opioid diversion due to excessively high production levels. Thank you for your commitment to addressing the opioid epidemic. We look forward to our continued engagement on this issue.



Richard J. Durbin
United States Senator

Sincerely,



John Kennedy
United States Senator