

# United States Senate

WASHINGTON, DC 20510-4804

COMMITTEES  
APPROPRIATIONS  
ENERGY AND NATURAL RESOURCES  
INTELLIGENCE  
VETERANS' AFFAIRS

October 16, 2017

The Honorable Donald J. Trump  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President,

As you know, our nation is being devastated by the opioid epidemic. In 2015, we lost more than 33,000 Americans to opioid overdoses<sup>1</sup> and early estimates indicate that that number was significantly higher in 2016.<sup>2</sup> No state in the nation has been harder hit than mine. I have seen this epidemic destroy families and communities throughout West Virginia. In 2016 alone, we lost more than 700 West Virginians to an opioid overdose. That is why it is so important that we work together and do everything in our power to end this crisis.

That is also why I urge you to withdraw the nomination of Congressman Tom Marino to lead the Office of National Drug Control Policy (ONDCP). ONDCP is at the forefront of our national effort to stop opioid abuse, administering crucial programs like the High Intensity Drug Trafficking Areas Program (HIDTA) and the Drug Free Communities Program. The head of this office, often called America's Drug Czar, is a key voice in helping to push and implement strategies to prevent drug abuse, stop drug trafficking, and promote access to substance use disorder treatment. The October 15, 2017 report<sup>3</sup> in the Washington Post, "The Drug Industry's Triumph over the DEA," however, calls into question Congressman Marino's ability to fill this critical role in a manner that will serve the American people and end the epidemic. Congressman Marino no longer has my trust or that of the public that he will aggressively pursue the fight against opioid abuse.

Congressman Marino led the effort in Congress to move through a bill that has made it significantly harder for the Drug Enforcement Agency (DEA) to enforce our nation's anti-drug diversion laws. For years, wholesale drug distributors were sending millions of pills into small communities – far more than was reasonably medically necessary. As the report notes, one such company shipped 20 million doses of oxycodone and hydrocodone to pharmacies in West Virginia between 2007 and 2012. This included 11 million doses in one small county with only

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<sup>1</sup> <https://www.cdc.gov/drugoverdose/data/statedeaths.html>

<sup>2</sup> <https://www.nytimes.com/interactive/2017/06/05/upshot/opioid-epidemic-drug-overdose-deaths-are-rising-faster-than-ever.html>

<sup>3</sup> [https://www.washingtonpost.com/graphics/2017/investigations/dea-drug-industry-congress/?utm\\_term=.ea6c55d2746c](https://www.washingtonpost.com/graphics/2017/investigations/dea-drug-industry-congress/?utm_term=.ea6c55d2746c)

25,000 people in the southern part of the state: Mingo County. As the number of pills in my state increased, so did the death toll in our communities, including Mingo County.

Despite these devastating numbers and the human lives lost as a result, the legislation that Congressman Marino pushed has tied the hands of the DEA in their efforts to enforce our nation's laws and ensure that these wholesalers and other industry actors alert authorities to these suspicious orders instead of simply profiting from them. His advocacy for this legislation demonstrates that Congressman Marino either does not fully understand the scope and devastation of this epidemic or ties to industry overrode those concerns. Either option leaves him unfit to serve as the head of the ONDCP.

I am grateful for the work that you have been doing to raise awareness and to promote solutions to address this deadly epidemic. Too many in our communities are losing their lives, families, and futures to opioids and we need to be doing everything humanly possible to help them. That includes having an ONDCP head who is willing to take any steps necessary to stop this crisis, and that is why, again, I urge you to withdraw Congressman Marino's nomination to serve as the head of ONDCP.

I look forward to continuing to work with you to end the opioid epidemic.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Manchin III". The signature is fluid and cursive, with a large initial "J" and "M".

Joe Manchin III  
United States Senator