



MAJOR CITIES CHIEFS ASSOCIATION

May 24, 2023

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The Honorable Morgan H. Griffith
United States House of Representatives
Washington, D.C. 20515

The Honorable Bill Cassidy
United States Senate
Washington, D.C. 20510

Dear Rep. Griffith and Sen. Cassidy,

I'm writing on behalf of the Major Cities Chiefs Association (MCCA) to register our support for H.R. 467/S. 1141, the *HALT Fentanyl Act*. The MCCA is a professional organization of law enforcement executives representing the largest cities in the United States and Canada.

Synthetic opioids, such as fentanyl-related substances (FRS), continue to ravage communities throughout the United States. According to CDC, in 2022, "the reported and predicted number of drug overdose deaths involving synthetic opioids...continued to increase compared to the previous year."¹ While FRS are currently classified as a Schedule I controlled substance under a temporary authority, if this were to lapse, the resulting gaps in the law would significantly complicate law enforcement's ability to respond to this threat. For example, creative chemists working for drug cartels and other malicious actors could tweak a few molecules to create new FRS that are technically non-scheduled and non-controlled substances. These new substances would be as dangerous as existing FRS, underscoring the importance of permanent, class-wide scheduling.

The *HALT Fentanyl Act* will help address this challenge by permanently scheduling FRS as a Schedule I controlled substance. This will be a critical element of America's response to the opioid crisis and help save lives. There are also many licit uses for fentanyl, especially in the medical field. Importantly, this legislation includes several provisions to ensure that the class-wide scheduling does not stifle research and other scientific pursuits.

H.R. 467/S. 1141 aligns the penalties for violations of the *Controlled Substance Act* involving FRS with those for offenses involving illicit fentanyl. This will give law enforcement a powerful tool to protect the public and help ensure those trafficking FRS can be held accountable. However, the legislation does not alter the quantity-based mandatory minimum triggers currently in statute to account for the realities of FRS. For example, depending on the offense, it would need to involve either at least 40 grams or

¹ "Provisional Data Shows U.S. Drug Overdose Deaths Top 100,000 in 2022," *National Center for Health Statistics, Centers for Disease Control and Prevention*, May 18, 2023.
<<https://blogs.cdc.gov/nchs/2023/05/18/7365/>>

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400 grams of FRS to trigger a mandatory minimum. Considering how potent FRS are and that they are only becoming stronger, it is unlikely that any offender would be trafficking that amount of FRS in a single incident. This will blunt the deterrent associated with scheduling FRS. The MCCA strongly encourages Congress to monitor this issue closely and, if necessary, take additional action to address it.

Thank you for your leadership and your continued support of law enforcement. Please do not hesitate to contact me if the MCCA can be of additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura Cooper', written in a cursive style.

Laura Cooper
Executive Director
Major Cities Chiefs Association

CC: The Honorable Robert E. Latta
The Honorable Cathy McMorris Rodgers
The Honorable Brett Guthrie
The Honorable Gus M. Bilirakis
The Honorable Larry Bucshon
The Honorable Richard Hudson
The Honorable Michael C. Burgess
The Honorable Earl L. "Buddy" Carter
The Honorable Jeff Duncan
The Honorable Neal P. Dunn
The Honorable Dan Crenshaw
The Honorable John Joyce
The Honorable Troy Balderson
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The Honorable Mariannette Miller-Meeks
The Honorable Kat Cammack
The Honorable Rick W. Allen
The Honorable Tim Walberg
The Honorable John R. Curtis
The Honorable Gary J. Palmer
The Honorable Vern Buchanan
The Honorable Jim Banks
The Honorable Scott Fitzgerald
The Honorable Alexander X. Mooney
The Honorable Roger Marshall
The Honorable Todd Young