

June 19, 2019

Dear Members of Congress:

We write to you on behalf of a coalition committed to criminal justice and drug policy reform to express support for the Ocasio-Cortez amendment to the House Commerce, Justice, Science, and Related Agencies (CJS) bill, which would increase funding for overdose treatment while reducing funding for the Drug Enforcement Administration (DEA). We believe that our country needs to shift away from the enforcement and incarceration only approach to drugs that has wrought havoc on so many communities, particularly communities of color. The overdose crisis should instead be met with a public health response. We support the Ocasio-Cortez amendment because it would move the country closer to achieving that goal.

The House FY20 CJS appropriations legislation contains a \$2.36 billion budget for the DEA.<sup>1</sup> This represents almost \$90 million more than the FY19 appropriation level that was enacted in February 2019.<sup>2</sup> It is also almost \$80 million dollars above the President's FY20 request.<sup>3</sup> Thus, House Appropriators will give the DEA \$80 million dollars more than the agency itself or the Trump Administration requested.

Congress should not fund enforcement-only approaches to drug use and the overdose epidemic. As the lead law enforcement agency for drug enforcement, the DEA is emblematic of how the drug war has been a public policy failure. The DEA's approach to eradicating drugs in this country is based on the misguided belief that the U.S. can reduce drug use through arrest and incarceration. This approach is heavy-handed, ineffective, and unscientific, and has damaged communities across the country, including communities of color who bear the burden of the drug war. The agency opposes all changes to drug policy that represent a shift from the drug war model, such as rescheduling drugs, and legalizing marijuana, and reducing harsh drug sentences.<sup>4</sup> In short, the DEA is the lead entity executing the war on drugs. If the country is ever to treat drugs as a health issue, not a criminal issue, then we should stop pouring so much funding into this agency.

In 2017, over 70,000 Americans died from drug overdoses.<sup>5</sup> As such, a comprehensive health and prevention approach to the overdose crisis is necessary. The Comprehensive Opioid Abuse Program (COAP) helps tackle drug abuse and overdose fatalities without arrest and incarceration.<sup>6</sup> This program was authorized by the Comprehensive Addiction and Recovery Act

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<sup>1</sup> FY20 House Commerce Justice and Science, and Related Agencies Appropriations <https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/FY2020%20CJS%20Filed%20Bill%20-20HR3055.pdf> (accessed June 18, 2019).

<sup>2</sup> FY19 Enacted Appropriations DHS and Other Agencies Omnibus <https://www.congress.gov/resources/display/content/Appropriations+for+Fiscal+Year+2019> (accessed June 18, 2019).

<sup>3</sup> A Budget for a Better America, Trump Administration FY20 Budget <https://www.whitehouse.gov/wp-content/uploads/2019/03/budget-fy2020.pdf> (accessed June 18, 2019)

<sup>4</sup> Drug Policy Alliance. *The Scandal-Ridden DEA: Everything You Need to Know* (April 2015). [http://www.drugpolicy.org/sites/default/files/DEA\\_Scandals\\_Everything\\_You\\_Need\\_to\\_Know\\_Drug\\_Policy\\_Alliance.pdf](http://www.drugpolicy.org/sites/default/files/DEA_Scandals_Everything_You_Need_to_Know_Drug_Policy_Alliance.pdf) (accessed June 14, 2019).

<sup>5</sup> Drug Overdose Deaths", U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (<https://www.cdc.gov/drugoverdose/data/statedeaths.html>) (accessed June 14, 2019).

<sup>6</sup> Comprehensive Opioid Abuse Program (COAP) Funding Details, Bureau Of Justice Assistance, [https://www.bja.gov/ProgramDetails.aspx?Program\\_ID=72](https://www.bja.gov/ProgramDetails.aspx?Program_ID=72) (accessed June 18, 2019).

(CARA), bipartisan legislation passed in 2016.<sup>7</sup> Despite the overdose crisis facing the country, the House bill awards COAP \$159 million dollars, only a \$2 million dollar increase from what was appropriated last fiscal year.<sup>8</sup>

In 2015, House Democrats amended a funding bill to shift \$23 million from the DEA into important programs like body-worn cameras and domestic violence.<sup>9</sup> In a world of limited resources, where the overdose crisis warrants an appropriate response and resourcing, the House of Representatives should not support arrest and incarceration at the expense of treatment and public health solutions to drugs. Accordingly, we urge Members to approve this amendment.

Sincerely,

AIDS Alabama

AIDS United

American Civil Liberties Union

Americans for Safe Access

A New PATH

Blacks in Law Enforcement of America

Broken No More

CAN-DO Foundation

Center for Disability Rights, Inc.

Clergy for a New Drug Policy

Death Penalty Focus

Defending Rights & Dissent

Drug Policy Alliance

Drug Policy Forum of Hawai'i

Empire State NORML

Harm Reduction Action Center

Harm Reduction Coalition

Harm Reduction Michigan

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<sup>7</sup> Summary of CARA, American Society of Addiction Medicine, <https://www.asam.org/advocacy/issues/opioids/summary-of-the-comprehensive-addiction-and-recovery-act> (accessed June 18, 2019).

<sup>8</sup> FY20 House Commerce Justice and Science, and Related Agencies Appropriations <https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/FY2020%20CJS%20Filed%20Bill%20-%20HR3055.pdf> (accessed June 18, 2019).

<sup>9</sup> House Raids DEA Budget To Fund Police Reform And Community Outreach, Huffington Post, June 3, 2015 [https://www.huffpost.com/entry/dea-budget-police-reform\\_n\\_7503878](https://www.huffpost.com/entry/dea-budget-police-reform_n_7503878) (accessed June 18, 2019).

Hawai'i Health & Harm Reduction Center, Honolulu HI  
Health Equity Alliance  
Health in Justice Action Lab, Northeastern University School of Law  
Hep Free Hawai'i, Honolulu HI  
HIPS  
Housing Works  
Intercambios Puerto Rico  
International CURE  
Indiana Recovery Alliance  
Iowa Harm Reduction Coalition  
Justice Strategies  
Law Enforcement Action Partnership  
NAACP  
National Alliance for Medication Assisted Recovery  
National Association of Criminal Defense Lawyers  
National Association of Social Workers  
National Council on Alcoholism and Drug Dependence-Maryland Chapter  
National Council on Independent Living (NCIL)  
National LGBTQ Task Force Action Fund  
New Orleans Harm Reduction Network  
Next Harm Reduction  
Public Justice Center  
Quad Cities Harm Reduction  
Roc NORML  
Safe Streets Arts Foundation  
Seattle Hempfest  
Southwest Recovery Alliance  
St. Ann's Corner of Harm Reduction  
SSDP  
StoptheDrugWar.org  
The Drug Policy Forum of Texas

The National Council for Incarcerated and Formerly Incarcerated Women and Girls

The Sentencing Project

Trinity United Church of Christ, Chicago

Twenty22Many.Olympia

Urban Survivors Union

VOCAL-NY

Washington Office on Latin America (WOLA)

William C. Velásquez Institute