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1850 M Street, NW Twelfth Floor Washington, DC 20036 Phone: (202) 326-6000 http://www.naag.org/ The Honorable Paul Ryan Speaker of the House H-232 The Capitol Washington, DC 20515

The Honorable Mitch McConnell Majority Leader United States Senate 317 Russell Senate Office Bldg. Washington DC 20510

August 23, 2018

The Honorable Nancy Pelosi Minority Leader 235 Cannon House Office Bldg. Washington, DC 20515

The Honorable Charles Schumer Minority Leader United States Senate 322 Hart Senate Office Bldg. Washington, DC 20510

Dear Speaker Ryan, Majority Leader McConnell, Minority Leader Pelosi, and Minority Leader Schumer:

We, the undersigned Attorneys General, write to express our support for swift passage of the Stopping Overdoses of Fentanyl Analogues (SOFA) Act.

There is little doubt that the nation's ongoing battle against heroin and opiates is unlike any other public health emergency. It touches all corners of our society. States and localities are on the front line of this crisis and are a large part of winning the battle from both a law enforcement and public health perspective. We are grateful for the steps that Congress has taken to assist our states, including passing the International Narcotics Trafficking Emergency Response by Detecting Incoming Contraband with Technology (INTERDICT) Act earlier this year.

Unfortunately, as states have taken measures on a local level to solve this crisis, a new front has emerged in the form of trafficking in fentanyl and fentanyl analogues. As you are probably aware, fentanyl is a synthetic opioid that is used to treat late-stage cancer patients. Sadly, fentanyl and its analogues have made their way onto our streets with alarming regularity and overdose deaths related to fentanyl now surpass deaths related to heroin. These troubling facts were expressed in detail recently in a May 8, 2018, hearing in the House of Representatives Judiciary Committee entitled, "Challenges and Solutions in the Opioid Abuse Crisis."

The SOFA Act will eliminate the current loophole which keeps the controlled substance scheduling system one step behind those who manufacture fentanyl analogues and then introduce these fentanyl analogues into the opioid supply. In short, the SOFA Act utilizes catch-all language which will allow the Drug Enforcement Administration to proactively schedule all newly modified fentanyl analogues and thus will assist law enforcement's efforts on the front end. The SOFA Act unplugs the entire fentanyl machine in the first instance

by making fentanyl analogues illegal as soon as they are manufactured, which occurs most often abroad in countries without adequate controls.

While there remains much work to be done on all levels of government to address the opioid crisis, we urge Congress to act expeditiously and pass this important piece of legislation.

Very truly yours,

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