

Congress of the United States

Washington, DC 20515

December 22, 2022

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Ave N.W.
Washington, D.C. 20500

Dear President Biden:

Given the year-to-date increase in fatal drug overdose deaths¹ caused by foreign sourced illicit opioids, we write today to urge you to pursue a comprehensive strategy to combat this epidemic by designating illicit fentanyl analogues and all precursor chemicals as weapons of mass destruction (WMD). Recognizing the role of international bad actors in contributing to the ongoing opioid crisis, we request you take immediate executive action by utilizing the powers granted to you pursuant to the International Emergency Economic Powers Act (IEEPA) [50 U.S.C. §§ 1701et seq.]. We mirror and reiterate the September 2022 bipartisan letter request by 13 Attorneys General led by Florida Attorney General Ashley Moody and Connecticut Attorney General William Tong.²

We were pleased to see your December 15, 2021, Executive Orders 14059 and 14060, recognizing the severe impact that global/transnational illicit drug trafficking is having on the American people^{3 4}, but more must be done to combat this threat. Since issuing these orders, deaths from fentanyl continue to accelerate at a rapid pace and remains the leading cause of death for Americans aged 18 to 45.⁵ Additionally, we have grave concerns about the increasing roles of countries such as China, India, and Mexico in the manufacturing and trafficking of illicit fentanyl across our southern border.

Alarmingly, there is a history of foreign actors weaponizing fentanyl. Russia has previously weaponized fentanyl analogues. In October 2002, Russian security forces utilized two fentanyl analogues to incapacitate Chechen terrorist forces that were occupying Moscow's Dubrovka Theater while holding 800 Russians hostage. Approximately 130 innocent hostages were killed from this exposure.⁶ This tragedy provides insight into the chemical destruction of this drug and the dangers it brings when in the hands of bad actors. Illicit fentanyl poses a unique threat based on the potency of even small amounts, with border seizures containing enough fentanyl to kill every man, woman, and child in the United States.^{7 8}

As the Commander in Chief, you must act to protect the United States from all foreign threats. When it comes to illicit fentanyl analogues, our adversaries cannot be trusted and must be held accountable for the damage it is doing to the fabric of our nation. By appropriately classifying fentanyl as a WMD, we see the opportunity to properly infiltrate drug trafficking rings with suitable penalties for the death and destruction they are creating throughout the United States.

¹ <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

² Multistate+WMD+Policy+Letter_9.15.22_18+AGs.pdf (myfloridalegal.com)

³ [whitehouse.gov/briefing-room/presidential-actions/2021/12/15/executive-order-on-imposing-sanctions-on-foreign-persons-involved-in-the-global-illicit-drug-trade/](https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/15/executive-order-on-imposing-sanctions-on-foreign-persons-involved-in-the-global-illicit-drug-trade/)

⁴ <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/15/executive-order-on-establishing-the-united-states-council-on-transnational-organized-crime/>

⁵ <https://www.familiesagainstoffentanyl.org/>

⁶ <https://wmdcenter.ndu.edu/Portals/97/CSWMD%20Proceedings%20Dec%202019.pdf>

⁷ https://www.cdc.gov/stopoverdose/fentanyl/pdf/Fentanyl_Fact_Sheet_508c.pdf

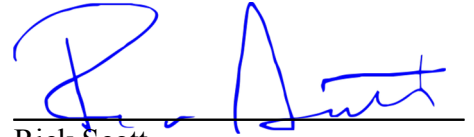
⁸ <https://www.dea.gov/press-releases/2021/12/16/dea-reveals-criminal-drug-networks-are-flooding-us-deadly-fentanyl>

Thank you for your prompt attention to this matter.

Sincerely,



Gus M. Bilirakis
Member of Congress



Rick Scott
United States Senator



Vern Buchanan
Member of Congress



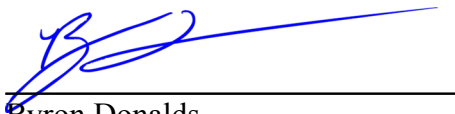
Mario Diaz-Balart
Member of Congress



Neal P. Dunn, M.D.
Member of Congress



Kat Cammack
Member of Congress



Byron Donalds
Member of Congress



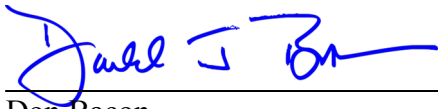
John H. Rutherford
Member of Congress



Charles J. "Chuck" Fleischmann
Member of Congress



Diana Harshbarger
Member of Congress



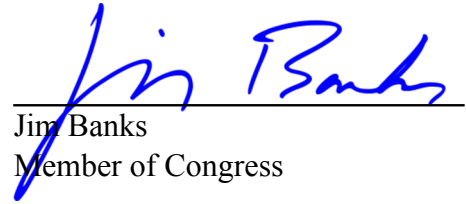
Don Bacon
Member of Congress



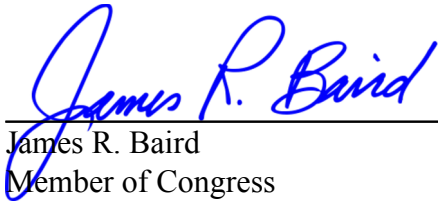
Adrian Smith
Member of Congress



Markwayne Mullin
Member of Congress



Jim Banks
Member of Congress



James R. Baird
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French Hill
Member of Congress