

**THE SACKLER ACT AND OTHER POLICIES
TO PROMOTE ACCOUNTABILITY FOR
THE SACKLER FAMILY'S ROLE
IN THE OPIOID EPIDEMIC**

HEARING
BEFORE THE
COMMITTEE ON
OVERSIGHT AND REFORM
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

—————
JUNE 8, 2021
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Serial No. 117-27

Printed for the use of the Committee on Oversight and Reform



Available on: *govinfo.gov*,
oversight.house.gov or
docs.house.gov

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U.S. GOVERNMENT PUBLISHING OFFICE

44-853 PDF

WASHINGTON : 2021

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No additional documents were entered into the record for this hearing.

**THE SACKLER ACT AND OTHER POLICIES
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Tuesday, June 8, 2021

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND REFORM,
Washington, D.C.

The committee met, pursuant to notice, at 12:05 p.m., in room 2154, Rayburn Office Building, and on Zoom; Hon. Carolyn Maloney [chairwoman of the committee] presiding.

Present: Representatives Maloney [presiding], Norton, Lynch, Cooper, Connolly, Krishnamoorthi, Raskin, Tlaib, Porter, Bush, Davis, Welch, Johnson, Sarbanes, Speier, Kelly, DeSaulnier, Pressley, Comer, Gosar, Foxx, Grothman, Cloud, Gibbs, Keller, Sessions, Biggs, Mace, LaTurner, Fallon, Clyde, and Franklin.

Chairwoman MALONEY. The committee will come to order.

The chair is authorized to declare a recess of the committee at any time.

I now recognize myself for an opening statement.

Today, the Committee on Oversight and Reform will hold its second hearing to examine how the Sackler family caused America's opioid epidemic, one of the deadliest public health crises in our Nation's history. We will hear how they researched it, how they planned it, how they manufactured it, how they sold it, how they marketed it, and, ultimately, how they profited billions from the sale of OxyContin. And we will hear also of the pain and suffering of the people who became addicted to it.

Last December, after being threatened with subpoenas, David Sackler and Kathe Sackler testified before this committee about how their family pushed Purdue Pharma executives to flood the market with the dangerous painkiller, OxyContin, and deceived the public about its addictive potential. During the hearing, Kathe Sackler, who previously served as vice president of the company and on its board of directors, refused to apologize for her family's central role in causing the opioid epidemic. When I asked her whether she would apologize for the role she played in the opioid epidemic, she said, and I quote, "There is nothing I can find that I would have done differently." Over the past 2 decades, nearly a half a million people in the United States have died as a result of the opioid epidemic, yet there is not a single thing that the Sacklers would have done differently? It is shocking and appalling, and it shows why we desperately need accountability for the

Sacklers' deadly, outrageous conduct. COVID-19 has claimed 597,000 American lives, so the opioid epidemic is nearly as deadly as the worst pandemic in modern history, and there is no vaccine for opioid addiction.

Since the committee's December hearing, even more information has come to light concerning the Sacklers' deadly disregard for human life. Much of this information has been brought forward by Patrick Radden Keefe, whose recently published book, "Empire of Pain", reveals disturbing new details of the Sacklers' stewardship and leadership at Purdue Pharma and the opioid epidemic. In his book, Mr. Keefe provides a horrifying account of how the Sacklers disregarded reports of OxyContin's misuse as the opioid crisis ignited, pushed executives to sell more and more and more of the dangerous prescription painkiller as the crisis raged, and heartlessly blaming those experiencing addiction in order to protect OxyContin and its profits. Mr. Keefe's book also raises serious questions about how our Federal regulatory agencies fell short in their mission to keep Americans safe, and how a lack of proper guardrails between government and industry fueled this deadly public health crisis. It is a privilege to have Mr. Keefe with us today.

Since Purdue brought OxyContin to market in 1996, the company has generated more than \$35 billion in revenue from its sales. During that same period, the Sackler family withdrew more than \$10 billion from the company. I am outraged that the Sackler family and Purdue Pharma have profited off of the suffering of so many families and communities, and instead of accepting responsibility for the harms that they have caused, the Sacklers are seeking to use a loophole in our bankruptcy system to evade accountability.

In March, I introduced the SACKLER Act with Congressman DeSaulnier. The SACKLER Act would ensure that bad actors who have not filed for bankruptcy, but are hiding behind their companies that have filed for bankruptcy, like the Sacklers, to make sure that they are not prohibited from using the bankruptcy process to obtain legal release from government lawsuits brought against them. The Sacklers can't have it both ways. For years, they have falsely claimed that the family is not involved with Purdue's reckless marketing and dishonest marketing of the addiction prospects of OxyContin, but at the same time, they are trying to evade accountability by obtaining legal releases for themselves through the Purdue bankruptcy. What is worse, they are actually going to retain their ownership of their foreign opioid manufacturers for several years, and they are contributing the \$4.2 billion they are giving to the settlement by selling more opioids overseas. It is deeply disappointing that the Department of Justice has been complicit in devising this plan to let the Sacklers off the hook, and I will be writing Attorney General Merrick Garland to ask him to reconsider DOJ's position. The plan is a slap in the face to the millions of people who have been directly harmed by their actions.

The SACKLER Act is commonsense reform that has been co-sponsored by 50 Members of Congress, has been endorsed by dozens of patient treatment and corporate accountability organizations, and is supported by both Democratic and Republican state

attorney generals. I would like to insert the list of groups that have endorsed the bill into the record and also editorial boards that have endorsed the SACKLER Act.

Chairwoman MALONEY. The *Boston Globe* said that Congress needs to pass this bill to “ensure that state attorneys general never again have to rely on the individual judges to guard against this misuse of bankruptcy courts.” And the *Scranton Times Tribune* wrote, and I quote, “People harmed by others’ wayward misconduct should not be precluded from compensation through inappropriate use of bankruptcy protections. Congress should pass the bill.” It is imperative that Congress act swiftly to prevent the Sacklers and other bad actors like them from manipulating the bankruptcy system to evade accountability for their actions. The Sacklers have gotten away with a slap on the wrist before. They have done it before, and it didn’t deter them. They went right back into selling even more potent, dangerous versions of OxyContin, so we need real accountability this time, not just another slap on the wrist. Usually when you kill someone, you go to jail. When you read all the documents, they killed almost half a million people.

Before I turn to the ranking member, I would like to recognize the distinguished gentleman from California and a leader in this committee’s efforts to hold the Sacklers and Purdue Pharma accountable, Congressman Mark DeSaulnier. You are now recognized. Congressman DeSaulnier?

Mr. DESAULNIER. Thank you, Madam Chairwoman. I really want to thank you for your comments, your passion, your partnership with myself, and everyone else involved. I also want to recognize our dear friend, your predecessor, Elijah Cummings, who was so passionate and determined to provide leadership on this issue. And, again, I just really want to thank you for your comments.

Back in December, we held a hearing on the Sackler family’s role in the opioid crisis and had family members come and testify in front of this committee. The family’s greed and the devastation they have caused cannot be overstated. Since the release of OxyContin in 1996, the Sackler family has withdrawn more than \$10 billion from Purdue Pharma, a privately held company that they own. While the Sackler family was earning billions, 500,000 Americans lost their lives to opioids. Five hundred thousand American families still suffer with no pain relief for their loss, all from opioid overdoses from 1999 to 2019. According to the CDC, opioid abuse in America costs us almost \$80 billion a year, but the Sacklers, in their tentative settlement agreement with the Department of Justice, are willing to spend only two percent of their net worth—\$212 million—\$212 million hundred once—for what the CDC says now is costing American taxpayers and the American economy almost \$80 billion a year. The United States has four percent of the world’s population, but over the last 20 years, has grown to consume 80 percent of the opioids.

Our focus has to be on justice and accountability. The Sackler family is trying to use legal loopholes to avoid accountability for their actions. I am so proud to be leading on the SACKLER Act with Chairwoman Maloney, which would prevent the Sackler family from receiving immunity against government lawsuits through Purdue Pharma’s bankruptcy. I am really proud of our witnesses

today, the attorney generals, the advocates, and Mr. Keefe, representing dozens of journalists, a real statement of why we need independent, accountable journalism in this country. Across this country, many books and articles have been written to shed light on this crisis. Holding the Sackler family accountable to the fullest extent of the law would provide some measure of justice, but it will never bring back the hundreds of thousands of lives cut short by this epidemic. Today's hearing is a bright spot in a dark saga of the opioid epidemic.

I want to thank, again, our witnesses for being in the front lines of exposing the greed behind the opioid epidemic and for fighting to enact change to make sure this never happens again. Thank you all so much. I yield back.

Chairwoman MALONEY. The gentleman yields back. I now recognize the distinguished ranking member from the great state of Kentucky, Mr. Comer. Kentucky was one of the states hardest hit by the opioid crisis, and it is my hope we can work together against the opioid crisis. Mr. Comer, you are now recognized for as much time as you would like for your opening statement.

Mr. COMER. Well, thank you, Madam Chair. We are here today having another hearing, the second in six months, on Purdue Pharma and the Sackler family. This hearing, however, is a little different than the one we had in December. That is because this airing is the first meeting of the committee book club. That is right. The committee's star witness today, Patrick Keefe, recently wrote a book on the Sackler family that was released just weeks ago. In fact, just minutes after the Democrats announced this hearing, Mr. Keefe blasted out the hearing announcement on his Twitter page and used the opportunity to talk about his book.

His book currently ranks on Amazon as No. 1 in the pharmaceutical and biotechnology industry category, No. 1 in the white collar/true crime accounts category, but only No. 2 in the biographies of business leaders category. Mr. Keefe donated thousands of dollars exclusively to Democrats-and Stacey Abrams-linked groups in the last election cycle, so perhaps this is the Democrats' way of paying him back by helping him reach No. 1 in that third book category. Mr. Keefe is a reporter for *The New Yorker* and formerly of the *New York Times*. If there is a better way to show the cozy relationship between Democrats and the media other than having him here at this hearing to promote his own book, I don't know what it is. Mr. Keefe can't really add anything to today's hearing. We already know the Sackler family played an enormous role in our country's tragic opioid epidemic. There could be no doubt about that. But there has been and continues to be a legal reckoning for Purdue Pharma and the Sackler family. Their many victims are having their day in court. In fact, as we speak, there is a landmark bankruptcy proceeding which will hopefully provide some financial restitution to hundreds of municipalities across the country.

Purdue Pharma and the Sacklers undoubtedly must be held to account for their contribution to the growing opioid epidemic, but this hearing is not doing that. In fact, this hearing just appears to be helping political allies. Instead, at this point, we should be focused on other aspects of the opioid epidemic. We have a growing

number of illicit opioids streaming across our southern border. My Republican colleagues and I have sent three letters to Chairwoman Maloney asking her to hold a hearing on the Biden border crisis. We have not yet had one. The longer the chairwoman waits to hold a hearing on the border crisis, the more Americans are dying due to the illicit fentanyl coming across the border, and the economic shutdown during the COVID pandemic has prevented opioid abuse disorder patients from being able to access care. Without access to care, patients are isolated and at a significantly higher risk of relapsing.

This hearing misses the point. It is so focused on the Sackler family that it forgets the ongoing epidemic affecting millions of Americans each day. I urge the chairwoman to hold a hearing on the border crisis to stop the illicit trafficking of fentanyl and to reopen our country so that patients can access the care they need. Our witness today, former Office of National Drug Control Policy head, Jim Carroll, knows full well about the illicit trafficking of fentanyl across our border. He can speak at length about combating opioids, what works and what doesn't, because he is the only witness here who actually has experience doing that. If we really want to better understand the opioid epidemic, listening to Mr. Carroll is a good place for us to start.

And with that, Madam Chair, I yield back.

Chairwoman MALONEY. The gentleman yields back. I would now like to introduce our witnesses. Our very first witness today is Alexis Pleus. She is the founder and executive director of Truth Pharm. Then we will hear from the Honorable Maura Healey, who is the attorney general of Massachusetts. Next, we will hear from the Honorable Jim Carroll, who is the former director of the White House Office of National Drug Control Policy. Next, we will hear from the Honorable Lawrence Wasden, who is the attorney general of Idaho. Finally, we will hear from Patrick Radden Keefe, who is a staff writer at The New Yorker and is the author of the recent book, "Empire of Pain: The Secret History of the Sackler Dynasty."

The witnesses will be unmuted so we can swear them all in. Please rise and raise your right hand.

Do you swear to affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

Chairwoman MALONEY. Let the record show that the witnesses answered in the affirmative. Thank you.

Without objection, your written statements will be part of the record.

With that, Ms. Pleus, you are now recognized for your testimony. Ms. Pleus?

**STATEMENT OF ALEXIS PLEUS, FOUNDER AND EXECUTIVE
DIRECTOR, TRUTH PHARM**

Ms. PLEUS. Good afternoon. First, I want to thank Chairwoman Maloney for the invitation to testify. I am sitting here today with the immense responsibility of representing the pain of millions of grieving family members. The only comfort that I have is that you

also bear an incredible responsibility to find some way to work toward correcting this injustice.

I raised three sons in the country outside of a tiny village in upstate New York where the high school's graduating class is about 60 students. My boys grew up climbing trees, building forts, riding four-wheelers, playing sports, and having dinner at the table as a family. In 2002, my oldest son, Jeff, injured his knee in the first football game of his junior year. The doctor explained Jeff would miss the entire rest of his season, and if he wanted to wrestle that year, he would need to undergo major surgery, extensive physical therapy, and it would be very important to control his pain levels, which he would do by taking OxyContin every four hours. Jeff did everything the doctors told him to do, and he did wrestle that year. He even made it to the state championships. He was such a determined kid.

When he finished college, he got his own apartment, he had a job, he paid his own bills, and he stayed close to his family. In 2011, I got a call saying Jeff had been arrested. I met with the public defender, insisting Jeff must be innocent. He doesn't steal, he's a good kid, he has a job, and this doesn't make sense. A lot of things that heroin addicts do don't make sense, he replied. When I met with Jeff, through choking sobs, he said it was true. He had struggled with addiction in silence for seven years ever since that high school prescription. August 2014, Jeff was 22 months into recovery. I had stopped worrying. I worked on an assignment at Fort Meade, and I received a call from my son, Jason, telling me that Jeff had died of an overdose. My vivacious, caring, larger-than-life, family loving Jeff was gone, and our family would never be whole again.

I threw my grief into researching the overdose epidemic. I learned there were countless families with stories like ours: young people getting hooked on pills either through prescriptions or recreation and then moving on to heroin when they could no longer afford the pills, stories of stints in and out of jail and a gross lack of effective treatment, and grieving parents laden with guilt and pain.

Six months after losing Jeff, I founded Truth Pharm in 2015, the same year the Sacklers hit the Forbes list of the richest Americans. Truth Pharm's name shows our intent to raise awareness of the pharmaceutical industry's role in the overdose epidemic and a commitment that we would always tell the truth. Truth. In the six years since starting Truth Pharm, another 396,000 lives have been lost to an overdose nationwide.

[Photos shown.]

Ms. PLEUS. My younger two sons have lost six classmates. Our county has lost 303 people, including a girl who was only 13 years old. Truth Pharm has lost three of our volunteers to a fatal overdose: Renee, David, and Calvin. Calvin was just 25 and graduated with my youngest son, and I attended his memorial service just one week ago today. In that six years, my close friends and our organization's volunteers—Marcia, Michelle, Danielle, Diane, Corky, Shelly, Lori, Betsy, Ralph, Kathy, and Teresa—have all lost a child. Katie, Alicia, and Jess have each lost a brother, and LaToya lost

her mom. At this point I have developed a crippling fear of phone calls.

Each year, we memorialize lives lost to substance use through an event, the Trail of Truth, where hundreds of community members collectively grieve. And despite all experts saying addiction is a medical condition, countless individuals have wound up behind bars for the smallest quantity of drugs. Seventy percent of the people we memorialize have been impacted by incarceration. The War on Drugs has caused massive human loss and decimated communities of color. Gene, a black man from our town, was sentenced to six years behind bars for having four baggies of heroin in his pocket for personal use. This past weekend, we held a rally for a 22-year-old boy who died from medical neglect in jail. His original charge was criminal possession seven, the lowest possible drug charge.

In 2012, 259 million prescriptions were written for opioids, more than enough to give every American adult their own bottle of pills, but we have seen no intent to sell, no drug distribution, and no incarceration for the heads of that drug empire. Somehow they are free from the effects of the drug war. They walk away unscathed, even as they amass wealth at the expense of lowering life expectancy for all adults in the United States, at the expense of taking my vibrant son from me, at the expense of hundreds of thousands of other families facing the same excruciating loss, even at the expense of creating a generation of children who will grow up without parents. Those of us who have lost loved ones will not even get a settlement to pay for the funerals of our children.

While Jeff can't be returned to me nor any of the other lives lost, what we can do is close the loophole that is allowing the Sacklers and others to profit from the death and destruction they have caused, and that is my sole request to you today. Thank you.

Chairwoman MALONEY. Thank you. Thank you. Attorney General Healey, you are now recognized for your testimony. Attorney General?

STATEMENT OF HONORABLE MAURA HEALEY, ATTORNEY GENERAL, COMMONWEALTH OF MASSACHUSETTS

Ms. HEALEY. Chairwoman Maloney, Ranking Member Comer, and members of the committee, thank you for holding this important hearing. It is heartbreaking to listen to the words of Ms. Pleus and think about what her family and so many families across this country have gone through, and that is why we are here today.

From the day I became attorney general, I have heard story after story of people's lives torn apart by opioid, of people who spent years overcoming substance use disorder, of people who didn't make it, and of people who have lost the ones they love. Over and over, the people closest to this crisis have said what must be done. They want a commitment to treatment and prevention, they want the whole truth exposed, and they want the perpetrators to be held accountable. That is why my team investigated the Sackler family members who control Purdue Pharma. That is why Massachusetts was the first state to sue the Sackler family, and it is why I have rejected the Sacklers' repeated attempts to cover up, to conceal, to buy off their misconduct, avoid accountability, and walk away as

billionaires, richer today than they were yesterday. It is why I am working with others in law enforcement across this country, including my good friend, Attorney General Wasden of Idaho, to work to deliver the compensation, the transparency, and accountability the public deserves. As a prosecutor, I can tell you that in every case, a just resolution is based on the facts, and the facts guide our work on this case. I believe they can inform the work of this committee as well.

So what do we know? We know from the beginning that the approval of OxyContin was tainted with criminal intent. Those aren't my words. Those are the exact words of the Department of Justice career prosecutors: "criminal intent." Purdue got OxyContin approved by corrupting the FDA review. We know that as soon as OxyContin was launched, the Sacklers directed Purdue to mislead doctors about it. Purdue was convicted of a felony because its executives decided to exploit a misconception that OxyContin was much weaker than it is. Purdue tried to keep that secret, but we know that Richard Sackler personally approved that crime. We know that the Sacklers knew their drugs were killing people. When Richard Sackler read a report of 59 deaths in one state, he wrote, "This is not too bad. It could've been far worse."

We know that the Sacklers decided to blame and stigmatize the people who became addicted to their drugs. Richard wrote, "We must hammer on the abusers in every way possible. They are the culprits in the problem. They are reckless criminals." We know that the Sacklers micromanaged Purdue. Richard was so involved in pushing Purdue's opioids, that staff wrote emails begging him to back off. We know that the Sacklers met face-to-face with McKinsey and approved an illegal campaign to turbocharge OxyContin sales as the opioid crisis raged. We know that the Sacklers' illegal conduct caused people to suffer and die. When we sued the Sacklers, we traced death certificates to hundreds of Purdue patients killed by overdoses in Massachusetts. Now evidence from hundreds of thousands of medical records across the country proves we were right. Purdue injured and killed so many people that it will be remembered as one of the worst corporations in history.

We know that the Sacklers were driven by greed. David Sackler wrote, "We're rich? For how long? Until which suits get through to the family?" So the Sacklers took billions of dollars from Purdue and then put the company into bankruptcy. They took so much money that Purdue is now bankrupt. They have little to pay for the damage they caused. Under the Purdue and Sackler bankruptcy plan, states, cities, and counties in the Nation will receive only \$1.3 billion over the next five years. That may sound like a lot. It is a pittance, far too little to address the urgent need. Meanwhile, the Sacklers are sitting on a fortune of over \$11 billion from the sales of OxyContin. The Sacklers are still hiding the truth. The public deserves to know what the Sacklers did. Last year, we questioned Richard and 15 other key witnesses in our case under oath, but they want to keep that testimony secret until they get away with it.

I want to conclude by thanking every member of this committee. Your work can be a turning point toward justice. I applaud you all.

I applaud Chairwoman Maloney and Representative DeSaulnier for introducing the SACKLER Act. We need commonsense legislation to prevent billionaires who aren't bankrupt from abusing the Bankruptcy Code to avoid accountability. We need justice for Alexis and families all across this country. I hope every member of this committee will work together to see these important reforms enacted into law. Thank you.

Chairwoman MALONEY. Thank you. The gentlelady yields back. Mr. Carroll, you are now recognized for your testimony.

STATEMENT OF HONORABLE JIM CARROLL, FORMER DIRECTOR, WHITE HOUSE OFFICE OF NATIONAL DRUG CONTROL POLICY

Mr. CARROLL. [Inaudible.]

Chairwoman MALONEY. Could you pull your mic forward and make sure the red light is on because we are having trouble hearing you.

Mr. CARROLL. I apologize.

Chairwoman MALONEY. Thank you.

Mr. CARROLL. Thank you, Chairwoman Maloney, for inviting me back in front of this committee and allowing me to testify.

Today's hearing is about looking back at what happened and appropriately holding responsible those who committed horrible and wrongful acts. It is important that we do that, but it is also important as we look back, that we focus in on what is happening today, what is happening now. The coronavirus pandemic of the last 15 months has resulted in the deaths of hundreds of thousands of people. Thankfully, we are now recovering and America is healing. We now need to turn our collective focus to the ongoing and worsening crisis of addiction and the resulting fatal overdoses that have killed what might be 100,000 people during the same time period of COVID-19. Again, the work of this committee is so vital.

While COVID-19 has directly caused deaths, it has also caused so many deaths from overdoses. Depression, despair, isolation, and financial ruin have caused thousands of people to, first, try dangerous drugs, and then thousands more who were in recovery to relapse and begin using again. I am grateful that the committee has called this hearing to discuss some of the causes as well as some of the solutions that are needed so that there are not more parents coming before Congress to plead for action and so more of our children don't die.

We know that overprescribing of opioids was one of the causes of opioid addiction. I know this firsthand. As I have told the committee previously, that one of my family members was the victim of overprescribing. My family member has chosen not to go public, but I will never forget the feeling of panic when my wife called me at work, told me what was happening and to come home immediately. Because my family member was over the age of 21 at the time, we had no idea there was even a problem, but that day, we were able to get our family member, first, into detox, and, thankfully, now successfully into recovery. But too many parents do not have such a "successful story" to tell.

Today, this committee is properly discussing the role of prescription opioids and assigning responsibility, but we must acknowledge

that addiction in our country is nothing new, and the problem is growing at a frightening rate. We need to act immediately as addiction will continue to kill, regardless of any action that we are taking. My immediate concern is what we should be doing right now to save the lives of the approximately two dozen people that will die of an overdose during this hearing.

In the last four years, opioid prescriptions have been reduced by about one-third, and we now have lots of ways and places where people can bring in their unused prescriptions. The Drug Enforcement Administration is removing tons of medication through their take-back programs, but private industry is now stepping up and taking a big role in fighting the overdose crisis, a role that Congress should take note of and support. In my current role, I am working with a company, DisposeRx, a private company who is making take-home pouches that allow people to dispose of unused, unwanted medications, and in an environmentally friendly way, in their home. There's companies, such as Opioid Clinical Management, who've developed technology and algorithms to identify situations of over prescription and get them help immediately. These companies and others are all working toward one goal: to save lives. They deserve congressional support.

As part of our country's efforts to fight the overdose crisis, there are other things that we must do. We must support research into new pharmaceuticals that don't have the same addictive qualities while still relieving pain. There are companies that are doing this, and those must be supported. We need to make sure that treatment is available for the millions of people who have an active and ongoing addiction. We need bed space available, we need sound medical practices, and we need to continue to fund additional and new research for people suffering from addiction.

For those in recovery, they need our prayers, they need our love, they need our support, but they also need jobs. They need financial security. The need to feel like they are wanted and loved, and stigma is still too much a part of their lives. We need to work on prevention. Research has shown that 90 percent of adults with the disease of addiction started using illicit substances before the age of 18. I am proud to say that I am a senior advisor to Students Against Destructive Decisions, one of the country's largest prevention programs, reaching several hundred thousand kids a year. But finally, we also need to recognize that the overwhelming and vast majority of drugs that are killing Americans today are being brought into our country illegally. The drug that is causing most of the deaths in our country today is fentanyl and its synthetic analogues. This drug, 10 times more potent than heroin, is flooding into our country.

The most recent statistics from Customs and Border Protection show that in the three months of February, March, and April of this year, CBP seized 176,000 pounds of illicit drugs coming into our country, which is 20 percent higher than at the same three-month period in 2020. During this Fiscal Year alone, CBP has seized more fentanyl than they did in the entirety of 2020. All we have to do is look at the rising death rates, especially with the vast majority of these deaths being caused by fentanyl today, to show that we are not interdicting a greater percent of drugs. There's just

simply more drugs coming in today. So as we discuss assigning appropriate responsibility to opioid manufacturers, let's continue to make sure that we are helping people today.

And I do want to recognize this is my first time appearing in front of the committee since the passing of Chairman Cummings, and it is great to see his compassion and his work being carried on in a bipartisan fashion today. So thank you.

Chairwoman MALONEY. Thank you. Attorney General Wasden, you are now recognized for your testimony. Attorney General?

**STATEMENT OF HON. LAWRENCE WASDEN, ATTORNEY
GENERAL, STATE OF IDAHO**

Mr. WASDEN. Thank you, Chairwoman Maloney, Representative Comer, and members of the committee. Thank you for holding this important hearing. I am grateful for the chance to share my perspective as the chief legal officer of the state of Idaho. It is also a pleasure to once again work with my colleague and friend, Attorney General Maura Healey, on this important issue.

Idaho has not been spared the effects of the opioid crisis. Between 1999 and 2017, Idaho's opioid-related death rate nearly tripled. In 2015 alone, approximately 1.3 million opioid prescriptions were written in Idaho. That is nearly one prescription for every man, woman, and child in our state. Beginning in the 1990's, Purdue and the Sackler family executed one of the deadliest marketing campaigns in history. Tragically, this campaign resulted in a dramatic rise in opioid abuse, addiction, overdose, and death. The Sackler family bears substantial responsibility for the opioid crisis ravaging our country. My team has worked shoulder-to-shoulder with prosecutors from across the country to investigate the companies and individuals who contributed to the opioid crisis. The people of Idaho count on me to enforce the law.

I sued Purdue and eight members of the Sackler family in Idaho state court for violating Idaho law, but for the past two years, my team has been fighting Purdue and the Sacklers in the Federal Bankruptcy Court in New York. The Sacklers are using Purdue's corporate bankruptcy as a tactic to hide behind and protect themselves from personal liability and accountability. They have kept my case away from an Idaho judge and an Idaho jury, and now they are planning to use the Bankruptcy Court to give themselves permanent immunity, even against civil law enforcement claims by attorneys general.

As Idaho's chief legal officer, I believe that the law should be enforced fairly and squarely against people who deceive the public about addictive drugs. For more than a decade, I served on the board of directors of the American Legacy Foundation, the non-profit created in the wake of the national tobacco settlement in 1998, to educate youth and adults on the dangers of smoking. I saw how tobacco companies damaged our communities and how much it takes to address those injuries. The tobacco companies, however, were not allowed to abuse the bankruptcy system in the way the Sacklers are. The tobacco companies had to face trials, or actually declare bankruptcy themselves, or agree to settlements that each state attorney general could support. That settlement has ultimately led to a decades-long decline in smoking.

I am grateful for the bipartisan work of the House Oversight Committee on the SACKLER Act. Now I hope that you will take the next step and enact the legislation that has been introduced to ensure that the Sacklers and other bad actors cannot use our bankruptcy system to evade accountability. The policy embodied in the SACKLER Act is sound. Non-debtors who have not filed for bankruptcy should not be allowed to use another party's bankruptcy to shield themselves and escape from the government's legal claims against them. The Sacklers are not bankrupt. They are billionaires. The Bankruptcy Code could not have intended to benefit them, and efforts to use it for that purpose should be stopped.

The SACKLER Act builds on a foundation established by many Federal courts. In the Ninth Circuit, which includes Idaho, the Court of Appeals does not permit a bankruptcy court to release claims against people who have not filed for bankruptcy. Likewise, the official position of the United States Department of Justice is that the nonconsensual release of government claims against non-debtors is never lawful. Because some bankruptcy courts have released some claims against non-debtors, there is a split in this area of law, a circumstance in which it is right for Congress to provide a uniform national standard as provided in the United States Constitution, Article I, Section 8, which provides for uniform laws on the subject of bankruptcies throughout the United States.

As you heard during the December hearing, ensuring appropriate accountability for misconduct that contributed to the opioid crisis is not a partisan issue. It matters to Republicans and Democrats. It matters to every American. It certainly matters to me and to my state. For these reasons, I hope the legislation to stop the Sacklers' abuse of the bankruptcy system will receive bipartisan support and be enacted into law. Thank you.

Chairwoman MALONEY. Thank you. The gentleman yields back. Thank you for your excellent testimony. Before I recognize Mr. Keefe, let me briefly respond to my very good friend, my colleague, ranking member, Mr. Comer. I am disturbed by, really, your statements about Mr. Keefe. It is undisputed, absolutely undisputed, that the Sackler family's actions led to the opioid crisis that we have read over and over again, killed nearly half million people here in our great country. We just heard from Mrs. Pleus the awful story about the loss of her beloved son, yet this family has never been held accountable. Journalists who shine a light on this breathtaking conduct should be applauded, not denigrated. And rather than mocking journalists, I hope my Republican colleagues will join with Democrats in trying to end the opioid epidemic in our country, provide proper treatment, and hold those accountable who are responsible for the death of half a million people.

Mr. COMER. Madam Chairman, may I respond?

Chairwoman MALONEY. With that, I recognize Mr. Keefe.

Mr. COMER. Madam Chair, may I respond to that?

Chairwoman MALONEY. You are now recognized for your testimony.

Mr. COMER. Madam Chair, may I respond to that?

Chairwoman MALONEY. Mr. Keefe is now recognized.

Mr. COMER. Madam Chair?

Chairwoman MALONEY. Mr. Keefe is now recognized.

Mr. COMER. Point of order, Madam Chair. Point of order.

Chairwoman MALONEY. For what purpose does the gentleman have a point of order?

Mr. COMER. Madam Chair, I just want to respond your statement. The Republicans do care. We have had a hearing. We have all, in bipartisan fashion, condemned the Sackler family. We want to hold the Sackler family accountable. They are being held accountable in court.

Chairwoman MALONEY. Will you co-sponsor the bill that will hold them accountable?

Mr. COMER. My statement—

Chairwoman MALONEY. Will you co-sponsor the bill?

Mr. COMER. Madam Chair?

Chairwoman MALONEY. Are you just—

Mr. COMER. The problem that the Democrats have is you are intervening in court cases. We hope these attorneys general prevail in the court cases. We hope the families of the victims prevail in the court cases. I fear you are doing more damage than good by interfering in these ongoing court cases. They are finally being held accountable. We want them to be held accountable. And the point I made about Mr. Keefe is, you know, he has published a book and profiting from the book. We want this problem stopped. We want to secure the border. The drug problem is—

Mr. JOHNSON. Madam Chair, the gentleman—

Mr. COMER [continuing]. Not to have border security—

Mr. JOHNSON [continuing]. Is not setting forth a point of order, and I would object to his—

Chairwoman MALONEY. The committee will come to order. Regular order. The committee will come to order. The gentleman has been recognized. I now recognize Mr. Keefe.

STATEMENT OF PATRICK RADDEN KEEFE, AUTHOR, “EMPIRE OF PAIN: THE SECRET HISTORY OF THE SACKLER DYNASTY”

Mr. KEEFE. Thank you, Chairwoman Maloney, Ranking Member Comer, distinguished members of the committee. Thank you for inviting me to participate. My name is Patrick Radden Keefe. I’m a journalist with The New Yorker magazine, though I’m speaking here today in my personal capacity. I’ve been investigating the Sacklers and their company since 2017. In April, I published a book which tells the story of how the family profited from the opioid crisis. It is an honor to share some of my findings with you here today.

Fourteen years ago, in 2007, in a hearing much like this, Arlen Specter, the late Republican senator from Pennsylvania, made a remark that I often think about. Purdue had recently pled guilty to Federal charges of misbranding OxyContin. Three executives pled to misdemeanors, taking the fall for the Sacklers. As one of their top lawyers, Stuart Baker, said at the time, “The priority was to protect the family at all costs.” Nobody went to jail, the company paid a \$600 million fine, and Arlen Specter remarked that, to him, this did not seem like justice. The Sacklers were making billions pushing Oxy. Would a speeding ticket be enough to change their behavior? Specter worried that a fine, even a big one, is simply an expensive license for criminal misconduct.

The Sacklers were intimately involved in the rollout of OxyContin. Richard Sackler said in an email that he dedicated his life to it. Kathe Sackler claimed in a deposition that she came up with the idea for the drug. When people started to overdose, another company or another family might've changed course after learning that the product they sold was killing people. Not the Sacklers. They continued to push for more aggressive marketing and to promote false claims about how the drug wasn't addictive. They blamed and demonized the very victims who were getting hooked on their product. Richard Sackler once described these people as the "scum of the earth."

After the guilty plea, Purdue told the story about how it had changed, but the truth is the Sacklers didn't see any reason to do things differently. It turns out Arlen Specter was more right than he knew. At the end of last year, Purdue pled guilty to new Federal charges relating to the aggressive promotion of opioids. The company acknowledged criminal misconduct stretching back 10 years. So this is a company that has pled guilty to felonies, not once, but twice. If this was some small-time crook selling heroin out of his car, that'd be two strikes, a mandatory minimum, but not for the Sacklers. Once again, it was the company that pled guilty, and the family was protected.

And this is where it gets really interesting because between those two guilty pleas, all these lawsuits started to converge around Purdue. Every state in the union is suing the company. Half the states have filed suit against the Sacklers themselves. But all the while, in the background, quietly, the family was pulling money out of the business, \$100 million here, \$100 million there. So the company is committing crimes, and the family is still very much calling the shots at the company. And while these crimes are being carried out, the family is siphoning money out of the business. The Sacklers ultimately took more than \$10 billion out of Purdue. They knew a day of reckoning was coming, and they wanted to be ready when it came.

So in 2019, when the family had effectively looted its own company, the Sacklers said, too bad all those lawsuits. The company's got no money left. When Purdue filed Chapter 11, all that litigation was suspended so that the business could be restructured and countless creditors could fight over the scraps. Now, the Sacklers have not declared bankruptcy. They still have all those billions they took out of the company, but they want to use an exotic feature of the bankruptcy process to escape personal liability. What they're hoping is that this one bankruptcy judge in New York, who was handpicked by Purdue, will grant them sweeping immunity from any and all civil lawsuits related to the crisis, and they're ready to sacrifice the company to do it to protect the family at all costs. And this bankruptcy judge has indicated that he is inclined to overrule the intentions of the chief law enforcement officers of two dozen states and give the Sacklers permanent immunity, despite the fact—I want to emphasize this because it is so ludicrous—that the Sacklers themselves have not declared bankruptcy. If this happens, it will be a colossal miscarriage of justice.

In considering whether to close this loophole or to protect the family, I would urge each of you to think about your own districts,

your own constituents, the communities across this country that have been ravaged by opioids, the ordinary people who have paid such a high price, even as the Sacklers enriched themselves to the tune of billions. However this matter is settled, most victims are not going to get paid. Whatever financial offers the Sacklers make will be totally incommensurate with the \$2-billion-plus cost of the crisis. Trillion, excuse me. What victims can and do expect is some measure of justice, and to take that away from them would be a terrible thing. This is happening in real time this summer. The Sacklers are poised to get away with it.

As your previous hearing demonstrated, this is actually an area of bipartisan consensus. There is not a lot of disagreement here about who the bad guys are. But if the Sacklers are allowed to pervert the Bankruptcy Code and shield themselves from liability, they are going to ride off into the sunset. What they're asking for and what they're poised to get is one final expensive license for criminal misconduct. So, please, think about the vast number of American families whose lives have been upended, and then this one billionaire family that is looking to game the system and get away with it once and for all, and ask yourselves, whose side am I on? Thank you. I look forward to your questions.

Chairwoman MALONEY. Thank you. The gentleman yields back. I now recognize the gentleman from Arizona, Mr. Gosar. You are now recognized for five minutes. Mr. Gosar, you are now recognized.

Mr. GOSAR. Thank you, Chairwoman. Today, we are again discussing the role the Sackler family played in fueling the opioid crisis in America. Numerous legal filings and investigative reports have come out highlighting how the Sackler family and Purdue Pharma created incentives to overprescribed drugs, like OxyContin, while simultaneously downplaying the addictive qualities of these drugs. Purdue Pharma first introduced OxyContin in 1996 and aggressively grew its sales from these criminal business practices, and, as results, since 1999, there have been more than 400,000 overdose deaths.

In my state of Arizona, between just June 2017 to June 2021, 9,556 suspected opioid deaths, as well as 70,226 suspected opiate overdoses, were reported. These numbers are staggering and explain why Arizona declared a state of emergency in 2017. Since 2017, every day, more than two Arizonans die from opioid overdose, and at least two babies are born suffering from opiate withdrawal. Even worse, preliminary information shows a 36-percent spike in overdose deaths in Arizona for just the first eight months of last year when people were stuck at home, isolated, cutoff from economic opportunity, and from medical assistance and treatment needed to battle addiction. Across the Nation, COVID lockdowns resulted in 42.1 percent more overdose-related cardiac arrests. Many of these overdoses resulted from pills and drugs laced with fentanyl. Some of these laced pills even purported to be OxyContin or oxycodone.

This is a crisis, as we are referring to it, and it is one of the many crises we are facing today as a Nation. The majority claims to be in the business of solving this crisis, all the while ignoring other crises which are contributing to the opioid epidemic and

other events harming Americans and their communities. Democrats wanted to defund law enforcement, let cartel members out of prison and into our communities, and refuse to address the border crisis. Democrats have no clear view of any crisis facing our Nation, and the answers they have provided, in the rare cases that they do, in fact, either miss the mark or are done so in an inappropriate manner.

As I have said numerous times before this committee, good process makes good policy and makes good politics. Holding a hearing on a crisis which we already held hearings on in the past while numerous other crises are ignored by this committee, on a bill which is not even in the jurisdiction of this committee, intervening in a legal case before it is settled, does not follow this equation. Americans need help now, not in a few months from now, if this bill even passes in time apply to the case. While I want to hold the Sacklers accountable just as much as the majority, people in my state continue to struggle, and I think we would be better served figuring out how to meet their needs today.

Mr. Wasden, as an attorney general of a western state, you are fully aware of the impacts of the opioid crisis on our communities, and also observe directly the flow of illicit products, like fentanyl and other synthetic opioids, over the border into our communities, an issue which is greatly exacerbated by the crisis along our southern border. Mr. Wasden, what actions are you taking to prosecute and stem the flow of synthetic opioids and other drugs in your state?

Mr. WASDEN. Excuse me, Madam Chairman. Could you repeat the question? I didn't hear it accurately.

Mr. GOSAR. Yes. What actions are you taking to prosecute and stem the flow of synthetic opioids and other drugs into your state?

Mr. WASDEN. Thank you, Madam Chairman. Congressman, we have prosecutions that occur in every county in our state. We have task forces that are in the process of working with all of those matters. Fentanyl is a tremendous problem. However, in this instance, what we are talking about is the responsibility for opioids, other opioids, and what Purdue Pharma did, and we are working together with our law enforcement partners across the state in task forces to arrest importation of drugs into our state.

Mr. GOSAR. Mr. Carroll, what can Congress and CBP do to target this issue at the source by preventing the trafficking of drugs over the border? Mr. Carroll?

Mr. CARROLL. Yes. The men and women of law enforcement, especially at our southern border, are working hard every day. I mean, the patch on their shoulder says that they are trying to protect our border and what is coming in. There is some remarkable technology that is being developed. When I was the director, we had a Fentanyl Detection Challenge to try to develop technology that would also be able to find fentanyl, but the bottom line is we need to know what is coming into our country. We need to know what are in the bags, the cars, the trucks. Whatever is coming in, we need to be able to inspect. We need to think of these drugs and think about the children that we have lost, and recognize that we must stop it in order for treatment and prevention to take hold.

Mr. GOSAR. Now, is it true that the Trump Administration, which you served, saw the first annual decrease in overdose in 30 years? Is that true?

Mr. CARROLL. Yes, sir.

Mr. GOSAR. Now, even as these policies were implemented, ongoing lockdowns at the state and city level burdened so many who struggle with addiction. Do you think that reopening states and restoring access to in-person medical treatment would bring more immediate help to Americans who have struggled during COVID?

Mr. CARROLL. There is no question that the isolation that these people felt, especially during the beginning stages of COVID, contributed to the overdoses, contributed to their deaths. Some of the treatment centers were not able to get funding initially. We worked with Congress to fix what we believe to be inadvertent omission, and I thank this committee for taking a role in that to make sure that we could get treatment centers to at least keep their doors open. You know, so many people need that connection when they are in recovery, and when they are isolated, when they are stuck at home, especially in so many of our communities that are rural and they have no access to treatment, that, you know, has certainly been one of the driving forces of, you know, the recent overdose.

Mr. GOSAR. Thank you, Mr. Carroll. I yield back to you, Madam Chairwoman.

Chairwoman MALONEY. The gentleman yields back. I now recognize myself for five minutes for questions.

In 2007, political appointees at the Department of Justice defied the recommendations of career prosecutors and refused to indict three Purdue executives on felony charges. Instead, DOD settled with Purdue, and the three executives pleaded guilty to misdemeanors. After this slap on the wrist and paying a fine, the Sackler family and executives at Purdue went straight back to flooding communities with more higher-density OxyContin right away. The committee has received a recorded statement from Mr. Rick Mountcastle, the career prosecutor who led the four-year Federal investigation into Purdue's lies about OxyContin's addictive potential. I would like to play his statement, please.

[Video shown.]

Chairwoman MALONEY. Thank you. AG Healey, we just heard how the Purdue company used their influence over the justice system to shield themselves from accountability. AG Healey, what kind of precedent is set when we let corporations and their highest-ranking executives get off with a slap on the wrist? AG Healey?

Ms. HEALEY. Thank you. It's a terrible precedent, and I want to be clear. The reason that I am here today and that General Wasden are here today, we've spent a lot of time. You know, we've got our strike forces. We're doing fentanyl, heroin takedowns day in and day out in our state and our region. We're going to continue to work hard on that.

But we're also here because we're trying to seek justice for the wrongdoing perpetrated by the Sacklers and Purdue Pharma. And right now, what we're telling members of this committee is that there is a loophole right now that prevents us from obtaining the very accountability that you want us to obtain for families in your districts and around the country.

The Sacklers, whose actions with Purdue instigated a crisis that has claimed more lives than World War I, World War II, Korea, Vietnam, and the Gulf Wars combined, now want to abuse the bankruptcy process to escape liability. Their efforts—and I want to be really clear because state AGs and DOJ are aligned on this. The Sacklers are seeking to use a loophole that will block us in law enforcement from being able to pursue our claims and vindicate those claims in court.

We appreciate the committee's efforts and really hope this legislation passes.

Chairwoman MALONEY. Yields back. Mr. Keefe, let me turn to you. The Sackler family reaped billions of dollars from the suffering of American families, yet they seem to always escape accountability. From your perspective, are the Sacklers poised to get away with it again?

Your mic. Mic?

Mr. KEEFE. Thank you. I do think that absent some surprise or some way to close this loophole that it does appear to be the case that they will get away with it in the sense that they will put up a share of their own fortune but keep vastly more. What they have proposed to pay in order to resolve all these cases in a final settlement is something just north of \$4 billion. But they have an \$11 billion fortune, and they're proposing to pay that out over nine years. And so it's actually a situation in which they will not even have to dip into their principal on their fortune to do that.

They will—having paid this money, they will end up richer than they are today and acknowledge no wrongdoing. So I do think, yes, contrary to the suggestion earlier that victims are having their day in court, I would actually say that it's quite the opposite.

I mean, I don't know whether any of the Representatives have dialed into the hearings in the bankruptcy process over the last year or two. I suspect perhaps not. I have, and I would say victims are not getting their day in court. In fact, in instances in which victims have tried to intervene in that process directly and just be heard, just tell their stories about what they've lost, they have been shut out of the process.

And so I do think that it seems very, very likely that if this loophole is used, a loophole, which, as AG Wasden said, is illegal in some parts of the country, it will absolutely be the case that they will get away with it.

Chairwoman MALONEY. During our December hearing, David and Kathe Sackler tried to deflect blame for the opioid epidemic in different directions, including the FDA, but they neglected to mention their family's critical role in influencing the FDA's approval of OxyContin, which misled the public on the dangers of this drug.

How did FDA's original approval for OxyContin mislead the public about the addictive potential? How did it happen?

Mr. KEEFE. Yes, I think the excuse, "Oh, the FDA said it was OK," really—you know, you should be as persuaded as that, you know, as you are convinced that the FDA did a good job in the first instance.

A few quick points that seem worth considering. The first is that a gentleman named Curtis Wright, who was the chief examiner at FDA in charge of approving not just OxyContin for sale to U.S. con-

sumers but also the marketing of the drug, about a year after he left the FDA went to work for Purdue Pharma at three times his Government salary. Richard Sackler was personally involved in conversations about when and how Curtis Wright should come and work at the company, having approved the drug.

When Curtis Wright was at the agency, Purdue sent some of its executives to camp out in a motel in Maryland and work closely with him, helping him write his reviews of their studies of the drug. So it's essentially like you go and you help the teacher grade your paper. They were working that closely, really hand-in-glove.

There was a line in the original package insert for the drug that said OxyContin has this particular continuous release system, which is believed to reduce the abuse liability of the drug. A great marketing line because it says it's potentially safer than other drugs that might be out there on the market.

To this day, nobody can say who wrote that line. The company has said, oh, it was Curtis Wright and the FDA. The FDA says, oh, it was the company. That, to me, is a level of closeness, of hand-in-glove cooperation between the regulatory agency and the company that is dismaying and dangerous for U.S. consumers.

Chairwoman MALONEY. My time has expired. I recognize the gentlelady from North Carolina. Ms. Foxx, you are now recognized. Ms. FOXX. Thank you, Madam Chairwoman.

My questions are for Mr. Carroll. We are here today to hold accountable those who fuel the opioid epidemic. This is a laudable goal. We need to see it through and hold all involved accountable and work to stop the flow of illicit substances into this country.

This begins with securing our porous Southern border. I urge this committee, as Republicans on this committee have done three separate times, to hold a hearing on securing the border and to hold this administration accountable for stopping the flow of illicit drugs and opioids into our Nation.

Mr. Carroll, would you agree that stopping the illicit trafficking of fentanyl against our Southern border is arguably the most important thing we can do to limit opioid overdose deaths?

Mr. CARROLL. Thank you for the question.

Right now, certainly the vast majority of deaths are being caused by drugs brought into this country at the Southwest border, and so we have to immediately secure it. When I was acting in the capacity as the Director of the Office of National Drug Control Police and responsible for both the interdiction of drugs, but also reducing—or increasing the prevention and increasing the treatment, I was often asked the question, OK, there's three lines of effort, which one do you prioritize?

And much like all the members of this committee and my witnesses, you can't focus on just one thing. You don't have that luxury. You have to do all three. You have to do all three simultaneously, and you have to do them all well.

Stopping the flow of drugs coming into our country is paramount. So is prevention, and so is increasing access for those who are suffering. Certainly, you know, the drugs that are killing us today are the drugs that are being brought in by the cartels.

Ms. FOXX. So what should Congress be doing to stop the trafficking of illicit drugs across the Southern border?

Mr. CARROLL. We should allow the men and women of law enforcement—God bless them—to allow them to do their job and make sure that we know exactly what is being brought into the country, know exactly through all the different conveyances.

We were able to put a huge dent in the amount of fentanyl being mailed to the United States from China. That has all now shifted to Mexico, both the production, the transportation. And so we have to recognize that is a key barrier. It's hard to control addiction. We can control the border.

Ms. FOXX. Well, thank you. Many with opioid abuse disorder have been unable to access medication-assisted treatment due to COVID-19 shutdowns. As a result, they have turned to fentanyl and synthetic opioids, which are more dangerous than other opioids. These illicit substances are coming from China, as you indicate, and being smuggled across our Southern border in enormous quantities.

From your experience as the Director of ONDCP, what must be done to stop enabling these traffickers? Although you have indicated that, do you want to add anything to what you have already said?

Mr. CARROLL. I guess what I would add is that we should look at these cartels and look at the havoc that's going on right now. And I would urge Congress to consider designating these cartels as foreign terrorist organizations. I mean, they're the ones who are wreaking havoc right now.

And you know, as we look at what is causing—you know, were they to be bringing in a dirty bomb into our country, we would say this is a weapon of mass destruction, and we have to stop it right now. We should think of these illicit drugs, we should think of fentanyl as a drug of mass destruction, and I urge Congress to continue to work with the office. I think my old office is doing a great job of trying to continue to bring a whole of government approach to make sure that we can stop the fentanyl, we can get people into treatment, and God bless, hopefully, there are fewer and fewer Jeffs who are facing that situation.

Ms. FOXX. If we don't address the crisis at the Southern border, will we be able to stem the tide of opioid abuse in this country? Why or why not?

Mr. CARROLL. We have to be able to control the amount of drugs that are coming into this country. That is a key issue. Many of the people who are suffering from an addiction don't realize that they're taking fentanyl. They're not seeking it. It is coming in in a form where they think it's heroin. They think it's OxyContin, as we've talked about before. It's coming in a pill form.

And so we have to be able to stop it for the sake of those people who are suffering so that they aren't taking something that they think is something that their body can tolerate. And when it's fentanyl and 10 times more powerful, you know, they pass away. They don't have a chance with fentanyl.

Ms. FOXX. Would you agree that President Biden's failure to address the crisis at the border is exacerbating the opioid epidemic?

Mr. CARROLL. You know, I really don't want to get into politics, but we know we have to control the Southern border. I encourage everyone, everyone should visit the Southwest border and see

what's really happening so that we can get a handle on the drugs that are being brought in by the same cartels that are smuggling people. They're looking to make money in any way possible.

Ms. FOXX. Well, thank you, Mr. Carroll. And Madam Chair, I yield back.

Ms. PLEUS. May I address this question as well?

Chairwoman MALONEY. The gentlelady yields back. The gentlelady yields back, and the gentlewoman from the District of Columbia, Ms. Norton, is now recognized for five minutes.

Ms. NORTON. Thank you, Madam Chair, for this important hearing.

I am interested in how vulnerable populations were particularly targeted. Mr. Keefe that is how your book helped me, because it was useful in helping me to understand that this has been a decade-long strategy resulting in the opioid crisis.

Even more appalling is how the—along with the Purdue executives, that the Purdue executives systematically targeted vulnerable populations to make a profit. So these are the populations that Congress often focuses on because they are most vulnerable.

Millions of seniors, for example, rely on Medicare Part D to cover the cost of their prescription drugs. Now we received an internal Purdue document that the company targeted—and here I am quoting—“patients over the age of 65 as more Medicare Part D coverage is achieved.” That is more seniors get on to that coverage.

One Purdue supervisor actually coached their sales representatives, according to a document I have before me, that talked about a “geriatric strategy,” keep the focus on geriatric patients. So, Mr. Keefe, can you tell us what you know about this so-called geriatric strategy and Purdue's efforts to target seniors in particular?

Mr. KEEFE. Thank you for that question.

I should say I'm not familiar with that particular document, but it doesn't surprise me. I mean, this is a company that had a very strong profit motive from the beginning that was looking to—in the words of one company official—sell, sell, sell OxyContin. And so what that meant was when they were looking at particular communities to target, particular doctors to target with their marketing, the idea was where do you have people who may have chronic pain, who may have injuries they have sustained on the job, who may be out of work, who have health issues that would require this kind of remedy?

I should say OxyContin, I think it can have important therapeutic benefits. I certainly wouldn't advocate pulling it from the shelves. The issue for me is if you sell a product, you should be honest with consumers about what it is that that product does, what they can expect from it.

And we see, if we look back in the internal documents that have come out through litigation, discussions inside the company, including discussions that had members of the Sackler family in them at very, very senior levels in which, for instance, they said we've done focus groups with doctors, and doctors seem to believe that oxycodone—the main active ingredient in OxyContin—is weaker than morphine when, in fact, it's about twice as strong. Let's not do anything to let the doctors realize they've got that wrong.

And that's in black and white you see that discussion happening at very, very high levels of this company. So this is what's concerning for me is that when you have a company in that kind of explicit way, with Richard Sackler in on those conversations saying we are selling a very powerful product, and we are going to allow doctors to persist in a misunderstanding about what that product might do to patients, I think is extremely disturbing. And when you couple that with the phenomenon you're describing, which is aiming for communities where they think they'll make particular inroads, I think you get the kind of devastating results that we've seen over the last few decades.

Ms. NORTON. And I want to continue focusing on vulnerable, particularly vulnerable groups. And here is another one, military service members. I have seen a document that doctors wrote more than 3 million prescriptions to their patients for narcotic pain pills, a 400 percent increase from the number prescribed eight years earlier.

This is a question for Attorney General Healey. A 2009 book entitled "Exit Wounds: A Survival Guide to Pain Management for Returning Veterans and Their Families." Thousands of these copies, Attorney General Healey, of deceptive publications like "Exit Wounds" were actually distributed, I understand, in Massachusetts alone. Why did the Sacklers and Purdue target service members and veterans in particular?

Ms. HEALEY. Thank you for the question, Congresswoman.

And this is why we do the work. I mean, this was a company and a family that were looking for opportunities to exploit. They went after seniors. They went after veterans. Veterans, particularly those who've been serving, succumb to injury, were often likely targets to receive pain medication.

And Purdue and Sackler family members, they lied to doctors about the addictive nature of the pills, and they did everything they could to target and to make sure that as many people as possible were prescribed OxyContin at as high a dose as possible for as long as possible. So this was just a very vulnerable, ripe, rich target.

People who are dealing with post-traumatic stress, who are dealing with brain injury, who are dealing with service-related wounds and injuries, go to a doctor, go to the VA, look for assistance, and then are prescribed. Again, through a calculated, concerted, really despicable effort on the part of Purdue and the Sackler family to target through misleading literature and marketing materials these very individuals. And again, we're going to go after and continue to go after the drug enforcement and the drug trafficking issue. We also need to put resources toward treatment and prevention and education.

But we also are trying to hold those accountable, which is our job as law enforcement, to hold those accountable who need to be held accountable. And this is why this legislation is important because how are we going to get the money for treatment? How are we going to get the money to care for our veterans and our service members who've been so wronged?

For people like Ms. Pleus and her family who are so wronged and for the many families out there who have whether it's parents or

seniors, or a son or daughter who served in the military, or a young person who has been prescribed an opioid for a sports injury and is now addicted, how are we going to get them the relief without the money? And the money is with the Sacklers family right now, and they are trying to, par for the course—which has been their playbook all along—keep that money for themselves.

They've drained all the money out of Purdue. And again, what they are proposing in this bankruptcy plan, unless there is a change—unless there is a change—is they would get to end up, for all the wrong they have wrought and the damage they've done, they would allow themselves to be richer tomorrow with this plan.

Ms. NORTON. Thank you.

Chairwoman MALONEY. The gentlelady's time has expired. The gentleman from Wisconsin is recognized. Mr. Grothman?

Mr. GROTHMAN. Thanks for calling on me. Thanks for having the hearing.

I would like to thank Ms. Pleus for being here today. I think what you have gone through is horrible, but I think all we can do to educate the public on the horrors of OxyContin are for the better, and it is very frustrating that a family has gotten so wealthy doing something that is so wrong.

As far as my questions are going to start off with Mr. Carroll. I recently toured the Drug Enforcement Administration in Milwaukee. We were told the most recent year—and it is not the calendar year or the fiscal year, just a rolling 12-month year—we are up to 90,000 deaths on overdose of illegal drugs. Is that true, do you think?

Mr. CARROLL. That's what I've heard publicly reported as well, that we're at about a 90,000 fatal overdose rate.

Mr. GROTHMAN. Really high. And at least—I was told we had 540 last year in Milwaukee County alone, and at least the officer I talked to felt that it is possible that either the drug or the ingredients for the drug, all 540, could have come cross the Mexican border. Is that your experience?

Mr. CARROLL. I think it's overwhelmingly what's happening is that there really is no domestic production of illicit fentanyl taking place in the U.S. at all. The law enforcement here in the U.S. have been good to make sure that hasn't occurred.

Mr. GROTHMAN. Yes, so 540 in Milwaukee County alone, that is kind of amazing.

I am going to ask you, I always kind of wondered what would happen as marijuana became legalized in the country. And while I am not for legalization, I felt that maybe a benefit is we would have less gangs. You know, as things became legalized, you would have less of a black market, less gang problems.

I talked to the Border Patrol agency and I talked to DEA. They have both felt, and I want to get your opinion, that the opposite is what happened. As marijuana became no longer profitable to bring across the Southern border, as I understand it—because the quality of marijuana grown in the United States is superior—the drug gangs, who have to make their money somewhere, are increasing the amount of fentanyl and other stronger drugs coming across the border.

Is that your experience or not, if you could comment on that?

Mr. CARROLL. It's certainly true that fentanyl has skyrocketed in terms of being brought into this country. The other thing that's really concerning is the stimulants, the methamphetamine and cocaine that are being brought in higher and higher numbers also across the border. For people that have an opioid addiction, there are medication-assisted treatment drugs that can help them through this. But for methamphetamine, there really is not a direct—

Mr. GROTHMAN. I guess the question I am saying, do you believe one of the reasons the gangs are increasing the amount of fentanyl and other stronger drugs across the border is because there is no longer money to be made bringing marijuana across the border.

Mr. CARROLL. I think they'll make money any way that they can, and they don't care about the consequences. I think they can make more money on fentanyl because it's easier to produce. It doesn't take as long. You can get higher quantities in, and they don't care about smuggling in children or other people. They'll do anything they can to make a buck, and they don't care about the repercussions.

And marijuana is still being brought into the country, but it does appear that it's not as much.

Mr. GROTHMAN. OK. Now I am going to ask you another question, and if either Ms. Healey or Mr. Wasden want to jump in, that is OK, too. Something was brought to my attention last week which just stunned me.

Traditionally, one of the ways you bring drug dealers—you get them in line with the law is you find out that they sold drugs when somebody dies. I think most states, maybe all states by now have the equivalent of a Len Bias law. It has been brought to my attention that the city of Milwaukee and a suburb of Milwaukee—very liberal suburb, no coincidence—have recently stopped criminally investigating drug overdoses.

So, in other words, we—and I am told by other law enforcement that is frequently the way we catch people, right? They sell the drugs. We look at their phone record. You work your way back up, and you wind up putting very bad people in prison.

Is this—I assume as part of this Black Lives Matter, we don't want to use the police too much. We don't want to put people in prison sort of thing. But is this becoming a common thing around the country where local law enforcement no longer investigates drug overdoses, and they just treat it like they found somebody who died of a heart attack? And could you comment on that new way to police or way to not police?

Mr. CARROLL. Maybe I'll defer to some of the other witnesses, to the attorney generals that probably have a better sense of what's happening in their jurisdictions, and then I'm happy to talk about some of the death-resulting cases.

Ms. HEALEY. Congressman, I'm very happy to answer from Massachusetts and understand that in this region of the country, the opioid/heroin/fentanyl pipeline really runs through New England—New York, Massachusetts, Maine, and New Hampshire. And so we work very closely with one another regionally.

I will tell you that my office alone has arrested over 500 people in connection with the trafficking of heroin and fentanyl. So we are

not letting up. As I say, in 2016, I formed a fentanyl strike force. We work closely with other state AGs offices, FBI, DOJ, DEA, and the like, Postal Service. We're going to continue to do that. That's important to do.

Mr. GROTHMAN. I want to make sure, and I am sorry, Madam Chair, is do you see in Massachusetts any of this new thing where we do not criminally investigate drug overdoses?

Ms. HEALEY. You know, I think that what we see is really an array of approaches, which I think is important. Look, my office charged a doctor with manslaughter, criminal charge of manslaughter for—

Mr. GROTHMAN. You are not answering my question. It is kind of an important question. Do you see in Massachusetts this trend toward not criminally investigating drug overdoses?

Ms. HEALEY. No. In fact, every unattended death must be investigated by the local district attorney. That work continues. In addition to an investigation and enforcement and prosecution of drug trafficking, we, of course, advocate for more resources for treatment and certainly are advocating for more resources for the kind of work we need to do to interdict drugs that are being trafficked in our area.

So we're going to continue to fight this all fronts, including what we're doing today, which is asking for your help, coming before our Congress to ask for your help for the sake of our families who need the relief, and not to allow these billionaires to abuse the bankruptcy code and system by means that they're attempting to do through this New York court.

And I say that as a state AG. And some of us may—some may look down on us states for the work that we do. We're not the Feds, but we're state AGs just trying to do our jobs and pursue justice. And right now, we've got a Federal bankruptcy court and a party there that's trying to use Federal court to stymie and block the efforts of state law enforcement, just trying to seek justice and right the wrongs that have been done.

Chairwoman MALONEY. The gentleman's time has expired.

Ms. PLEUS. Congressman, I would love to answer that question as well, if I may?

Chairwoman MALONEY. Pardon? Who's speaking?

Ms. PLEUS. May I answer the question as well?

Chairwoman MALONEY. Briefly, briefly.

Ms. PLEUS. OK, thank you.

When I lost my son, I spoke to a narcotics officer who explained to me that when we criminalize people who have sold the drugs that people die from, more people die. Because then people are afraid to stay with the person or call 911 or get the people help because they're so afraid that they will have homicide charges against them, so that they leave people alone, and more people die.

Anytime we prosecute someone for homicide for dealing, what we're doing is actually working against the Good Samaritan laws, which are very important in this country to actually save lives.

Thank you.

Chairwoman MALONEY. The gentlelady yields back. Your time has expired.

The gentleman from Massachusetts, Mr. Lynch, you are now recognized for five minutes.

Mr. LYNCH. Thank you, Madam Chair. I want to thank the witnesses for their willingness to help the committee with this work. I especially want to thank my friend and colleague, Attorney General Maura Healy from Massachusetts, thank her for her testimony today and also for all the great work that she continues to do here in the Commonwealth and throughout New England.

At the outset, I just want to point out the glaring inconsistency of my Republican colleagues' newfound trust in the courts. I heard repeatedly on this call that my Republican colleagues want to just let their constituents whose loved ones were killed, right, were murdered basically by this company, let them—let them go to bankruptcy court.

That is quite in contrast with your approach regarding the previous election, where right now in a half dozen states you are trying to overturn the court decisions in those cases. So you are trying extrajudicial methods to overturn court decisions in state court on the same ballots when you were elected on. You are trying to overturn those ballots and that whole process. So I have to view with great skepticism your stated newfound trust in the courts.

Second, as someone who has actually practiced as an attorney in bankruptcy court, your constituents, all our constituents, whether they are grieving families from Massachusetts or Kentucky or Arizona or Wisconsin, those families will, based on bankruptcy law and the priority of secured creditors, those people who lost loved ones, they won't recover. They won't recover, and the Sacklers will. They will keep their money.

So that is the result that you are endorsing, and I know you want to talk about anything but the subject of this hearing. And that is shameful because this is something we should be together on.

Mr. COMER. Would the gentleman yield to a question? This is Congressman Comer. Would the gentleman—

Mr. LYNCH. Reclaiming my time. Reclaiming my time. I listened to all the stuff that I totally object to, but I let my colleagues go on. Regardless of the veracity of their statements, I just sat back.

But so I have a long history with this issue. Back in 2005, 2005, I actually filed legislation to ban OxyContin because Purdue Pharma and the Sackler family had lied to the public. They actually had—one of their first ads—this goes back to 2005. One of their first ads, get this, was a couple of guys in a rowboat fishing and one guy complaining about his arthritis, and then the ad recommending OxyContin. You know, it was just totally egregious in what they were doing here.

Meanwhile, in my district, bodies were piling up. I had to found a residential facility for children, for adolescents, because at that point, we had not had—we were collocating children in adult facilities. So I had to dig deep, and I still have a waiting list to get into my residential facility for children because they go from OxyContin to heroin.

So I do want to go back to the testimony that was referred to by Mr. Keefe, but I want to ask Attorney General Healey. So there is a clear email in Item 3 on the record right now that it dem-

onstrates that there was communications, direction communications between Richard Sackler and his soon-to-be CEO Mr. Friedman. And Mr. Friedman writes, “We are well aware of the view held by physicians that oxycodone is weaker than morphine.” Actually, we know it is twice, twice as powerful as morphine.

Attorney General, was that view accurate? Was that portrayal accurate, and why would they not denounce or dispute that assertion publicly that physicians were relying upon?

Ms. HEALEY. Thank you, Congressman. Absolutely false. Absolutely wrong. And absolutely in keeping with the Sacklers’ and Purdue’s continued deceptions, misrepresentations at the expense of so many lives across this country.

It’s good to see you, and I thank you for all the work you’ve done on behalf of families in Massachusetts.

Mr. LYNCH. Thank you, Attorney General. And Madam Chair, my time has expired. I yield back.

Thank you.

Chairwoman MALONEY. The gentleman yields back. The gentleman from Pennsylvania, Mr. Keller, is now recognized for five minutes. Mr. Keller?

Mr. KELLER. Thank you, Madam Chair. I appreciate you holding this hearing so we can give this issue the attention it deserves.

For decades, drug overdose deaths have remained at an unacceptable level across the United States. Tragically, the onset of the COVID-19 pandemic has only amplified this problem, causing a 46 percent increase in overdose-related cardiac arrests in socioeconomically disadvantaged communities. Rural districts like the one I represent are also struggling in the wake of shutdowns as the Nation contends with a dramatic 42 percent spike in overdoses.

When access to medical assistance, social support networks, and counseling services are inhibited, as has been the case during the pandemic, patients suffering from opioid addiction often turn to other sources. This is directly evidenced by a 50 percent increase in fentanyl use, with most of the fentanyl entering the country illegally through the Southern border.

Since October 2020, nearly 247 pounds of the illegal drug has been seized at just three border crossings. If this committee is serious about addressing the opioid epidemic, then I urge Chairwoman Maloney to heed the committee Republicans’ repeated calls for a hearing on the worsening Southern border crisis.

Mr. Carroll, could you please speak to how continued inaction regarding the border crisis affects the illegal fentanyl trade?

Mr. CARROLL. Without the ability to know what’s coming into our country, everything is coming in, and so much of it we know is deadly. You know, obviously, there is a lot of other issues that need to be addressed by Congress, and I’ll let you all work on the immigration issues. But what we can’t do is ignore these dangerous, lethal drugs that are coming in. They’re flowing in. All we have to do is look at the number of Americans that are dying every day to know that we do not have a handle on the drugs that are being brought into our country.

And so, as I said, if we want to be able to stop this, we need to work on prevention. We need to work on treatment. We need to

work on alternative pain medications. But we need to stop these drugs that are coming in. I mean, that's how we're going to save lives is doing all of those things and working together.

Mr. KELLER. Thank you. And also is there anything you can speak to what China's role might be in the fentanyl trade?

Mr. CARROLL. Sorry. Could you repeat the question?

Mr. KELLER. Is there anything that you can speak to about China's role in the fentanyl trade?

Mr. CARROLL. Yes, China is playing a huge role, and there is no doubt about that. What we're seeing are Mexican drug cartel members being caught in China learning how to make it, and conversely, what we're seeing are Chinese nationals in Mexico not only doing the teaching, but also facilitating the flow of money, the illegal money flows that are—you know, they're making millions, if not billions, of dollars on this every year as well.

And so the Chinese are absolutely complicit in this, and that's one of the countries—that's what we targeted in working with the administration, working with Congress. And as I said, it went now to virtually zero of fentanyl coming in directly from China to the U.S., and it's now all moved essentially—it's almost all moved through Mexico.

Mr. KELLER. Yes, if the administration were to take a firm, decisive stance on the Southern border, what signals would that send to China, producing the raw materials used to fabricate fentanyl?

Mr. CARROLL. What we're—we know that they're facilitating it. Some of the precursor drugs that are used to make fentanyl have been seized in Mexico by the ton, literally the ton, to be able to make fentanyl and as well as some of the methamphetamine that's being trafficked now into the U.S.

We need to make this a vital part of any conversation, whether its trade or any other issue in terms of financial aid, is to make sure that these countries are doing their part. And I truly believe that one of the ways that we could aid these countries is through enforcement mechanisms, such as declaring these cartels a foreign terrorist organization, which will allow greater resources to be brought against them.

And you know, as I said, if we stop and think about the number of Americans that are dying, if we declared fentanyl a weapon of mass destruction and we brought all the Government resources together for certain trafficking methods and things like that, think of the ability to be able to stop this, so we can get more kids into treatment, that we could do more on prevention efforts, so that we could attack this holistically working together without partisan politics.

Mr. KELLER. Thank you. I appreciate that. I don't have time for my last question, but I thank you, and I yield back.

Chairwoman MALONEY. The gentleman yields back. The gentleman from Tennessee, Mr. Cooper, is now recognized.

Mr. COOPER. Thank you, Madam Chair. I appreciate your holding this hearing, and I also look forward to us having a hearing on fentanyl.

I think our main job today is two things. One, to make sure that every penny can get to the victims. And two, to make sure that this never happens again.

On the first question, I have already called the Sackler family the most evil family in America. That is true. I have also been delighted to cosponsor what I call the Anti-SACKLER Act because that will help recover more money for the victims. But on the never again part, we are going to have to do more than reform the bankruptcy laws, and that will be not enough, and it is certainly not enough to begin recovering the lives lost.

I don't think some of my colleagues across the aisle have understood the significance of this hearing because with the Sackler family, what we had here in America was a drug cartel operating within our own borders, within our own borders protected by U.S. law. That is something that an El Chapo or a Medellin cartel could only dream of.

Now, how did this happen? I think the first step was we had to realize these were prescription drugs that had to be approved, and we have had some testimony on that. Whether it was Curtis Wright at the FDA corrupted by the outside company or whether it was a letter to the editor of the *New England Journal of Medicine* that was passed off as a peer-reviewed study when all it was, was a letter to the editor. That is not scientific evidence.

Then the drugs had to be marketed. And this thing, the fifth vital sign doctrine began spreading wildly in medicine, but now most of our hospitals have realized how abusive this was, and they have curtailed OxyContin and pain medication drug prescribing by as much as half or more because it was unnecessary. They know now that doctors were handing out these drugs like candy.

The drugs had to be prescribed. I found a book back in 2016 by the head of addiction at Stanford, Anna Lembke. The title of the book is "Drug Dealer M.D.: How Doctors were Duped, How Patients Got Hooked, and Why It's So Hard to Stop." She detailed a lot of this way before Mr. Keefe.

Fourth, the drug should have been monitored. In Mr. Keefe's testimony, he cites the Arlen Specter hearing, a Republican from Pennsylvania, who was onto this early. Not as early as Steve Lynch, but back in 2007. And what was the congressional followup? Very little.

And there were other signs. PBMs, pharmacy benefit managers knew which pharmacies were getting more drugs per pharmacy than it would take to feed the entire state. Most jurisdictions of the country knew that millions of doses, excess doses were coming to particular pharmacies just to be handed out illegally. There were other warning signs, and we probably need campaign finance reform in this area more than any other one.

Another step, the fifth step is the drug dealers really should have been prosecuted. Isn't it interesting that only the U.S. attorney in southeast Virginia was able to get the \$600 million takedown of Purdue? And as we now learned from testimony, they tried to take them down from main Justice, and that was nothing more than a traffic ticket for the Sackler family, a \$600 million judgment.

But in many ways, I think the sixth issue is the ultimate issue. Should companies that are operating as criminal enterprises be able to hide their wrongdoing? For a long time, CEOs would claim, oh, I didn't know the company didn't pay their taxes. And we in

Congress, we have forced CEOs to sign the tax returns of their companies so they cannot deny responsibility.

But we are not holding the big shots accountable, as was proven by this southeast Virginia lack of prosecution. But also we are rarely, if ever, holding the owners accountable, particularly when they act as the de facto CEOs. Richard Sackler was all over this company. Company executives were begging him not to enter into so much.

It is a clear-cut case, and that is why I have called the Sackler family the most evil family in America. They knew what they were doing, and they called the victims of their drug dealing, what, “the scum of the earth.”

So there is a lot of wrongdoing here. We almost need a Sackler bipartisan commission to make sure this never happens again in our country because this is the ultimate wrong. To have a cartel operating within our own borders, it is beyond wrong. And yet I think that we are still not quite getting to the core of this because this is a deep crime against America, and it looks like so far, unless we intervene with the Anti-SACKLER Act, the Sackler family is about to get away with it.

Chairwoman MALONEY. Well said. The gentleman’s time has expired. The gentleman from Georgia, Mr. Clyde, is now recognized for five minutes. Mr. Clyde?

Mr. CLYDE. Thank you, Madam Chairwoman, for hosting this hearing.

However, I must say that I am dismayed with your decision to use this committee to highlight a bill, and your own bill at that, that doesn’t fall in this committee’s jurisdiction and to promote a book, especially from someone who has so heavily donated to the Democratic Party.

To reinforce Ranking Member Comer’s remarks, I think it is inappropriate to use a congressional committee as a book club to promote a recently released book. The Judiciary Committee has sole purview, and rightfully so, as your bill, the SACKLER Act, alters the rights of non-debtors in certain bankruptcy procedures.

I want justice for the citizens of Georgia, just like my Democratic lawmakers want justice for those that reside in their respective home states. And while I seriously question the Sackler family’s decisions and conduct over their years, as well as their role in fueling the opioid epidemic, I have serious concerns about the majority’s decision to target a specific family, to target private citizens, all while Purdue Pharma’s bankruptcy negotiation is still being ironed out. Such actions are questionable judgment to say the least.

That said, putting the Sackler family and its alleged wrongdoings aside, today’s hearing is nothing more than a textbook example of the Government targeting private citizens, and it should be gravely concerning to all of us. If the chairwoman were serious about her bill, she would have held a joint hearing with Judiciary. Moreover, if she were serious about stopping the opioid epidemic, she would be holding a hearing on the border crisis that is refueling the opioid crisis and bringing more of these dangerous drugs into our communities.

When I was at the border in April, a sharp Customs and Border Protection agent had just caught a smuggler, trying to smuggle

thousands of pills of fentanyl hidden inside a hollowed out section of a wooden table. This is the real problem our country currently faces. Millions of pills flooding across our Southern border.

Three times we have asked our chairwoman via letter to hold a hearing on the black market opioids being smuggled across the Southern border. Three times we have been ignored, and our requests have fallen on deaf ears as the border crisis rages on.

But here we are, wasting lawmakers' district work time period with a bill this committee doesn't even have jurisdiction over, when this committee should be conducting oversight of the administration's failed border policies. Just one other—

Mr. COMER. Unmute yourself.

Chairwoman MALONEY. We can't hear you, Mr. Clyde. Have you muted yourself?

Mr. CLYDE. Can you hear me now?

Chairwoman MALONEY. Yes.

Mr. CLYDE. Just one other glaring example of a failed Biden policy is the thousands of unaccompanied children streaming across the border in the hands of human smugglers. Surely the Biden administration has made our Federal Government the last link in the chain of human smuggling of children. This is shameful.

And the Coyotes know that when those children come across, Border Patrol assets are diverted to rescue those children, leaving fewer assets and a thinner line of defense against the smuggling of these lethal drugs. The opioid epidemic has plagued too many families across my district and led to countless deaths in Georgia. I know that to be the case because while the opioid-involved overdose deaths decreased across my home state of Georgia from 2017 to 2019, the trend line in the Northeast Public Health District, which covers 13 of the 20 counties in my district, doesn't mirror the state's overall downward trend for the same period, but rather shows up like a sine wave type struggle to curtail the epidemic.

And the Northeast Public Health District shows opioid-related overdose deaths steadily increasing over the 2017 to 2019 time period.

To Mr. Carroll, this question for you, sir. I mentioned illicit opioids in my remarks, and I am curious to know your thoughts on whether the current crisis at the border is jeopardizing strides made in reducing opioid-related deaths across the country?

Mr. CARROLL. You know, the purpose of the hearing, the title of the hearing is holding people responsible for their actions, such as the Sackler family and the Purdue family. If I may, Ms. Pleus just slipped me a note that talked about that, about holding appropriate people responsible. But you're right. We have to hold responsible not only those folks within the United States that are going through litigation, we have to hold these cartels responsible for the drugs that they're bringing in.

And if the attention of the men and women in law enforcement who are trying to protect our country are having—and humanely so and appropriately so being diverted to provide for the main care of individuals, that means these cartels are taking advantage of it. What we were seeing is the cartels, they're very good, they're very dynamic, and they're able to take advantage of a situation like this

and suddenly flood one area of the border with illegal—people coming across the border illegally.

And then as CBP is rightfully making sure for their well-being and treating them, in another part a mile down the road, this fentanyl and everything else is coming in, and that's what's causing the deaths that are happening. And so we have isolation. We have the depression. We have the financial ruin. And then we have the more drugs coming in. And this is intolerable.

And so we have to hold everyone responsible for their part of this role, and that's why this hearing is good.

Chairwoman MALONEY. The gentleman's time has expired.

Mr. CLYDE. Thank you very much, Mr. Carroll. I appreciate that. Thank you, and I yield back, Madam Chairwoman.

Chairwoman MALONEY. Thank you. The gentleman from Maryland, Mr. Raskin, is now recognized.

Mr. RASKIN. Thank you, Madam Chair.

I just want to start by saying that a corporation that exploits drug trafficking is not a corporation that deserves our sympathy, as Mr. Clyde suggests, but it is a cartel. And a family that exploits drug trafficking and the addictive qualities of its product is not one that should elicit the sympathy of the U.S. Congress. It is an organized crime family that is exploiting its power in order to take advantage of other people.

Attorney General Healey, tell us why it is not a fraudulent bankruptcy or a fraudulent conveyance for the Sacklers just to transfer \$10 billion or more out of their corporation into their pockets and then have the company declare bankruptcy? Why isn't that a fraudulent action?

Ms. HEALEY. Congressman, thank you for the question.

We agree. We think it was wrong. We think that shouldn't have happened, and it's also why we continue to pursue what we can pursue and fight for our victims in this bankruptcy court. I mean, we're the ones now—we haven't—we haven't had much success against the Sacklers. We've survived motions to dismiss. But the decks have been stacked against us throughout this process, and that's why we're before Congress today, looking for relief.

Mr. RASKIN. Well, let me ask you about that. Can you explain how the bankruptcy court can essentially provide sweeping immunity from all civil lawsuits to a non-debtor? That is, to someone who has not declared bankruptcy, who is not the subject of the bankruptcy proceeding, but simply say we are going to immunize you from any civil proceedings.

Why doesn't that violate the due process rights of people who might have legitimate claims against those people who are able to sneak into bankruptcy court and get umbrella coverage by a bankruptcy judge?

Mr. CLYDE. Madam Chairwoman, point of order.

Ms. HEALEY. May I respond?

Mr. DESAULNIER. [Presiding.] Hold on just a moment.

Ms. HEALEY. Or shall I respond?

Mr. DESAULNIER. Yes, go ahead and respond.

Mr. CLYDE. Madam Chairwoman, point of order.

Mr. DESAULNIER. Sir, you have not been recognized. The chairwoman stepped out for just a second. This is Congressman

DeSaulnier. She has asked me to fill in. I am going to let the AG finish her comment.

Mr. CLYDE. OK. Well, then I would like to address that I was addressed by name by Congressman Raskin.

Mr. DESAULNIER. OK, just a minute, please.

Mr. RASKIN. Yes. No, I am just getting started with what you had to say, Mr. Clyde, on my time. And I would like my—

Mr. DESAULNIER. Mr. Raskin is recognized.

Mr. RASKIN. I wonder if the attorney general could answer that question, which is how the bankruptcy court can allow a release from liability and debt of a non-debtor, someone who is not a subject of the proceeding?

Ms. HEALEY. Congressman, in our view, they shouldn't be allowed to. And Department of Justice agrees with us, as do 24 of my colleagues. I mean, the role of bankruptcy—and I'm no bankruptcy expert, but I'll give it a shot. As an attorney general, we've been in this realm many times.

The role of the bankruptcy court and the bankruptcy code is you're trying to maximize value. So there may be instances where you allow people to pay in who are not actually debtors, who are not actually in bankruptcy. That may—that may redound to the benefit.

That said, the one thing that I don't think Congress contemplated in writing the bankruptcy code was for it to be allowed to be abused and contorted and as a loophole and a way out and a way to buy immunity if you're non-bankrupt billionaires who did really, really, bad, bad things, criminal things at the exploitation and expense of so many lives.

Mr. RASKIN. Well, I appreciate that. This is an outrageous loophole made up by a bunch of judges, which apparently, the Department of Justice has gone along with in different political guises. But if people have legitimate legal claims against the Sackler family and against Purdue, I don't understand how a bankruptcy judge can immunize private individuals who are not part of the bankruptcy proceeding from being sued. And I would hope that every member of this committee who really cares about people who have been injured by the outrageous actions of the Sacklers would get behind this act, this bill that we put together to try to overthrow this completely irrational and unjust loophole.

There is a new culture of impunity and immunity in America, and we just heard some of it from one of our colleagues. You can lie about OxyContin and drive hundreds of thousands of people into death and despair and their families. You can loot the corporation of \$10 billion. You can pay a small symbolic fee by getting lawyers to fix it for you, and you can waltz off with the other billionaires.

Just like you can smash the windows of the U.S. Capitol, you can trash the place, you can threaten the Vice President of the United States. You can threaten to assassinate the Speaker of the House, and we have colleagues who don't even want to have a bipartisan commission split right down the middle—half Republicans, half Democrats—to investigate this assault on us.

This is the culture of impunity that our colleagues are bringing us today, and we are seeing the devastation and the wreckage and the wasteland of communities across the country suffering from the

effects of the Sacklers, suffering from the effects of the misconduct of their corporation.

And so we need to pass this legislation to close this made-up loophole, which is allowing them to get away with pocketing billions of dollars while the people of America suffer.

I yield back to you, Mr. Chairman.

Mr. DESAULNIER. Thank you, Mr. Raskin. Before I go to Mr. Fallon, Mr. Clyde, do you want to state your point of order?

Mr. CLYDE. Yes. I believe that Mr. Raskin said that I said that I was sympathetic to the Sacklers. I was not. I did not say that. I—

Mr. RASKIN. You said they were being targeted. You said one family was being unfairly targeted. That sounded like it—

Mr. BIGGS. Point of order. Point of order, Mr. Chairman.

Mr. DESAULNIER. Mr. Biggs, just a second. Everybody take a deep breath.

Mr. Raskin, let us let Mr. Clyde finish, and then I will give you a moment. Thank you.

Mr. CLYDE. I don't—that was not my—I did not say “unfairly targeted.” You know, I did not say that. Those were not my words.

Mr. DESAULNIER. OK, thank you. Mr. Raskin, anything briefly?

Mr. RASKIN. That is fine. If he thinks they were fairly targeted, then we are on the same side of this, and I apologize to Mr. Clyde if there was any other suggestion. I misinterpreted what he said. It sounded like he was saying they were being unfairly targeted. But he is saying they are being fairly targeted. So we are together.

I yield back.

Mr. DESAULNIER. Thank you, Mr. Raskin. Thank you, Mr. Clyde. We will now go to Mr. Fallon for five minutes.

Mr. FALLON. Thank you, Mr. Chair. I appreciate it.

The Biden border crisis—well, first of all, let me start with this. I have absolutely no sympathy whatsoever for the Sacklers or Purdue, and they should be held accountable and face justice. And if this is about protecting Americans, as it seems to be, apparently we had a committee hearing before we were sworn in, and so now we are having a second. So I would call on the chair to have a hearing forthwith on the Biden border crisis. Now, why?

If you look at illegal border crossings over the last five years—well, I guess 4 1/2 years, in Fiscal Year 2017, it was 527,000. Then it was 683,000. Then there was a jump of 1.14 million. Then it went right back down to 646,000, which is still alarmingly high.

But this calendar year, it is—or I should say the last, yes, the four months of this year, it is 871,000, which is a rate of 2.6 million, which is 234 percent higher than the worst month under the Trump administration. And it is 495 percent higher than his lowest one. And if you compare year over year, April 2020 to April 2021, it was a 1,000 percent increase in illegal crossings.

Now what does that have to do with the opioid crisis in America? Some of the witnesses, one of the witnesses touched on it, and some of our colleagues have touched on it.

When Border Patrol is distracted because of all these illegal border crossings, particularly with unaccompanied minors, that gives the drug cartels the opportunity because about half of our Border Patrol is focused on the illegal migrants. And then the drug cartels,

some of the most evil people on the planet, get to sneak their product in and smuggle it in much easier.

And when we visited the border approximately six weeks ago, DEA gave us an extensive and comprehensive briefing on the illicit drug trade. And seizures have exploded with cocaine and methamphetamine, but actually has gone down for one drug, heroin. You have to ask yourself why.

Well, it is because fentanyl has exploded, and fentanyl is replacing heroin. Fentanyl is far more dangerous, too. It is cheaper. It is easier to transport. And it is far more powerful, 50 percent times more powerful than heroin and 100 times more powerful than morphine. As I said, it is more potent, there is higher profit margins, and it is easier to transport.

You look at the deaths in the United States due to synthetic opioids, it is approximately—it is a little over 45,000 deaths. So I would beg, beseech, plead, and on my knees request that the chair hold a hearing on the crisis at the border because an open border is an immoral border, and people are dying south and north of the border when we won't secure it.

We have de facto allowed the Mexican drug cartels to control our southern frontier, and it is entirely unacceptable. And I am glad some attorney generals are on this—in this hybrid hearing because Mr. Biden has made every state a border state.

I yield back.

Mr. DESAULNIER. Thank you, Mr. Fallon. The chair will now recognize the gentleman from Virginia, Mr. Connolly, for five minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman.

And I think we are hearing, as we just heard from our colleague from Texas, an attempt to distract from a main topic. A half million Americans are dead because of an opioid crisis, one of whom—and these are people.

Ms. Pleus, you lost a son. Any reaction to the distraction from our Republican colleagues, who apparently want to talk about anything but the opioid crisis and the responsibility of the Sackler family in creating it?

Ms. PLEUS. I can't thank you enough for the opportunity to address this. Thank you so much.

I'm not sure if the members are aware that the United States has the highest overdose fatality rate in the entire world. We lose 186 people per million. That was as of 2015. That's in contrast to Portugal, which loses only six people per year—only six people per million in Portugal.

It's stunning to me that this committee has an opportunity to hold the greatest family cartel in the history of the United States and possibly the world responsible for what they've done, and yet here you are distracting from your opportunity by focusing on the Southern border, which is a waste of time, money, and resources.

The other countries who have lower overdose fatality rates do not have walls built around their country. You are missing an opportunity to hold the Sacklers responsible. As AG Healey said, this will set a terrible precedent that any corporate protected family in the United States can profit from killing Americans in the future if you let them get away with this now.

You're focused on a drug war that's a failure. In Portugal, they have decriminalized substance use, and they only lose six people per million. And again, compared to the United States, we lose 186 people per million each year. We are doing it wrong, and you are focusing on the wrong thing.

We are here for the SACKLER Act today, and I am disgusted that the committee members cannot focus on that.

Thank you so much.

Mr. CONNOLLY. Well, thank you, Ms. Pleus. And I would just amend your statement—some committee members.

Ms. PLEUS. Thank you very much. I appreciate that.

Mr. CONNOLLY. Because when you are in counsel with the subject, change the subject.

Ms. HEALEY, welcome. And I think—I give you greetings from my sister back in Massachusetts.

Ms. HEALEY. It's good to be with you.

Mr. CONNOLLY. Are you there?

Ms. HEALEY. I sure am, and it's good to be with you.

Mr. CONNOLLY. Good. Rosemary Connolly says hello.

Ms. HEALEY. Well, you give her my regards as well.

Mr. CONNOLLY. I will. I will.

Let me ask you a question. Mr. Sackler, David Sackler testified before us, and he said, like the rest of Purdue's board, I relied on Purdue's management to keep on top of the medical science and ensure the company was complying with all laws and regulations. In other words, I really—I wasn't directly involved.

But Exhibit 7 in your testimony includes a 2012 email from Purdue's VP of sales and marketing to the CEO that reads, "Anything you can do to reduce the direct contact of Richard Sackler into the organization is appreciated." That would suggest that they were consciously trying to show distance between the Sackler family and the management of the organization, when, in fact, the opposite was true. The Sacklers were directly involved in the management of the company. Would you comment?

Ms. HEALEY. Well, thank you for that.

And it's one of any number of emails and memos that our investigation turned up that shows just how directly involved Sackler family members were with both coming up with a scheme and then implementing and overseeing the scheme, to the point where Richard Sackler had to be told to back off because he wanted to go out there for ride-alongs and visit places, you know, as people, the sales reps were trying to sell the drug.

So, I mean, our investigation is replete with similar emails. It's really shameful. It is really heartbreaking. And I understand the feelings and the emotion and the indignation of Ms. Pleus and families across this country, but that's who we're dealing with.

And that's why as attorney general, I bring cases based on the facts, and the facts are clear here. The Sackler family members are responsible. They were the perpetrators. I've heard many members of this committee acknowledge that. As perpetrators, they need to be held accountable. And what we are saying to you is that absent this legislation and this revision to the code, there's not going to be accountability.

And I'm not even asking for a liability finding against the Sacklers. What I'm asking for simply as a matter of due process and, frankly, it is separation of powers, give deference to the states. Allow us to proceed and bring justice and have our case heard and have a trial. That's all we're asking for, and let the chips fall where they may.

But don't give the Sackler family another way out and continue the decades-long cycle of allowing this family to escape justice and accountability. Families across this country deserve more from all of us in government.

Mr. CONNOLLY. Thank you, Madam Attorney General. My time has expired.

Mr. COMER. Mr. Connolly, will you yield to a question? Mr. Chairman, will Mr. Connolly yield to a question?

Mr. DESAULNIER. Mr. Connolly's time—Mr. Connolly's time is up, Mr. Comer.

Next up is Mr. Sessions. I recognize the gentleman from Texas for five minutes.

[No response.]

Mr. DESAULNIER. Mr. Sessions, are you there? I understand you have had some technical difficulties.

[No response.]

Mr. DESAULNIER. We will come back to Mr. Sessions and go to Congressman Biggs for five minutes. Thank you, Representative Biggs.

Mr. BIGGS. Thank you, Congressman DeSaulnier. Appreciate that.

This has been a very interesting hearing. I actually think we have rare comity across the aisle in that we understand the danger—each of us understands the danger of opioid addiction, and we want those who are responsible to be held accountable.

I hope, however, that the legislation proposed, should it pass, doesn't hinder the necessity of accountability of the individuals who are to blame. I wondered, like one of the previous—my colleague from Maryland did, about fraudulent conveyance statutes, taking money out of the corporation. I think that is an interesting legal question.

Democrats, however, claimed that anything else we've talked about is a distraction, but this hearing doesn't further the bill along in the process. That is a fact. It doesn't because H.R. 2096 was assigned to a different committee. The bill is within the jurisdiction of the Judiciary Committee.

That would have been a more appropriate venue, and the myriad of interesting questions that arise would be more properly addressed in that committee. Additionally, if this bill is to proceed, it will have to be through the Judiciary Committee, not this one.

One more item that I think is unique in my legislative tenure—and that includes working in multiple international institutions, in a state legislative body, and in the Congress—and that is the tacit inclusion of an additional witness presented by the chair in the form of a video testimony, which was, de facto, a witness.

With that, now I want to turn to the damage of opioids and what they do to this country. I agree with the chair when she said earlier it was her desire to “end the opioid epidemic in our country.”

Many states have enacted legislation that have resulted in a reduction of opioid prescriptions by more than a third.

Arizona made changes like many other states. I have met with individuals who have used OxyContin with close medical regulation. They have avoided addiction. But I have also met with those who became addicted and then overcame their addiction, and those who have not been able to overcome the addiction.

But our border is porous, and our agents are overwhelmed with processing illegal border crossers. In the meantime, cartels that smuggle humans and drugs across the border into the U.S. strategically ship drugs across the Southern border. It has been reported that Customs and Border Protection seized more fentanyl in the first half of 2021 than it had in any of the three years prior.

From October of last year to April of this year, more than 6,494 pounds of fentanyl has been caught at the border. The fentanyl was seized, that represents a 2,000-pound increase from previous years.

It has also been reported that New Mexico law enforcement officers are seizing extraordinarily high levels of fentanyl. In fact, in Las Cruces, which is Dona Ana County, their task force captured nearly 3,200 fentanyl pills between January and most of April. So that was almost a 3,000 percent increase, and that doesn't include the copious amounts that we are not able to interdict.

Some officials have estimated that we only stop about 10 to 15 percent of the opioids coming across the Southern border. I implore the chair to hold a hearing on that critical opioid problem in the United States. If you really want to stop the opioid crisis, I think that would be helpful.

So my questions are for our attorney generals, Mr. Wasden or Ms. Healey. No. 1, and this is to gain information that simply wasn't in the packet. In the October 2020 DOJ settlement, Purdue agreed to plead guilty to three felonies related to marketing and distribution of OxyContin and pay \$8.34 billion in fines.

Due to Purdue's bankruptcy, DOJ will only collect \$225 million and will waive the remaining fees. This waiver allows the bulk of Purdue's remaining funds to go to states, counties, and tribes that have accused Purdue of sparking the opioid crisis in their respective localities.

My question for the two AGs is this. How much money will Purdue be paying out to states, counties, and tribes due to Purdue's crimes? Do we know? Either one. Mr. Wasden? Ms. Healey?

Ms. HEALEY. Well, under the—thank you, Congressman.

Under the proposed plan, Purdue would be paying out \$1.3 billion over a matter of 10 years, total, to everyone—five years, I should say.

Mr. BIGGS. What is the distribution of that going to look like?

Ms. HEALEY. Well, you're right. I mean, there are a lot of people who are looking for money who have been harmed. Cities, tribes, states, individual plaintiffs. And that's why being able to go after and get relief from the Sacklers is so important.

I want to be clear about fraudulent conveyance. You raised that. That is an important claim, and that's one of the many civil claims that the Sackler family is seeking release from through the bankruptcy court. So this is the only game in town right now. This is it.

This bankruptcy proceeding will decide whether or not the Sacklers are going to have to pay up for their wrongdoing. There's no do-over. And so I just want to mention that because it has come up, and it is certainly a legal theory. It's one that many AGs have already asserted, and the claim is before the bankruptcy court.

But this is exactly the problem if the bankruptcy code is going to be used to contort the process and allow the Sacklers to get off, which is essentially—

Mr. BIGGS. Well put.

Ms. HEALEY [continuing]. I think ending up richer after doing such wrong is—

Mr. BIGGS. Just reclaiming my time quickly.

Mr. DESAULNIER. Mr. Biggs, your time has expired.

Mr. BIGGS. OK, thank you, Mr. DeSaulnier.

Mr. DESAULNIER. I will allow the attorney general from Idaho to succinctly address your question, if that is OK?

Mr. WASDEN. Thank you very much.

The answer is we don't know what the distribution will be because that has not been resolved at this point. So, and I would echo the comments from my friend and colleague General Healey.

Mr. DESAULNIER. Thank you, Mr. Attorney General.

The chair will now recognize the gentlelady from Michigan, Representative Tlaib, for five minutes.

Ms. TLAIB. Thank you so much, Chairman. Thank you for holding this really important hearing.

Because I think it is hard, I think, for many colleagues to understand that we are talking about drug dealers here. They may have suits, they may be white, and they may have money, but they are still drug dealers. And that is exactly what they did. They are using our system right now to get away from thousands and thousands of families within all of our districts that were impacted by their drug pushing.

And so I want to talk about that because I think that is really important. It is not immigrants or China that are drug dealing here. It is these kinds of families that are profiting off of that. And how come we are not equally maybe committed to addressing that I think is really problematic here.

That is the focus of this committee hearing, and I think it is really important because you are just allowing more opportunities for the folks that you are supposedly trying to protect to get harmed by these folks.

The members of the Purdue's board of directors, their own board of directors, the Sackler family approved the company's marketing campaigns, right? And I remember David Sackler actually came before our committee, and I asked him about one high-value prescriber that was contacted by sales representatives at least 290 times between 2010 and 2018. That is more than three times a month for eight years, right?

And so Purdue's sales executives referred to this prescriber, you know, OK, Dr. Whatever—"Candyman," you all. That was the name of the prescriber. They were by no means the only one. He may have the nickname "Candyman," but that is who the Sackler family was pushing the drugs through.

And as part of the one campaign, the campaign that they were pushing for, I think they called it—and this is important for my colleagues to understand this. They called it the “turbocharged sales.” You hear that? It is called turbocharged sales. They can call it whatever they want.

But they literally used it to push out the drugs into our neighborhoods and through pharmacies. And then at one point, the representatives were required by Purdue, sales representatives were required to target what they call “high-value prescribers” like Candyman at least 24 times a year, to get them to “commit to writing more OxyContin prescriptions.”

So, Attorney General Healey, I can sense your frustration. I am an attorney myself, and I am someone that I really want to put the bad guys and whoever it is behind—you have to focus on those that really profit off of the pain to really get to the chronic, I think, targeting of communities like mine. And that is exactly—they targeted communities that were vulnerable, that were already struggling with maybe poverty and some other issues, as you probably know.

And it is so unbelievable to me that they continue to be able to walk away with no harms, no sense of accountability. And so I want to hear from you, when you look at these kinds of cases and you see the drug pushing happening, I mean, what are things that we can be doing right now to push up against that? Because again it is our residents that are directly impacted by it.

Ms. HEALEY. Well, I thank you for your comment. And I’ll just note that opioid overdoses and deaths are up nationally and up among communities of color.

In Massachusetts, where I am, there was a 69 percent increase in opioid deaths among black men last year alone. It is heart-breaking, and it’s just yet another effect of this crisis.

I also want to be really clear. There’s been a lot of discussion about China. There’s been a lot of discussion about Mexico. There’s been a lot of discussion about synthetics being made elsewhere brought here. Where did they learn that from? They learned that from the Sackler family.

Ms. TLAIB. And Ms. Healey—

Ms. HEALEY. It’s manufactured in the labs. So what I think is important here in terms of what we need to do going forward, we need treatment big time. We need way more services for substance use disorder and behavioral health. We need it to be culturally competent. We need to meet people where they are.

We need to do the work that we’re doing around education and prevention. I strongly believe in that. While we continue to hold those accountable who need to be held accountable. I’ve gone after doctors, pharmacists, pharmacy chains, and manufacturers and distributors, right? You’ve got to—you’ve got to sort of cover it all, but I think we need to recognize the humanity in this and be—

Ms. TLAIB. Well, Ms. Healey, we have to recognize there is two—it seems like everybody is for justice and accountability unless it is somebody that looks like the Sackler family. I want to be honest here. I am really frustrated from hearing colleagues—it is not immigrants or China we are talking about here. We are talking about people right here in the United States, using our own systems and court systems to get away with hurting and killing our neighbors.

And we are doing nothing about it. We are literally turning our heads and pretending like these private citizens, poor babies, they didn't do it. They have a sales campaign targeting. They might not have been on a street corner, you all, but they definitely have easier access into our pharmacies, into our homes, and we are turning our backs and saying it is OK. They are private citizens, and they are going to go through the court process.

Well, guess what? It is set up in a different way to treat somebody like the Sackler family versus some of our residents that unjustly get targeted. And so I just—you can hear my pain, but it is a long hearing of hearing people defending a family that hurt our neighbors, our residents. And this is generational trauma that they are continuing.

And Chairman, I will yield, but it is so important to understand families will be impacted for generations to come, generations, because we looked away.

And so, with that, I yield.

Chairwoman MALONEY. [Presiding.] The gentleman from Kansas, Mr. LaTurner, is recognized for five minutes. The gentleman from Kansas, Mr. LaTurner.

Mr. LATURNER. Madam Chairwoman, over the past 20 years, we have seen a dramatic and frightening increase in the number of drug overdose deaths due to opioid-related—

Chairwoman MALONEY. Could you speak up a little bit? Pull the mic closer to you. OK, thank you.

Mr. LATURNER. Yes, ma'am. Can you hear me now? Madam Chair?

Chairwoman MALONEY. Yes. Yes.

Mr. LATURNER. Thank you.

Over the past 20 years, we have seen a dramatic and frightening increase in the number of drug overdose deaths due to opioid-related substances, including prescription opioids. In 2000, we had roughly 10,000 drug overdose deaths involving any form of opioids. Last year, that number had increased to around 50,000.

However, prior to 2020 and the devastating impact of COVID, especially the consequences of the shutdown, progress was being made in the war against drug overdose deaths generally. So let me be very clear. While I believe it is critical for Congress to hold companies like Purdue Pharma responsible for any role they may have had in the misuse and abuse of prescription opioids, I believe it is equally important to look at the significant progress that was made during the Trump administration and for Congress to urge the Biden administration to build upon those accomplishments.

HHS and DOJ both need to look at the opioid-related policies enacted during the last four years that are working and build and grow upon them. And not simply abandon them just because they were enacted by President Trump. The reality is that opioid-related deaths have been on a steady incline for the past two decades, with drug overdose deaths becoming the most common accidental cause of death in America.

But it didn't become a top national priority until 2017 when President Trump declared the opioid crisis a nationwide public health emergency, and HHS released a five-point strategy to defeat the opioid crisis. That five-point strategy, which included better

treatment and prevention, better data and research, and better access to overdose-reversing drugs and pain management, resulted in significant progress in all five areas of focus.

Some of those accomplishments included reducing the total amount of opioid prescriptions in America by nearly one-third; increasing the number of Americans receiving medication-assisted treatment by nearly 40 percent; greatly expanding the access of overdose-reversing drugs, including naloxone, which experienced a 500 percent increase approving Medicaid demonstrations in the majority of states, which improved access to opioid use disorder treatment; and HHS awarding a record \$9 billion in state grants to expand access to prevention, treatment, and recovery.

The end result of these efforts and accomplishments were undeniable. More Americans seeking and receiving treatment for their dependency upon drugs, less opioids being prescribed, and the first recorded annual drop in drug overdose deaths in America in almost three decades.

Unfortunately, many of these gains were diminished or even reversed due to the COVID and more specifically to the Government shutdown response to the pandemic. Between the fall of 2019 and 2020, America experienced the highest number of overdose deaths ever on record, which represented a 23 percent increase in deaths from the previous year. And opioids accounted for nearly three-fourths of those deaths.

The largest increase in deaths occurred during the spring of 2020 during the heart of the pandemic and when many states had completely shut down, throwing tens of millions of Americans out of work and into a full-blown crisis of financial and mental survival. The opioid crisis is one that we must take seriously and do all we can to solve this problem. I look forward to working with my colleagues to this end.

Mr. Carroll, in 2018, President Trump signed both the Comprehensive Abuse and Recovery Act, the 21st Century Cures Act, and the Substance Abuse Disorder Prevention That Promotes Opioid Recovery and Treatment for Patients and Communities Act, also known as the SUPPORT Act. What was the impact of these three bills? Please expand and give us your perspective on this.

Mr. CARROLL. What it really did was bring the entire Government, including Congress, together on a unified approach to try to make sure that we were doing all the key things to save lives. The only metric I believe that really matters is the number of Americans dying. That's the only way we can really judge if we're making a success. And so by bringing together both budget as well as policy, we were able to make a substantial difference.

You know, one thing I do want to talk about, if its OK, one of your colleagues, a member a few minutes ago talked about prevention. And I do want to say the importance of prevention. And when schools were closed, that's the primary place where so much prevention education was taking place and recognized that it's not just teachers and adults educating students, it's teaching students to be able to work with their peers to be able to stand up against whether it's illicit drug use or even sharing a pharmaceutical product that they were properly prescribed.

And what we know is that for every dollar spent on prevention, there is a financial return on investment of what they guess would be \$15. And of course, that doesn't account for there's no financial dollar figure you can put on a loss of life. And so as these unjust enrichments are being stripped away from companies, and appropriately so, I really hope the Congress will look at the efforts to make sure that all of these issues are addressed properly of prevention, treatment, and additional research.

Mr. LATURNER. Thank you, Mr. Carroll.

Madam Chairwoman, I yield back.

Chairwoman MALONEY. The gentleman yields back. The gentlelady from Missouri, Ms. Bush, is now recognized for five minutes. Ms. Bush?

Ms. BUSH. St. Louis, and I thank you, Madam Chairwoman, for convening this all-important hearing, and to the ranking member.

For St. Louis, this hearing could not be more urgent. This is a crisis that has touched so many in my district, but its devastation has disproportionately been borne by black families. Missouri is second only to West Virginia in the rate of opioid-related overdose deaths for black people.

In Missouri, black men are more than three times as likely to die from an opioid overdose than white men, and black women, seven—we are seven times more likely to die than white women. Nearly 60 percent of all drug overdoses in the state occur in St. Louis, and this is a crisis that has only worsened during the COVID-19 pandemic.

For decades, this public crisis—public health crisis has been treated as a policing and incarceration crisis. People with substance and opioid use disorders have been criminalized. They have been locked up and cutoff from services and from treatment, and I have watched that myself. I am not telling a story that I have heard.

The ongoing and racist war on drugs has been waged on black and brown families like those in my district, all the while allowing people like the Sacklers to evade accountability. There should be no doubt that what the Sackler family has done is absolutely criminal. They are the chief architects of this crisis.

They knew how addictive these medications were, and rather than prioritizing the health and the well-being of others, they prioritized and enriched themselves, profiting off the pain and suffering of other people. Thousands of lives have been lost and devastated because of a crisis that they helped to fuel.

Ms. Pleus, thank you for sharing your story. I can only imagine how difficult it is to share your family's heartbreaking story and journey in such a public way, triggering the trauma of losing your son. Your strength and your resilience is something that no mother should ever have to carry. But you being here today is a testament to the families who have been harmed by this crisis, awaiting answers and demanding the accountability.

You mentioned to us that your son's 35th birthday is tomorrow, and I would like to honor his memory. So briefly, if you can, can you tell us what Jeff was like before his battle with opioids, and then how the substance use changed him? Just briefly.

Ms. PLEUS. Thank you so much. Yes, and I couldn't think of a better way to honor his birthday than being here today.

Jeff was a really amazing kid. He was known in high school as standing up for the underdog, and so he always had a flock of people around him and was very protective and caring of other people. He was outgoing, charismatic, just bigger than life, like he would fill an entire space even if there were other people around. He just took up the space with his charismatic ways.

And addiction changed him in so many ways. And as I mentioned, he was in and out of jail. One of the things that I would like to mention is Jeff's shortest stay in jail was longer than his longest stay in treatment. Despite having excellent insurance and despite our family advocating for him to get treatment and him wanting treatment, he could not get it.

You are exactly right. We are continuing to criminalize addiction in this country. The drug war is alive and well, and I would love if—I would love to address the racism and some of the issues that you brought up as well, but I just wanted to thank you first for the opportunity to talk about Jeff.

Ms. BUSH. Absolutely. And I have more for you because as a nurse, a community health nurse, where most of my patients were uninsured or underinsured, many of them transient or unhoused, I have seen firsthand how addiction harms our communities and not that those are the only people that are hit, but the targeting that happened in those communities is unbelievable.

And like so many others, Jeff was prescribed OxyContin after an injury. He was told to take the drug every four hours. I have seen it. I have been the one giving it because a doctor ordered it. Every four hours regardless of the pain. Don't let the pain get out of control. Take the medication. And he followed his doctor's instructions.

Do you believe that Purdue and the Sacklers are responsible for your son's death?

Ms. PLEUS. I do because that's where it all started. You know, over the course of the past 6 1/2 years after losing Jeff, I have questioned what might have saved him, what I could have done differently, what we all could have done differently. And the only thing that I know to come back to is if he hadn't gotten addicted in the first place, I know he would be here today.

Every other solution is a maybe. Maybe he would have survived. Maybe treatment would have helped. Maybe if he hadn't been incarcerated, he would have survived. But the fact that he was prescribed that medication. The doctors did not educate us on the risks of that prescription is what started it all.

Ms. BUSH. And I am very sorry for your loss. Thank you for sharing that because for far too long, too many all over our country, far too many in my local district and beyond have gone without—without adequate insurance, without access to treatment and services, without trust that our system will not further criminalize them and lock them up.

Far too often, those people are black and brown, and it is imperative that we hold the Sacklers accountable, but it is also imperative that we build systems that support black and brown people, systems that prioritize the needs of communities over the greed of corporations and just letting them get off like so many people that I

have heard today. It is absolutely sad. We need systems that save lives. That is what our communities deserve.

Thank you, and I yield back.

Chairwoman MALONEY. The gentlelady yields back. The gentleman from Illinois, Mr. Davis, is now recognized for five minutes. Mr. Davis?

Mr. DAVIS. Thank you, Madam Chairman. And let me thank you for calling this very important hearing.

We have heard a great deal today about committee jurisdiction, what we ought to be discussing, what we ought to be talking about, and why aren't we doing this. Let me just tell you, Madam Chairman, as one member of this committee, your leadership has been absolutely outstanding. I think you have chosen the work for us to do. We have had the opportunity to deal with some of the most pernicious issues that face our country.

So, thank you.

I represent a large, inner-city, urban, poverty-stricken area. And when we talk about opiate use or the impact, last year, I had eight people to overdose on one block in a two-day period, eight individuals. So I can't think of anything that would be more important for us to be engaged in.

And what we have heard from the Sacklers, it is the most arrogant, cruel, and inhumane responses that I have ever heard individuals engaged in an activity come forth with.

Mr. Keefe, you have spent years documenting how the Sacklers have flooded American communities with OxyContin and misled patients on the dangers of the addictive pain killers. From your perspective, do you think that the Sacklers have been held accountable for these actions, and what more can we really do to deal with this vicious, vicious attempt and even without attempting to dismantle our communities by flooding them with these terrible, terrible instruments?

Mr. KEEFE. Thank you very much, sir, for that question.

I think it might be helpful, given the direction in which this hearing has gone, sort of two directions in which it's gone, to make clear that when we talk about the opioid crisis, we're talking about a hugely complex public health crisis that has unfolded over the course of 25 years. No lone actor gets you to half a million people dead. There are a lot of drivers in this issue, and it's a very urgent issue today.

And I would agree with some of those who have made the argument in terms of the actual source of overdoses and deaths today that it is largely at this point a heroin and fentanyl issue. Having said that, AG Healey talked about the drivers of this and demand. And it was my sense that today what we would be talking about is how did we get here?

And I believe that that's an important conversation for us to have in order to prevent this sort of thing from happening again. So were the Sacklers alone in helping cause this crisis? No. It really takes a village to get to half a million dead. There are a lot of bad actors in this story.

However, the Sacklers, OxyContin, Purdue were, in the words of one former employee from the company, the tip of the spear. There was a very conscious effort in the 1990's to change the way strong

opioids were prescribed. We know that a lot of people who today end up addicted to heroin and fentanyl had an on-ramp, which was prescription opioids that many, many people transition from one drug to another. I'll give you a statistic that should illustrate this.

In 2010, Purdue Pharma reformulated OxyContin to make the pills harder to crush, harder to abuse. And after that happened, sales nationwide of 80-milligram OxyContin pills—the biggest pills on the market—plummeted by 25 percent. Now on the one hand, that seems like good for them. They reformulated the pill. They've made it harder to abuse.

On the other hand, what that tells you is there was a huge market of people who were addicted to this drug, many of whom then transitioned to black market alternatives. So I think it's important for us to be clear not just about the risks that we face today, but about how we got here.

Mr. DAVIS. Thank you for your staying power. My time has ended.

But Madam Chairman, again, thank you for your leadership. You are our champion, and let us keep it moving.

Chairwoman MALONEY. Thank you. The gentleman yields back. And the gentleman from Vermont, Mr. Welch, is now recognized for five minutes. Mr. Welch?

Mr. WELCH. Thank you very much. And I do agree with my colleague Congressman Davis.

A couple of things, No. 1, I just want to say that I really appreciated the comments of my colleagues Rashida Tlaib and Jim Cooper, who expressed, I think, the outrage all of us feel about this. And I want to thank Congresswoman Bush for her empathy for Ms. Pleus. I think all of us feel that, and I want to thank her for coming and talking so wonderfully about her beloved son.

I want to ask a couple of questions to the attorney generals. It is really heartening to me to see our frontline top law enforcement officers, one a Republican and one a Democrat, taking such an active role in protecting consumers and fighting for justice when at the Federal level we were asleep at the switch for too long.

So a question I will ask each of you, starting with Attorney General Wasden, this bankruptcy settlement, where a couple of dozen attorneys generals from around the country and the league have opposed it, is there any precedent for a family as wealthy as the Sacklers, as culpable as the Sacklers, whose company has admitted to criminal liability, who paid a traffic fine, as Congressman Cooper put it, \$600 million, having the benefit of bankruptcy protection without the burden of filing for bankruptcy?

I would like you to address that, and then I would ask Attorney General Healey to do that as well.

Mr. WASDEN. Thank you very much for the question.

What I can tell you is from my perspective here in the Ninth Circuit Court of Appeals that would not be allowed. The discharge of liabilities for a non-bankrupt would not be allowed. That actually is part of the issue is that the Constitution requires a uniform law on bankruptcy throughout the country, and the law currently is not uniform. This was forum shopping by Purdue and by the Sacklers in order to take advantage of this disuniform provision of bankruptcy law that allows a non-bankrupt to be discharged.

And so I am not aware of precedent that would say that this goes on, but I will tell you that could not occur here. We believe that in Idaho, we should be able to go forward with our lawsuits. We're being prevented by this disunified bankruptcy provision.

Mr. WELCH. Thank you. And thank you for your work.

Attorney General Healey, could you comment?

Ms. HEALEY. Thank you. And I agree with everything my terrific friend and colleague General Wasden just said.

I will add that it would be unprecedented. Never before have we seen a family get relief in this way, through bankruptcy court. And so not only do we have something that is so unprecedented in terms of the extent of greed and the efforts of a wealthy family to just buy power and buy immunity and escape liability, I mean, for a crisis that has been unprecedented.

This would—in fact, to answer your question, Congressman, this would be first of its kind, absent action like the SACKLER Act, which would keep that from happening.

Mr. WELCH. Thank you very much.

And just a last comment, the chair and the ranking member, Mr. Comer, I know just share a horror what has happened to so many of our citizens. And I believe all of us would detest the notion that a wrongdoer would be able to escape free. So my hope is that despite other differences that many of us have on this committee, we may be able to get behind the efforts of these two outstanding attorneys general, one a Republican and one a Democrat.

I yield back.

Chairwoman MALONEY. The gentleman yields back. The gentleman from Georgia, Mr. Johnson, is recognized for five minutes. Mr. Johnson?

Mr. JOHNSON. I thank the gentlelady.

Ms. Pleus, my deepest condolences to you and your family for the loss of your dear son Jeff, and I thank you for your courage in coming to testify today.

Mr. Keene, the Sackler family founded, controls, and actually owns the corporation known as Purdue Pharma. Correct?

Mr. KEEFE. Yes. They own it indirectly, I believe, through a series of trusts. But, yes.

Mr. JOHNSON. And Dr. Richard Sackler, a member of the family that controls Purdue Pharma, controls the patent on OxyContin. Correct?

Mr. KEEFE. I couldn't say whether he does personally. He was not the inventor of OxyContin, but it was employees certainly of Dr. Richard Sackler who were, I believe, the named inventors of the drug. So the company controls that.

Mr. JOHNSON. And he controls the company. Now, so Attorney General Healey, the Sackler family, and especially Dr. Richard Sackler, misrepresented the addictive qualities of OxyContin to physicians and then pushed those same physicians to overprescribe OxyContin to unwitting patients wracked by chronic pain. Correct?

Ms. HEALEY. That's correct.

Mr. JOHNSON. The actions of Purdue Pharma and the Sackler family are blamed justly for fueling the U.S. opioid crisis. Isn't that correct?

Ms. HEALEY. Absolutely.

Mr. JOHNSON. And since 1999, almost half a million people have died from opioid overdoses in this country. Isn't that correct?

Ms. HEALEY. Sadly, yes.

Mr. JOHNSON. And Mr. Keefe, is it true that in 2018 Dr. Richard Sackler, the same doctor whose family owns Purdue Pharma, the company behind the notorious pain killer OxyContin, was granted a patent for a drug that is used to wean addicts off of OxyContin? Isn't that correct?

Mr. KEEFE. He was one of the people named on the patent I believe you are referring to, yes.

Mr. JOHNSON. So the same family, and Dr. Richard Sackler in particular, who are largely responsible for creating the opioid epidemic are now poised to rake in billions of dollars for a new drug that they say will wean people off of OxyContin. Correct?

Mr. KEEFE. It's not clear to me that Purdue has necessarily moved forward with that as a particular product in mind—

Mr. JOHNSON. But they potentially—potentially are going to make a ton of money off of the death and destruction that they caused.

Attorney General Wasden, Purdue Pharma, which the Sacklers control, took in \$35 billion in revenue and claims that it is threatened with insolvency and has now filed for bankruptcy protection. Correct?

Mr. WASDEN. That is my understanding. Correct.

Mr. JOHNSON. And that same multibillionaire family, the Sacklers, who control Purdue Pharma, used Purdue Pharma to shield their personal assets from those seeking to hold them accountable for their immoral and illegal misconduct. Correct?

Mr. WASDEN. Absolutely.

Mr. JOHNSON. And it is a known fact that the Sackler family has drained Purdue Pharma of at least \$10 billion, putting that money into their personal accounts. Correct?

Mr. WASDEN. That is my understanding. It's in the \$10 billion range, yes.

Mr. JOHNSON. And now the Sacklers are using Purdue Pharma's bankruptcy to prevent the victims of their drug dealing from holding them personally accountable for the death and destruction that they perpetrated. Is that right?

Mr. WASDEN. That is absolutely correct.

Mr. JOHNSON. So, Attorney General Healey, how would a common sense reform like the SACKLER Act ensure that the Sackler family is finally held responsible for its role in fueling the opioid epidemic?

Ms. HEALEY. Thank you, Congressman.

I think what's important here is for the committee to know that we are not asking you to find or judge the Sackler family liable. What we're asking for you is to allow us as state AGs to have our day in court.

Because absent action through the SACKLER Act, a bankruptcy judge will be allowed to wipe free all claims, civil claims against the Sackler family. They will be able to go along with the deal that we think is a lousy deal that the Sackler family wants the court to endorse a deal that would leave them richer than it does today.

So that's what we're asking for is this positive correction.

Mr. JOHNSON. Passage of the SACKLER Act would actually accomplish that objective. Correct?

Ms. HEALEY. Correct.

Mr. JOHNSON. OK, and with that, Madam Chair, my time has expired, and I yield back.

Chairwoman MALONEY. Thank you for raising so many important points.

The gentleman from Kentucky, Mr. Comer, is recognized for as much time as he may consume.

Mr. COMER. Well, thank you, Madam Chair.

And let me be very clear. Every Republican on this committee wants to hold the Sackler family accountable. Every Republican on this committee has stated today and in the previous committee hearing that the Sacklers are bad actors. Purdue Pharma should be held accountable, and the Sackler family should be held accountable. Every one of us agree with that.

I have been sitting here trying to understand the purpose of this committee hearing today. I have listened to many Democrat members on this committee chastise Republicans and imply that they didn't want to hold anyone accountable. We want to hold everyone accountable.

And I have heard many Democrats say that we need to pass the SACKLER bill that you referenced countless times today. So I have looked that bill up. That bill has been assigned to the Judiciary Committee, not the Oversight Committee.

So my question is since—to the Democrats, since you all are in power, you have complete power. You have the presidency. You have the House. And by virtue of the Vice President, you have the Senate. If you want to pass the SACKLER Act, bring it up for a vote.

Why are you yelling at Republicans? We agree that the Sackler family should be held accountable. I come from a banking background. I understand the bankruptcy laws. I am detested by the bankruptcy laws. I see people like the Sacklers get out of debt all the time.

I am all about changing the bankruptcy laws. I would work with any Democrat on that. We want to work with legislation to hold the Sackler family accountable, but that is not what we are doing here today.

And it is troubling listening to a witness that bring in that we have sympathy for the family. I represent Kentucky. I represent Appalachia. I understand. I know people personally. I have relatives. I know a lot of people have lost their lives and their families have been torn apart because of opioids. And I—no one is more interested in holding people accountable than I am.

But this committee hearing is just show. This is just show. If you want to bring the bill up, bring it up. But it is not this committee. So if the Democrats are trying to create a narrative here, that is fake news because the Republicans support holding the Sackler family accountable.

What we have stated in this committee hearing that you have tried to take out of context is that we have a crisis on the Southern border. We are talking about the drug problem today when as we speak, people are crossing that border with illegal drugs, and the

Biden administration is doing nothing about it. Even worse, the Democrats on the Oversight Committee are doing nothing about it.

We have had so many committee hearings since this border crisis has escalated. We have heard from so many across America in law enforcement that are pleading for help on the border because the drugs, the fentanyl is crossing the border every day.

We have asked this committee for anything pertaining to a committee hearing. We have asked three times, requested three different times, every single member of this committee, to hold a hearing on the Biden border crisis. We are having a hearing today, and we agree with you. We agree the Sackler family is terrible. They should be held accountable. But you have the ability to do that, not the minority.

So instead of arguing with Republicans, I think you need to argue with Jerry Nadler, the chairman of the Judiciary Committee, and you need to argue with Nancy Pelosi, the Speaker of the House, or Steny Hoyer, the majority leader, who controls the flow of legislation. Not the Republicans on the Oversight Committee because we agree with you. We just want to be productive.

We want to hold people together. We want to do something about the drug problem. And to do something about the drug problem that is to get the border under control, which you all refuse to do, and I think part of the reason is what people like Tlaib and Representative Bush have said and imply that that is some kind of racist act to secure the border. That is not a racist act.

If you want to get the drug problem under control, one thing you could do is take the border crisis seriously, and the fact that the President and Vice President haven't even set foot on the border, that says a lot. So I am going to turn the question to the one witness here today who is fighting and has fought the war on drugs on the border, and that is Mr. Carroll. Good to have you back, Mr. Carroll.

Mr. CARROLL. Thank you, sir.

Mr. COMER. You know, we have heard from many Democrats on this committee about defunding the police. Negative comments after negative comments by Tlaib, by Bush, on law enforcement. I wonder, have the Democrat efforts to defund the police led to less resources at the border and more illicit fentanyl crossing the border, in your opinion?

Mr. CARROLL. I think when you talk to almost any, if not all, law enforcement officers today, they're the first ones to pound the table and say the last thing that we want to do is incarcerate someone with an addiction. The police are usually the first ones able to respond to the scene of an overdose, and they're all carrying naloxone, and they all have the ability to reverse an overdose on the scene. And thankfully, there is even more powerful reversal drugs that are being developed because the fentanyl is so out there.

So we need to defend the police, not defund the police. There's a lot of national organizations for police that are teaching de-escalation techniques to make sure that law enforcement have the best techniques and the ability to make sure that a situation is not getting worse, that they're keeping it under control.

And certainly, as we've been saying, we have essentially a narco state in Mexico, and I would respectfully argue that probably more

than the terrorists, the drug cartels of Mexico control the government more so than some of the elected leaders down there. And so, as we assign responsibility to pharmaceutical companies in the U.S., we want to make sure that law enforcement who are trying to do the right thing that they want to be there and help individuals, that they have our support as well.

Certainly everyone is—can benefit from training. I think the police are the first one to say that, and so we want to make sure that they have all the tools necessary, not only de-escalation but also the intelligence to be able to do this.

I also hope the committee, the committee should be being briefed later this month from the White House on heroin production in Mexico. And as you get those numbers, I think that will be very telling in terms of the shift from heroin to fentanyl as well as we're trying to attack the synthetic drugs. And so thank you for allowing me to address that issue.

Mr. COMER. One last question, Madam Chair, if I may, to Mr. Carroll, and that is, Mr. Carroll, you have been in my district. You have seen—we have talked to drug task force people. We know that crystal meth is being manufactured in Mexico and crossing the border. We know fentanyl is coming from China through Mexico across the border. Now you mentioned heroin in Mexico across the border.

I wonder, in your opinion as a law enforcement official, do you believe that if either Joe Biden or the border crisis czar Kamala Harris went down to the border and had a press conference with law enforcement standing behind them or the military standing behind them and said we are going to get tough on this border. We are going to secure the border, and if you cross this border, you are going to be held accountable in the worst possible way. Do you, sir, think that that would make a difference in all of the drugs that are crossing this border right now?

Mr. CARROLL. It's absolutely one of the things that we need to do, among the others that we've talked about today. It is one of the things that we need to do to be able to save lives and reduce the tragic rise of overdoses that we've seen since the advent of COVID.

You can't imagine the border until you've been down there. I've been down there maybe a dozen times by air. Multiple times, you know, on four-wheelers, and it's a very difficult situation. We just need to know what is coming into our country.

You all can decide who is coming in. We just need to know what is coming in and make sure that it's not the drugs that are killing our children.

Mr. COMER. Well, I will wrap up with this, Madam Chair. The Republicans on the committee, my opinion, every one of us have been to the border at least one time. I challenge the Democrats to go to the border to see the problem on the border with the illicit drugs and the human trafficking that is happening every day on the border.

And I will say this. We will work with any Democrat on this committee to hold the Sackler family accountable. We agree with that. So don't create a narrative that we don't. We do agree with that. We have already said that. We will continue to say that.

But let us go a step further and let us do something about this crisis on the border. Let us have a hearing on that, and let us get

serious about that and try to hold people accountable for all the drugs crossing the border that are affecting our population every single day.

Madam Chair, thank you. And I—

Mr. RASKIN. Would the gentleman yield?

Mr. COMER. I will yield. Yes, absolutely.

Mr. RASKIN. OK. Mr. Comer, thank you very much for your enlightening comments there.

My quick question is this. Are we hearing you to say that you would support the SACKLER Act?

Mr. COMER. I haven't read the SACKLER Act. This is a committee hearing. This isn't a markup. The committee was assigned to Judiciary. If it was assigned to Oversight, I would have already looked over it. But we will look over it and see what is in the bill.

But I think that what needs to happen is you need to have a markup and a hearing on the bill, and that has got to happen in the Judiciary Committee, I assume. You are on the Judiciary Committee, Mr. Raskin?

Mr. RASKIN. Yes, indeed. I would love to be able to take your endorsement of the bill with me—

Mr. COMER. I am not endorsing it until I read it.

Mr. RASKIN. I got it.

Mr. COMER. I have to read the bill first, but we want to hold the Sackler family accountable.

Mr. RASKIN. Thank you.

Mr. COMER. And I yield back, Madam Chair.

Chairwoman MALONEY. Time has expired. We have given the bill to your staff.

The gentleman from Maryland, Mr. Sarbanes, is recognized for five minutes.

Mr. SARBANES. Thanks very much, Madam Chair.

I just want to point out that this hearing isn't only about addressing the SACKLER Act, which has been introduced. It is trying to offer some measure of justice. This is a public hearing. It is important for us to let the victims of this opioid crisis know that Members of Congress are paying attention to this, that we are listening to them, that we want to get justice for them. So that this committee hearing serves a number of different, but very important purposes, and I want to thank you for convening it.

I am going to come back and talk a little bit about the prescription, that the marketing to physicians in particular and how that drove the opioid crisis. In 2017, the President and the CEO of Purdue Pharma, Dr. Landau, wrote the following notes regarding the crisis, the opioid crisis.

"There are too many prescriptions being written, too high a dose, for too long for conditions that often don't require them by doctors who lack the requisite training in how to use them appropriately." That pretty encapsulates the problem right there.

Attorney General Wasden, did Dr. Landau's notes summarize the factors, in your opinion, that created and fueled America's opioid epidemic?

Mr. WASDEN. Yes, in a short word. The marketing campaign created by Purdue Pharma was intended to deceive doctors, have longer prescriptions, higher doses of prescriptions. The answer to

the concept of addiction was well, it's really their fault. They're the bad people. It was intended clearly too just sustain long-term demand for their product and, therefore, enrich them. That was the process.

Mr. SARBANES. Thank you.

Mr. Keefe, let me turn to you, and this can be just yes or no answers. Let me just say thank you to you for your good work, for bringing this to light, assembling it in one place so the public and so we can understand better exactly what happened with the Sackler family driving this crisis.

Did the Sackler family, in their capacity as board members and executives, order Purdue to hire hundreds more sales representatives?

Mr. KEEFE. Yes.

Mr. SARBANES. Were they involved in directing those sales representatives to target the highest volume prescribers of OxyContin?

Mr. KEEFE. Yes.

Mr. SARBANES. Did they participate in Purdue's efforts to push the highest-strength dosage of OxyContin?

Mr. KEEFE. Yes.

Mr. SARBANES. As board members and executives, the Sackler family also approved OxyContin's marketing materials and incentive structures for sales reps. Attorney General Healey, Purdue's sales reps were incentivized through their compensation structure, were they not? And can you tell me how that compensation structure basically gave them all the wrong incentives when it came to treating patients properly?

Ms. HEALEY. Yes. The answer to that is absolutely they were incentivized. They were incentivized to visit as many offices as possible, talk to as many doctors as possible. Talk to them and give them misleading, inaccurate information, including representations that were specifically aimed at getting doctors to prescribe more opioids to more people at higher doses for longer periods of time.

And the way the Sacklers—the way the Sacklers incentivized that was through compensation.

Mr. SARBANES. According to internal documents obtained by the committee and by Attorney General Healey, the Sacklers, as board members and executives, rewarded employees for selling more prescription opioids at higher strengths, as you just described.

Mr. Keefe, as board members and executives, did the Sacklers push dangerous sales tactics, yes or no?

Mr. KEEFE. Yes.

Mr. SARBANES. Would you agree that the purpose of these sales tactics was for the Sacklers and Purdue to maximize their profits?

Mr. KEEFE. Absolutely.

Mr. SARBANES. So, basically, we have an opioid epidemic of epic and tragic proportions across the country. And it is relatively unusual that you would be able to trace so much of that back to one place, to one point source. We talk about point source and non-point source pollution. In this instance, we can trace back to one source, one family, the Sackler family, responsibility for fueling this opioid epidemic across the country.

There has to be justice in this case. That is what we are seeking with the SACKLER Act. I want to thank the sponsors of that. I

want to thank you, Madam Chair, for this hearing and again an opportunity to bring some measure of justice for what families have suffered, and I yield back my time.

Chairwoman MALONEY. The gentleman yields back. The gentlelady from Illinois, Ms. Kelly, is recognized for five minutes.

Ms. KELLY. Thank you, Madam Chair.

First of all, I just want to say I would appreciate if one broad brush wasn't put on Democrats. We are definitely not monolithic. I don't agree with defunding the police. I think there should be some reallocation of funds, and a lot of police in my area think that also, for therapists, social workers, and things like that. So please don't say we all are saying that.

And also we can talk about the border, but if there wasn't the appetite for drugs, it wouldn't matter what was brought across the border. And the appetite was started in many different ways, as our witness talked about her son.

During our December hearing, David Sackler told the committee, and I quote, "I have no problem with transparency with everything that is relevant to Purdue as it relates to the Sacklers, none at all."

Mr. Keefe, you have done extensive research into the Sacklers and the multibillion dollar empire they built through the sale of OxyContin. Have the Sacklers been transparent with the public about their involvement in the day-to-day operations of Purdue Pharma?

Mr. KEEFE. Thank you for the question.

No, and in my experience, they've been the opposite of transparent. I think part of the way that we got here is that there was a decades-long campaign to suppress the truth, both about the company and what it was doing and about the family's active role in guiding the company during some of the most critical decision-making periods in this story.

Ms. KELLY. The Sackler family has repeatedly and intentionally avoided public accountability and has fought hard to keep any information from reaching the public. I would like to ask you about a few of these instances, Mr. Keefe.

In 2004, the West Virginia attorney general sued Purdue and charged the company with deceptive marketing. Did this case ever go to trial with public testimony?

Mr. KEEFE. No, it did not. There have been many cases initiated, and to date, none of them have gone to trial because——

Ms. KELLY. Mr. Keefe? OK.

Mr. KEEFE. No, it did not.

Ms. KELLY. OK. In 2007, Purdue was sued by the attorney general of Kentucky for misleading claims about OxyContin's addictive potential. Did that case go to trial?

Mr. KEEFE. The Kentucky case did not. It was settled.

Ms. KELLY. And Dr. Richard Sackler was deposed as part of that lawsuit. During this deposition, he was asked about the illegal marketing of OxyContin and what his family knew about it. That deposition was sealed by the court. Correct?

Mr. KEEFE. That's correct. The family and the company went to great lengths to keep that deposition sealed and secret.

Ms. KELLY. And then, in 2016, a news outlet staff filed a motion asking a judge to unseal Dr. Sackler's deposition. In granting the

motion, the judge stated, “The court sees no higher value than the public, via the media, having access to these discovery materials and that the public can see the facts for themselves.”

So the Sackler family appealed this decision, a decision that promoted transparency into your family’s actions. Isn’t that right?

Mr. KEEFE. That’s correct. Yes, I think as a general rule, the truth has not been their friend. Transparency has not been something that has been particularly beneficial to them.

Ms. KELLY. Has litigation against the Sackler family gone to trial at any time?

Mr. KEEFE. No.

Ms. KELLY. And then, Attorney General Healey, why is it so problematic that the Sacklers have been able to obscure transparency into their role in managing Purdue?

Ms. HEALEY. Congresswoman, because I don’t think you get justice without transparency. You don’t get accountability without knowing what’s going on and then holding those who did the wrong accountable. And that’s what happened here, and it’s happened because they’re an incredibly wealthy family that’s been able to buy off lobbyists and lawyers and PR campaigns and now is trying to buy relief by offering up something in a bankruptcy proceeding in a totally unprecedented way.

Ms. KELLY. And it is such a shame because for thousands of families shattered by these drugs and addiction, there is no backroom deal to bring back their loved ones, and we deserve better.

Thank you so much, and I yield back.

Chairwoman MALONEY. The gentlelady yields back. The gentleman from California, Mr. DeSaulnier, is recognized for five minutes.

Mr. DESAULNIER. Thank you, Madam Chair, and thank you again for this hearing and your partnership and your tenacity. And it is all about justice.

And I really want to thank the witnesses, all of you, for your passion and tenacity and your compassion. And like Mr. Lynch and others, I have got a long history in this as it was brought to me by parents of constituents when I was in the state senate here in California who had lost children tragically because of the Sackler family’s greed and avarice.

And for me, quite frankly, I can’t—they are a family of sociopaths. They will use anything they can do to avoid responsibility for the horror that they have put upon this country, and it is a horror that if we allow it to continue and we don’t pass this act—and ask my colleagues across the aisle—I think I have a reputation for being open, I am happy to work with you. Let us do what is in front of us and hold these people accountable and stop this horrible, horrible culture.

Again, Madam Chair, thanks. And as we discuss points to bring the Sackler family to justice, I can’t help but continue to reflect on the devastation wrought by their crisis. Nearly 500,000 American deaths from 1999 to today, 1,000 emergency room visits every day, and a total economic burden, as I have said before, according to the CDC, \$78.5 billion, almost \$80 billion every year.

More deaths than the entire Vietnam War, and a family that has withdrawn over \$10 billion from their privately held company at

the center of this crisis. The greed and the lack of remorse from the family highlight the need for further personal, personal accountability if we are going to stop this kind of thing.

Two weeks ago, a Federal judge allowed a restructuring plan that would grant legal immunity to members of the Sackler family to move forward for a final vote. While this action does not yet release the Sacklers from lawsuits—the plan needs to be confirmed first—it underscores why this bill, Representative Maloney and my bill, the SACKLER Act, must be passed immediately.

Attorney General Wasden, thank you so much for your actions. You stated in your written testimony that by exploring the bankruptcy, the Sacklers have “kept my case away from an Idaho judge and an Idaho jury.” If Purdue Pharma’s plan is confirmed, how would that impact your ability to bring the Sacklers to accountability?

Mr. WASDEN. Thank you very much.

The answer is I would not be able to bring the action. We would—it would gut our ability to hold them accountable.

Mr. DESAULNIER. Thank you.

In our December hearing, David Sackler stated, and I quote, “It is my belief that the bankruptcy process offers the best and most transparent and most equitable way to address the opioid epidemic.”

Attorney General Healey, you were the first public official to sue members of the family for wrongdoing, and you have been a really great leader—thank you—in pushing back against injustices by the Sacklers and the bankruptcy proceeding. Do you agree with David Sackler’s description of the bankruptcy process as transparent and equitable?

Ms. HEALEY. It’s the best deal for David Sackler and members of the Sackler family. It’s not the best deal for families.

Mr. DESAULNIER. Thank you. Thank you, Madam Attorney General. As a native of Massachusetts, I am proud of you. And I can understand you, which I cannot always understand Mr. Lynch.

A few circuit courts do not permit courts to release claims against those who have not filed for bankruptcy themselves. But the Sackler family secured a judge who was sympathetic to their legal arguments, and now he has advanced a plan to grant them immunity that would not be accepted in other courts.

Attorney General Healey, what message does it send if Congress continues to let this loophole exist?

Ms. HEALEY. It sends a horrible message. It sends a message that if you’re the perpetrator, if you’re the architect, if you’re the orchestrator, if you’re the implementer, and you have boatloads of money, you’re going to get away with whatever you want to get away with, no matter how many people were harmed, no matter how many people died.

And so I just find it absolutely untenable that we would allow this to happen, and it’s why we really call upon Congress to act. There’s one opportunity to get this right and bring justice for families across districts and across states in this country, and the time is coming up really short, given the state of the bankruptcy proceeding. That’s just the way it is.

Mr. DESAULNIER. AG Healey, you have said that this bankruptcy is an example of bankruptcy for billionaires. Could you just explore a little bit more about Purdue's bankruptcy process and their strategy?

Ms. HEALEY. Well, their strategy has been to game the system to their advantage, which has been the Sackler MO from the very beginning. So Purdue, which they put into bankruptcy by siphoning off billions and billions of dollars of OxyContin profits and revenues over the years, so they put the company into bankruptcy. Company goes into bankruptcy, and then they, themselves, as billionaires, to the tune of tens of billions that the company has recovered that have now gone to the Sacklers, they then run to bankruptcy court.

And I think you don't have to be a lawyer to know that bankruptcy court is for people who are supposed to be bankrupt, corporations who are supposed to be bankrupt. It's a way the system builds in a mechanism for us to go forward. Instead, incredibly, but maybe not so incredibly because the Sacklers know no end in terms of looking after themselves, go to court and say, hey, court, give us the relief. We're going to throw a little bit of money your way and give us relief and release all our claims. And deny states like mine the opportunity to proceed in state court, to have a trial, to be heard, and to let a judge and jury decide and assess accountability.

That's what they've done, and it's very unfortunate. And I'm sorry that we're before you having to take your time with this matter. But we know. I've heard all of you say how important it is to districts and to families in your districts. But the fact of the matter is the Sacklers are not going to be held accountable in the way that they should, absent action, corrective action by Congress.

Mr. DESAULNIER. Thank you.

Chairwoman MALONEY. The gentleman's time has expired.

Mr. DESAULNIER. Thank you, Madam Chair.

Chairwoman MALONEY. The gentlelady from California, Ms. Speier, is recognized for five minutes.

Ms. SPEIER. Thank you, Madam Chair.

Let me just say to Ranking Member Comer, I, too, do not support defunding the police. I, too, have spent many visits to the border and have actually gone to Mexico City and met with our intelligence community. And let me make something clear.

The drugs are coming across our border in drones and are coming across our border in container semis that are filled with watermelons that have been carved out with the drugs. So the issue is, are we willing to slow commerce at the border and put X-rays in place that can detect these drugs?

It is not simple, and furthermore, it is not the humanitarian crisis, which is at the border, of people who are seeking a life without persecution.

Now to the two attorney generals, thank you so much for your leadership. Let me ask you, General Healey, you have made it pretty clear that if we don't pass this act, the Sacklers will not be held accountable. You also said we have a very short window of time.

Can you give us some timeframe? If our colleagues want to hold the Sacklers accountable, and I heard Ranking Member Comer say that, then this is the only vehicle by which they will be held ac-

countable, and I want to know how much time we have in order to move this through the legislative process.

Ms. HEALEY. Thank you, Congresswoman.

I'd say the date is August 9. August 9 is the date when the bankruptcy judge is going to bring everybody together and have what's called a confirmation hearing, either approve or disapprove the proposed plan.

Now Purdue and the Sacklers have until July 7 to file a new plan. Make no mistake, it's not going to be an improvement. And so I think our view is we have this very short window until August 9 because at that point, a Federal bankruptcy judge is going to act, and the actions that he takes will have serious implications and ramifications on our states and families.

Ms. SPEIER. Thank you. There hasn't been a lot of time today spent on the FDA and whether or not they have an obligation to determine whether a drug is addictive in nature, which I am told they do have a responsibility to do that. But Curtis Wright was the person who actually was one of the authors of the 11-month process, a very quick process by which OxyContin was, in fact, made available through the FDA. And yet, a year later, he leaves and goes to work for Purdue.

Do either of the attorney generals have an opinion on what we should be doing about the revolving door at the FDA as it relates to a circumstance like this? General Wasden?

Mr. WASDEN. That's really a policy call for Congress to make. I have my concerns about how that happens, but that's kind of beyond the level of what I do. My job really concentrates on dealing with the consumer protection violations at my level.

Ms. SPEIER. All right. General Healey, any comment?

Ms. HEALEY. My job is to enforce the law that others make.

Ms. SPEIER. All right, thank you.

Mr. Keefe, did Purdue know whether OxyContin was more potent than morphine, and did they share that information with doctors when marketing the drug?

Mr. KEEFE. Yes, they were aware that OxyContin was more potent than morphine. And no, they had discussions about how, if they were to inform doctors of that fact, doctors who believed the opposite about the actual facts in terms of the potency of the drugs, that that would reduce their market. And so they made a specific decision not to do anything to inform doctors that they had that wrong in order to grow the market for the drug.

Ms. SPEIER. And did they inform the FDA about the knowledge they had that it was more potent and more addictive than morphine?

Mr. KEEFE. Well, I think the FDA would have known, but broadly speaking, the idea at Purdue Pharma, when they were launching OxyContin, was that they wanted to expand the use of this drug beyond the cancer pain market. They wanted to promote it for non-malignant pain in a way that nobody ever had with strong opioids up to that point. And so everything in their interactions with the FDA was driven by that marketing incentive.

Ms. SPEIER. All right. My time has expired. I yield back.

Chairwoman MALONEY. The gentlelady's time has expired, and the gentlelady from Massachusetts, Ms. Pressley, is recognized for five minutes.

Ms. PRESSLEY. Thank you, Madam Chair, and thank you to our witnesses, everyone, but especially Ms. Pleus. You demonstrate that which Chairman Cummings often said, and that is to turn your pain into purpose, and thank you for that.

I especially want to thank Attorney General Maura Healey, my AG from Massachusetts. Thank you for being a pacesetter. Thank you for your leadership in this fight to hold the Sackler family accountable. You have been a beacon of hope for so many in our district and throughout the country.

This is a personal issue for millions of families. It does not just affect the person battling this substance use disorder. The destabilization, the pain, the trauma is pervasive. It affects whole families and entire communities. And it's just simply not enough for the Sackler family to offer empty apologies while their pockets are full. The billions of dollars they raked in by exploiting opioid addiction should be reinvested in those whose lives were decimated by their precise intentional and immoral actions.

As we discuss reforms to exact accountability for America's opioid crisis, we must remember that the work of restorative justice and healing is critical. Now as has been recounted throughout this hearing, unfortunately, the Sacklers are using produced bankruptcy to shield themselves from liability. They are predators. They are cowards, plain and simple. And if successful, their shameful efforts will deprive communities of billions of dollars in much-needed relief and recourse.

Now I want to just pick up on that, the need for restoration, Attorney General Healey. In the Commonwealth of Massachusetts, you have launched a number of initiatives to address the hurt and harm caused by the opioid epidemic, including the Opioid Recovery and Remediation Fund, which benefits community organizations in Roxbury and other parts of my district.

And I will elevate in my recent visit at the Dimock Community Health Center, which I know you have been to many times, we were going over the state's numbers. And in fact, there has been a 69 percent increase in opioid overdose among black men. Devastating.

So could you just speak, how could the Sacklers' withdrawal of funds affect the Commonwealth's ability to invest in services that would address the harm caused by the opioid crisis?

Ms. HEALEY. Well, it's wonderful to see you, Congresswoman, and I thank you for your advocacy. I thank you for always standing strong for the families and for the services that they need.

And one of the things you were very supportive of was this idea that here in Massachusetts any recoveries we get from our investigations or litigations we're going to put right into treatment. Because we don't have the treatment resources that we need right now to deal with what has been a growing crisis.

You're right. The numbers are worse this year than last year, and disproportionately so for populations of color. Black men in particular, you cited here in Massachusetts. That's a trend nationwide. So I thank you for that support, and I want you to know that my colleagues and I share the view that if we are going to get the resources and take from the Sacklers what they profit, pocketed

through what we in the business say ill-gotten gains, right? That's how they made their money.

We get that money, it's going to go toward treatment. It's going to go toward treatment in our communities for our families, and it's going to be done equitably and also addressing the real racial disparities, too, that we see now growing exponentially in our communities that are very concerning.

But that's from the heart. That's where—that's where all the—that's where all the AGs are in terms of how this money would be used because we know that we don't have the treatment options right now for people who are currently diseased and sick and dying in our communities. We need to save lives as we hold more people accountable.

Ms. PRESSLEY. Thank you, Madam Attorney General. Thank you for getting it. Thank you for launching the Opioid Recovery and Remediation Fund.

The Sackler family, again, their apologies are empty. Their pockets remain full. They have prioritized profit over people, and we thank you and your cohorts for your commitment, both in ensuring accountability, but in making the necessary investments that will support the recovery and the healing for the many who were exploited and have lost their lives and continue to struggle.

Thank you, and I yield back.

Chairwoman MALONEY. Yields back.

Before we close, I would like to offer the ranking member an opportunity to offer any closing remarks he may have. Ranking Member Comer, you are recognized.

Mr. COMER. Well, thank you, Madam Chair.

And I think one thing that we have gotten out of this hearing is that Republicans and Democrats both agree that the Sackler family should be held accountable. We agree that the bankruptcy rules are probably in their favor, and that is a terrible thing to have on their side, the courts with that.

We pledge to work with Democrats on any type of legislation to hold them accountable, although I think that the way you hold people accountable is through the court system, and I certainly don't want to do anything to hinder the plaintiffs and everyone who is trying to do just that by holding the Sackler family accountable with ongoing court proceedings.

But we also, Madam Chair, respectfully, want to hold a hearing on border security because of when we talk about the drug problem in America, we can't overlook the fact that there are drugs crossing the border illegally every day. If that requires, as Congresswoman Speier implied, that we need more X-rays on the border, then that is something that we may have to make that investment. But we have to take it seriously.

We strongly urge President Biden and Vice President Harris to actually visit the border, just as the Republicans on the House Oversight Committee have done, and listen to the Border Patrol agents and listen to the local residents and local law enforcement officials talk about the drugs that are crossing the border, the human trafficking that is crossing the border, and the humanitarian crisis at the border, seeing all these young kids and young girls walking across the border. We have got to do something about that. And that is in our hands. That is something that we can do.

And with respect to the SACKLER Act, that is on the Democrat majority in the House. That bill will not go through our committee. That will go through the Judiciary Committee. So, and strongly encourage Mr. Connolly and Mr. Lynch and the other members who were commenting that Republicans were trying to distract, that was completely false. We are not trying to distract. We are trying to state the facts.

The facts are that bill has to be heard in Judiciary Committee. So you need to talk to Nadler and Pelosi and Hoyer about that. And with respect to the ongoing drug problem, we want to have a committee hearing on the border crisis, and we want to do something about all the drugs that are crossing this border as we speak.

Thank you, Madam Chair, and I yield back.

Chairwoman MALONEY. Thank you. And I now recognize myself.

Let me conclude by expressing my frustration with my Republican colleagues. In December, this committee came together to hold the Sacklers accountable for causing and fueling the opioid crisis. But since then, my Republican colleagues have refused to support a common sense reform that will allow Congress to promote meaningful accountability for millions of lives cut short by the Sacklers' actions.

Ranking Member Comer said he had not read the SACKLER Act yet, and I would urge him to read it closely and to seriously consider it. It is a good faith proposal, and I am serious about working in a bipartisan manner on this issue.

Earlier, the career prosecutor who led the first Federal investigation into Purdue Pharma told us that the system had failed to hold the Sacklers accountable and that the Sacklers are poised to get away with it again. Mr. Montcastle called on Congress to pass the SACKLER Act. We heard directly from Ms. Pleus, who shared her family's heartbreaking story and called on Congress to pass the bill.

And we heard from attorney generals from both sides of the aisle, Healey and Wasden, who came together and made the bipartisan case for why Congress shouldn't let the Sacklers get away with it again. The opioid epidemic has claimed nearly half a million American lives. This crisis knows no boundaries, and it has hit blue states and red states and purple states.

In his testimony, Mr. Keefe called on us to do the right thing by our constituents, all of whom have been really touched by this crisis. So I urge my Republican colleagues to heed this call as they consider what we can do to ensure the Sacklers are held accountable and promote justice for all of our constituents.

In closing, I want to thank our panelists for their remarks, and I want to commend my colleagues for participating in this important conversation.

With all of that and without objection, all members have five legislative days within which to submit extraneous materials and to submit additional written questions for the witnesses to the chair, which will be forwarded to the witnesses for their response. I ask our witnesses to please respond as promptly as they are able.

This meeting is adjourned.

[Whereupon, at 3:38 p.m., the committee was adjourned.]