



**STATE OF NEW HAMPSHIRE**  
**OFFICE OF THE GOVERNOR**

**CHRISTOPHER T. SUNUNU**  
Governor

January 27, 2020

The Honorable Nancy Pelosi  
Speaker  
United States House of Representatives

The Honorable Kevin McCarthy  
Republican Leader  
United States House of Representatives

Dear Madam Speaker, Leader McCarthy,

The flow of illicit fentanyl has resulted in hundreds of overdose deaths during the last several years within New Hampshire. In 2018 alone, of the 471 drug overdose deaths that occurred, 389 of these deaths were caused by fentanyl, or combination with other drugs.

In 2018 the Drug Enforcement Administration (DEA) exercised its emergency authority to designate the entire class of fentanyl analogues as Schedule I narcotics. As a result of this action, criminal behavior was deterred and the prevalence of law enforcement encounters with new deadly fentanyl analogues were reduced by half.

The DEA's authorization to continue to exercise its emergency authority in this important area expires on February 6, 2020. On January 16, 2020, in response to this looming date, the Senate passed, with overwhelming bipartisan support, S. 320, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act. S. 3201 extends the DEA's scheduling authority to May 6, 2020 and calls for a study of the classification of fentanyl related substances as Schedule I controlled Substance Act to examine the impacts of class-wide scheduling.

S. 3201 is now in the hands of the House and I urge you to take quick action, in the same bipartisan manner that the Senate has done, in order to meet the February 6, 2020 deadline. Absent such action, law enforcement will be forced to return to a cumbersome, reactive process of complex scientific evaluation that often doesn't even begin until a wave of overdose deaths have occurred.

By not expediently the passing S. 3201 the House will be tying the DEA's hands in its efforts to stem the tide of deaths caused by fentanyl, and its derivatives, which are 50 times more powerful than heroin.

Please take this opportunity to act on an issue that all Americans agree on, saving lives, and pass S. 3201. Feel free to let me know if you have any questions.

Sincerely,

Christopher T. Sununu  
Governor