

November 1, 2022

The Honorable Anne Milgram
Administrator
U.S. Drug Enforcement Administration
8701 Morrisette Drive
Springfield, VA 22152

Dear Administrator Milgram:

I write today to express my grave concern and seek information about the troubling increase in illicit fentanyl entering the United States and the corresponding surge in fatal drug poisonings taking the lives of unsuspecting teens and young adults.

The flood of counterfeit, fentanyl-laced pills falsely marketed as legitimate prescriptions is driving a dramatic spike in overdose deaths among young people in this country. Between 2019 and 2021, the number of DEA-seized counterfeit pills with fentanyl jumped nearly 430 percent,¹ yet teenagers and young adults may still not understand the risk of the substances that they are using. This has led to a more than 130 percent increase in the number of adolescent overdose deaths in the previous two years.² Alarming, nearly 80 percent of adolescent overdose deaths last year involved fentanyl,³ and almost daily news reports of younger fatalities indicate that 2022 could be far worse. Last year alone, more than 1,100 teens⁴—including two Mainers⁵—died from a drug overdose. And tragically, in June of this year, a middle-schooler in Maine with no history of drug abuse died from suspected fentanyl poisoning.⁶

This heartbreaking data remarkably predates the infiltration of “rainbow” fentanyl in U.S. markets. As you know, this year, rainbow fentanyl has been seized in 26 states, including Maine.⁷ Last month, your agency confirmed that recent seizures of “trafficker-size” quantities of rainbow-colored fentanyl pills and powder indicate more widespread distribution of these

¹“Sharp Increase in Fake Prescription Pills Containing Fentanyl and Meth.” *United States Drug Enforcement Administration*, 27 Sept. 2021, <https://www.dea.gov/alert/sharp-increase-fake-prescription-pills-containing-fentanyl-and-meth>.

²Friedman, Joseph et al. “Trends in Drug Overdose Deaths Among US Adolescents, January 2010 to June 2021.” *JAMA* vol. 327,14 (2022): 1398-1400. doi:10.1001/jama.2022.2847

³*Id.*

⁴*Id.*

⁵“December 2021 Monthly Overdose Report.” *Maine Drug Data Hub*, Dec. 2021, <https://mainedrugdata.org/december-2021-monthly-overdose-report/>.

⁶Russell, Lia. “14-Year-Old Dies of Suspected Overdose in Western Maine.” *Bangor Daily News*, 22 June 2022, <https://www.bangordailynews.com/2022/06/22/news/14-year-old-dies-of-suspected-overdose-xoasq1i29i/>.

⁷“DEA Warns of Brightly-Colored Fentanyl Used to Target Young Americans.” *United States Drug Enforcement Administration*, 1 Sept. 2022, <https://www.dea.gov/press-releases/2022/09/01/dea-warns-brightly-colored-fentanyl-used-target-young-americans>.

dangerous drugs that are specifically designed to appeal to children and teens.⁸ Rainbow-colored fentanyl recovered in Maine has resembled candy and easily could be mistaken for children's Flintstone vitamins, according to one Maine police chief.⁹

While I applaud DEA's ongoing enforcement efforts and public awareness campaign to educate the public about the dangers of fentanyl and counterfeit pills, the reality is that drug traffickers continue to use social media to advertise and sell drugs to teens and young adults. Nearly half of the investigations involved in the DEA's One Pill Can Kill enforcement surge this summer were linked to social media platforms, including Snapchat, Facebook Messenger, Instagram, and TikTok.¹⁰ While the DEA and its law enforcement partners should be commended for removing more than 36 million lethal doses from the streets this summer, the fact that half of the investigations in this enforcement campaign involved social media platforms is evidence that more needs to be done to interrupt distribution channels on youth-friendly social media platforms.

The way Americans are buying illicit drugs has changed. You aptly pointed to these emerging trends last year when you explained that "[criminal drug traffickers] have turned our smartphones into a one-stop shop to market, to sell, and to deliver deadly drugs."¹¹ You also publicly stated that "[s]ocial media is not doing enough to deal with this" and indicated that, while DEA's first priority was warning the public, addressing the accessibility of fake prescription pills through social media and e-commerce platforms was also a priority for the agency.¹² Specifically, in a September 2021 interview, you committed to partnering with social media companies to stop the sale of illicit drugs, explaining that the DEA "ha[s] not gone to [social media companies] yet with specific demands, but we will at some point go to them."¹³

Now that the DEA's One Pill Can Kill public awareness initiative has been in place for more than one year, it would be informative for Congress in the exercise of its oversight responsibilities to receive an update on these educational efforts and any new collaboration with social media companies to stop the sale of illicit drugs on youth-friendly platforms. Specifically, I request a response to the following questions by November 15, 2022.

⁸"Trafficker-Quantities of 'Rainbow Fentanyl' Arrive in New York." *United States Drug Enforcement Administration*, 4 Oct. 2022, <https://www.dea.gov/press-releases/2022/10/04/trafficker-quantities-rainbow-fentanyl-arrive-new-york>.

⁹Barmeier, Elizabeth, and Susan Cover. "Candy Colored Fentanyl Reported in Maine, Part of National Trend." *Spectrum Local News*, 25 Aug. 2022, <https://spectrumlocalnews.com/me/maine/news/2022/08/25/candy-colored-fentanyl-reported-in-maine>.

¹⁰"DEA Announces Results of Enforcement Surge to Reduce the Fentanyl Supply Across the United States." *United States Drug Enforcement Administration*, 27 Sept. 2022, <https://www.dea.gov/press-releases/2022/09/27/dea-announces-results-enforcement-surge-reduce-fentanyl-supply-across>.

¹¹"DEA Administrator Anne Milgram Remarks as Delivered Press Conference – December 16, 2021." *United States Drug Enforcement Administration*, 16 Dec. 2021, <https://www.dea.gov/sites/default/files/2021-12/DEA%20Administrator%20Anne%20Milgram%20Remarks%20as%20Delivered-Dec%2016%202021.pdf>.

¹²Barrett, Devlin, and Elizabeth Dwoskin. "With Overdose Deaths Soaring, DEA Warns about Fentanyl-, Meth-Laced Pills." *The Washington Post*, 27 Sept. 2021, https://www.washingtonpost.com/national-security/dea-warning-counterfeit-drugs/2021/09/27/448fcb18-1f27-11ec-b3d6-8cdebe60d3e2_story.html.

¹³Snow, Kate, and Anne Milgram. "DEA Head Sounds Alarm on Deadly Counterfeit Pills Sold on Social Media." *NBC News*, 27 Sept. 2021, <https://www.nbcnews.com/nightly-news/video/dea-head-sounds-alarm-on-deadly-counterfeit-pills-sold-on-social-media-122133061967>.

1. What impact have the One Pill Can Kill campaign and other public awareness efforts had on increasing public awareness of illicit fentanyl, counterfeit pills, and perceived risk of overdose? Please provide any data points on public perceptions prior to the campaign and after its initiation, as well as any demographic variations.
2. Has the DEA engaged with, or provided any formal direction to, social media companies regarding how they can be effective partners in efforts to stop the sale and distribution of illicit drugs, as referenced in your September 2021 NBC interview?
 - a. If so, please detail the nature of the interactions and through what forum any formal guidance was provided or requests were made.
 - b. How receptive were social media companies and what actions have they taken to date to respond to any DEA requests?
 - c. Are DEA personnel in regular contact with social media companies about implementing any actions described in your responses to the questions above and, if so, how is progress communicated to you and other senior DEA leaders?
3. Does the Administration view adolescents and young adults as a newly vulnerable risk group for drug poisonings?
 - a. To date, how has the DEA worked with federal health and education agencies to raise awareness among adolescents and young adult populations about the emergence of fake pills and the risk of fentanyl overdose? Please detail any such collaboration.

There is no time for delay. National trends already show that as the supply of illicit fentanyl increases, so do overdose deaths in Americans of all ages. This crisis requires an all-of-government response, and we must be using every tool in the tool box—including partnerships with the private sector—to stop this scourge of drug poisonings.

Thank you for your attention. I look forward to your prompt response on this pressing issue.

Sincerely,



Susan M. Collins
United States Senator