

February 3, 2025

The Honorable Chuck Grassley
Chair, Senate Judiciary Committee
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Richard Durbin
Ranking, Senate Judiciary Committee
147 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Grassley and Durbin,

I'm heartbroken to once again have to write you about an issue which the Senate could and should have acted on last Congress: passage of legislation to make permanent temporary scheduling of fentanyl related substances (FRS) into Schedule I of the Controlled Substances Act. A temporary order from the Drug Enforcement Agency (DEA) is in place, but only Congress can make it permanent.

As the mother of a son who died of fentanyl poisoning nearly 11 years ago, I implore you to work with your colleagues to shut off the spigot that not only allowed FRS to enter our country legally, but actually incentivized their creation by Chinese chemists and drug cartels. Because of my son, Archie, and the desperate efforts of my dear friend Dr. Tim Westlake, who tried to keep him alive after an accidental overdose, you have before you a policy solution that mirrors a bill which the Wisconsin legislature passed on a unanimous vote in 2017 and was adopted as national policy by the DEA.

Absent your consideration, families like mine continue to hold our breath as we fill gaps in care and serve as critical resources for others in our community who are grieving the loss of a loved one, all while confronting the stigma associated with substance use and mental health. Ending the stigma, expanding services, and finding ways to support one another has become a personal passion and mission of mine. So too, working to advance legislation to **permanently** stop the flow of FRS into the United States.

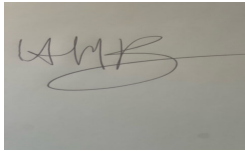
I've heard the arguments of those opposed to what is a narrowly crafted fix that importantly solves one aspect of the brutal fight against fentanyl. None carry weight. The suggestion that passage will lead to increased incarceration is simply false. FRS class scheduling is a prevention tool: it disincentivizes foreign chemical companies from creating FRS in the first place. As my friend Dr. Westlake often says, no one can be incarcerated for trafficking a substance that does not exist or die from ingesting a substance that was not created.

Opponents also claim permanent scheduling will limit opportunities to research new treatments. In fact, it's just the opposite. Few have chosen to conduct Schedule 1 research because of existing onerous requirements. The legislation passed by the House last year, the HALT Fentanyl Act, actually loosens research restrictions on all Schedule I drugs – drugs that hold promise of expanding critical psychiatric pharmaceutical treatment options. While permanent scheduling will not reduce demand for intoxicants, stopping the creation of new FRS has proven to save lives.

I am not alone in pushing for legislation. Last Congress, I invited a few others to share their stories and put a face to the names of those whose lives have been cut short due to fentanyl poisoning in hopes their stories would move the Senate to act on the House-passed legislation. For those of us who have lost a child, the pain of never seeing them graduate, walk down an aisle, hear them unlock the front door and yell, "Hey mom, what's for dinner?", or hold a child of their own is a constant and piercing presence. I'm resending their letters with a request that they be entered into the record so others can view them as well.

On behalf of my son, Archie, the families who shared their stories in the pages that follow and countless others grieving from loss, please accept our collective plea to, once and for all, stop the flow of fentanyl crossing our borders. We know you are seeing the same devastation in communities across your states and we know you have the power to make the statutory change required. Please, no excuses any longer.

Sincerely,

A square image showing a handwritten signature in dark ink on a light-colored background. The signature is stylized and appears to read 'L. Badura'.

Lauri Badura
Co-founder, Saving Others For Archie (SOFA)

cc: Senate Majority Leader John Thune
Senate Minority Leader Chuck Schumer
Senator Ron Johnson
Senator Tammy Baldwin