

U.S. Senator Chuck Grassley • Iowa

Ranking Member • Senate Judiciary Committee

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Statement of Ranking Member Grassley of Iowa
U.S. Senate Committee on the Judiciary
Hearing on Oversight of the Drug Enforcement Administration
Wednesday, April 30, 2014



Mr. Chairman, thank you for holding today's oversight hearing focusing on the Drug Enforcement Administration. I welcome Administrator Leonhart. There are many issues to discuss about DEA's important work.

The DEA is facing many challenges as it strives to keep our nation safe from dangerous drugs that prevent so many Americans from leading healthy, productive, fulfilling lives. Unfortunately, too many of those challenges are coming from the Obama Administration itself.

The United States is experiencing an epidemic of opioid (OH-pee-oyd) abuse, including abuse of both heroin and prescription pain killers. The 2012 National Survey on Drug Use and Health estimates that nearly 700,000 Americans reported using heroin in the past year, a number that has been steadily increasing.

The effects of this epidemic have been devastating. For example, deadly heroin overdoses increased 45% from 2006 to 2010. The media recently focused attention on the death of acclaimed actor Philip Seymour Hoffman from a heroin overdose. But anyone's death from a drug overdose is a tragedy.

Law enforcement, including the DEA, has a critical role to play in responding to this epidemic. Of course, we can't arrest our way out of it. But we can maintain the current law enforcement tools that help the DEA go after those who are trafficking heroin into our communities.

Unfortunately, the sentencing bill the Obama Administration supports does just the opposite. The proposed Smarter Sentencing Act that recently passed out of this committee cuts the mandatory minimum sentences for those who manufacture, import, or distribute heroin in half. These are penalties for dealers, not users. In the midst of a heroin epidemic, this makes no sense.

But don't take my word for it. In opposing the bill, federal prosecutors themselves wrote that the current system of penalties is the "cornerstone" of their ability "to infiltrate and dismantle large-scale drug trafficking organizations and to take violent armed career criminals off the streets." I don't want to remove this cornerstone, least of all now.

Another challenge for the DEA that I hope to discuss is the mixed message that the Obama Administration is sending young people about the dangers of marijuana use. The Department of Justice declined to challenge state laws that have legalized marijuana, despite the obvious conflict with federal law. In an interview, the President also stated that it was "important" that these states "go forward" with legalization. This has caused confusion and uncertainty about whether using marijuana is really something to be discouraged.

But a recent scientific study served as a reminder of how dangerous marijuana can be. A paper published earlier this month in the Journal of Neuroscience concluded that even casual marijuana use was associated with potentially harmful changes to the brains of young people.

The Department of Justice apparently concluded that so long as the states that legalize marijuana create effective regulatory schemes, federal enforcement priorities wouldn't be undermined. Those priorities include the prevention of violence, increased use among minors, and diversion of marijuana to other states. But what is happening on the ground doesn't reflect an effective regulatory scheme at all.

In fact, what is unfolding in Colorado is severely endangering public safety and health. On March 11, a college student **jumped to his death** from a Denver hotel balcony after eating a marijuana-laced cookie that apparently caused him to hallucinate. On April 14, a Denver man **shot and killed his wife** while she was frantically calling 911 for help after he ate marijuana-laced candy that again apparently caused hallucinations. And just last week, on April 21, a Greeley, Colorado **fourth grader** was caught selling marijuana that he got from relatives.

As a result, it is hardly surprising that a senior DEA official recently told the Senate Caucus on International Narcotics Control that what was happening in these states is “reckless and irresponsible.” At this point, those words apply equally to the Department of Justice’s policy that has permitted states to legalize a drug for recreational purposes that Congress has chosen to make illegal.

As the above examples attest, marijuana is being combined with cookies and candy in Colorado in a way that is attractive to young people, including children. I hope to discuss the legislation Senator Feinstein and I introduced last year, the Saving Kids From Dangerous Drugs Act of 2013, that we hope can help deter this kind of marketing. But no law matters unless it is permitted to be enforced.

Another challenge for the DEA is the ongoing threat of synthetic drugs. This has been an issue of concern to me for some time, since my constituent, David Rozga, committed suicide after smoking synthetic marijuana.

Just last year, news reports linked a synthetic form of ecstasy called “Molly” to the deaths of at least four young people in Boston, New York, and here in Washington.

Synthetic drugs are a special challenge, both for policymakers and law enforcement. These drugs are the products of traffickers’ efforts to

circumvent the law by slightly altering the chemical structure of actual controlled substances. A change of a molecule or two to a banned drug is sometimes enough to make a new and legal alternative. This is a difficult problem without easy solutions.

So we need to think creatively to find answers. For example, the State of Iowa, led by a Democrat Attorney General, recently initiated a potentially groundbreaking fraud lawsuit against the owners of a convenience store that sold synthetic drugs. This approach may prove to be a valuable complement to federal law enforcement efforts directed at the sources of these drugs.

I look forward to discussing these and a variety of other issues with you, time permitting. Thank you.