

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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June 12, 2018

The Honorable Jeff Sessions  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Sessions:

We are writing to request a copy of an internal report compiled by the Department of Justice in 2006 reportedly concluding that Purdue Pharma was aware that OxyContin was being abused soon after it was brought to the market in 1996 and that Purdue continued to advertise the drug for years as a less addictive alternative to other drugs.

The United States is facing the greatest health crisis in decades. Millions of Americans are in the grip of drug addiction due in part to the aggressive over-prescribing of opioids like OxyContin for even minor injuries. For years, Purdue Pharma has vehemently denied that it had any knowledge of the growing illicit use of OxyContin until years after it had been on the market.

According to the *New York Times*, the Department of Justice compiled a report in 2006 summarizing the findings of a four-year investigation, concluding that “Purdue Pharma knew about ‘significant’ abuse of OxyContin in the first years after the drug’s introduction in 1996 and concealed that information.”<sup>1</sup> According to the *Times*, which has obtained a copy of the report:

Company officials had received reports that the pills were being crushed and snorted; stolen from pharmacies; and that some doctors were being charged with selling prescriptions, according to dozens of previously undisclosed documents that offer a detailed look inside Purdue Pharma. But the drug maker continued “in the face of this knowledge” to market OxyContin as less prone to abuse and addiction than other prescription opioids, prosecutors wrote in 2006.<sup>2</sup>

According to the *Times*, prosecutors leading the investigation recommended indicting three of Purdue’s top executives in 2006 on felony charges, including conspiracy to defraud.

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<sup>1</sup> *Origins of an Epidemic: Purdue Pharma Knew Its Opioids Were Widely Abused*, *New York Times* (May 29, 2018) (online at [www.nytimes.com/2018/05/29/health/purdue-opioids-oxycontin.html](http://www.nytimes.com/2018/05/29/health/purdue-opioids-oxycontin.html)).

<sup>2</sup> *Id.*

However, political appointees at the Department of Justice under then-President George W. Bush reportedly overturned the prosecutors' recommendations, deciding to settle the case instead of going to trial. According to one former Drug Enforcement Administration official, had the Department of Justice prosecuted the Purdue officials, it "would have been a turning point" in the opioid epidemic because "it would have sent a message to the entire drug industry."<sup>3</sup>

If this report is accurate, Purdue's actions demonstrate a stunning disregard for human life and the law. While Purdue Pharma made billions of dollars from OxyContin, thousands of Americans succumbed to addiction and its consequences.<sup>4</sup>

In light of these troubling allegations, we request that you produce the following documents by June 25, 2018:

- (1) a copy of the Department of Justice report referenced in the *New York Times* article and all related documents; and
- (2) all documents, including internal and external communications, relating to the decision to settle the cases against Purdue executives instead of pursuing charges as recommended by prosecutors.

We appreciate your prompt attention to this matter.

Sincerely,



Mark DeSaulnier  
Member of Congress



Elijah E. Cummings  
Ranking Member  
Committee on Oversight and  
Government Reform

cc: The Honorable Trey Gowdy, Chairman

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<sup>3</sup> *Id.*

<sup>4</sup> *The OxyContin Clan: The \$14 Billion Newcomer to Forbes 2015 List of Richest U.S. Families*, Forbes (Jul. 1, 2015) (online at [www.forbes.com/sites/alexmorrell/2015/07/01/the-oxycontin-clan-the-14-billion-newcomer-to-forbes-2015-list-of-richest-u-s-families/#334a42d975e0](http://www.forbes.com/sites/alexmorrell/2015/07/01/the-oxycontin-clan-the-14-billion-newcomer-to-forbes-2015-list-of-richest-u-s-families/#334a42d975e0)).