

# Congress of the United States

Washington, DC 20515

May 8, 2026

Christopher D. Carroll, MSc  
Principal Deputy Assistant Secretary  
Substance Abuse and Mental Health Services Administration  
5600 Fishers Lane  
Rockville, MD 20857

Dear Principal Deputy Assistant Secretary Carroll,

We write to urge you to reverse the new guidance from the Substance Abuse and Mental Health Services Administration (SAMHSA) barring grant recipients from purchasing and distributing life-saving tools for people with substance use disorders. SAMHSA's new guidance defies evidence showing that harm reduction for substance use reduces overdose deaths and dangerous infections, threatening to reverse years of progress in combating the overdose epidemic. Further, this guidance directly conflicts with the Centers for Disease Control and Prevention (CDC), which states that "test strips to detect fentanyl are inexpensive and typically give results within 5 minutes, which can be the difference between life or death."<sup>1</sup> Limiting access to test strips, as well as clean syringes, puts American lives at risk.

Harm reduction strategies are evidence-based and help prevent overdoses, overdose deaths, and infections among people with substance use disorders and have been a feature of substance use programs for decades.<sup>2</sup> The concept of harm reduction is based on the simple tenet that illness, injury, and death should be prevented whenever possible, including among people who use drugs. Harm reduction tools include the medication naloxone (which can reverse an overdose), test strips (which test for potentially fatal drugs like fentanyl and xylazine, and are associated with less risky drug use<sup>3</sup>), and syringe service programs (which offer clean syringes as an alternative to sharing, reducing the risk of potentially deadly infections like hepatitis and HIV).

Substance use disorder is a chronic disease, not a moral failing, and treating it as such by increasing access to effective treatments, recovery supports, and harm reduction is working. After a spike in overdose deaths that began in early 2020, deaths plateaued in 2022 and have fallen steadily since late 2023. Recent CDC data shows the number of overdose deaths in the

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<sup>1</sup> *Fentanyl Facts*, Centers for Disease Control and Prevention (Updated Apr. 2, 2024), <https://www.cdc.gov/stop-overdose/caring/fentanyl-facts.html>.

<sup>2</sup> Alan G. Marlatt, *Harm Reduction: Come as You Are*, 21 *Addictive Behaviors*, 779 (1996); Jan Hoffman, *U.S. Government Will Stop Paying for Test Strips to Detect Deadly Drugs*, N.Y. Times, (Apr. 27, 2026), <https://www.nytimes.com/2026/04/27/health/trump-fentanyl-test-strips.html>.

<sup>3</sup> Kitty H. Gelberg et al., *Association of Fentanyl Test Strip Results and Change in Drug Use Behaviors: A Multi-State, Community-Based Observational Study*, 143 *International Journal of Drug Policy* 104867 (2025), <https://doi.org/10.1016/j.drugpo.2025.104867>; Rachel A. Vickers-Smith et al., *Fentanyl Test Strip Use and Overdose Risk Reduction Behaviors Among People Who Use Drugs*, 8 *JAMA Network Open* 5 (2025), <https://doi.org/10.1001/jamanetworkopen.2025.10077>.

most recent 12-month period ending November 2025 is the lowest in six years.<sup>4</sup> This change is due in large part to harm reduction strategies, increased access to evidence-based treatment, and investment in prevention and response programs.<sup>5</sup> With an average of 192 Americans still dying from overdoses each day,<sup>6</sup> we need to redouble our efforts by continuing what we know has been working – not change course by limiting access to life-saving services.

Despite decades of evidence outlining the deficiencies of the so-called “War on Drugs,” which criminalized substance use disorder, this administration has reinstated a failed approach.<sup>7</sup> On July 24, 2025, President Trump issued the Executive Order “Ending Crime and Disorder on America’s Streets,” blaming people with substance use disorders and mental health conditions for “endemic vagrancy” and “violent attacks [that] have made our cities unsafe.”<sup>8</sup> The Executive Order called for SAMHSA to stop funding “so-called ‘harm reduction’ [...] efforts that only facilitate illegal drug use and its attendant harm.” On April 24, 2026, SAMHSA issued a Dear Colleague letter, prohibiting grantees from purchasing or distributing both syringes and test strips for drugs like fentanyl and xylazine.<sup>9</sup>

SAMHSA has asserted that this guidance “furthers the agency’s clear shift away from harm reduction and practices that facilitate illicit drug use and are incompatible with Federal laws.”<sup>10</sup> However, drug testing strips are not illegal under federal law, are legal in most states, and have been an allowable purchase through CDC and SAMHSA grants under previous administrations.<sup>11</sup> Further, Congress has made it clear that it supports harm reduction. The SUPPORT for Patients and Communities Reauthorization Act (PL 119-44), enacted in December 2025, authorizes State Opioid Response grants to facilitate “access to products used to prevent overdose deaths by detecting the presence of one or more substances, such as fentanyl and xylazine test strips.” This law, which passed unanimously in the Senate and with broad bipartisan support in the House, encourages use of the precise tools SAMHSA is now working to ban.

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<sup>4</sup> *Provisional Drug Overdose Death Counts*, Centers for Disease Control and Prevention (Updated Apr. 15, 2026), <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>.

<sup>5</sup> *CDC Reports Nearly 24% Decline in U.S. Drug Overdose Deaths*, Centers for Disease Control and Prevention (Feb. 25, 2025), <https://www.cdc.gov/media/releases/2025/2025-cdc-reports-decline-in-us-drug-overdose-deaths.html>.

<sup>6</sup> *Provisional Drug Overdose Death Counts*, Centers for Disease Control and Prevention (Updated Apr. 15, 2026), <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>.

<sup>7</sup> Benjamin A. Barsky et al., *The Executive Order on “Crime and Disorder”: An Affront to Policy, Law, and Ethics*, 77 *Psychiatric Services* 386 (2026), <https://doi.org/10.1176/appi.ps.20250505>; Hannah L. Cooper, *War on Drugs Policing and Police Brutality*, 50 *Subst Use Misuse* 1188 (2015), <https://doi.org/10.3109/10826084.2015.1007669>.

<sup>8</sup> *Ending Crime and Disorder on America’s Streets*, 90 *Fed. Reg.* 35817 (July 24, 2025).

<sup>9</sup> *Letter from Christopher Carroll, Principal Deputy Assistant Secretary*, Substance Abuse and Mental Health Services Administration (Apr. 24, 2026), <https://www.samhsa.gov/sites/default/files/dear-colleague-letter-updated-hr-funding-guidance.pdf>.

<sup>10</sup> Jan Hoffman, *U.S. Government Will Stop Paying for Test Strips to Detect Deadly Drugs*, *N.Y. Times*, (Apr. 27, 2026), <https://www.nytimes.com/2026/04/27/health/trump-fentanyl-test-strips.html>.

<sup>11</sup> *Fentanyl Test Strips*, Legislative Analysis and Public Policy Association, <https://legislativeanalysis.org/knowledge-lab-state-maps/fentanyl-tests-strips/>.

A 2025 study found that syringe service programs only exist in roughly 13 percent of counties, leaving significant gaps in access, particularly rural areas.<sup>12</sup> While banning funding for syringes themselves, Congress has recognized the value of syringe service programs and has permitted federal funding for their staff and activities since 2016 in areas CDC certifies as at risk of hepatitis infections or an HIV outbreak due to injection drug use.<sup>13</sup> As of 2024, CDC had identified 220 such counties.<sup>14</sup> SAMHSA's new guidance barring grantees from using federal funds to distribute syringes flies in the face of Congressional intent, undermining the programs designed to prevent outbreaks in the communities most vulnerable to them. It also creates a chilling effect on programs that distribute syringes, which may reject federal funding rather than risk violating increasingly restrictive guidelines.

To abandon harm reduction is to do so at our own peril. In 2015, Indiana experienced the worst drug-related HIV outbreak ever recorded in rural America.<sup>15</sup> After an uptick in intravenous drug use, 235 people contracted HIV, an infection rate that exceeded countries in sub-Saharan Africa.<sup>16</sup> The outbreak only abated after Indiana reversed their ban on syringe service programs and provided people with critical harm reduction tools. A study found that, had Indiana originally made sterile syringes available to residents, the number of new HIV cases could have been reduced by 90 percent.<sup>17</sup> That equates to 212 people in just one community whose HIV infection could have been prevented.

This example is a small window into the potential widespread consequences of SAMHSA's efforts to reduce access to science-backed strategies of clean syringes and test strips. At a time when this administration is raising the cost of health insurance, cutting Medicaid, and limiting funding for family planning clinics that offer testing for HIV and other infectious diseases,<sup>18</sup> reducing access to clean syringes and test strips could be catastrophic. SAMHSA's Dear Colleague also comes amid a backdrop of chaos at the agency. In January, SAMHSA abruptly

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<sup>12</sup> Jamie L. Humphrey et al., *Implementation Gaps in US Syringe Services Programs*, 8 JAMA Open Network 7 (2022), doi:10.1001/jamanetworkopen.2025.22764.

<sup>13</sup> Anna Gorman, *Needle Exchanges Can Now Get Federal Funding*, KFF Health News (Feb. 17, 2026), <https://kffhealthnews.org/public-health/needle-exchanges-can-now-get-federal-funding/>.

<sup>14</sup> *Counties and Jurisdictions Experiencing or At-Risk of Outbreaks*, Centers for Disease Control and Prevention (Feb. 16, 2024), <https://www.cdc.gov/persons-who-inject-drugs/vulnerable/counties.html>.

<sup>15</sup> Laura Ungar, *Five Years Later, HIV-Hit Town Rebounds. But the Nation is Slow to Heed Lessons*, KFF Health News (Feb. 19, 2020), <https://kffhealthnews.org/public-health/five-years-later-hiv-hit-town-rebounds-but-the-nation-is-slow-to-heed-lessons/>.

<sup>16</sup> *Id.*

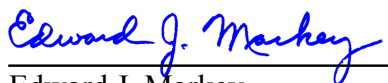
<sup>17</sup> William C. Goedel et al., *Implementation of Syringe Services Programs to Prevent Rapid Human Immunodeficiency Virus Transmission in Rural Counties in the United States: A Modeling Study*, 70 Clinical Infectious Diseases, 1096 (2019), <https://doi.org/10.1093/cid/ciz321>.

<sup>18</sup> Alice Miranda Ollstein, *Trump Admin Cuts Tens of Millions from Planned Parenthood*, Politico (Mar. 31, 2025), <https://www.politico.com/news/2025/03/31/trump-admin-cuts-tens-of-millions-from-planned-parenthood-00261763>.

canceled \$2 billion in grants to substance use and mental health programs, only to reinstate them the next day.<sup>19</sup> More than half of SAMHSA's staff, including full divisions, have been cut.<sup>20</sup> Fifteen months into this administration, the President has still not nominated an administrator to lead the agency.

The historic decline in overdose deaths is a public health success on the verge of being unraveled by this administration. Our public health workers are preoccupied with responding to the constant stream of changing expectations to maintain federal funding for their work, when they should remain focused on implementing programs known to improve outcomes. We call on you to immediately rescind the April 24 Dear Colleague letter and restore grantees' ability to use the best available tools to prevent unnecessary harm. If this administration supports recovery from substance use disorder as it purports,<sup>21</sup> you will support the resources that keep people alive long enough to get treatment. Every day this guidance remains in effect further risks the lives and safety of Americans.

Sincerely,



Edward J. Markey  
United States Senator



Madeleine Dean  
Member of Congress



Brittany Petersen  
Member of Congress



Charles E. Schumer  
United States Senator



Elizabeth Warren  
United States Senator



Cory A. Booker  
United States Senator

<sup>19</sup> Brian Mann, *24 Hours of Chaos as Mental Health Grants Are Slashed Then Restored*, NPR (Jan. 15, 2026), <https://www.npr.org/2026/01/15/nx-s1-5677711/mental-health-addiction-grants-cut-then-restored>.

<sup>20</sup> Lev Facher, *Acting Head of Beleaguered Mental Health Agency to Depart This Week*, STAT (Dec. 11, 2025), <https://www.statnews.com/2025/12/11/samsha-acting-chief-art-kleinschmidt-leaves-post/>; Lev Facher, *Trump Administration Warns Against Using Federal Dollars on Fentanyl Test Strips*, STAT (Apr. 27, 2026), <https://www.statnews.com/2026/04/27/trump-administration-samhsa-clear-shift-from-harm-reduction/>.

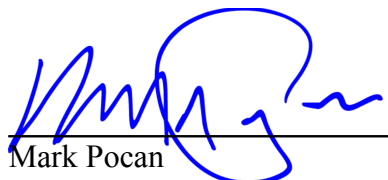
<sup>21</sup> Addressing Addiction Through the Great American Recovery Initiative, 91 Fed. Reg. 5081 (Jan. 29, 2026).



Tina Smith  
United States Senator



Steve Cohen  
Member of Congress



Mark Pocan  
Member of Congress



Suzan K. DelBene  
Member of Congress



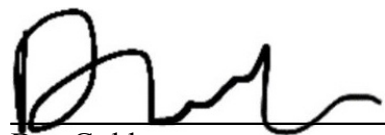
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Member of Congress



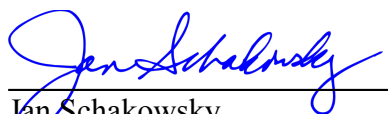
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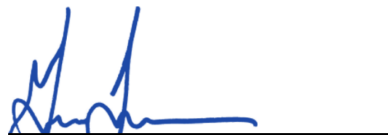
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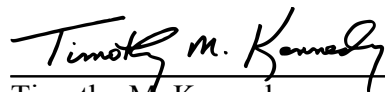
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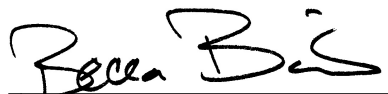
Angie Craig  
Member of Congress



Greg Landsman  
Member of Congress



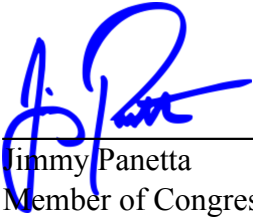
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Becca Balint  
Member of Congress



Chellie Pingree  
Member of Congress



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Jimmy Panetta  
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