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July 12, 2021

The Honorable Dick Durbin  
U.S. Senate  
Washington, D.C. 20510

The Honorable Hakeem Jeffries  
U.S. House of Representatives  
Washington, D.C. 20510

The Honorable Kelly Armstrong  
U.S. House of Representatives  
Washington, D.C. 20510

The Honorable Corey Booker  
U.S. Senate  
Washington, D.C. 20510

The Honorable Robert Scott  
U.S. House of Representatives  
Washington, D.C. 20510

The Honorable Don Bacon  
U.S. House of Representatives  
Washington, D.C. 20510

Dear Senators Durbin and Booker, and Representatives Jeffries, Scott, Armstrong, and Bacon:

On behalf of the American Society of Addiction Medicine (ASAM), a national medical specialty society representing more than 6,600 physicians and associated health professionals who specialize in the prevention and treatment of addiction, thank you for your introduction of H.R 1693 / S. 79, the Eliminating A Quantifiably Unjust Application Of The Law (EQUAL) Act. This important legislation would eliminate the federal crack and powder cocaine sentencing disparity and apply it retroactively to those already convicted or sentenced.

Systemic racism in drug policy is perhaps most easily recognized in the Anti-Drug Abuse Act of 1986, which enacted a 100-fold greater sentencing disparity for water-insoluble cocaine base ("crack") versus powder cocaine.<sup>1</sup> Those convicted received significantly higher sentences than their counterparts who were convicted of federal powder cocaine offenses due to this sentencing disparity. Further, it is well-known that this sentencing disparity disproportionately impacted people of color, and Black Americans in particular.

Fortunately, legislation intended to narrow the sentencing gap has already been signed into law. The Fair Sentencing Act of 2010 narrowed the ratio of powder to crack cocaine sentencing from 100:1 to 18:1. This legislation decreased the average sentence of

almost 6,000 drug offenders by an average of 35 months in just three years.<sup>2</sup> While the Fair Sentencing Act of 2010 was an important step towards addressing this policy injustice, the EQUAL Act would completely close the sentencing gap.

For these reasons, ASAM is deeply appreciative of your leadership on this legislation. We stand ready to work with you to support passage of the EQUAL Act and to improve access to evidence-based addiction treatment for all vulnerable and underserved populations. If you have any questions, please do not hesitate to contact Kelly Corredor, ASAM's Chief Advocacy Officer, at [kcorredor@asam.org](mailto:kcorredor@asam.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'William F. Haning, III', with a stylized flourish at the end.

William F. Haning, III, MD, DLFAPA, DFASAM  
President, American Society of Addiction Medicine

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<sup>1</sup> American Society of Addiction Medicine. (2021, February 25). Advancing Racial Justice in Addiction Medicine. Retrieved from <https://www.asam.org/advocacy/find-a-policy-statement/view-policy-statement/public-policy-statements/2021/02/26/public-policy-statement-on-advancing-racial-justice-in-addiction-medicine>

<sup>2</sup> USSC, Report to the Congress: Impact of the Fair Sentencing Act of 2010, The United States Sentencing Commission. Retrieved from [https://www.ussc.gov/sites/default/files/pdf/news/congressional-testimony-and-reports/drug-topics/201507\\_RtC\\_Fair-Sentencing-Act.pdf](https://www.ussc.gov/sites/default/files/pdf/news/congressional-testimony-and-reports/drug-topics/201507_RtC_Fair-Sentencing-Act.pdf)