

U.S. Sens. Baldwin, Whitehouse, Hassan, Warren: Lead colleagues to call on Trump's Justice Department to stop plans to make Purdue Pharma a public benefit corporation

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WASHINGTON, D.C. – Following the settlement agreement announced between the Department of Justice (DOJ) and Purdue Pharma (Purdue), U.S. Senators Tammy Baldwin (D-WI), Sheldon Whitehouse (D-RI), Maggie Hassan (D-NH) and Elizabeth Warren (D-MA) are today leading their colleagues to call on Attorney General William Barr to stop his Department's plan to have Purdue's business, including its production of Oxycontin, transformed and preserved as a public trust or public benefit company. This proposal, first put forth by Purdue and the Sackler family, would make state and local governments, including those that are currently suing Purdue, owners of the very business that has devastated their communities.

The letter was also signed by Democratic Leader Chuck Schumer (D-NY) and Senators Jeanne Shaheen (D-NH), Richard Blumenthal (D-CT), Dianne Feinstein (D-CA), Dick Durbin (D-IL), Ed Markey (D-MA), Mazie Hirono (D-HI), Amy Klobuchar (D-MN), Bernie Sanders (I-VT), Tina Smith (D-MN) and Jeff Merkley (D-OR).

"We write to raise concerns about a key element of the Department of Justice's (DOJ) settlement agreement with Purdue Pharma (Purdue) announced on Wednesday, October 21, 2020. We ask that you defer court approval of the

proposed agreement until the appropriate stakeholders have addressed public policy concerns associated with the agreement which all but requires Purdue to emerge from bankruptcy as a public benefit company (PBC), to function “entirely in the public interest,” with proceeds directed toward State and local governments. This arrangement ignores the objections of many of the States themselves, who have no interest in owning or operating a company that has devastated their communities with dangerous opioids, and raises significant public policy concerns,” **wrote the Senators in their letter.**

Twenty-five state Attorneys General, including Wisconsin’s Attorney General, have already expressed their opposition, noting that “A business that killed thousands of Americans should not be associated with government.” Purdue’s opioid marketing campaign accelerated an opioid epidemic that has claimed an estimated 400,000 lives, and generated \$35 billion in revenue for Purdue.

The Senators continued, *“DOJ should not require the States, who are attempting to rectify the harm Purdue has done to their communities, to lead Purdue’s public benefit “repurposing” campaign and take part in an enterprise that has contributed to thousands of American deaths. Given that this plan originated with Purdue and its owners, the Sackler family, it is more likely that its transformation to a PBC will function as a rebranding opportunity for the company and the family’s public image. This is not justice for the families that have lost loved ones. We therefore ask that you defer court approval of the proposed agreement until the appropriate stakeholders have addressed these public policy concerns. Such an arrangement—requiring States to own and operate a felonious company they are currently suing—is a misuse of federal authority.”*

The full letter is available [here](#).