

# United States Senate

WASHINGTON, DC 20510

July 24, 2003

The Honorable Bill Thomas  
Chairman, Committee on Ways & Means  
U.S. House of Representatives  
1102 Longworth Office Building  
Washington, D.C. 20515

The Honorable Billy Tauzin  
Chairman, Committee on Energy & Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Charles E. Grassley  
Chairman, Committee on Finance  
U.S. Senate  
219 Dirksen Office Building  
Washington, D.C. 20510

Dear Chairmen Thomas, Tauzin and Grassley:

As conference begins on reconciling the differences between the House and Senate versions of Medicare prescription drug legislation, we urge you to maintain the strong safety requirements pertaining to importation of drugs that are in both bills. As you know, both the House and the Senate passed legislation to provide Medicare beneficiaries with a prescription drug benefit and improve access to more affordable generic drugs for all Americans. We feel it is unnecessary to change current law and deny the authority of the Secretary of Health and Human Services (HHS) to decide whether drug importation is safe and cost-effective.

Congress has debated the issue of drug importation many times, and in fact, passed the Medicine Equity and Drug Safety (MEDS) Act of 2000. The MEDS Act allows the importation of pharmaceuticals into the U.S. as long as the Secretary of HHS is able to demonstrate to Congress that implementation would: 1) pose no additional risk to the public's health and safety; and 2) would result in a significant reduction in the cost of covered products to American consumers. Since enactment of the MEDS Act, the HHS Secretaries of both the Clinton and Bush Administrations have not been able to demonstrate that drug importation is safe or cost-effective. Therefore, the law has not been implemented to date.

Despite the fact that the Senate has three times unanimously supported passage of this safety/cost-effectiveness contingency trigger on importation legislation, there are those in both the House and Senate who are seeking to eliminate this safety requirement. We do not believe it would be prudent to remove these vital safeguards, especially when Congress is in the process of enacting a Medicare prescription drug benefit that includes improved access to more affordable generic drugs. Moreover, drug importation is opposed by the FDA, two

Secretaries of HHS from both Republican and Democratic Administrations, the U.S. Customs Service, and the Drug Enforcement Administration (DEA), even if it is limited only to Canada.

We urge you to oppose efforts to weaken current law that requires the Secretary of Health and Human Services to demonstrate that implementation of drug importation will pose no additional risk to the public's health and safety and result in a significant reduction in the cost of covered products to the American consumer.

Sincerely,

Rick Santorum

John

Bob Crist

Paul Brown

Don Nickles

Frank R. Lautenberg

Tom Harkin

Jim Bunning

Lamar Alexander

Pat Roberts

Chris Hatch

Jeff Hollibaugh

Allen Spector

Richard Shelby

Max Baucus

Craig Thomas

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Jim T. ...  
Darryl Chambliss  
Cate ...

Tom ...

Mike ...

C. ...

Jeff ...

Jim ...

Elizabeth ...

Don ...

C. ...

Bob ...

John ...  
Mark ...

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George ...

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Frank ...

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John Ensign  
Chris Dodd

Erin Bayh

Lee Stevens

Patty Murray  
Tom Bailey  
Jutchison

Ed Kennedy

Pat G. Fitzgerald

George V. Voinovich

Barry Grassley

Th W

E. Benjamin

Rick Lugar

Robert A. Taft

Indd Gregg

Mike Hand

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# **Senate Drug Importation**

## **Letter Signatories**

1. Senator Alexander
2. Senator Allen
3. Senator Bayh
4. Senator Bennett
5. Senator Bond
6. Senator Breaux
7. Senator Bunning
8. Senator Campbell
9. Senator Carper
10. Senator Chafee
11. Senator Chambliss
12. Senator Cochran
13. Senator Coleman
14. Senator Cornyn
15. Senator Corzine
16. Senator DeWine
17. Senator Dodd
18. Senator Dole
19. Senator Domenici
20. Senator Ensign
21. Senator Enzi
22. Senator Fitzgerald
23. Senator Graham (FL)
24. Senator Gregg
25. Senator Hagel
26. Senator Hatch
27. Senator Hollings
28. Senator Hutchison
29. Senator Inhofe
30. Senator Kennedy
31. Senator Kyl
32. Senator Landrieu
33. Senator Lautenberg
34. Senator Lott
35. Senator Lugar
36. Senator McConnell
37. Senator Mikulski
38. Senator Murkowski
39. Senator Murray
40. Senator Nelson (NE)
41. Senator Nickles
42. Senator Roberts
43. Senator Santorum
44. Senator Shelby
45. Senator Smith
46. Senator Specter
47. Senator Stevens
48. Senator Sununu
49. Senator Talent
50. Senator Thomas
51. Senator Voinovich
52. Senator Warner
53. Senator Wyden