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Floor Statement of Senator Chuck Grassley in Support of Senate Amendment 990,  
Pharmaceutical Market Access and Drug Safety Act  
Delivered Wednesday, May 2, 2007

Mr. President, I stand here today proud to support Senator Dorgan's amendment to add the provisions of the Pharmaceutical Market Access and Drug Safety Act to this bill. That legislation is the result of a collaborative effort by myself with Senator Dorgan and with Senator Snowe and Senator Kennedy to finally make drug importation legal in this country. This is one effort that I would hope that the new Democrat-controlled Congress can finally get passed. Now is the time to make this happen. This is the golden opportunity this year to get it done and I would hope that the Democratic leadership will be doing everything they can to get it done.

Now, I have been a long-time proponent of drug importation. In 2000, 2002, and 2003 I supported amendments permitting importation of prescription drugs from Canada. In 2004, Senator Kennedy and I worked together on a bill that would authorize drug importation, but it did not survive the partisan politics of this chamber. I then introduced my own drug importation bill in 2004, S. 2307, the Reliable Entry for Medicines at Everyday Discounts through Importation with Effective Safeguards Act or REMEDIES Act. After introducing my bill, I began working with Senator Dorgan and Senator Snowe and with Senator Kennedy. We combined our efforts so that we could all get behind the same bill and get it passed. And that is what we are working together to do today.

Making it legal for Americans to import their prescription drugs is a top priority at the grass roots. It needs to be a top priority here in Washington. I have long advocated allowing American consumers access to safe drugs from other countries. I have always considered it a free-trade issue. Imports create competition and keep domestic industry more responsive to consumers. In the United States, we import everything consumers want. So why not pharmaceuticals?

Mr. President, consumers in the United States pay far more for prescription drugs than those in other countries. If Americans could legally and safely access prescription drugs outside the United States, then drug companies will be forced to re-evaluate their pricing strategies. They'd no longer be able to gouge American consumers by making them pay more than their fair share of the high cost of research and development.

Now, it is true that pharmaceutical companies do not like the idea of opening up America to the global marketplace. They want to keep the United States closed to other markets in order to charge higher prices here. However, with the Dorgan amendment, prescription drug companies will be forced to be competitive and establish fair prices here in America. The drug companies will try to find loopholes in order to protect their bottom line.

The Dorgan amendment would make such actions illegal. It would not allow manufacturers to discriminate against registered exporters or importers. It would prohibit drug companies from engaging in any actions to restrict, prohibit, or delay the importation of a qualifying drug. The Dorgan amendment would give the Federal Trade Commission the authority to prevent this kind of abuse of the system.

I also understand that there will be an attempt to kill this amendment as has been done many times before in this chamber. I am referring to an amendment that will be offered by my good friend from Mississippi, Senator Cochran. His amendment would require a certification about health and safety. That amendment is designed to kill the amendment. It is a clever amendment but it's a poison pill.

Our effort develops an effective and safe system that gives Americans access to lower prices. This amendment requires that all imported drugs be approved by the FDA. The amendment sets a stringent set of safety requirements that must be met before Americans can import drugs from that country. The amendment requires all exporting pharmacies and importing wholesalers to be registered with the FDA and inspected. It gives the authority for the FDA to inspect the entire distribution chain for imported drugs. And it sets very stringent penalties for violations of the safety requirements in this bill including criminal penalties and up to ten years imprisonment.

Don't be fooled by the Cochran amendment. Voting for the Cochran amendment is a vote to kill drug importation. With the Dorgan amendment, we are working to get the job done. We need to make sure Americans have even greater, more affordable access to wonder drugs by further opening the doors to competition in the global pharmaceutical industry. Mr. President, Americans are waiting. We must make sure that they have access to affordable prescription drugs. I urge my colleagues to support the Dorgan amendment. I yield the floor.