

Statement of

The Honorable Patrick Leahy

United States Senator
United States Senate
March 8, 2012

Today, the Committee should move forward with four judicial nominees from the confirmation hearings we held in mid-February but that were delayed last week, and the Deputy Administrator of Drug Enforcement at the Drug Enforcement Administration.

Also on today's agenda, we have a bipartisan measure that Senator Schumer has introduced called the SAFE DOSES Act. A number of Senators from both sides of the aisle are cosponsors.

This week, the Senate passed the Counterfeit Drug Penalty Enhancement Act, a bill that Senator Grassley and I introduced and that was cosponsored by Senator Whitehouse, Senator Kyl, Senator Feinstein, Senator Klobuchar, Senator Coons, Senator Blumenthal and others. The legislation will increase penalties for the trafficking of counterfeit drugs in order to reflect the severity of the crime and the harm to the public. While it is currently illegal to introduce counterfeit drugs into interstate commerce, the penalties are no different than those for the trafficking of other products, such as clothing.

The Counterfeit Drug Penalty Enhancement Act will target violators that knowingly manufacture, sell or traffic counterfeit medicines to the United States. We cannot allow the counterfeiting of life-saving medicine to be just one more low-risk venture from which international organized criminals can profit. While we should not expect that enactment of this or any legislation will completely deter the serious problem of counterfeit medication entering the American supply chain, it is an important step in the fight.

It has been reported that counterfeit drugs result in 100,000 fatalities globally each year, and account for an estimated \$75 billion in annual revenue for criminal enterprises. Just yesterday, The Wall Street Journal reported on its front page about an investigation into the importation of fake cancer drugs into the United States. The fake Avastin is reported to have contained starch, salt, cleaning solvents and other chemicals but none of the true drug's active life-saving ingredient. What a tragedy. This Committee has taken steps to advance legislation to prevent the online sale of counterfeit drugs through the PROTECT IP Act before they ever harm American consumers. We need to make real progress on this front.

Also earlier this week, Senator Grassley and I introduced as another bipartisan effort a bill to reauthorize the Drug Free Communities program. This program provides help to local coalitions responding to serious drug and substance abuse problems in their communities. It helps bring together parents, teachers, business leaders, local media, religious leaders, and law enforcement to help reduce the demand for drugs. I think that it is crucial that communities around the country have the support and resources needed to respond to serious drug problems in a comprehensive

and coordinated manner. This program encourages local citizens to become directly involved in solving their community's drug issues. In Vermont, we have felt the presence of drug abuse and drug-related crime in our communities, and prescription drug abuse is on the rise. The myth persists that drug abuse and drug-related crime are only big-city problems, but rural America is also coping with these issues.

Last year we all joined together to pass three complimentary bills outlawing dangerous, synthetic drugs; bills sponsored by Senators Klobuchar, Schumer and Grassley.

All of these actions demonstrate that we on this Committee try to find matters on which we can make progress.

#