Drug Bills (S. 1552 and H.R. 6245)

January 4, 1962

Dear:

Thank you for writing me and indicating your interest in the drug hearings. I appreciate receiving your comments and you may be assured I will keep them in mind whenever the proposed legislation comes before the subcommittee, the full Judiciary Committee, or the Senate body.

It is my intention to continue to do everything in my power to uphold the Constitution of the United States and protect the people from any monopolies. I am equally determined to do everything in my power to maintain our free enterprise system, our republic form of Government, which has made this nation the greatest nation on earth.

With every good wish,

Everett McKinley Dirksen
Drug Bill - S-1552
March 30, 1962

Dear:

Thank you for your recent communication pertaining to the drug bill.

The Senate Judiciary Committee, by a vote of 9 to 2 -- Democrats and Republicans -- referred the bill to the Senate Patent Subcommittee to determine if the patent provisions of the drug bill will meet its stated objectives and will comply with the overall philosophy of the patent system set forth in the Constitution and the Federal statutes, and is to be reported back to the Judiciary Committee for further action. The Patent Subcommittee has jurisdiction over all amendments to the patent laws. Any reports in the press that the drug bill was killed is not accurate. You will note further that President Kennedy in his message to Congress referred to the Food and Drug Act Amendments and made no recommendations that the drug bill contain patent provisions.

The hearings have taken almost two years covering 15 volumes of printed hearings. It is difficult in this one letter to fully explain to you all of the facts so that you would be able to determine if the drug bill is a good bill and if it would meet its objectives.

The Members of Congress are interested in seeing that the people of America are provided with the most advanced and effective drugs that can be developed and produced, at the lowest possible cost. The majority of the Senate and the House, which is almost 2 to 1 Democratic, will determine whether the drug bill is good or bad legislation.

Sincerely,

Everett McKinley Dirksen
Dear:

On July 19, 1962, the Senate Judiciary Committee, composed of nine Democrats and six Republicans, by a substantial majority reported a drug bill that contained many of the recommendations of the President. It did not adopt restrictions proposed by Senator Kefauver which the Committee thought were extreme. It was generally agreed that the bill as reported to the Senate for debate and vote was a good bill and would correct the alleged weaknesses in the regulation of the drug industry by the Food and Drug Act, which was originally passed in 1938, and amended on only a few occasions. It should be noted that during the eight years of the Eisenhower Administration, the appropriation for the Food and Drug Administration was practically doubled, which indicates that the Republican Administration was alert to the needs that existed.

Because of the existing law in this country, which is far superior to laws in other countries, the drug, thalidomide, which caused so much damage in Germany, England, and other parts of the world, was prevented from being sold here under the authority of the FDA. As a result of the thalidomide incident, the President made additional recommendations not contained in either the Kefauver bill or the Harris bill (the House bill) originally, which recommendations are now being re-examined and passed by the Senate Judiciary Committee, to further tighten the Food and Drug Act for the increased protection of the American public. I have personally made motions to adopt some of the recommendations and have voted to adopt others, since everyone is agreed that no effort should be spared to protect the American people from a dangerous drug. At the same time, we must avoid tying the hands of the FDA in its efforts to assure that good drugs are permitted to be sold as soon as it is confident that such drugs are safe and effective.

The drug hearings began in 1959 and I can assure you that if the hearings had been more concise and to the point, we could have had a good drug bill in 1960 instead of 1962. However, the Republican members of the Subcommittee do not control the calling of witnesses or setting the date of hearings. It is the responsibility of the Democrat majority on the Subcommittee. As I pointed out earlier, the Eisenhower Administration was most helpful to the Food and Drug Administration in carrying out its responsibilities by doubling its appropriation, and the Republican members of the Senate Judiciary Committee have been most cooperative with the Chairman of the Committee and other Democrat members in seeing to it that a good bill was reported out as soon as possible. The record speaks for itself.

Sincerely,

Everett McKinley Dirksen
August 15, 1962

Dear :

Thank you for your recent communication. I appreciate having your comments and you may be assured I shall continue to study this matter and do my best to keep our drug laws in the category where regulations will be to the best interest of all -- the individual who may benefit from life-saving and pain-relieving drugs, the research people who give of their time and efforts to produce new effective drugs, and the distributors who are in a legitimate business for the good of the country.

Sincerely,

Everett McKinley Dirksen