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## DRUG IMPORTATION LEGISLATION (H.R. 2427) & ABORTION AN UPDATE

***NOTE:*** *The Republican Study Committee (RSC) has no position on H.R. 2427. Members of the RSC have taken positions for and against the bill for multiple reasons, although Members on both sides of the bill have agreed that the bill has nothing to do with abortion.*

On Friday, July 18, 2003, the Traditional Values Coalition (TVC) sent out a fax alert quoting from a letter sent the same day from FDA Commissioner Mark McClellan to Energy and Commerce Committee Chairman Billy Tauzin. Specifically, TVC quotes from a section of the letter that states, "...the legislation is particularly problematic as it relates to restricted distribution products that the Agency has placed under Import Alert..."

Because RU-486 is one of ten drugs for which the FDA has issued an Import Alert, TVC goes on to claim, "This should eliminate the doubts which have been raised in a very vicious and acrimonious public debate as to who is the real pro-lifer and whether or not the poorly written HR 2427 **would loosen the regulatory controls on the murderous RU-486.**" (emphasis added)

**As the RSC noted in our last analysis of this issue, H.R. 2427 does not permit the legal importation of RU-486 absent the regulatory controls put in place for domestic use of RU-486.** Absent compliance with the regulatory controls on RU-486, RU-486 ceases to be a covered product eligible for importation into the United States under the provisions of H.R. 2427. Furthermore, while an increase in the number of imported drugs may make overall enforcement more difficult, nothing in H.R. 2427 would prevent the FDA from focusing their enforcement resources on the ten drugs, including RU-486, for which they have already issued an Import Alert. Nothing in the letter from Commissioner McClellan refutes these points.

The Commissioner's letter makes the argument that it would be difficult to ensure the safety of drugs imported into the United States under the provisions of H.R. 2427. The ability to import drugs safely is a point on which the proponents and opponents of H.R. 2427 disagree. However, the arguments on both sides apply to all drugs which could be imported under H.R. 2427, not just RU-486.

In short, contrary to the claims in the TVC fax, the arguments presented by the FDA Commissioner do not make the case that H.R. 2427 is a pro-life issue.

As several pro-life Members of Congress and other pro-life organizations have pointed out over the past week, H.R. 2427 is not a pro-life issue.

For additional information see: <http://www.house.gov/burton/RSC/Reimportation71703.pdf>