

# United States Senate

WASHINGTON, DC 20510

May 29, 2013

The Honorable Harry Reid  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Tom Harkin  
Chairman  
U.S. Senate Committee on Health,  
Education, Labor and Pensions  
Washington, DC 20510

The Honorable Lamar Alexander  
Ranking Member  
U.S. Senate Committee on Health,  
Education, Labor and Pensions  
Washington, DC 20510

Dear Majority Leader Reid, Minority Leader McConnell, Chairman Harkin and Ranking Member Alexander:

Thank you for your past consideration of our concerns regarding drug distribution security legislation under consideration during Senate debate of the Food and Drug Administration Safety and Innovation Act.

We write today to express our gratitude to you and our colleagues in working so hard to address many of those concerns in S. 957, the Drug Supply Chain Security Act, and express our intention to support Senate passage of the bill, provided that no changes are made that weaken the unit-level drug distribution security system it puts in place in 10 years, and no changes are made that would pre-empt California or other states' ability to put in place stronger safety and security standards for licensing drug wholesalers and third party logistics providers under state law.

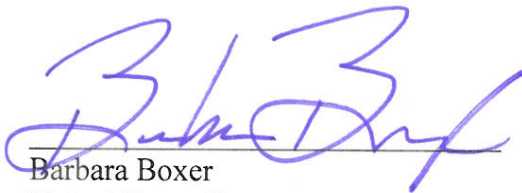
These provisions are important to ensuring that this landmark legislation takes a strong step forward for the safety of American patients, families and communities, rather than leaving states with their hands tied and patients with less protection against counterfeit, adulterated or diverted prescription drugs.

While we applaud the goal of ensuring that the drugs bought and sold in our country are authentic and safe, we are concerned that the bill moving forward in the House of Representatives would pre-empt strong state laws, including California's, with a weaker federal standard.

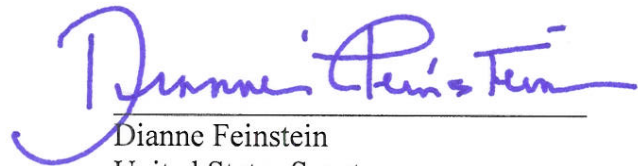
We join the California State Board of Pharmacy, Pew Charitable Trusts and others in expressing concerns that the House's proposed drug distribution security system fails to meet essential criteria in improving the integrity of our nation's prescription drugs and in fact would leave consumers more vulnerable by preventing states from taking appropriate steps to protect their citizens.

We thank you for your work on this legislation.

Sincerely,



Barbara Boxer  
United States Senator



Dianne Feinstein  
United States Senator