

Congress of the United States
House of Representatives
Washington, DC 20515

November 28, 2011

The Honorable Jon Leibowitz
Chairman
Federal Trade Commission
600 Pennsylvania Ave, NW
Washington, DC 20580

Dear Chairman Leibowitz,

We are writing to urge an expeditious review of the proposed merger between Express Scripts and Medco. Experts have indicated that the combined company has the potential to foster greater competition among businesses and help to create new business models that will drive down the costs of health care, while enhancing access to critical drug therapies. Specifically, experts indicate that the combined Express Scripts and Medco could be better equipped to deliver value for patients nationwide by lowering prescription drug prices.

Today's Pharmaceutical Benefit Manager (PBM) market is defined by robust competition. Other competitors have already won large accounts and are aggressively pursuing additional clients. Against this backdrop, it is our understanding that businesses would have plenty of competitive choices post-merger, and the combined Express Scripts-Medco will be fully subject to competitive pressures that will help ensure value-based pricing and service.

This robust competition is crucial because PBMs like Express Scripts and Medco play a key role in lowering the costs of prescription medications, an issue that is especially critical to our constituent communities. Experts indicate that the combined company will have the potential to reduce drug procurement costs and increase rebates and discounts negotiated from drug manufacturers, which could result in substantial cost savings passed on directly to consumers and employers.

Such cost savings would also have ramifications for our economy. At 12% of payroll, health care is the most costly benefit expense for employers. Reducing the cost of prescription medicines would make all American businesses more competitive – creating a healthier, more productive workforce, preserving existing jobs, and creating new jobs in the future.

We urge you to complete the review process for this merger with all deliberate speed, consistent with all applicable laws and regulations. We view the merger as consistent with a competitive marketplace, which could contribute meaningfully to achieving critical goals for our nation's health care system.

Sincerely,



Edolphus "Ed" Towns
Member of Congress




Alcee L. Hastings
Member of Congress



Wm. Lacy Clay
Member of Congress



Gregory W. Meeks
Member of Congress



Emanuel Cleaver
Member of Congress



Danny K. Davis
Member of Congress



Eddie Bernice Johnson
Member of Congress