



January 8, 2018

The Honorable Greg Walden
Chairman of the House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515



Dear Chairman Walden,

We write today on behalf of the nationwide members of Americans for Prosperity and Freedom Partners Chamber of Commerce to express our strong support for Right to Try legislation that would allow thousands of terminally ill patients the ability to access potentially life-saving treatment and medication. The House Energy and Commerce Committee has the opportunity now to give hope to these families and patients who are facing the most dire circumstances, and we urge you to seize it.



As you know, according to current law, the U.S. and Food and Drug Administration can take up to 15 years to approve a new drug available to the general market. This means that millions of terminally ill patients, and their families, have no choice but to wait for FDA approval to access potentially life-saving treatments and medications.

Unfortunately, the FDA's Compassionate Use program, that allows terminally ill patients to access experimental drug treatments is costly, onerous and overly complicated. According to one estimate, only about 1,000 individuals are able to enroll in the FDA's program every year.



Federal Right to Try legislation would work with the FDA's approval process to determine which experimental medications and treatments terminally ill patients could access, including only those that have passed Phase I of the FDA approval process and remain in ongoing FDA-sanctioned phase trials. Right to Try does not limit the FDA's final approval process, but instead makes all terminal patients eligible to try drug and treatments in clinical trials.

Easing the regulatory burden on terminally ill patients and their families is a commonsense and a bipartisan proposal, which is why more than 38 states have approved their own version of Right to Try laws, many with unanimous support of state legislatures. Still, federal legislation is needed to ensure that the FDA, or any other federal agency, not interfere with the implementation of state-passed laws. A change to federal policy is also needed for those terminally ill patients who are unable to travel to a Right to Try states.

Right to Try legislation has already cleared the U.S. Senate on a voice vote and the administration has expressed support for the measure. Congress is on the cusp of delivering real hope to millions of Americans who are desperately looking for potentially life-saving treatment that is just out of their reach. Acting on Right to Try legislation could make all the difference.

We strongly urge your committee to act expeditiously to approve Right to Try legislation and send the bill to the House Floor for a full vote.

Sincerely,

Nathan Nascimento
Executive Vice President
Freedom Partners Chamber of Commerce

Brent Gardner
Chief Government Affairs Officer
Americans for Prosperity

David Barnes
Policy Director
Generation Opportunity

Daniel Garza
President
The LIBRE Initiative