OISS FORM 53 (12/80)

CONGRESSIONAL RECORD
PROCEEDINGS AND DEBATES OF THE 97TH CONGRESS

EXTENSION OF REMARKS

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by Mrs. Schneider

H.R. 6444—THE PATENT RESTORATION ACT

SPEECH OF

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 13, 1982

● Mrs. SCHNEIDER. Mr. Speaker, I rise today in support of H.R. 6444, the Patent Restoration Act. There are benefits and detriments to this legislation, but the primary question is—Do we want to forego the benefits of drug research?

Because of Federal regulatory requirements, it now takes 7 to 10 years to develop, test and obtain FDA approval for new medicines before they can be marketed. As a result, the average patent life left for new drugs approved for marketing in recent years has been less than half the 17 year period of patent protection that Congress has specified for all products.

This decline in effective patent life, coupled with an average cost of about $70 million per new medicine that enters the market, has been accompanied by a dramatic reduction in the number of new medicines introduced during the past 20 years. In 1960 the pharmaceutical industry produced 50 new medicines. Recently, the number of new medicines approved annually has amounted to only about one-half to one-quarter of that figure.

The patent has traditionally provided a major incentive for costly, risky research and development. Without it, many important advancements in medical, agriculture and other fields would not have occurred or been economically feasible. The sick will be the real victims of lost patent life.

Drugs have improved health care while in many instances reducing the need for surgery, but much work remains to be done. Research into incurable diseases, such as hypertension, glaucoma, herpes simplex, and mental illness, among many others, must be accelerated.

I ask my colleagues to reflect on the importance of health to the American people and the need to conquer disease. I am confident that with passage of this bill we will see a renewed effort in drug research. If, as some opponents maintain, research does not ensue and the public is not served, then I will work to change the situation so that it does. In the meantime, this is the best available vehicle for progress, and we ought to take it.●