

Statement of
The Honorable Dianne Feinstein

United States Senator
California
March 12, 2008

Hearing Statement
"Prescription and Over-the-Counter Drug Abuse"

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I thank Chairman Biden for holding this hearing, on an issue of growing importance and urgency.

There is no doubt that prescription drug abuse is a growing epidemic in this country. I have been concerned about the rise in prescription drug abuse and particularly about the proliferation of narcotics and prescription drugs available over the Internet for a number of years.

According to the DEA, nearly 7 million Americans are abusing prescription drugs today. To put this in perspective, this is more than the number of people who are abusing cocaine, heroin, hallucinogens, Ecstasy, and inhalants -- combined. Opioid pain relievers now cause more drug overdose deaths than cocaine and heroin combined. Twenty-five percent of drug-related emergency department visits are associated with the abuse of prescription drugs.

Prescription drug abuse is also a growing national health crisis. According to the National Center on Addiction and Substance Abuse (CASA), the number of adults who abused prescription drugs rose 81% from 1992 to 2002. The number of 12 to 17 year olds who abused controlled prescription drugs jumped an astounding 212% during the same time frame. Abuse of controlled prescription drugs has grown at twice the rate of marijuana abuse, five times the rate of cocaine abuse, and 60 times the rate of heroin abuse.

The rise of prescription drug abuse among our youth is particularly troubling. In 2003, 2.3 million 12 to 17 year olds - nearly 1 in 10 -- abused at least one prescription drug. And prescription drug abuse can be a gateway to the abuse of other substances. According to CASA, teens who abuse controlled prescription drugs are five times as likely to abuse marijuana, 12 times more likely to abuse heroin, 15 times more likely to abuse Ecstasy, and 21 times likelier to use cocaine as teens who do not abuse prescription drugs.

Not surprisingly, the staggering increase in prescription drug abuse since 1992 corresponds with the ease of access over the Internet. The DEA has called the Internet the "perfect medium" to sell controlled substances and prescription drugs illegally.

The ease of availability and the amount of drugs sold online is stunning. A typical brick-and-mortar, neighborhood pharmacy sells about 180 prescriptions per day. Only about 11% of these

sales involve controlled substances. In comparison, a typical online pharmacy sells around 450 prescriptions per day - 95% of which are controlled substances. The Internet has become an open-air market for the sale of illegal prescription drugs. Rogue internet pharmacies, operating without any oversight, are selling prescription drugs to anyone with an Internet connection and a credit card. And adults and children are suffering and sometimes dying as a result.

It's time for Congress to put a stop to this and pass S. 980, the Ryan Haight Online Pharmacy Consumer Protection Act of 2007. This bill, named after a teenager died after overdosing on drugs he obtained from a rouge pharmacy, would do the following:

? Bar the sale or distribution of all controlled substances over the Internet without a valid prescription;

? Require online pharmacies to display on their website a statement of compliance with U.S. law and DEA regulations - allowing consumers to know which pharmacies are safe, and which are not.

? Clarify that rogue pharmacies who sell drugs over the Internet will face the same penalties as people who illegally sell the same drugs on the street.

? Increase the federal penalties for illegally distributing controlled substances;

? Create a new federal cause of action that would allow a state attorney general to shut down a rogue website selling controlled substances.

This legislation is a critical first step in stemming the tide of online drug trafficking and prescription drug abuse.

I look forward to the testimony of the witnesses today on how we can best address the problem of prescription drug abuse, as well as their thoughts on addressing the scourge of rogue Internet pharmacies.