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COVER STORY**Life Extension Achieves "Impossible" Victory in the U.S. House of Representatives**

Those familiar with the 23-year history of the Life Extension Foundation know we do not shy away from difficult situations. Our scientific objective is to defeat aging and death. The pioneering research we fund attests to our commitment to finding solutions for what most people believe are impossible-to-solve problems.

For 11 years, the FDA tried to shut down the Life Extension Foundation. Some of the police-state tactics used by the FDA included seizing our products and newsletters at gunpoint, threatening scientists with imprisonment for accepting our research grants, committing perjury before a Federal Court, and squandering enormous taxpayer dollars trying to incarcerate us.

At one point, the FDA said they would not bring criminal charges against us if we would close The Foundation. We did not submit to this extortion threat. The FDA then indicted us on multiple criminal counts that could have resulted in \$7 million in fines and 84-year prison sentences. After three years of fierce pre-trial motions, however, the FDA offered to reduce the felony charges to misdemeanors involving no prison time IF we would plead guilty to only one count. We refused to plead guilty to something that was not a crime. After showing the U.S. Attorney's Office that the FDA had little chance of convincing a jury that we did anything wrong, the prosecutor filed a motion to dismiss our criminal indictment...

something that is almost never done in Federal Court!

Another "Impossible" Battle

We are now facing another "impossible" battle with very high stakes. The Life Extension Foundation is battling the drug cartel and the FDA in a campaign to convince the U.S. Senate to pass a bill that would give Americans the right to purchase lower-cost prescription drugs from other countries. The problem is that both the FDA and the drug cartel are lobbying hard to defeat this bill, and 53 Senators have already gone on record as saying they will not support it.

In addition to having to convince the Senate to vote this legislation in, we have to contend with a new FDA investigation that may have been initiated by the drug cartel in order to neutralize our ability to generate public support for this bill.

Few organizations would risk everything they have to support a bill that does not directly affect them. After all, LEF does not sell prescription drugs. So why are we risking our personal freedom to support this bill? Our reasons are quite fundamental:

1. It is wrong for the FDA to dictate where U.S. citizens may purchase their prescription drugs.
2. It is wrong to grant an illegal monopoly to a cartel so that Americans can be extorted into paying the highest prices in the world for their medicines.
3. It is wrong to allow the United States to fall into an economic state of chaos as individuals, insurance companies, businesses and even the Federal government are increasingly unable to afford the rapidly escalating costs of health insurance and health care.
4. It is wrong for the FDA to pretend to be a consumer protection agency when their actions clearly show they function to protect the economic interests of the drug industry, not the consumer.
5. It is wrong for lower- and middle-income American citizens to be deprived of life-saving medications when affordable drugs are freely available in other countries.

We realize that if these wrongs are not corrected, the future of the United States is in jeopardy. Our mission, therefore, is to right these wrongs. When it comes to the inflated prices of prescription drugs, our solution is to allow competition to reduce costs.

Standing in our way is the behemoth drug cartel and its pawn, the FDA. The drug industry bestows more money on politicians than any other industry. It can afford to hire public relations agencies to fabricate "facts" any way it chooses. The FDA can spend limitless taxpayer dollars harassing us.

Life Extension has a weapon called the truth. The truth is that Americans are paying artificially inflated prices for their prescription drugs. A growing number of Americans are seeing through this charade. If the truth can get out to enough people, Americans will refuse to pay the highest prices in the world for their health care.

Our mission to convince the U.S. Senate to pass the drug importation bill may seem "impossible," but that is what EVERYONE told us two days before the U.S. House of Representatives voted on the Pharmaceutical Market Access Act of 2003. On July 25, 2003, the House passed this bill. Here is a brief history of this victory against overwhelming odds.



In 1984, The Life Extension Foundation made an important discovery. A member in Europe told us that the price he was paying for his prescription drugs was lower than what Americans were paying in the U.S. Upon further investigation, Life Extension confirmed that identical medications, often made by the same company, cost far less in Europe (and other areas of the world) than in the United States.

This discovery resulted in Life Extension advocating that Americans should have the right to buy their prescription drugs from other countries, rather than having to pay artificially high prices in the U.S. Back in 1984, prescription drugs were not nearly as expensive as they are today and most people were covered by affordable health insurance that paid for prescription drugs. Our suggestions that the American drug market be opened to free market competition fell on deaf ears, except for the U.S. Food and Drug Administration (FDA).

The FDA made it clear that Americans could only buy their drugs in the United States and that those who challenged this edict would be jailed. On Nov. 7, 1991, Bill Faloon and I were indicted and the FDA tried to convince the Judge that we were such dangers to the community that we should be denied bail.

In reality, we were a significant danger to the profits of the pharmaceutical industry. We mailed out millions of pieces of mail advocating that American citizens be allowed to purchase lower-cost medications in other countries, we appeared on hundreds of radio and TV programs exposing the incestuous relationship between drug companies and the FDA, and we ran full-page newspaper ads showing how much more Americans were paying for drugs compared to Europeans. As far as the FDA was concerned, their greatest worry was that we challenged their authority.

The FDA had built up a trackrecord of retaliating against anyone they regulated that dared to challenge their authority. We fell under the FDA's regulatory umbrella, and sure enough, they did retaliate big time. (Refer to the July 1996 issue of Life Extension magazine for complete details.)

How The FDA Helped Life Extension

Because of the FDA's brutal attacks against us, the media began paying attention to what we were saying. When the FDA launched their first raid against us in 1987, we had only 4,400 members, with little prospects for growth. By the time the U.S. Attorney's Office forced the FDA to drop charges against us, we had grown to over 25,000 members. We went from sending out less than 5,000 copies of an 8-page newsletter in 1987 to mailing over 300,000 copies of this month's 112-page magazine today.

We typically devote a portion of each magazine to exposing FDA malfeasance and this continues to attract a growing number of Americans who want to change today's inefficient and bureaucratic system of drug regulation.

In order to educate the public about what's wrong with the FDA, we set up a website called www.stopfda.org that features many of our archived articles on FDA incompetence and corruption. Members of Congress have used information on this website to draft legislation to limit the FDA's powers. Now that the multi-billion dollar profits of the pharmaceutical industry are threatened because of information we have published, the drug lobby has launched a vicious campaign to discredit us.

AS WE SEE IT

Life Extension Achieves "Impossible" Victory in the U.S. House of Representatives

Previous Victories Snatched Away

In the year 2000, Life Extension promoted a bill that would have enabled Americans to obtain lower-cost medications from other countries. We succeeded in pushing this bill through the House and Senate, and President Clinton signed it into law.



The September 2000 cover of *Life Extension* magazine announced, "Consumers Win Big!" In that issue, we described what had been an overwhelming victory that would save American consumers billions of dollars on their prescription drug purchases.

This bill provided the FDA with \$25 million a year to develop and run a program that would enable Americans to safely acquire lower-priced drugs from other countries. We thought we had finally achieved victory. Unfortunately, Donna Shalala, the lame-duck Secretary of Health and Human Services, exploited a loophole in the new law. In December 2000, with most members of Congress home for the holidays, she exercised her discretion to refuse the \$25 million/year appropriation by stating that it was not possible for the FDA to implement the drug importation provisions of the new law.

So here we had a law that was widely supported by the public, painstakingly enacted by Congress and then signed into law by the President of the United States. One political appointee

with less than a month to go in her term (Donna Shalala) was able to take away the right of consumers to pay lower prices for their prescription drugs.

The economic consequences suffered by the United States as a result of Donna Shalala's inappropriate actions have been well documented. Over the past three years, health care costs have spiraled upward, with prescription drug costs leading the way. Even large corporations are finding it difficult to pay their retirees health benefits and employees are being asked to pay a much greater percentage of their health insurance premiums.

The Drug Industry Pulls Out All Stops

When the Pharmaceutical Market Access Act of 2003 was introduced on June 11, 2003, the drug industry took immediate aggressive action. Since they could not argue with the fact that passage of this bill would save American consumers billions of health care dollars a year, they instead launched a disinformation campaign that involved bringing up sensitive political issues for the purpose of distracting Congressional representatives from the simple logic of the bill.

The drug lobby lavished money on academic institutions and other non-profit groups who then made pronouncements that passage of the bill would support terrorist activities, the Mafia, pro-abortionists, and every other controversial group imaginable. Since members of Congress were using Life Extension's drug price comparison charts, the drug lobby instigated inaccurate and defamatory articles about the Life Extension Foundation that were widely circulated on Capitol Hill.

The drug lobby even went as far as to write a letter opposing the bill that was printed on the stationery of a large church group. This church letter was then mass mailed to constituents in Congressional members' home districts. The clear objective of this campaign was to intimidate members of Congress into voting against the drug importation bill.

The highest-profile effort to oppose this drug import bill has been from a group called the "Seniors Coalition." This organization has spent millions on radio and newspaper ads, mailings and a phone bank urging people to ask their member of Congress to vote against the bill. This Seniors Coalition says it needs to protect Americans from dangerous foreign drugs. The problem is that this group is partially funded by drug companies.

The pharmaceutical industry made it appear that everyone was against the right of Americans to purchase lower-cost medications from other countries. *The Wall Street Journal* and other newspapers wrote editorials against it. The FDA said it would open the floodgates to unsafe drugs of unknown origins. Even Reverend Jerry Falwell was induced to publish a slanderous attack against The Life Extension Foundation and others for supporting this bill. (Refer to the AS WE SEE IT column in this issue for our rebuttal to Falwell's attack on Life Extension.)

Eight days after Jerry Falwell's editorial against Life Extension appeared in *The Washington Times*, an FDA agent showed up at our facilities. This was not a run-of-the-mill FDA field inspector, but a highly trained specialist who knew what she was doing. This FDA inspector tied up our entire legal team for a week while the drug importation bill was being rushed to the House floor for

a vote.

We Almost Lost On This Bill

Life Extension did not find out that the bill was coming up for a vote until just two days beforehand. The FDA inspector completely distracted us during this critical time.

The news we heard about the bill's prospects of passing was grim. Everyone we talked to on Capitol Hill said there was NO chance the drug importation bill would pass. Even proponents of the bill said the drug lobby's tactics had succeeded in scaring Congressional representatives away from the bill.

Right before the vote, we were told that Capitol Hill was overrun with drug lobbyists urging representatives to vote NO on the bill. According to a spokesman for the largest drug lobbying group (Pharmaceutical Research & Manufacturers of America):

“We are lobbying member by member. We are talking to anyone who will listen at the 11th hour, and the message is very clear.”

According to *The New York Times*, the drug importation bill “has turned into one of the most hotly contentious issues in the House this year.” A week before the bill came up for a vote, Congressional leaders who promised not to interfere with it all of a sudden went into overdrive to defeat it.

Commenting on these broken promises, Representative James P. McGovern stated that these new opponents to the drug importation bill have:

“ .gotten bored with breaking promises they made to seniors. Now they're breaking promises they made to their own members (of Congress)”.

The effects of intense drug company lobbying became apparent as members of Congress defected to the pharmaceutical industry's side and came out harshly against this bill that could save American consumers billions of dollars on their prescription drug purchases.

With less than 48 hours to go before vote time, there seemed little chance of arousing public support to counter the massive lobbying and disinformation efforts undertaken by the pharmaceutical industry. Then we took a look at our email address book, and to our surprise we found 90,000 email addresses of health freedom activists who we had not been in contact with other than through the magazine.

We wrote up an emergency appeal asking our 90,000 email supporters to contact their Congressional representatives to urge them to ignore the FDA and drug lobby propaganda and vote in favor of drastically lowering the cost of prescription drugs for Americans.

Life Extension members rallied big time, and flooded Congressional offices with phone calls, email and faxes demanding that they resist the deceptive tactics instigated by those who would benefit economically by keeping lower-priced medications out of this country.

Victory In The House

The Pharmaceutical Market Access Act of 2003 passed the House early in the morning of July 25, 2003, by a margin of 243 to 186. We, the people, defeated the drug industry's mammoth multi-million dollar attempt to keep this consumer-friendly legislation from passing.

Media reports were highly favorable. According to the Associated Press:

“The vote marked a defeat for the pharmaceutical industry, which spends millions lobbying Congress, and was repeatedly criticized by lawmakers in both parties for putting profits ahead of patients.”



Lawyers preparing for litigation

FDA May Have Illegally Lobbied Congress

In the week leading up to the House vote on the drug import bill, top officials of the Food and Drug Administration (FDA), including the Commissioner, waged an intense effort to defeat the legislation. FDA officials telephoned and met with representatives urging them to vote against this bill. These FDA officials said it would let drugs of unknown quality into the country.

The problem is that the FDA may have violated a law that is widely interpreted as banning Federal agencies from lobbying Congress. According to Representative Sherrod Brown:

“The FDA is doing something I've never seen. The call I got from the FDA illustrates the pharmaceutical industry has co-opted the Food and Drug Administration.”

Whether FDA officials broke the law is secondary to a more serious revelation.

According to conservative Representative Dan Burton:

“It’s not about safety, it’s about money. There’s a woman ... who’s dying of breast cancer... How do you tell her when she goes to buy tamoxifen that she can’t afford it but she could go right across the border to Canada and get it for one-sixth or one-seventh the cost.”

Representative Gil Gutknecht, a lead sponsor of the bill, held up two packages of the drug tamoxifen and asked why Americans have to spend \$260 for this life-saving drug when Germans can buy it for \$60.

The FDA response was typical:

The bill “creates a wide channel for large volumes of unapproved drugs and other products to enter the United States that are potentially injurious to public health and pose a threat to the security of our nation’s drug supply.”

As you can see, the FDA’s charade about the imaginary dangers of drugs sold in Canada and Europe continues.

The Next Battleground

This bill now faces an uphill battle in the Senate, which is pressured even more than the House by pharmaceutical campaign contributions and lobbying. I am asking each of you to log on to www.senate.gov to obtain the names and addresses of your two Senators. Please handwrite, type or copy them a personalized letter to support the House’s version of The Pharmaceutical Market Access Act of 2003 (H.R. 2427).

Life Extension is risking its future by taking on the drug cartel. Please take the time to write to your two Senators and encourage them to support the bill that will enable Americans to access lower cost prescription drugs from other countries (The Pharmaceutical Market Access Act of 2003 (H.R. 2427). See an example of a letter to send to Senators.

I want to personally thank everyone who phoned, faxed or emailed their Congressional representative. Your efforts paid off big time, as this bill was destined to fail if not for the efforts of Life Extensionists.

You can follow the progress of this bill by logging on to www.lef.org regularly.

Together in Victory,

Saul Kent,



Life Extension Foundation Buyers Club

These improper lobbying actions confirm that the FDA functions to protect the profits of the pharmaceutical industry and not the health of the American public.

The ramifications of this corrupt relationship can be seen in the lethal drugs the FDA has approved as being safe, the skyrocketing cost of health care in the United States, and the FDA’s vicious attacks against those who compete against the drug industry (such as those who offer natural therapies in lieu of drugs).

As Life Extension identified 19 years ago, this illicit relationship between the FDA and the drug industry directly results in the American public being defrauded out of their health and their money.

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