

# United States Senate

WASHINGTON, DC 20510

COMMERCE, SCIENCE  
AND TRANSPORTATION  
FOREIGN RELATIONS  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
SMALL BUSINESS AND  
ENTREPRENEURSHIP

September 23, 2016

Dear Colleague:

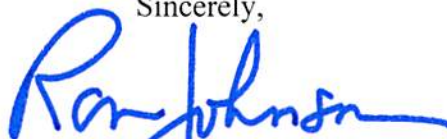
I am writing to ask you to join me and 41 bipartisan co-sponsors in supporting S. 2912, the *Trickett Wendler Right to Try Act of 2016*. Since 2014, 31 states have enacted “right to try” laws with overwhelming bipartisan support—with over 97 percent of legislators voting in favor of the laws. These laws are aimed at giving terminally ill patients, who have exhausted available options, a pathway to accessing experimental treatments.

Yesterday the Homeland Security and Governmental Affairs Committee heard powerful testimony from witnesses who spoke of a simple belief that patients who have no alternatives and are facing death should have the ability to try to save their own lives. We heard testimony from ALS patient Matt Bellina, a 32-year old retired Navy pilot who told us: “at some point in the near future, I’m going to suffocate under the weight of my own chest,” yet he doesn’t qualify for a clinical trial because he’s too sick. Committee members also heard from Texas oncologist Dr. Ebrahim Delpassand, who is treating patients under his state’s right to try law despite the risk of consequences from federal authorities. These patients, whose chance of survival would be, according to him, “close to none,” are alive thanks to his treatment.

Unfortunately, physicians like Dr. Delpassand in the 31 states with right to try laws lack the certainty necessary to treat patients. In order for patients, doctors and manufacturers in those states to fully utilize the capabilities granted in these laws, certainty must be provided that the federal government will respect the state laws. That is why *The Trickett Wendler Right to Try Act of 2016* is of the utmost importance. No one can guarantee a miracle cure. What we can do is give patients and families the freedom to decide for themselves how to fight their illnesses. With no other options, they at least have the right to hope.

Next week, on behalf of millions of terminal patients and their families, I intend to go to the floor to ask for passage of this bill. Please consider joining our bipartisan coalition of Senators and thousands of state lawmakers in supporting the principle that terminal patients deserve the right to try to save their own lives. If in your heart you decide you cannot co-sponsor, please allow these people some hope by not objecting to unanimous consent.

Sincerely,



Ron Johnson