

countries that want to cut down on tobacco use. As they referred to it in the trade agreement, it will exempt from the investor-state dispute settlement mechanism anything in a country with regard to tobacco control. This is a win for the health care advocates who are trying to keep our people informed about the hazards, what smoking tobacco will do to their health.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Dale A. Drozd, of California, to be United States District Judge for the Eastern District of California?

Mr. CRAPO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. MCCAIN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), the Senator from South Carolina (Mr. SCOTT), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 21, as follows:

[Rollcall Vote No. 274 Ex.]

YEAS—69

Alexander	Franken	Murkowski
Ayotte	Gillibrand	Murphy
Baldwin	Graham	Murray
Bennet	Grassley	Nelson
Blumenthal	Hatch	Paul
Booker	Heinrich	Perdue
Boxer	Heitkamp	Peters
Brown	Heller	Portman
Cantwell	Hirono	Reed
Capito	Isakson	Reid
Cardin	Johnson	Sanders
Casey	Kaine	Schatz
Coats	King	Schumer
Collins	Kirk	Shaheen
Coons	Klobuchar	Stabenow
Corker	Leahy	Tester
Cornyn	Lee	Thune
Daines	Manchin	Tillis
Donnelly	Markey	Udall
Durbin	McCaskill	Warner
Ernst	Menendez	Warren
Feinstein	Merkley	Whitehouse
Flake	Mikulski	Wyden

NAYS—21

Barrasso	Cotton	Inhofe
Blunt	Crapo	Lankford
Boozman	Fischer	McConnell
Cassidy	Gardner	Moran
Cochran	Hoeven	Risch

Roberts	Sessions	Sullivan
Sasse	Shelby	Wicker

NOT VOTING—10

Burr	McCain	Toomey
Carper	Rounds	Vitter
Cruz	Rubio	
Enzi	Scott	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from South Carolina.

MORNING BUSINESS

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISASTER IN SOUTH CAROLINA

Mr. GRAHAM. Mr. President, I just returned from South Carolina. I am sure many Members of the body have been watching this drama unfold on television. I have never seen anything like it. I was in the Charleston area over the weekend. There was 18 inches in about 24 hours, and Columbia, SC, is really under siege. It is a thousand-year historic rain. I am not a meteorologist, but it seems as if everything bad that could happen did happen to send the water and the rain to South Carolina. All 46 counties have received Federal emergency declaration. There has been a verbal request for a major disaster declaration for 11 counties; 1,300 National Guard deployed and 7,000 more on standby; the entire State trooper force is on the road; 1,250 South Carolina DOT maintenance employees working; 550 road closures; 150 bridge closures; 26,000 and climbing without power; 40,000 and climbing without water; there have been 9 deaths.

The economic damage—we don't know yet. There will be an insurance component, and there will be a disaster relief component. As we get through this and look at the damages—that comes later—we are not going to ask the Federal Government to do anything beyond the responsibility of the government. We will not turn this into a pile-on party.

The bottom line is I really appreciate my colleagues coming up and offering their assistance and their prayers to the people of South Carolina. Our Governor and the entire infrastructure of the emergency management system in South Carolina have done a very good job.

More is coming. The rain is about to depart the area, but we will have runoff

from upstate of South Carolina that will flow down to the coast and run right through the communities that have been hit the hardest. So there is a second wave of water coming.

My sister lives in the Columbia area, and I can say there are very few families in South Carolina not affected by this. Manning, SC, is virtually underwater. "We are thinking about the people of South Carolina" is what I have heard from all of my colleagues. Senator SCHUMER called. The Vice President called. I appreciate all of your concern and prayers. We will hopefully get this behind us soon in terms of the rainfall and start building up some levees and dams that are just about to break. I worry about the bridges and the damage to our bridges. I don't think we really appreciate how extensive it is.

This is sort of the worst of nature coming our way, but I think we met it with the best of human nature. From what I can tell, people have been working together trying to slug through this. And I will just echo what the Governor said: Stay in your homes. Get off the roads. It is so dangerous down there. Anybody who has to be rescued because they are out looking around and taking photos is draining resources from the people who are under siege.

So on behalf of TIM SCOTT and myself, we are going to do whatever we can, with our House delegation, to make sure our State is taken care of in an appropriate fashion. Hopefully by the end of this week we will begin to survey the damage, but unfortunately there is more coming as the runoff from upstate makes its way to the coast. This was literally a perfect storm of things coming together to take water from the hurricane and create a river of rain. I have never seen anything like it, and I have lived in the State all my life.

To the people without power, whose houses are underwater, whose cars have been devastated, those who have lost loved ones, we are definitely thinking about you. We are pulling together in our State.

Mr. President, 2015 has been a miserable year for the State of South Carolina. Some of the worst things have happened, and we are still hanging in there. Everybody is clinging to each other in a very heartwarming way. And I am sure there will be exceptions to that rule—curfews are in place—but the vast majority of South Carolinians are rising to the occasion.

I was talking to the Governor last night. We can't wait to get this year behind us. And I cannot tell you, from the Charleston shooting to this, how tough it has been for our State. But when it is all said and done, we are going to be together and come out stronger.

To the families who are thinking the world has come to an end, God willing, it will get better. The water will pass, we will start surveying the damage, and we will help those who need help.

We are not going to ask for a penny more than we need. This is not about fixing problems unrelated to this event; this is about appropriately dealing with this event and nothing more.

I thank the President and the Members of this body who have offered their prayers and wishes for the people of South Carolina.

To the people of my State, to the first responders, to all who have been involved trying to take care of your fellow citizens, God bless you. To our Governor and her team, I know you are working so hard.

I would end this with a request for prayers. Any money that people can send will be much appreciated because there are people who have lost everything they have worked for all their lives. It is days like this that make you appreciate one another.

There is a role for the government to play here, but at the end of the day, it is going to be people helping people, with the government providing some resources, but we will have to help each other. There is no substitute for neighbor taking care of neighbor here.

I appreciate the floor time. I will keep the body informed as this disaster unfolds.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator hold his suggestion?

Mr. GRAHAM. Yes. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### PHARMACEUTICAL COMPANIES AND DRUG PRICING

Mr. BROWN. Mr. President, we have seen this movie before. It was 4 years ago that a drug company in St. Louis raised the price dramatically on a drug that was administered to pregnant women, a shot they took once a week for 20 weeks that significantly reduced the incidents of low birth weight babies. Now we see a headline on the front page of the New York Times today which reads "A Drug Company's Price Tactics Pinch Insurers and Consumers." Two weeks ago another New York Times headline read "Drug Goes From \$13.50 a Tablet to \$750, Overnight." In April the Wall Street Journal ran an article titled "Pharmaceutical Companies Buy Rivals' Drugs, Then Jack Up the Prices." The reporters who did the investigating in these articles all found the same thing: Pharmaceutical companies buy up the rights of older existing drugs where all the costs from research have been recouped and raise prices dramatically overnight.

In its most recent article, the Times investigated Valeant Pharmaceuticals, a company that recently raised the cost of the lifesaving drug Cuprimine more than fivefold. The Times interviewed Mr. Bruce Mannes, a 68-year-old retired carpenter in Michigan who has relied on Cuprimine for 55 years to treat his Wilson's disease. In May Mr. Mannes was paying \$366 a month for

Cuprimine. Today he is forced to pay \$1,800 a month just to stay alive. It is the same drug and the same dosage. It was \$366 a month not too long ago. Today it is \$1,800 a month just to stay alive.

It is not just Mr. Mannes who is left on the hook to pay for his medicine, which has more than quadrupled in cost. The taxpayer-funded Medicare Program will now be spending \$35,000 a month to cover its portion of his pills because current law prohibits Medicare—because of the power of the drug companies in this institution—from negotiating more favorable drug prices.

Cuprimine is not a cure for Wilson's disease. Mr. Mannes must take this drug for the rest of his life. It doesn't cure him, but it keeps him alive.

Valeant did nothing to improve this drug. They don't claim that. It has been around for decades. They have done nothing to invest in a cure. Instead, the company bought the rights to an existing medicine and raised its price.

Remember, I said that in May Mr. Mannes was paying \$366 a month. Today he is paying \$1,800 a month.

This story, unfortunately, is outrageous, and it is not an isolated story. The Times reports that this year alone Valeant has raised the price of its drugs by an average of 66 percent. When Valeant acquired Salix Pharmaceuticals earlier this year, it raised the price of its diabetic drug Glumetza by 800 percent. These are drugs that have been out there. They don't need to recoup their costs of research and development. These are drugs that have been used for many years at a significantly lower price. They buy these companies—these drugs and jack up the price. After Valeant acquired the drug Isuprel, which treats slow or irregular heart rate, it raised the price by more than \$30,000.

Valeant's investors and its billionaire CEO are, of course, getting rich but always on the backs of America's seniors and American taxpayers, who pay the price. Seniors on Medicare face skyrocketing bills for lifesaving drugs they cannot afford. Insurance companies sometimes stop covering drugs altogether.

Janis, from Lower Salem in Washington County, OH, wrote to me about the drug Glumetza. She wrote:

My husband has gotten the drug Glumetza for \$10 each refill of 180 pills. When he re-ordered this prescription this morning the pharmacy called him to say that Glumetza now costs \$3,000 for a 15-day supply. His insurance has a limit of \$3,000.

The pharmaceutical companies are beginning to look like the drug cartels of Mexico. The insurance companies are being forced to cut benefits or increase their cost to consumers who have worked hard all their lives and earned their health care benefits. He and I cannot continue to afford to pay these out of pocket expenses on a fixed income.

We know that Janis in Washington County, OH, isn't alone. We also know that all Americans face higher health care premiums when insurance compa-

nies and hospitals are forced to absorb the cost of this price-gouging.

Jeffrey Rosner of the Cleveland Clinic told the Times that the nine drugs with the worst price increases cost that hospital alone an additional \$11 million a year and that Valeant's products made up 80 percent of that. Yet their billionaire CEO is doing very well.

Valeant is not the only company that profits from its business of buying up old drugs and jacking up the price. We remember the coverage last month about Turing Pharmaceuticals, which raised the price of a drug called Daraprim, which is used to treat a life-threatening parasitic infection, from \$13.50 to \$750 a tablet overnight. The company Rodelis Therapeutics recently raised the price of a drug to treat multidrug-resistant tuberculosis from \$500 to over \$10,000 for the same number of pills.

These are not scenarios of pharmaceutical companies charging higher prices to finance the development cost of new drugs. Take Valeant for example. Valeant spends 3 percent of its sales on research and development. Traditional drug companies tell us they spend 15 to 20 percent. Traditional drug companies will tell you they spend 15 to 20 percent of their revenues on research and development. That is why they need to charge high prices at the beginning, at least during their patent protection period—to recoup, they will say, the \$500 million, \$600 million, whatever it costs, in research and development. Valeant is buying drugs where that research and development have already been recouped. They spend only 3 percent of their sales on research and development.

So where does Valeant's money go? One might hope it would support American pharmaceutical manufacturing jobs or pay back into our tax system to support lifesaving biopharmaceutical research at the National Institutes of health. But, no, what actually is happening is infuriating. Valeant, which shifted its profits overseas in 2010 to avoid its U.S. tax obligation, buys up the rights to existing pharmaceutical companies, lays off workers, hikes prices by eight- nine- tenfold, and then expects patients, hospitals, and taxpayers to pick up the tab. It is not right.

As I said at the outset, we have seen this before. Valeant, Turing, and Rodelis are not the first companies to try this shady—and "shady" is too kind a word—business model. They won't be the last. In 2011, KV Pharmaceutical created an overnight monopoly on the lifesaving drug 17P, a preterm labor-prevention drug—a progesterone—for pregnant women. KV Pharmaceutical didn't invent the drug. It spent no money on R&D. It spent no money on clinical trials, which are also expensive but not for them. The drug had been around for decades. It was normally compounded at pharmacies and at hospitals to treat pregnant