

deeply to Virginia, but I don't think Virginians are unique to this. I think it matters to the citizens of 50 States.

EPA regulations are not all wise, and some need to be dialed back. I have seen the positive effects of wise EPA regulations in my city and in my State. I am going to vote no on Mr. Pruitt because I don't believe his first duty will be to follow science and enforce just laws and regulations, appropriately governing the water we drink and the air we breathe.

With that, I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Illinois.

#### GUN VIOLENCE

**MR. DURBIN.** Mr. President, I rise again to speak about the epidemic of gun violence in the city of Chicago and across America.

The American Medical Association has declared gun violence as a public health crisis in America. Every day, almost 300 men, women, and children are shot in this Nation. Gun violence touches every American community, but no community has suffered more than the city of Chicago.

I am honored to represent that city. I love it, and I think it is a great city. I spend a lot of time there to get to know the people who were born there and live their lives there and call it home. It is a great honor to call it part of my State that I am honored to represent.

The stories that are coming out of the city of Chicago are heartbreaking stories—and none worse than this week. This week there was a slaughter of the innocents. In a 4-day period earlier this week, three beautiful children under the age of 12 were fatally shot.

On Saturday night, 11-year-old Takiya Holmes, sitting in her mom's car, was shot in the head and killed. A 19-year-old suspect in custody has been charged. He reported that he was shooting from across the street at rival gang members, and a stray bullet hit Takiya. She died on Tuesday morning.

On Saturday, 12-year-old Kanari Gentry-Bowers was shot while playing basketball in the West Englewood neighborhood. She passed away just yesterday.

On Tuesday at 1:30 in the afternoon, 2-year-old Lavontay White was shot and killed while sitting in the car with his pregnant aunt and uncle. Lavontay's uncle was also killed. His aunt was wounded.

These shootings are senseless, devastating, and heartbreaking. Already this year there have been over 400 shootings in Chicago—so far this year. That is after there were more than 4,300 shootings last year.

My thoughts and prayers, of course, go to the victims and their families. I have attended so many marches and parades, funerals, and memorial services. But thoughts and prayers are not enough. We need to do something to reduce this epidemic of gun violence. There have been too many funerals, too many families who have lost that baby

they loved, too many children who suffered the physical and mental trauma of gunshot wounds and witnessing violence. Many of these shootings could have been prevented, but it is going to take changes in our laws and changes in our attitude for that to happen.

We have absurd loopholes in our gun laws that make it easy for dangerous people to get their hands on guns. We have obvious gaps in our gun background check system. We have inadequate Federal laws to stop gun trafficking and straw purchases of guns. These factors allow a flood of illicit guns to come into Chicago from other towns and States, from gun shows in neighboring States where there is no background check. These drug gangs drive over to these locations and fill up the trunks of their cars with guns to take them and sell them in the neighborhoods to kids who shoot and kill one another day in and day out.

We have gun dealers—federally licensed gun dealers—who look the other way when someone comes in to make a straw purchase. That is the purchase of a gun that the purchaser is not going to use but is going to give it to somebody who is prohibited from buying a gun.

In light of the epidemic of gun violence in our country, Congress should be working around the clock to fix these gaps in our Federal law. But the Republican-controlled Senate is doing nothing to address gun violence in Chicago or anywhere else. Instead, look at what we just did yesterday. Just yesterday, this Senate, on this floor, voted to weaken the gun background check system instead of strengthening it. It is hard to understand how the Republican Party can have its priorities so wrong when it comes to gun violence.

We can respect Second Amendment rights of individuals. We can respect the rights of people to own a gun for self-defense, for sporting and hunting purposes. I have gone hunting. I have used a firearm. I complied with every law in the books, all of them. The hunters who were with me did too.

Why is it so hard to ask before we sell a gun to someone whether they have a criminal record, whether they are buying it for another person who might have a criminal record, or whether they have a history of mental instability, which would disqualify them from owning a gun?

We are facing a crisis in Chicago and across the Nation because of this violence. We in Congress have a responsibility to do everything we can at the Federal level to protect our constituents, our neighbors, from getting shot. We can't ignore this responsibility, and we certainly shouldn't be weakening gun laws as the Senate did yesterday.

We also need the Federal Government to be an engaged partner with cities like Chicago to help reduce violence and expand economic options in depressed neighborhoods. You can pick out three neighborhoods in the city of Chicago that account for almost 50 per-

cent of gun violence—three neighborhoods. I visited some of them. They warned me: Don't get out of the car. They are right. Random gunfire is a reality of life in those neighborhoods. We know where they are. We know where the shooters live. We know where the victims are. We can do more.

President Trump sends out a lot of tweets. He likes to tweet about Chicago, and I am not quite sure why. Tweeting doesn't save lives. Saying that you are going to send in the Feds may be one of those short tweets that is catchy, but it doesn't mean a damned thing to the people who are being shot and are dying in the city of Chicago.

Last week I joined my colleague Senator TAMMY DUCKWORTH, and we sent a letter to the President asking him to do more than tweet when it comes to Chicago.

I ask unanimous consent to have printed in the RECORD this letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,  
Washington, DC, February 10, 2017.  
President DONALD J. TRUMP,  
The White House,  
Washington, DC.

DEAR PRESIDENT TRUMP: During the 2016 presidential campaign and in numerous tweets and comments since the election, you have lamented the recent surge of gun violence in Chicago and said the federal government could help stop the violence. While the level of shootings and homicides is clearly unacceptable, tweeting alone will not fix it. Tweeting does not break cycles of violence; tweeting does not help lift people out of poverty; tweeting does not save lives. We urge you instead to provide a surge in federal support and resources for Chicago to reduce violence and expand economic opportunities for neglected communities.

Public safety is primarily a local responsibility, but the federal government must be an engaged partner in public safety efforts alongside local officials, law enforcement, and community stakeholders. There is much the federal government can do to help.

Instead of tweeting, you could begin by directing your Administration to enhance U.S. Department of Justice (DOJ) programs that improve community policing, such as the COPS Hiring Program to help local police departments put more cops on the beat, and the Byrne-JAG grant program to enable local law enforcement to purchase or upgrade equipment. We note that in his first year in office, President Obama pushed for a surge in COPS and Byrne-JAG funding through the Recovery Act and the appropriations process that provided Chicago with \$13,256 million in COPS Hiring funding and \$35,637 million in Byrne-JAG funding. This is more than four times the amount of COPS funding and 15 times the amount of Byrne-JAG funding that the City received last year. You could push for a similar funding surge.

We also urge you to direct DOJ to promote mentoring and job training programs for youth and the formerly incarcerated. We are ready to work with you to strengthen the Office of Juvenile Justice and Delinquency Prevention to improve mentoring and violence prevention initiatives and to boost funding for recidivism reduction programs under the federal Second Chance Act. We urge you to direct DOJ to abide by its commitment to help implement policing reforms

recommended by the Department's Civil Rights Division. We also request your support for legislation to close gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns.

Federal efforts must also transcend law enforcement and criminal justice programs to focus on causal factors, including the lack of economic opportunity. We urge the U.S. Department of Education and the U.S. Department of Labor to prioritize important career and youth training programs that, if properly funded and expanded, would address the role that poverty plays in the violence epidemic facing Chicago and other communities around the country.

Before you send your next tweet, you could request a surge in additional federal resources for these public safety and economic development efforts in Chicago. But so far, your Administration has refused to commit to spend any additional resources to combat Chicago's violence and has actually threatened to cut federal funds for the City. Now is not the time for the federal government to abandon its support for Chicago and its people.

This week, you reportedly attributed Chicago's crime situation to the presence of undocumented immigrants. This coincides with your January 25 executive order that makes up to eight million immigrants priorities for deportation and seeks to create a mass deportation force by tripling the number of immigration agents. The vast majority of immigrants in our country are peaceful and have strong family values, and studies have shown that immigrants are less likely to commit serious crimes than native-born individuals. We are aware of no evidence that undocumented immigrants are responsible for any significant proportion of the murders in Chicago, and claims otherwise do nothing but distract from efforts to meaningfully reduce the City's recent increase in violence.

We note that you have urged Congress to fund the construction of a wall on the Southern border that would reportedly cost at least \$21.6 billion, even though the wall would not fix our broken immigration system and even though Republican Congressman Will Hurd, whose district covers 800 miles of the border, has said "building a wall is the most expensive and least effective way to secure the border." If your Administration were to take even one percent of this funding and devote the resources instead to help Chicago's public safety efforts, it would make a dramatic difference in reducing Chicago's violence. We urge you to reprioritize federal resources that you would request for wall construction and commit those resources instead to reducing gun violence in Chicago and other violence-prevention efforts around the nation. Doing so could save many more lives than tweeting.

Thank you for your consideration on this important issue.

Sincerely,

RICHARD J. DURBIN,  
U.S. Senator.  
TAMMY DUCKWORTH,  
U.S. Senator.

Mr. DURBIN. We asked the President to put his twitter account down for a few minutes and instead direct his Department of Justice to enhance programs that improve community policing, such as COPS and the Byrne-JAG grants. We asked him to provide a surge in these programs, just like President Obama did in his first year through the Recovery Act and the appropriations process.

We also asked the President to direct the Justice Department to promote mentoring and job training programs. I want peace on the streets of Chicago and every American city, and I know that one of the keys to this is the belief that there is a chance in this economy for you and your family.

We need to have mentoring and job training programs for young people through the Office of Juvenile Justice and Delinquency Prevention and for former incarcerated persons through the Federal Second Chance Act.

We asked the President to support policing reforms recommended by the Justice Department in Washington. We asked him to support our efforts to close the gaps in Federal gun laws.

There is no denying that poverty plays a role in fueling violence and in violating justice. We asked the President, also, to prioritize funding for jobs programs under the Departments of Labor and Education. These are concrete steps that would help reduce violence in Chicago.

So far, President Trump's administration has not committed any additional resources to combatting Chicago's violence. Mayor Emanuel was here a few days ago to meet with the Department of Justice and to make the same plea. The administration instead is threatening to cut funding, on top of the devastating funding cuts we have already seen in Illinois under our current Governor.

Now is not the time for the Federal Government to abandon support for the families living in this great city. I urge the President and his administration to reprioritize Federal resources to reduce gun violence in Chicago and around the Nation. It is going to save a lot more lives than tweeting.

If you will not do it for two Democratic Senators, do it for these families. Do it for the moms and the relatives who are now planning the funeral services of these babies who were gunned down in the city of Chicago this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ROUNDNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROUNDNS. Mr. President, I rise to discuss Mr. Trump's nominee to be Administrator of the U.S. Environmental Protection Agency, Oklahoma Attorney General Scott Pruitt.

His background with the EPA regulatory process makes him well suited to lead this Agency. He has an in-depth understanding of the impact regulations have on landowners, American businesses and State and local governments. As attorney general, Mr. Pruitt has been a leader in standing up for the rights of State governments in the face

of an aggressive EPA that has imposed increasingly costly and burdensome regulations on the States.

During his time as the attorney general, Mr. Pruitt established Oklahoma's first Federalism Unit in the Office of Solicitor General to more effectively combat unwarranted regulation and overreach by Federal agencies. General Pruitt is a strong believer in federalism and States' rights, which have been often overlooked by the previous administration, often to the detriment of the U.S. economy and our environment.

I am hopeful Attorney General Pruitt will take steps to improve the Federal regulatory process to make certain Federal regulations are promulgated with adequate public participation, underpinned by the best scientific evidence available and in a transparent and open manner. Attorney General Pruitt understands the importance of taking stakeholder, State, and local government comments and expertise into account when promulgating regulations. He understands that listening to and considering the differing viewpoints of stakeholders will improve the regulatory process and lead to better regulations. This will lead to fewer burdensome and costly regulations for South Dakota farmers, ranchers, and landowners, while at the same time making certain we have clean air and clean water.

The Obama EPA's process for considering scientific information was flawed and unbalanced. There was a lack of balanced opinion, geographic diversity in State, local, and tribal representation on EPA's Science Advisory Board, which is tasked with providing scientific advice to the EPA. Attorney General Pruitt understands the importance of relying on the most up-to-date science to underpin environmental regulations.

During his confirmation hearing, he affirmed to me that he would uphold his obligations to use the most current, accurate data and sound science when making decisions, especially when it comes to the renewable fuel standard. The RFS has been successful in South Dakota in encouraging investments and creating jobs in corn ethanol production. Mr. Pruitt understands the importance of corn ethanol to the Midwest.

Throughout his tenure as attorney general, Attorney General Pruitt witnessed firsthand the negative impact that EPA regulations, such as the waters of the United States rule, have on U.S. landowners and on our business owners. He saw how incomplete economic analysis did not account for the full impact of regulations on U.S. citizens, and the regulatory burden was often far greater than what the EPA claimed it would be.

The attorney general can modernize the EPA's approach to regulation and make certain that regulations are promulgated in a deliberate, fair, and

transparent process. A better regulatory process will lead to better regulations. Better regulations will make certain our air, water, and land is protected, our economy continues to grow, and American jobs can continue to be created.

Attorney General Pruitt has had a rigorous vetting process since first being nominated by President Trump. He has answered more than 1,200 questions from Senators, more than 1,000 more questions than nominees for the EPA Administrator from the incoming Obama administration to the Bush administration or the Clinton administration. Additionally, his confirmation hearing was the longest for any EPA Administrator.

I, personally, would like to thank Chairman BARRASSO for spearheading this fair and very transparent confirmation process. I would also like to thank Attorney General Pruitt for taking the time to answer all of the questions that were asked of him and meeting with Senators both on and off the EPW Committee.

General Pruitt's impressive background and depth of knowledge on EPA issues make him well suited to be the next EPA Administrator. As a member of the Senate Environment and Public Works Committee and chairman of the subcommittee which has oversight of the EPA, I look forward to his eventual confirmation and to working with him in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PRESCRIPTION DRUG PRICES

Mr. COTTON. Mr. President, I recently read a story in the Wall Street Journal that I thought was so alarming it demanded action. Here is the headline: "Marathon Pharmaceuticals to Charge \$89,000 for Muscular Dystrophy Drug After 70-Fold Increase."

Yes, that is \$89,000 a year, and, yes, that is a 70-fold increase—70-fold, as in 7,000 percent.

For those of you who have not read the article, here is the story. There is a rare disease called Duchenne muscular dystrophy. It affects about 12,000 young men in the United States. Most of them, unfortunately, end up dying in their twenties and thirties because of it.

We don't have a cure yet for Duchenne. Until recently, there was not even a treatment with FDA approval. So, for many years, patients and parents have been importing a drug called deflazacort, a steroid, from other countries. Even though it is not a cure, it at least helps treat symptoms and has been a welcome relief to many families.

Well, technically it is illegal to import a drug that doesn't have FDA approval. But there is a catch. The FDA does not quite enforce the ban against all unapproved drugs. In fact, it has issued regulatory guidance saying that you can get an exemption and buy an unapproved drug from overseas if you meet five conditions. First, you have to have a serious illness for which there is no other treatment available. Second, you can't sell the drug. Third, you can't pose an unreasonable risk to your health. Fourth, it has to be for you and you alone. Fifth, you can't buy more than a 3-month supply.

All of that sounds fair enough. But if someone comes along and gets FDA approval for their version of the exact same drug, the exact same chemical composition of the drug that is being imported, then you cannot buy it overseas anymore. That is exactly what happened here.

This was not a new drug. This was not a medical breakthrough. This was not a scientific advance. This was, plain and simple, an arbitrage opportunity. Other people had already gone to the trouble of making a drug that worked, but if you paid the expenses of getting FDA approval, you would essentially buy for yourself monopoly pricing power. That is what other companies missed, and now, to cover the costs of going through that approval process, Marathon is increasing the price from roughly \$1,500 a year to \$89,000 a year.

I don't think it is an overstatement to say that this turn of events is nothing short of outrageous. It defeats the very purposes of our FDA laws. The reason we offer people the chance to create a monopoly is to encourage innovation and medical breakthroughs, to generate new drugs that are going to solve diseases or illnesses.

What we are saying is, if you go to the pain and expense of developing a new treatment, we will give you the sole rights to sell it for a number of years so you can recover your costs, and, therefore, we will encourage more medical breakthroughs to alleviate the pain and suffering of the American people. In other words, monopoly rights are not merit badges. They are not a reward for business smarts. They are supposed to serve the interests of patients. They are supposed to expand access to treatment. But in this case, what we see in our system is, in fact, restricting access and driving up the price for that coverage.

I understand that many people with Duchenne are happy that Marathon has done this because now that the drug has FDA approval, insurance companies will likely cover it—unlike before when people had to pay out of pocket, meaning that poor kids didn't get access to deflazacort, whereas upper middle-class and rich kids typically did.

I also know that Marathon has promised to increase spending on research on a new drug and to help people of limited means afford that treatment. That, too, is all to the good.

I am not casting aspersions on anyone's motives here, but let's be real. Someone has to pay the full price of this drug at \$89,000 a year. We have a drug that used to be available for \$1,500 a year, and now it is \$89,000 a year. Whatever happened, that is a system-wide failure. We as a Congress have to address it.

There is simply no getting around the fact that this story should never have been written in the first place because it should have never happened in the first place. We should be channeling peoples' ambition and entrepreneurial spirit into finding cures, not finding new and clever ways to make a profit. That is what our food and drug laws are designed to do. That is what they have clearly failed to do in this instance.

I just want to say that I am not going to let this story disappear. I am going to work with my colleagues to find a legislative solution to this mess and promote affordable, high-quality healthcare for all, for all families whose young children suffer from Duchenne and for every other orphan disease that has drugs that can be used for treatment and right now are being blocked from the market or for which we are paying way too much money as a society.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. CANTWELL. Mr. President, for the last 47 years, the EPA has enforced science-based environmental policies that have resulted in cleaner air and water, the cleanup of some of our Nation's most contaminated lands and waters, and has improved our understanding of our changing climate. All of this has led to a healthier America.

Bipartisan Administrators of the Environmental Protection Agency—everybody from the great Washingtonian Bill Ruckelshaus to most recently Gina McCarthy—took on the role and responsibility as EPA Administrator, knowing that it was their responsibility to protect existing environmental law and to let science be the guide on research and new policies. They took the EPA mission to heart, and they fought to protect human health and the environment.

I have questions about whether the nominee, Mr. Pruitt, follows those same values, and I come to the floor to oppose his nomination to be the Administrator of the EPA.

Mr. Pruitt has repeatedly attacked needed EPA regulations, and he supports polluters at the expense of the environment and health laws. He doesn't believe the scientifically proven causes of climate change are real.