

job—is at a level that has not been seen since the 1990s. Strongmen around the world are cracking down with impunity. Frankly, this son of a printer, this son of a newspaper owner, is not surprised.

At home, President Trump regularly demonizes the news media. He calls the news media the enemy of the people and hopes that his acidic outbursts and threats will dissuade journalists from accurately reporting on his administration. With the eyes of the world upon him, he makes a mockery of the entire notion of an independent press. It is something that has been guaranteed in our Constitution since the beginning of our country, yet the President makes a mockery of it.

He brands anybody who challenges him as either a liar or worse, while he holds hands with those who are willing to sing his praises. He even went so far as to rescind the credentials of one reporter who persisted in asking questions the President didn't like. I have been here with eight different Presidents, and I have never seen that done before, not even with Watergate.

A few days ago, he publicly denigrated the decorated, retired U.S. admiral who led the raid that killed Osama bin Laden and who had dared to criticize the President's attacks against the press as being a grave threat to our democracy, which it is. So this President who avoided the draft five times demeans the Admiral who was in charge of the raid that killed Osama bin Laden.

As Americans who cherish the First Amendment and who rely on a free press for sustaining our democratic form of government, we should be appalled. The words of a President matter. They always have. Yet this President's rhetoric gives comfort to autocrats the world over who are emboldened to clamp down on dissent, as they are confident they have a powerful defender in the United States as they censor and jail journalists.

We have seen despots quote our President. Can you imagine? We Americans see autocrats in other countries quote our President about this. We see them pass laws outlawing so-called fake news, which their leaders use to justify dismissing and castigating reporting with whom they disagree in order to persecute their political opponents.

We should fear the day when a free press is seen as unimportant or as a luxury—as something no longer synonymous with our country and its values. We must always recommit ourselves to defending press freedom and to elevating and celebrating a free press as one of the cornerstones of our democracy.

Americans should not be silenced just because our President, for the first time in history, demeans and tries to intimidate the press. We must stand up, as the Founders of this country and as every leader in this country up to now has done, and defend a free press.

In this challenging time for press freedom around the world, the Committee to Protect Journalists honored four exceptional journalists at the 2018 International Press Freedom Awards in New York City.

One is Amal Khalifa, who is the co-founder of the Sudanese Journalists Network, which has covered protests of official wrongdoing in Sudan, whose leader, President al-Bashir, has been indicted by the International Criminal Court. Because of her reporting, she has been harassed, detained, and physically abused by Sudanese authorities, but she still does her job at great personal peril.

Anastasiya Stanko is an independent broadcast journalist who was taken hostage by an armed group while she reported on the conflict in eastern Ukraine. Since her release, she has continued to risk her safety and her life by reporting on the war and on other human rights violations in conflict-torn areas by Ukraine's Security Service.

Luz Mely Reyes is an investigative reporter who founded an independent news website to bring attention to the political situation in her country of Venezuela. In 2017, while she covered protests against Venezuela's President Nicolas Maduro, members of her team were attacked and threatened, but she courageously continued her work. She has since emerged as one of Venezuela's most recognized champions of independent journalism.

Lastly, Nguyen Ngoc Nhu Quynh, one of Vietnam's most prominent independent bloggers, has devoted her life to calling attention to human rights violations in Vietnam. In October 2016, she was sentenced to 10 years in prison on charges of propagandizing against the state. After her health began to deteriorate she was released from prison, but only on the condition of exile.

We often speak about the abuses of repressive governments around the world. We must also speak out against the increasing attempts to demean and intimidate the press here at home. The President may continue to do that as the leaders of some other countries do, but we should not stand for it.

Our democracy depends on a free press. The lives of these four brave individuals remind us of what is at stake. We must stand up for what is right even when our President does not.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

APPROPRIATIONS

Mr. SCHUMER. Mr. President, next Friday, appropriations expire for 7 of the 12 appropriations bills for fiscal year 2019, and we are in good faith negotiations with our Republican counterparts here in the Congress to get them enacted. The good news is that because of the bipartisan work in the Senate, approximately 75 percent of the Federal Government is funded for 2019. The bad news is that the 7 bipartisan appropriations bills are hanging

in the balance for one reason and one reason only—President Trump.

President Trump has said that he wants to shut down the government unless he gets \$5 billion from the American taxpayers for an unnecessary border wall. The President hasn't even tried to get Mexico to pay for it, as he promised in his campaign over and over and over. He hasn't outlined a plan to deal with eminent domain concerns or even a plan as to how it would be built. He hasn't even spent the \$1.3 billion Congress allocated last year in the fiscal year 2018 budget for border security—fences, drones, technology—which actually makes sense. Now he is asking, having not spent that money, for more. So this isn't actually about border security. This is the President's way of trying to manufacture a shutdown to fire up his base.

Make no mistake. The President is the only person who holds the ultimate responsibility for a government shutdown. He can decide if we are going to have one or not have one. He, certainly, has the power to shut down the government, but he has two very reasonable ways to avoid one.

First, he could agree to sign the bipartisan DHS appropriations bill that the Senate Democrats and Republicans have already agreed to, which includes \$1.6 billion for border security on top of the \$1.3 billion that President Trump still hasn't spent from last year. It is just what we have done in previous years—funding for fencing on the border where the experts say it makes the most sense. It would protect our border far more effectively and far more quickly than any wall.

Leader MCCONNELL voted for that bill. Chairman SHELBY voted for it, as did Senator RUBIO. Even Senator GRAHAM, the President's strongest supporter and closest ally in the Senate, voted for that bill. Now, all of a sudden, it seems that the Republicans, afraid to buck the President even when they know he is wrong, want to renege on that agreement to go along with the President's shutdown plan. But it doesn't have to be that way. This bipartisan negotiated deal remains on the table and would, certainly, receive more than 60 votes in the Senate.

Second, if the President doesn't want to agree to that bipartisan bill, we could avoid a shutdown by passing a continuing resolution for the Department of Homeland Security. We think it should be for a whole year. It would keep the government open and still provide another \$1.3 billion for border security on top of the \$1.3 billion the President has not yet spent. Again, this option would, certainly, receive more than 60 votes in the Senate.

So President Trump has a simple choice of two good bipartisan options. If he decides to support either the bipartisan DHS bill or a continuing resolution, I am confident that both would pass by comfortable margins. The only position that cannot garner 60 votes is the President's position. He is adamant

about having a partial shutdown. He keeps repeating over and over that he wants a shutdown. Make no mistake about it. He is the only reason there would be a shutdown.

If President Trump wants to throw a temper tantrum and shut down some Departments and Agencies over Christmas, that is, certainly, within his power, but he has two more sensible options available to him. It would be a shame if the country suffered because of a Trump temper tantrum. It is the President's choice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

LOWERING DRUG PRICES

Mr. GRASSLEY. Mr. President, millions of Americans woke up this morning and started the day with their doses of prescription medications. Their daily regimens are prescribed by their healthcare providers to treat illnesses and to improve the quality of their lives, and for many Americans, prescription medicine extends and saves their lives. Without their prescription medication, millions of Americans would not survive.

For so many of our loved ones who have diabetes, high blood pressure, cystic fibrosis, epilepsy, or other chronic healthcare conditions, prescription drugs are a basic necessity for their living. Without pharmaceutical treatment or cures, too many family gatherings at Thanksgiving, which has just passed, arguably, would have had fewer plates at the table this holiday season.

As a nation, we are incredibly blessed to live in a country where investment and innovation unlocks cures and treatments. Yet the escalating price of prescription drugs are a consuming concern for too many millions of Americans, even including Iowans who bring up this subject regularly at my county meetings.

I have come to the floor of the Senate to address the sticker shock that greets consumers when they pick up their medicine at the pharmacy or open their medical bills after a hospital visit. Rising drug prices that Americans pay out of pocket are gobbling up a bigger share of income.

For some people on a fixed income, sky-high drug prices are eating up every spare penny they can scrape together to pay for their prescriptions. It is time we talk turkey to our friends at Big Pharma. I don't make fun of our friends at Big Pharma. I use the word "friends" because we all enjoy a longer life and better quality of life because of miracle drugs.

As a fiscal conservative who wholeheartedly believes in free enterprise, I don't want the government intruding unnecessarily in the marketplace. The reason millions of Americans benefit from lifesaving drugs in the first place is due largely to capitalism and the entrepreneurial spirit that drives innovation and opens new frontiers of modern medicine.

I also believe strong intellectual property rights help incentivize compa-

nies to invest in research and development so new cures are found for our loved ones. However, government does have a responsibility to keep a check on unfair business practices and to actually rein in anti-competitive behavior that harms consumers and fleeces taxpayers.

There is a general agreement that these are constitutional as well as legitimate roles for government. Of course, if you are going to protect the consumers and not fleece taxpayers, this can happen in a number of ways.

It happens when brand-name and generic drugmakers game the system to pad their profits at the expense of taxpayers and consumers. It happens when hospitals, middlemen, and providers determine which drugs to prescribe based on its reimbursement and markup from insurers, including public health programs for the military and veterans or the big ones like Medicare and Medicaid.

Throughout my public service in the U.S. Senate, I have established a fundamental commitment to transparency. Remember that transparency, particularly in government, brings accountability, but transparency in the private sector will also bring accountability.

From whistleblower protections to the public's right to know, sunlight sweeps away wrongdoing, strengthens good government, and helps consumers and taxpayers get the most bang for the buck. I have worked across the aisle to apply this standard to help lower drug prices. It is an issue that resonates loudly and very clearly in every household of America.

In fact, Iowans contacted my office a couple of years ago regarding real sticker shock for their EpiPens. The escalating price they were paying for lifesaving anti-allergy medication jumped \$600 for a two-pack. On their behalf, I started digging for answers.

It turned out that Mylan, the EpiPen distributor, had jacked up the price for over a decade during the Obama administration. In fact, from 2006 through 2016, it rose more than 400 percent.

EpiPen is the most widely prescribed epinephrine autoinjector in the United States. Parents, grandparents, daycare providers, and teachers across the country keep their homes, their cars, and their classrooms stocked in case of an emergency.

A 400-percent increase—how was Mylan able to accomplish this? It classified EpiPen as a generic drug instead of a brand-name drug in the Medicaid Drug Rebate Program. Simply, that incorrect classification cost the U.S. Treasury and States big time by allowing Mylan to pay lower rebates.

The watchdog at the Department of Health and Human Services, at my request, found the misclassification may have resulted in the taxpayers and the States overpaying for the drug by as much as \$1.3 billion.

What is more, a competing pharmaceutical company sued Mylan using the False Claims Act—a whistleblower law

I have updated over the years. This anti-fraud tool encourages people to report and expose wrongdoing against the government. In this specific case, this whistleblower exposed fraud against the taxpayers for misusing the Medicaid Drug Rebate Program to the tune of \$456 million.

I would like to share a time-tested lesson I have learned throughout my 30 years of oversight work in the U.S. Senate: When you smell smoke, there is a fire.

The EpiPen misclassification may be the tip of the iceberg. As part of my EpiPen oversight, I requested additional misclassification data from the Office of Inspector General at HHS.

As of early 2018, the Office of Inspector General identified the names of 10 drugs that accounted for 68 percent of Medicaid reimbursements for potentially misclassified drugs just in the year 2016. The EpiPen and some of its variants are included within the group of 10 drugs, as well as a commonly prescribed antibiotic and a commonly prescribed drug for an underactive thyroid condition.

In a nutshell, it appears the same drug companies may be undermining the rebate program by misclassifying commonly prescribed drugs that can be found in medicine cabinets in households all across the United States. That is simply wrong, and I am going to do whatever I can to fix that issue.

Recently, the FDA approved the first EpiPen generic. Of course, that is a good step in the right direction.

As a senior member of the Senate Finance Committee and also the last 4 years as chairman of the Senate Judiciary Committee, my sights are set squarely on lowering drug prices without compromising access for innovative cures and treatments delivered by the American pharmaceutical industry.

Through oversight and even legislation, I am working to set things right. That includes putting a stop to the shenanigans that manipulate regulatory loopholes and unfairly extend monopolies over certain drugs. This happens when a brand name and a generic drugmaker work in cahoots to delay the lower priced generic's entry into the market.

For starters, a bipartisan bill I have with Senator AMY KLOBUCHAR of Minnesota would inject a healthy dose of Midwestern commonsense medicine into Big Pharma with a bill we have that would do away with what we call the pay-for-delay shenanigans. This bill, called Preserve Access to Affordable Generics Act, would end sweetheart deals between brand-name and generic drugmakers that end up costing the American consumer and at the same time the U.S. taxpayers an arm and a leg. It would increase access to more affordable generic drugs sooner rather than later because of the pay-for-delay scheme.

Specifically, our bill would crack down on anti-competitive payoff schemes that effectively rip off taxpayers and consumers. These so-called