

introduce the generic; and the rebate system, which works to preserve market share but also to increase prices and to keep them high so patients do not benefit from competition.

If we are going to say the patient should have the power in order to have lower prices, we can say right now that the system seems to be aligned against the patient.

What can we do? Well, my office and others have several proposals in the current pieces of legislation going through, such as the so-called real-time benefit analysis. A prescription is ordered for a patient. The patient scans a barcode, and it would say: At this point, with your deductible and your copay, this is how much this drug is going to cost you, but there is a generic available, and you can get that generic instead. That would be a real-time benefit analysis that would save the patient money.

We just talked to the folks at Blue Cross California. They are coming up with so-called gainsharing. If a patient selects a lower cost medication, the patient receives some of the savings that would otherwise have all gone back to the insurance company—another great idea. Senator BRAUN was speaking about the patient having skin in the game. In this case, there will be skin in the game because the patient shares the benefit with the payor for being cost-conscious. That is the patient having the power.

We can also add value-based arrangements, which pharmaceutical companies, to their credit, have proposed. If you are the pharmaceutical company, you get paid only if the medicine works. If the medicine doesn't work, you don't get paid. If it does work, you do. That is a value-based arrangement. We have a bill with Senator WARNER that would do that.

I would also mention attempting to cap Part D exposure. If there is a senior citizen who is in the catastrophic portion of her policy, then you can cap the amount the senior might be exposed to. Under current law, she might be paying 5 percent of \$100,000 worth of medicine. She is taking an essential drug to treat cancer, and she is paying 5 percent of that \$100,000, in addition to 5 percent of the other medications she is receiving. This is something many seniors cannot afford and this is something we as Congress can find mechanisms by which we can cap that exposure but still hold taxpayers whole.

We have to enhance existing markets. As you might guess, my theme is that we should enhance it in terms of giving the patient the power, but we also have to preserve the innovation that has led to the great drugs I spoke about earlier. If all we do is steal intellectual property from the pharmaceutical companies, we will lose these innovative drugs. But, again, we need to have the drugs affordable for the patients. This is the tension—promote innovation but ensure affordability.

We have a number of solutions, such as those I have just mentioned, in the

HELP Committee and now in the Finance Committee. Republicans have solutions. My office continues to work on those. I look forward to working with my colleagues on their implementation.

Mr. President, I yield the floor.

RECESS UNTIL 4 P.M. TODAY

The PRESIDING OFFICER. The Senate stands in recess until 4 p.m.

Thereupon, the Senate, at 3 p.m., recessed until 4:01 p.m. and reassembled when called to order by the Presiding Officer (Mrs. BLACKBURN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF JOHN P. PALLASCH

Mrs. MURRAY. Madam President, I come to the floor today to speak about the two nominations we are about to vote on.

The first one is the nomination of John Pallasch to be the Assistant Secretary of Labor overseeing the Employment & Training Administration. This is a critically important role that manages nearly two-thirds of the Department of Labor's budget and our Nation's workforce development programs, which serve over 22 million youth, workers, jobseekers, and seniors who are working to improve their employment opportunities and the lives of their families.

This position is particularly important now as we are seeing the Trump administration work to undermine some of the most crucial programs within the Employment & Training Administration. They are attempting to close Job Corps centers that help train at-risk youth, conserve our natural resources, and provide economic opportunities in rural areas and communities in need. They are also proposing a duplicative, lower quality apprenticeship program that would put workers at risk and give taxpayer dollars to for-profit colleges with very little accountability.

It is clear that the Employment & Training Administration needs a leader now who is knowledgeable, who is experienced, and who is committed to providing workers with the training, support, and benefits they need to succeed in this changing economy. Unfortunately, Mr. Pallasch is not that person. Throughout this nomination process, Mr. Pallasch has shown that he has very limited experience with or understanding of the programs that he would be overseeing.

I am going to vote against this nomination, and I urge my colleagues to do the same.

At this time, I also want to once again reiterate my disappointment in the unprecedented obstruction to Democratic nominees to the Equal Employment Opportunity Commission and the National Labor Relations Board.

Last Congress, Republicans refused to confirm two very highly qualified and respected nominees to additional terms on the EEOC and the NLRB.

Earlier this year, Republicans broke yet another longstanding tradition by confirming a majority nominee to the EEOC without a Democratic pair.

Last week, the White House announced its intention to nominate a bipartisan pair of nominees to the EEOC. After a year of obstruction, I am encouraged by this small step toward bipartisanship and normalcy, but I am here today to urge the White House to formalize these nominations as quickly as possible so that the Senate can confirm them and restore balance to the EEOC.

I strongly urge the White House to nominate a full slate of nominees—Republican and Democrat—to both the NLRB and EEOC.

For those reasons and because of Mr. Pallasch's lack of experience and knowledge about the programs and the policies he would be responsible for, I will vote against his nomination.

NOMINATION OF ROBERT L. KING

Madam President, I also come to the floor today to oppose the nomination of Robert King to be the Department of Education's Assistant Secretary for Postsecondary Education. This position is especially important because so many of our Nation's students are struggling today in higher education.

Over the last few years, I have heard from students who are worried about how they are ever going to afford their textbooks or their rent or even their food, who are worried if their college is preparing them for a good education and if they are going to be able to get a good-paying job and pay off their loans.

First-generation college students are struggling to navigate their financial aid and how to succeed on a college campus for the first time. I am hearing about those worried about being able to get an education without being discriminated against or harassed or assaulted on campus. Those are just a snapshot of the issues students are facing in higher education today.

These challenges are not easy to solve. That is why Chairman ALEXANDER and I are working now to address all of those issues and more in our reauthorization of the Higher Education Act.

As we work to update this critically important law, we cannot ignore the current actions of this Department of Education, which is loosening and eliminating rules that benefit predatory colleges instead of protecting students. Students should have an ally at the Department of Education, someone who understands the challenges they are facing and is committed to helping students succeed.

Among other responsibilities, this Assistant Secretary for Postsecondary Education is responsible for developing rules, for developing a budget and legislative proposals for higher education,

and overseeing our country's quality assurance system of accreditation—a system this Secretary is currently dismantling.

This position is also responsible for programs that help our low-income students and first-generation students and students with disabilities as they prepare for and try to succeed in college and programs that help support minority-serving institutions.

On these issues specifically, Mr. King's record is particularly concerning. Mr. King blamed students for the daunting challenges in higher education today, even saying students are making "bad economic choices." He also refused to answer questions on whether he believes students face systemic barriers in higher education or whether income inequality plays a role in a student's ability to earn a degree. There are students in higher education who are skipping meals today or living in a car. Mr. King would not acknowledge that problem.

Finally, on an issue that is so important to me and one that is imperative to a student's ability to succeed in higher education, Mr. King blamed alcohol and bad judgment—not perpetrators—for the epidemic of sexual assault on college campuses.

I don't believe Mr. King has the right understanding of what students are facing today to be our Nation's next Assistant Secretary for Postsecondary Education. I urge my colleagues who are committed to making higher education within reach for all students to join me in voting against his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

U.S. WOMEN'S WORLD CUP VICTORY

Mr. CARDIN. Madam President, Sunday morning, I did what I think most people in this Nation did if they were not in France. I turned on the television to watch the women's national soccer team perform in an incredible showing of talent and commitment on the soccer field. It was an incredible victory for the women's national team, and we are all very proud of what they were able to accomplish. This has been an incredible streak.

Since the Women's World Cup was established in 1991, there have been eight competitions. The United States has won four—and the last two consecutively—beating the Netherlands on Sunday by a score of 2 to 0.

We all congratulate the team. We are very proud. They represented our Nation extremely well. Each of us shares that pride.

As a Maryland Senator, I want to acknowledge Rose Lavelle and Mallory Pugh, who are from the Washington Spirit, which is based in Germantown, MD.

GENDER PAY INEQUALITY

Madam President, this team represents our entire country and the best of our Nation. Their performance highlighted an issue that they raised, which

I hope this body will respond to, and that is the pay inequity based upon gender in this country.

It is shocking that these women soccer players are paid less, receive less in compensation than their male counterparts, even though the women on the world stage have consistently outperformed the men. They have a different pay structure. In 2014, the men's total performance bonus totaled about \$5.4 million, even though they were eliminated in the round of 16. The following year, the women received about one-third less than the men did, even though they were the world champions.

In 2016, this body acted by passing a resolution about the gender pay inequity—to treat all athletes with the respect and dignity they deserve. That was the right thing for us to pass in 2016, and I know my colleague Senator MANCHIN is working on legislation now that will follow that up since, obviously, the soccer league did not respond the way they should have in regard to our women's national soccer team.

In 1963, Congress passed the Equal Pay Act. Yet, when you look at what women earn versus men for comparable work, women are paid 77 cents for every dollar a man earns. It is much worse for minorities. Native Hawaiians and Pacific Islanders versus White males are 62 cents versus a dollar; African-American women are 61 cents versus a dollar for a White male; Native Americans are 58 cents; and Latinos are 53 cents. The wage gap affects not only their current earnings, but it puts women behind men in career earnings of around \$400,000 during the course of their careers, which weakens their ability to save for their retirements. It also means there being fewer Social Security benefits. It affects their ability to be compensated fairly—to have the wealth of this Nation and the security of this Nation.

We can do something to change this. I have already mentioned Senator MANCHIN's efforts and that we could do something specifically in regard to the soccer players, but I urge us to do something a little bit more permanent, and that is to pass the Equal Rights Amendment.

I think Americans would be surprised to learn that in the Constitution of the United States, there is no protection for equal rights for women. Most Americans think we already did that. Any constitution of a democratic State that has been created since the end of World War II has contained constitutional protections for equal rights for women. Many of our State constitutions have provisions for equal rights for women, but our Constitution of the United States does not.

In 1972, the Congress of the United States passed an equal rights amendment to the Constitution to be ratified by the States. Originally, Congress gave the States until 1979. Then Congress extended it until 1982. Now 37 States have ratified the Equal Rights

Amendment. We are one State short of the 38 required for the ratification of a constitutional amendment. Yet there is a problem here. We need to get the 38th State, but we also need to extend the time, for the last amendment that dealt with the pay amendments of Congress that was adopted to our Constitution took over 200 years to ratify.

What we are saying—and I have joined with Senator MURKOWSKI in a bipartisan resolution—is to let us extend the time for the ratification of the constitutional amendment for the equal rights of women so we can really do something meaningful for the gender gap on pay that we have.

In this Congress, we celebrate the 100th anniversary of women's suffrage—since women have had the right to vote. Another concrete way to celebrate that milestone is for us to pass the Equal Rights Amendment. How a nation treats its women economically and socially is a sign of that nation's success. Empowering women is one of the most important things we can do for the future of our country. Whether it occurs on the soccer pitch or in the factories or offices across the country, the wage disparity between American men and women is hurting our Nation.

This morning, the U.S. women's national soccer team rolled down Broadway in a ticker tape parade befitting a world championship, and today or tomorrow, the Senate will likely pass a resolution that will commend the team. These are appropriate ways to celebrate the team. Yet, if we really want to honor the outstanding women who have just brought home the World Cup again, we should join their fight for equal pay for themselves and for all women. Pass S.J. Res. 6, and let's finally ratify the Equal Rights Amendment.

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. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INHOFE. Madam President, I ask unanimous consent that we begin the 4:30 p.m. vote.

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education.

Mitch McConnell, Roger F. Wicker, John Barrasso, David Perdue, James E.