

from Congress, to impose tariffs in the name of national security.

For 11 months now, I have been working with other Finance Committee members on both sides of the aisle to establish a separation of powers and checks and balances in the section 232 process. These two basic principles of our system of government are sorely lacking in section 232 as it stands today.

Two of my colleagues on the Finance Committee, Senators TOOMEY and PORTMAN, each filed reform bills that are well thought out, and both happen to be bipartisan. A full quarter of the Senate has cosponsored one or more of their bills, including 10 Democrats, 14 Republicans, and 1 Independent.

Many other Senators have told me that they, too, want to see section 232 reforms reported out of the Finance Committee.

With a strong bipartisan mandate like that, I have been optimistic that Ranking Member WYDEN and I can reconcile the Toomey and Portman bills and hold a markup. More than once I have spoken publicly about my intentions to do just that.

However, every time we get close to marking up a section 232 bill, Senator WYDEN hears from stakeholders who are profiting from tariff production. Meanwhile, I get calls from colleagues who say something like this, and I am paraphrasing: Mr. Chairman, the President won't like us taking away his tariff law, and we don't want to make the President upset.

Well, we hear that a lot, whether we have a Republican or Democratic President, on a whole lot of other issues. But we don't have to listen to the President of the United States. We are Members of an independent branch of government, able to do our own thing—work with the President when we can and not worry about the President when we can't.

Well, allow me to set the record straight on a few things that I have just set before you so far.

First, as I have said before, reforming section 232 is not about President Trump. Reforming section 232 means acknowledging that the 87th Congress handed President Jack Kennedy enormous authority over trade in 1962 at the height of the Cold War. President Trump was merely following that 1962 law.

In the process, he alerted us to the fact that Congress has been too negligent in the past in protecting our constitutional responsibility of law-making. Our Founding Fathers were explicit in tasking Congress with responsibility over international trade, and it is time now to rebalance section 232 in line with the Founding Fathers' clear intentions.

Secondly, I have been clear that I am generally not a fan of tariffs, but I also want to make clear that I have agreed to Senator WYDEN's request to introduce a chairman and ranking member's mark that does not unwind section 232

measures on steel and aluminum. Many problems with those tariffs and quotas have been well documented, but I have been in the Senate long enough to know that getting things done requires compromise.

Third, and to all of my colleagues and everyone listening, I don't view 232 reforms as weakening the power of the Chief Executive. I view them as enhancing the effectiveness of the Chief Executive in our country. As the Supreme Court told President Truman, the Office of President and the President himself are strongest when Congress is behind him.

We need reforms to section 232 that will make clearer where Congress stands on national security and trade. Such reforms would also make clearer to our trading partners that when section 232 is used, Congress stands with the President.

Now, with these points cleared up, I hope that Ranking Member WYDEN, members of the Finance Committee, and our House colleagues will be ready to reform section 232.

We have a strong, bipartisan mandate to get to work, and this is likely just the beginning of a great deal of work that needs to be done to review our trade laws.

Senator WYDEN and I have reported bipartisan bills out of the committee successfully in the past, and hopefully we can do it again for section 232.

I yield the floor.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

#### HEALTHCARE

Mr. DURBIN. Madam President, I come to the floor today to discuss an issue that is important in my State and I think in every State.

Illinois, which I represent and am proud to represent, is a State with the great American city of Chicago but with many other towns and cities of a variety of different sizes.

I actually was born in downstate Illinois, 300 miles away from Chicago. Between the great city of Chicago and the rest of our State, there are many small towns and rural areas. When you go into these areas and talk about the quality of life and living in a small town or rural America, there are a lot of challenges.

Just a few weeks ago I was in Calhoun County, one of the smallest in our State. We had an assembly of kids in middle school and grade school, and we announced that the local electric cooperative, the Illinois Electric Cooperative, was finally going to bring that level of access to the internet for which Calhoun County—the people who live there and those students—have been waiting for a decade or longer. It took longer for it to reach there.

I am glad the electric cooperative led the fight. Historically, the electric co-

operatives literally brought electricity to rural America. Now they are bringing high-speed internet to rural America, and it is critically important for students to learn, along with all of the other services that many people living in big cities take for granted come with the internet.

That is one example, but another one you run into all the time is the comments of people in smalltown America about access to healthcare. You see, across our State we have millions of people who live in smaller towns, rural towns, who don't have the same quality healthcare nearby, whether it is a hospital or a doctor or even a dentist. Across Illinois, 5 million people live in areas with shortages, and 2 million live in areas without a dentist. Almost all of them live in an area without access to mental health providers—counselors, psychologists.

The consequences speak for themselves. Only 1 in 10 people with substance abuse disorders get the care that they need in these areas, and 43 percent of rural Americans do not have access to dentists—43 percent.

Well, there is a Federal program that has been addressing it for a long time, and, coincidentally, the Presiding Officer from Tennessee is the cosponsor of legislation I am going to address at this moment.

Today there is a Federal program in place called National Health Service Corps. It provides loan forgiveness to entice doctors and other healthcare professionals to serve in places with healthcare needs. In total, 10,000 doctors, dentists, behavioral health specialists, and nurses use the National Health Service Corps and treat 11 million Americans each year in hospitals and community clinics.

We entice them to come to these underserved areas by paying off their loans. As you probably know, doctors and dentists and nurses and others end up graduating with a lot of student loans.

Illinois has more than 550 of these National Health Service Corps clinicians, but fewer than 75 of them serve in rural areas. As we face an opioid epidemic that touches every corner of America—no city too large, no town too small, no suburb too wealthy to have escaped it—we need that kind of professional healthcare across the board in urban areas as well as rural areas. That is why I have teamed up with the Presiding Officer, Senator BLACKBURN of Tennessee, on a bipartisan piece of legislation that we call the Rural America Health Corps Act.

Our bill will expand the current Corps program to provide new loan forgiveness funding for providers who will serve in rural areas in Tennessee, in Illinois, and across the Nation. It provides funding for 5 years rather than the usual 2 to ensure that doctors, dentists, and nurses plant their roots in rural America.

With the National Health Corps up for reauthorization this year, Senator

BLACKBURN and I are pleading with our friends, Chairman LAMAR ALEXANDER of Tennessee and Ranking Member PATTY MURRAY of Washington, to promote this rural focus.

It isn't the only thing I have looked at when it comes to rural America. I recently introduced a bill with Senator ROBERTS of Kansas. Senator ROBERTS is chairman of the Senate Agriculture, Nutrition, and Forestry Committee, and he agreed to include in the farm bill something called the SIREN Act.

The SIREN Act provides funding to support rural fire and EMS agencies with training and recruiting staff and purchasing equipment—everything from naloxone to power stretchers.

I recently visited Nauvoo, IL. Students of history may recognize the name of this town, but Nauvoo, IL, is where a man by the name of Mr. Kennedy came forward and told me about the need for new, modern equipment on their ambulances in this rural Hancock County area.

Because of what he told me, I introduced the bill. It passed as part of the farm bill, and we are going to start making money available in rural parts of America for these emergency management specialists to have the right training and the right equipment to respond when needed.

These bipartisan bills are important for rural healthcare, but we also have to maintain the structure of our key health programs.

Thankfully, Illinois has expanded the Medicaid Program through the Affordable Care Act, which has provided a funding lifeline to keep many of our rural hospitals from the brink of closure. It also expanded health insurance to 1 million people in Illinois.

Ten years ago, when we passed ObamaCare, the Affordable Care Act, too many Americans did not have health insurance.

If you have ever been in a moment in your life when you were the father of a sick child who desperately needed medical care and you had no health insurance, you will never forget it as long as you live. I know. I have been there. It made an impression on me as a young father that I have never forgotten.

So when this bill, the Affordable Care Act, passed and I saw so many Americans finally getting health insurance, I knew it was giving them peace of mind and access to affordable, quality, accessible healthcare.

This week marks the beginning of the open enrollment period to sign up for healthcare under the Affordable Care Act, which ends on December 15. It is vital to make sure that everyone signs up at "healthcare.gov" if you are not currently covered and you want to know what is available to you. Most patients will find the premiums are less than \$100 a month, and if you are in certain income categories you will get a lot of help in making the premium payment.

But the No. 1 thing that I hear from constituents—and it has nothing to do

with what I just mentioned. I listened to my friend from Iowa, Republican Senator CHUCK GRASSLEY, on the floor a few minutes ago talking about an issue that each of us runs into in every State in the Union. Here is the question: If you ask the American people what is the issue that you are concerned about from an economic viewpoint that you think the Congress can do something about, 90 percent of Democrats, 90 percent of Republicans, 90 percent of Independents all come back with the same answer. Do you know what it is? The cost of prescription drugs. People understand that these prescription drugs are so expensive, they are beyond the reach of many people who desperately need them.

Now, there was a Senator from Wisconsin years back named William Proxmire. He used to issue monthly recognitions of the most flagrant, excessive examples of waste in the Federal Government. He called it the "Golden Fleece." Earlier this year, I launched a series of awards to carry on Senator Proxmire's work, with the focus on the pharmaceutical industry, the people who make the drugs.

This month, I had this sign produced. This month, the Pharma Fleece award is going to the drug industry's trade group, PhRMA, and the Trump administration, I am afraid, for a giveaway in the new NAFTA trade bill. What does a trade bill have to do with PhRMA or the price of prescription drugs? It turns out that PhRMA—boy, they are good—managed to slip in a provision in this trade bill that most Members of Congress are not even aware of.

This new trade agreement, as you might expect, involving Canada, Mexico, and the United States, covers a wide range of issues. My farmers are very excited about it. The men and women in labor unions are concerned about it. But it falls far short when it comes to labor and environmental protections. There is a lot of work that needs to be done.

But the one provision that I want to highlight today is tucked inside this sprawling document. It is a provision that guarantees monopoly protection for pharmaceutical companies by blocking competition, generic drug competition. It means that these companies can continue to call for sky-high prescription drug costs.

This is just another example of an issue that the President said during his campaign was a high priority and we all talk about on the floor of the Senate that is being sneaked into this new NAFTA trade bill. Let's remember, the top four drug companies avoided paying \$7 billion in taxes last year—\$7 billion—and were able to buy back another \$30 billion in stock thanks to President Trump's tax reform package. It was very kind to PhRMA, not that they needed it.

Americans already pay, incidentally, the highest prices in the world for prescription drugs, four times what is paid

in Canada or Europe. So why would the administration agree to put a provision for PhRMA to guarantee high prices into the new NAFTA trade bill?

Listen to the story. In 2017, for example, Canadians can purchase a year's supply of Humira—recognize the name? You should. It is the most heavily advertised prescription drug on television, Humira, made by AbbVie, a company in Illinois—it is used for a disease called psoriatic arthritis. Canadians can buy a year's supply for \$20,000—not cheap. You know what Americans pay for exactly the same drug they buy from exactly the same company? Over \$40,000, more than twice as much as the Canadians.

Why? The Canadian Government cares. They said to AbbVie and to Pharma: We are not going to let you overcharge Canadians. We are going to protect our Canadian families and our Canadian healthcare system. The United States doesn't. Often, Big Pharma charges as much as it can get away with by manipulating our patent and exclusivity rules to avoid competition.

Drugs known as biologics, like Humira, Rituxan, and Remicade, are medicines made from living organisms. They are known as biologics. They make up 2 percent of all the prescriptions sold, but they count for 37 percent of the cost of prescription drugs—very expensive drugs.

Those three biologics have all been on the market for more than 17 years, and yet they are still the top seven highest grossing drugs in America due to the fortress of monopoly protections that Pharma has created.

Now, listen closely. Under U.S. law, biologics like the ones I mentioned—Humira is one of them—are given a 12-year exclusivity period once the FDA approves their application. What does that mean? No one can compete with them. They own the market. They set the price.

That means that a cheaper generic competitor cannot be approved by the Food and Drug Administration in the United States for more than 10 years, while the brand-name company is free to charge whatever it wants. Wonder why prices are high? There is no competition.

I believe the standard is too high and have cosponsored legislation to reduce this period to no more than 7 years. Canada's exclusivity period is 8 years. Mexico does not have one.

But now let's go to the new NAFTA trade agreement and look closely at the fine print that PhRMA included in that. The administration wants to enshrine our Pharma-friendly laws by setting a 10-year exclusivity floor for all three countries. It is a virtual guarantee that PhRMA, when it comes to biologics, will be able to charge whatever they wish for 10 years or more in Canada, Mexico, and the United States.

Why is that in the trade agreement? If all of us agree that prescription drug prices are too high, why are we putting

in the NAFTA trade agreement a sweetheart deal for PhRMA so that they can charge higher prices, not just in the United States, but in Canada and Mexico?

This new NAFTA has provisions that will encourage drug companies to obtain excessive numbers of secondary patents that delay generic competition and keep prices high.

So when my farmers come to me and say: Why are you not for NAFTA? And I say to them, if it was just about farmers, it would be one thing. But it is about American families, Canadian families, families even in Mexico paying higher prices for prescription drugs because of the trade agreement that the President wants us to approve. We should be working to bring lower-cost products to market sooner, not allowing Pharma to sneak in a payday into a trade package at the expense of American families.

It should come as no surprise that the main coalition running ads supporting the approval of NAFTA is the pharmaceutical industry of the United States. In fact, PhRMA and BIO, the two largest pharmaceutical associations, have already spent \$30 million lobbying Congress to pass this new NAFTA. Now, we know why.

For all the President's talk, this provision in this trade agreement is a Trojan horse giveaway for Big Pharma at the expense of American patients. I guess we should not be surprised, but I will say this: If Members of Congress, Democrats and Republicans, House and Senate, are listening to the people they represent back home about the cost of prescription drugs, they will not fall for this new Pharma fleece.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

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

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

#### NATIONAL PEANUT FESTIVAL

Mr. JONES. Madam President, it is not often in floor remarks we can often hit a trifecta on topics that are uniquely connected, but I am fortunate enough to have that privilege today. They all center around the glorious peanut. I want to honor the National Peanut Festival currently being held in Dothan, AL, which recognizes the importance of the peanut industry to the State of Alabama and to the United States.

Every year, Dothan hosts the Nation's largest peanut festival to honor local peanut farmers and to celebrate harvest season. The festival began in 1938 and has been held annually each year, except for the years during the hiatus during World War II. This year's festival is a 10-day-long extravaganza with food, fun, and entertainment. You name it, you can find it in Dothan during the peanut festival. It is one of the most popular events in Alabama each

year. In 2017, the festival broke attendance records with over 200,000 people joining the fun.

Unfortunately, my schedule has prevented me from being down there this week, but I wish I had been there. I wish I could go for the end of this because it is a glorious time.

Last week, I introduced a resolution here in the Senate to pay tribute to the National Peanut Festival and the importance of peanuts in our State and the entire country. Over 400 million pounds of peanuts are produced every year in Alabama alone, and nearly half of all the peanuts in America are grown within a 100-mile radius of Dothan, AL, where most of those peanuts are processed. It is no wonder that the city of Dothan—down in southeast Alabama, right in the corner, just right on the border of Georgia and Florida—is known as the Peanut Capital of the World.

The peanut industry is a critical part of Alabama's economy. In 2018 alone, the 400 million pounds of peanuts produced by Alabama farmers was valued at \$118 million. The farm value of the Nation's peanut crop is over a billion dollars. And like all farmers, peanut farmers have their share of challenges. But year after year, the peanut farmers in Alabama and across the country persevere, providing a crop whose importance is often simply taken for granted—well, as peanuts, as it pertains to our overall economy.

But the peanut is an important staple to the agriculture and food industry, thanks in large part to the amazing and extraordinary work of a scientist, an African-American scientist and adopted son of Alabama, Dr. George Washington Carver, who did his work at one of Alabama's great HBCUs, Tuskegee University.

Dr. Carver was born into slavery, but raised by his former master once slavery was abolished. He was forced to attend segregated schools until 1891, when he was accepted as the first Black student at Iowa State University. Only 5 years later, in 1896, Dr. Carver was hired by the great Booker T. Washington to head the Agriculture Department at Tuskegee Institute, now known as Tuskegee University, in Tuskegee, AL.

At that point, peanuts were not even recognized as a crop in the United States, but because of a serious threat to the South's cotton crop from boll weevil infestations, Dr. Carver suggested that Alabama farmers start growing peanuts in the alternate years, which he believed would restore and add nutrients to the barren soil so that cotton could grow the next year.

It worked. He not only was a leading voice for crop rotation but ended up inventing over 300 products made out of peanuts, including peanut milk, peanut paper, and peanut soap—although, surprisingly, he did not invent my favorite, peanut butter, but 300 different types of products made from peanuts.

In 1921, in a highly unusual circumstance in the era of Jim Crow, Dr.

Carver testified regarding the value of peanuts before the Ways and Means Committee of the U.S. House of Representatives—an African-American scientist in front of the U.S. House in 1921. In 1938, again during the Jim Crow era in Alabama, Dr. Carver was the featured speaker at the first peanut festival in Dothan, AL.

Peanuts became more and more popular, and by 1940, they had become one of the top six crops in the United States—all in large part due to the work of Dr. Carver at Tuskegee University. It is not an overstatement to say that Dr. Carver, Tuskegee University, and the peanut helped save the economy of the South.

This is just one example of the extraordinary contributions that HBCUs have made to our country over the years and continue to make today. But, as we have talked about for some time, including with my friend Senator CARDIN earlier today, those contributions are threatened because of the expiration of Federal funding that occurred at the end of September.

I have been pushing for the passage of my bill, the FUTURE Act, which would renew funding for HBCUs and other minority-serving institutions that expired at the end of September. We need to continue to invest in these institutions and ensure they have consistent funding.

We have worked with this bill, the FUTURE Act, to make sure the concerns of others—particularly those who might object to the UC we have asked for on the FUTURE Act—to make sure that this is not some Federal budget gimmick. We have answered those concerns. We have answered all the pay-for concerns. All we are asking for is consistent funding because now planning is as important as the money. Yes, the Department of Education has told HBCUs that the funding would be there through September, but by this spring, those institutions have to plan. They have to start making sure they have the necessary resources for the fall and beyond. If their funding is set to expire at the end of next year, they cannot make those plans, both with teachers and their infrastructure.

We need to continue to make sure those HBCUs are funded consistently and appropriately. Let's make sure we put aside any differences and make sure those funds are available so that our great HBCUs and minority-serving institutions across the country can continue to operate and plan.

We need to honor the legacy of Dr. Carver, which is one of the reasons I was so proud to introduce a resolution honoring the National Peanut Festival and the peanut industry in the State of Alabama. It is a testament to the importance of the peanut and a time to celebrate its history, our State, and the peanut farming way of life.

I am hopeful that with the advancements of peanut allergy research, we can make sure more people have the ability to enjoy what so many of us