

The question is really whether the internet is going to be free and open or whether it is going to have the principles of nondiscrimination. Smaller voices, smaller companies, startup companies, and individuals in our society must be protected on the internet in the future. That is what net neutrality is all about.

We are on the right side of history on this issue. Every day that goes by further instructs us as to how central the internet is in our country and on the planet. Ultimately, it has to be open, and it has to be free. It cannot have nondiscrimination built into it because a small handful of huge companies decide they have a right to discriminate.

I thank the Senator from Oregon, and I thank our leader on the Committee on Commerce, Science, and Transportation, Senator CANTWELL of Washington State, for their great leadership on this issue.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 682; further, that the Senate proceed to its immediate consideration, the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Mississippi.

Mr. WICKER. Mr. President, in reserving the right to object, let me disagree fundamentally with my friends on the other side of the aisle about who is on the right side of history.

I would simply offer to my distinguished colleagues and to other Members of the body that we need only to look at what has happened during the past 2 years under the Ajit Pai-Donald Trump FCC and compare it to what happened to the internet under the approach being advocated by my colleagues today.

In 2015, President Obama's FCC ordered the imposition of title II regulations to the internet. They called this net neutrality. Basically, what it amounted to was a Big Government, Depression-era set of regulations that gave bureaucrats control over virtually every aspect of the internet. They implemented this in 2015, and investment decreased dramatically during the next 2 years. This was the first time in the history of the internet that broadband investment decreased outside of the time of a recession. It was bad for the internet, bad for the public, and bad for small businesses and startups. I wonder if it is from this that the Save the Internet Act would save us. If they want to save us from innovation and growth, then perhaps the Save the Internet Act would get the job done, for we had no growth during that time and less innovation.

Two years ago, the new FCC came in and did away with some of these Big Government, Depression-era regula-

tions that scared off investment, particularly the Depression-era title II regulation, as if the internet were going to be governed like a utility company from the 1930s and 1940s. It did away with them.

Since that time—in the 2 years of America's operating under what my friends would end with this legislation—more Americans have been connected to the internet than ever before. We have faster internet speeds than ever before. Now, in States like my home State of Mississippi and all across the great heartland of America, more rural Americans get more internet at faster speeds.

We have two choices today—the one from 4 years ago that led to less growth and a recession in the growth of the internet or the one from the past 2 years, whereby we have been better off than ever before.

I will agree with my colleagues in one respect. We should have no discrimination online, and we don't have discrimination online today. There are no lanes, as my friends on the other side of the aisle have said. There is no favoritism in what we are doing. We just have prosperity and huge growth in the internet.

If my friends on the other side of the aisle want to join us in enacting a permanent statute so we don't go back and forth between a regime of Democratic-controlled FCCs and Republican-controlled FCCs, if they would like to help us in that regard, statutorily place nondiscrimination online in the law, free and open internet in the law outside of the regulation of something that we have imposed on another part of our economy half a century ago, then I hope they will join in the bipartisan effort that Senator SINEMA and I are participating in—the Senate Net Neutrality Bipartisan Working Group. I would hope they would want to join us in that regard.

We can make the statute better, but I would certainly offer to my colleagues the facts, and the facts are that the past 2 years have been a time of great growth of the internet. The previous 2 years, under depression-era rules, were a time of dramatically decreased investment.

For that reason, I do object to the unanimous consent request offered by the distinguished Senator from Massachusetts.

The PRESIDING OFFICER (Mr. CRUZ). Objection is heard.

The Senator from Massachusetts.

Mr. MARKEY. Mr. President, what we just heard from the majority is, in fact, a false narrative that contends that we have to choose between broadband deployment and net neutrality, and if we don't put net neutrality back on the books, there will be internet fast and slow lanes. That is what is about to happen if we don't act out here on the Senate floor. Innovation will be stifled, consumers will have to pay higher prices, the internet will not be as we have known it in the past.

So I absolutely feel that what just happened is a disservice to consumers and innovators in our country; that they should be allowed to have net neutrality as their protection, and I think, again, that we are on the right side of history in propounding this legislation to be brought out here, and, ultimately, today history was not served well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I would simply say in response to my good friend from Massachusetts: Where are the fast and slow lanes? They may happen sometimes. We have been warned for 2 years this is going to happen. It hasn't happened.

What has happened is the greatest growth in the internet that we have seen, as opposed to the stifled growth we had during the 2 years of title II regulation under the Obama administration.

I want to work with them on non-discrimination online. Everyone wants a fair and open internet, but I think everyone also wants the great growth we have had over the past 2 years, and we can have it with a bipartisan bill like the one Senator SINEMA and I are working on and unlike the idea of putting us under depression-era rules.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

OVER-THE-COUNTER MONOGRAPH SAFETY, INNOVATION, AND REFORM ACT

Mr. ALEXANDER. Mr. President, every year, Americans make nearly 3 billion trips to the drugstore, pharmacies, convenience stores to pick up over-the-counter products such as allergy medicines, children's cough syrup, or simple pain medicines such as aspirin.

As the Senate Health, Education, Labor, and Pensions Committee was working on the 21st Century Cures Act in 2016, I asked Janet Woodcock, the Director of the Center for Drug Evaluation and Research at the Food and Drug Administration: Are there any changes that really need to be made in the FDA's law? This is a train—referring to the 21st century cures legislation—that is likely to get to the station. If you have something that really needs to be done for the benefit of American consumers that you haven't been able to get done, tell us what it is, and we will put it on the train.

Well, Ms. Woodcock, who has been at the FDA for a while, came back to me and said the over-the-counter monograph.

Now, what that means is these are the rules that govern how all drugs sold in pharmacies, other than prescription drugs, are approved—the allergy medicines, the cough syrups, the simple pain medicines. Those haven't been changed since the 1970s, nearly 50 years ago.

Today the Senate, after all that time, nearly a half century, will modernize these rules by passing legislation proposed by Senator ISAKSON and

Senator CASEY. It is called the Over-the-Counter Monograph Safety, Innovation and Reform Act.

I am sure it will get a big vote of approval, and like a lot of other very important things that are done in the Senate that are very, very difficult to do, it will look easy.

It hasn't been easy. It has taken a long time—nearly a half century. It was the one thing that the FDA said we just can't get done. That was in 2016, 3 years ago, and now Senator ISAKSON and Senator CASEY are getting it done.

It is the most important law affecting the safety, innovation, and cost of over-the-counter drugs since the 1970s.

It is a great testament to Senator ISAKSON's leadership and legislative skill. He, of course, is leaving the Senate at the end of this year, and this is a fitting tribute to his work.

In the same way, I thank Senator CASEY of Pennsylvania for his excellent work, in bipartisan fashion, with Senator ISAKSON on this bill. They both deserve great credit and thanks for getting this update across the finish line. It may look easy, but what they have done is something that hasn't been changed for nearly a half century and that the Food and Drug Administration said was the one thing that needed to be done to help consumers to affect the availability, the safety, the cost, and the innovation of drugs that are sold across the counter that are not prescription drugs.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

HEALTHCARE

Ms. HASSAN. Mr. President, I rise to join my Democratic colleagues who have come to the floor in recent weeks to share stories from our constituents about the need to protect and improve healthcare.

Throughout the last 3 years, the Trump administration and Republicans in Congress have been relentless in their attempts to undermine our healthcare system, and their efforts have increased costs and made it harder for patients to access the care they and their families need.

Instead of working to improve our healthcare system and ensure that it is actually working for patients, this administration and some of my Republican colleagues have actively sought to do the opposite, and that has very real implications for the people we serve.

Take, for example, Cassandra Van Kuren of Manchester, NH. Cassandra is a 26-year-old who is passionate about fitness and staying healthy. That is why it was so devastating that a week before she turned 25, she got the news that she had been diagnosed with type 1 diabetes.

Cassandra's life had been turned upside down, and after her diagnosis, she was immediately hit with another shocking blow: the costs associated with her condition.

Within the first week of her diagnosis, she was forced to max out her

credit card, and to this day she is still paying back all of the bills she accumulated within her first month of being diagnosed.

Soon after, she lost her job because she missed so much work. She then went to work with her husband at the gym they own in Manchester and was able to get health insurance through the business.

Still, the costs remain enormous. On average, Cassandra has to spend \$150 a month on insulin costs alone after insurance. Her premium is over \$400 per month, and every 3 months she accumulates bills of over \$500 due to the cost of appointments and equipment. And, sadly, Cassandra and her husband are nervous about starting a family because their costs for care would grow even higher. The amount of insulin a woman with type 1 diabetes needs increases three times when she is pregnant.

Cassandra's story is an example of why we need to improve our healthcare system and also why we can't afford to allow Washington Republicans to pull us backward.

The administration is backing a partisan lawsuit—the result of which we will know soon—which would take healthcare away from millions of Americans, gut protections for pre-existing conditions, end Medicaid expansion, and eliminate the requirement that insurers must cover prescription drugs, maternity care, mental healthcare, substance abuse treatment, and so much more.

With the support of Senate Republicans, the administration has promoted what are appropriately referred to as junk health insurance plans. These junk plans allow insurance companies to discriminate against Americans who experience preexisting conditions, and they also leave patients with higher healthcare costs and worse insurance coverage.

The administration has opposed certain efforts to lower the costs of prescription drugs, in particular, allowing Medicare to negotiate prices on life-saving drugs, including insulin. These actions are unacceptable.

Families in New Hampshire and all across the country cannot afford these reckless attacks on their healthcare, and they want us to work together on constructive bipartisan solutions that improve their lives and lower their costs, not this constant uncertainty and sabotage.

The efforts of people like Cassandra, who have shared their stories in an attempt to shine a light on the challenges that patients are experiencing, are incredibly important. No one should have to share their most deeply personal healthcare stories and plead for lawmakers not to undermine their health coverage, but that is where we are. I am incredibly grateful for those who have had the courage to speak out. I will continue to share their stories, and I will continue working with anyone who is serious about actually im-

proving our healthcare system, not undermining them.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

NOMINATION OF LAWRENCE VANDYKE

Ms. ROSEN. Mr. President, I stand here today in opposition to the nomination of Lawrence VanDyke to the Ninth Circuit Court of Appeals in Nevada, and I stand here today because I think we can all agree—no matter where you are from—that Federal judges in our States should come from our communities, and they should reflect our communities.

It is unfortunate to see this Chamber disregard Nevada's voice and move forward with Mr. VanDyke's nomination. The State of Nevada has numerous qualified lawyers and judges who have done good work and have good reputations in our communities, who are non-partisan, and who would make excellent additions to the Ninth Circuit. But the White House didn't nominate any of these qualified individuals for the Ninth Circuit. Instead, the President nominated Lawrence VanDyke, a man who wasn't born in Nevada, didn't grow up in Nevada, didn't go to school in Nevada, and doesn't live in Nevada now. He hasn't even set foot in Nevada for over a year.

This administration has nominated someone to serve on the Nevada seat of the Ninth Circuit who—and let me be clear—is not a Nevadan. Mr. VanDyke is, however, a Washington, DC, lawyer and failed political candidate from Montana who was nominated to further his and this administration's extreme political views.

His nomination is being imposed on the people of Nevada, despite the many qualified individuals in our own State—individuals who are respected on both sides of the aisle.

As if Mr. VanDyke's lack of any meaningful connection to the State of Nevada wasn't enough, Mr. VanDyke is not even qualified to hold this post, according to the American Bar Association. In reviewing this nominee and speaking with dozens upon dozens of his former colleagues, the ABA found Mr. VanDyke specifically “not qualified” to serve in this role. The ABA has made that finding for only 3 percent of President Trump's judicial nominees, and Mr. VanDyke is the first in a small group whose nomination will move forward without—let me repeat: without—the support of either Senator representing the State where he will sit on the bench if confirmed. That we would allow someone who is not qualified to hold a lifetime position in such a critically important role is, frankly, absurd, and it is something no Senator should support, no matter the party of the President who nominated them.

The ABA's report found Mr. VanDyke to be lacking in knowledge of day-to-day practice, including procedural rules. The report found Mr. VanDyke to be lacking humility and an open