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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You store up blessings for all who honor You. Lord, if angels must veil their faces in Your presence, shouldn't we mere mortals embrace reverential awe?

Today, empower our Senators to be strong and courageous as they make loyalty to You their highest priority. Smile on them with Your blessings, for You are the Author and Finisher of our salvation. Lord, grant that our lawmakers may know what is conducive for Your glory.

Today, we lift our hearts in ceaseless praise to You, our strong deliverer.

We pray in Your magnificent Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 1 minute as in morning business.

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

TRIBUTE TO EVELYN BIRKBY

Mr. GRASSLEY. Mr. President, I pay tribute to a remarkable Iowan. She is one of the longest serving newspaper columnists in America.

She has an uncommon work ethic, having never missed a deadline in 70 years. Her weekly commentary in the

Shenandoah Valley News has blanketed her close-knit community in southwest Iowa for seven decades.

Now—get this—at age 100 years young, Evelyn Birkby—mother, farmer's wife, radio commentator—better yet, radio homemaker for KMA Radio—columnist, and author—is now retiring.

Her readers will miss her byline and storytelling. Her neighborly columns about ordinary life in rural America have brought extraordinary joy to generations of Iowans.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

KENTUCKY FLOODING

Mr. McCONNELL. Mr. President, this afternoon, my staff and I are continuing to monitor widespread flooding across Southeastern Kentucky. Heavy rainfall damaged homes, businesses,

and infrastructure in those counties. Our Governor declared a state of emergency and mobilized a full-scale response for the areas in need.

I am particularly grateful to the first responders who have already rescued and evacuated many Kentuckians from harm's way. Their professionalism and courage have helped to keep this situation from becoming even worse.

Many roads remain closed and hundreds of residents are still without running water. Worse still, more rain is in the forecast in the coming days. This crisis, unfortunately, is not over yet.

My office stands ready with local, State, and Federal officials to help families and communities however we can, as Kentuckians endure the remaining flooding and begin the recovery process.

IMPEACHMENT TRIAL ACKNOWLEDGMENTS

Mr. President, on a totally unrelated matter, as the impeachment trial ended last week, I offered preliminary thanks to a few of the individuals whose outstanding service helped the institution fulfill this unique and challenging responsibility.

Rising to the occasion for just the third time in Senate history, it took herculean efforts from a long list of hard-working and dedicated people. So I would like to take a little bit of time this afternoon to share some Senate gratitude that too often goes unexpressed.

After I name some key individuals and offices within the Senate, I will submit a fuller list for the RECORD.

First, thanks to the Sergeant at Arms, Mike Stenger, and his entire team, especially the tremendous efforts of our Deputy Sergeant at Arms, Jennifer Hemingway; our protocol experts, including Becky Schaaf and Carly Flick; Krista Beale and Bob Shelton of Capitol and Chamber Operations; and, of course, Grace Ridgeway and her remarkable Capitol Facilities team.

Many other offices had to go far above and beyond their normal duties:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the executive office, doorkeepers, Press Gallery directors, Printing and Graphics, the Counsel, the Recording Studio, the Appointments Desk, the Switchboard, and the Chief Information Officer.

Thanks, of course, to the Secretary of the Senate, Julie Adams, and all of those vital Senate offices.

In particular, I have to single out our Parliamentarians, Elizabeth MacDonald and Leigh Hildebrand, and Parliamentary Clerk Christy Amatos. This expert team of professionals sacrificed nights, weekends, and holidays to ensure that this institution was ready to navigate little-charted waters, follow infrequently used rules, and track with the letter of the rules at every turn. We are so grateful.

Many others made huge contributions as well: the offices of the Legislative Clerk, the Official Reporters of Debates, the Journal Clerk, Captioning Services, the Senate Historian, Senate Security, the Curator's Office, the Senate Library, and the Office of Printing and Document Services.

Thanks also to the Architect of the Capitol's team for making sure our physical plant was up to snuff, to Chairman ROY BLUNT on the Rules Committee and their staff, and to the Office of Senate Legal Counsel and the Government Publishing Office.

As I mentioned last week, we are hugely grateful to the Capitol Police, the Senate pages, and the Chief Justice of the United States, John Roberts, and his staff.

I would like to recognize Erin Sager Vaughn, on the staff of the Democratic Leader, Senator SCHUMER, for her many efforts, and all the offices on both sides, particularly the staff assistants whose days became far busier during matters of especially great public interest.

Before I conclude, I need to thank several more players, specifically, on the Republican side and in my own office. Thanks to Chairman LINDSEY GRAHAM's staff on the Judiciary Committee, who poured enormous work into this process, particularly Brendan Chestnut and Gabi Michalak; to Chairman GRASSLEY's team on Senate Finance and to our Majority Whip, Senator THUNE, and the Whip office.

I am enormously grateful to Laura Dove, the Secretary for the Majority, for literally working around the clock to listen carefully to our Members and map out the complex strategy for the Senate to fulfill our duty. Laura sat on the dais for this trial just like her father Robert Dove before her, who was serving as Senate Parliamentarian in 1999.

Huge thanks to Robert Duncan, the Assistant Secretary, and their entirely stellar Cloakroom team: Chris Tuck, Megan Mercer, Noelle Ringel, Tony Hanagan, Katherine Foster, Brian Canfield, and Abigail Baker. We very simply could not have done this without you.

And last, but certainly not least, I need to thank my own staff. Working

for Senate leadership tends to mean there is no normal. There is no easy day. Call it an occupational hazard, but even by those standards, the past several months have required extraordinary efforts from my talented team. Andrew Ferguson, my chief counsel, became a leading expert on every component of impeachment seemingly overnight and offered invaluable counsel, guidance, and leadership at every single stage of this process.

Thanks as well to Robert Karem, my national security adviser, and Jim Neill and Erica Soares; to my communications director, David Popp and the entire team he oversees, led by Doug Andres, Andrew Quinn, and Scott Sloofman, including Dylan Vorbach, and, especially, the crack research team of Robert Utsey and David Hauptmann.

Thanks to Sarah Fairchild, Alexandra Jenkins, and our operations team of Victoria Mason, Spencer Abraham, and Elise Stebick.

Thanks to my Kentucky office team, led by Phil Maxson, and my in-State offices, led by Terry Carmack, for continuing their crucial work while Washington was literally consumed by impeachment.

Most of all, I need to thank my staff's fearless leaders, Scott Raab, deputy chief of staff for Policy; Stefanie Muchow, my deputy chief of staff for operations, for her enormous efforts day and night; and Sharon Soderstrom, my chief of staff. I rely on Sharon's wisdom, expertise, and impeccable judgment every single day. I cannot thank her enough.

With that, Mr. President, I ask unanimous consent that the more comprehensive list of individuals to thank be printed in the RECORD.

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

In addition to the individuals I just named, I want to express the Senate's sincere gratitude to the following individuals for their essential contributions to the historic undertaking of a presidential impeachment trial.

In the Office of the Chief Justice: Jeff Minear, George Everly, Megan Braun, and Craig Carroll.

On the staff of the Senate Judiciary Committee: Tim Rodriguez, Watson Homer, Mike Fragoso, Zach Somers, Elliott Walden, Chris Ventura, Lindsey Keiser, Raija Churchill, and Arthur Baker.

On the staff of the Senate Finance Committee: Joshua Flynn-Brown, Delisa Ragsdale, Taylor Foy, George Hartmann, and Michel Zofia.

On the staff of the Senate Rules Committee: Fitzhugh Elder and Rachelle Schroeder.

On the staff of the Majority Whip: Nick Rossi, Geoff Antell, Jason Van Beek, Daffnei Riedel, and the entire Whip team.

In the Office of the Secretary of the Senate: the Assistant Secretary of the Senate, Mary Suit Jones, as well as Dan Schwager, Rachel Creviston, Sydney Butler, and Vanessa VandeHey.

Among the many people it takes to run the Senate floor, Cassandra Byrd, Allys Lasky, Billy Walsh, Megan Pickel, Adam Gottlieb, John Merlino, Mary Anne Clarkson, Sara Schwartzman, and Lindsay Gibmeyer.

In the Office of Conservation and Preservation: Beverly Adams and Susan Rapuano.

In the Senate Curator's Office: Melinda Smith, Sasha Lourie, Megan Hipsley, Jen-

nifer Krafchik, Theresa Malanum, and Corey Purtell.

In the Senate Historical Office: Betty Koed, Kate Scott, Dan Holt, Karen Paul, Amy Camilleri, Beth Hahn, and Mary Baumann.

In the Senate Library: Leona Faust, Kara Baer, Meghan Dunn, Annelisa Cobleigh, Rachel Donelson, Meg Kuhagen, Rachel Sharrow, and Jessica Sprigings.

In the Office of Captioning Services: Sandra Schumm, Doreen Chendorain, Laurie Harris, Brenda Jamerson, and Jennifer Smoika.

In the Office of Official Reporters of Debates: Dorothy Rull, Susie Nguyen, Patrice Boyd, Mary Carpenter, Octavio Colominas, Carole Darche, Diane Dorhamer, Chantal Geneus, Alice Haddow, Andrea Huston, Catalina Kerr, Julia LaCava, Michele Melhorn, Adrian Swann, and Shannon Taylor-Scott, and Julia Jones.

In the Office of Printing and Document Services: Laura Rush and Robert Braggs III.

In the Office of Senate Security: Mike DiSilvestro and Ronny Howard.

In the Office of Senate Legal Counsel: Pat Bryan and Morgan Frankel.

In the Office of the Sergeant at Arms: Garrett Burns, Jeff Kent, Laura Lytle, Mike Mastrian, Justin Wilson, Brian Trott, Terence Liley, Bob Swanner, Karl Jackson, Mele Williams, Joan Sartori, Debbie Tyler, Chris Jordan, Lynden Armstrong, and Brian McGinty.

In the Capitol Facilities Office: Monique Beckford, James Banavong, Jamie Becker, Hugh Bennett, James Hardwick, Jim Hoover, Andy Mohammed, Eileen Penot, Carlos Abarca, Leopoldo Aldayuz, Edward Cooper, John Davis, Jonathan Everett, Lawrence Ford, Steve Hall, Anthony Maree, James Montgomery, Olga Morales, Ana Orellana, Gary Richardson, Thomas Shaw, Misael Ulloa, Shariff Washington, Lyndon Webb, Sharif Amirgholi, Kelly Butler, Brenda Byrd, Verona Clemmons, Johnny Dixon, Ronald Gibson, Clydette Greer, Cleveland Johnson, Leon Jones, James Kennedy, Christina Mischel, Carlos Perez, Donnie Proctor, Alfredo Romero, Albert Sandidge, James Shird, Kenneth Vick, Branden Waters, Dominique Williams, Patrick Williams, Patricia Browne, Nandranie Gourzis, Christopher Hauser, LeMoine Simpson, Elmer Villatoro, and Jermaine Washington.

In the Capitol Operations office: Laverne Allen, Tyson Allison, Spencer Barks, Gwen Barnhardt, Dan Benedict, Lauren Cavignano, Tyler Chandler, Gail Daniels, Katherine Edwards, Michelle Enfiejian, Marcella Ferguson, Tom Ford, Wyatt Fulghum, Elizabeth Garcia, Rocketta Gillis, Tony Goldsmith, Patrick Green, Ryan Hoban, Denis Houlihan, Randi Hutchinson, Alex Johnson, Della Jones, Jim Jordan, Jacob Kaufman, Cindy Kesler, Emily Lamb, Raciee Leake, Shahwan Mason, Philip Norton, Mickey Oldaker, Timothy O'Neill, Jonathan Pacheco, Essence Patterson, Patrick Pettey, Julie Pfister, Megan Sheffield, David Straszheim, Todd Trautman, German Vasquez, Delta Whitfield, Nancy Bonilla, Dottie Bright, Merriell Briscoe, Ava Bursleson, Barbara Callands, Adrienne Culver, Monica Thomas-Hawkins, Logan Johnson, Karen Jones, Khavin Kry, Tori Mayo, Marcela Samuels, April Fox-Shird, Tina Stewart, Stella Strozier, Nellie Taylor, Lisa Thompson, Rochelle Thorpe, and Carol Yearwood.

In the Senate Recording Studio: Jeff Horne, John Buszinski, Tim Heacock, John Judge, Bill Steinhour, Chris Wilde, Scott Mead, Rob Strickland, John Grutzik, Gregg Brunclik, Paul Casasco, Blair Cooper, Stewart Grace, Jennifer Johnson, Chris Langley,

Kevin Neale, Kirby Reitz, Thinh Pham, Bryan Whitney, Eric Zeitlin, Lori Thabet, Luke Gallagher, Mariano Molina, Carlos Velado, Rogelio Velado, Ward Webster, Bob Becker, Kristen Betsill, Matt Commeree, Kristy Dyson, Torgunn Eckroad, John Evanko, Lori Helm, Lolita Graef, Carol Anne Jarrett, Kevin Loftus, Nate Russell, Angelo Skarlatos, Diego Torres, and John Viscardi.

In the Office of the Chief Information Officer: Jonathan Braxton, Tiffany Deliberto, David Gately, John Hartsfield, Bill Hill, Chris Humphrey, Rudolph Janifer, Katie Miller, Eric Quintos, Jack Reynolds, Bryan Steward and Tony Williams.

In the Office of Security and Emergency Preparedness: Wendy Colmore, Gordon Liscomb, and Ronda Stewart.

In the Printing, Graphics and Direct Mail Office: Julio Benitez, Shayna Mack, George Thompson, Scott Wilson, John Zupko.

The Architect of the Capitol, Brett Blanton and Mark Reed.

In the Government Publishing Office, Hugh Halpern and his team.

And last but certainly not least, in my own Office of the Majority Leader: Valerie Chicola, Katherine Grayson, Emily Hauck, and Suzanne Youngblood.

A great many talented and dedicated professionals went far above and beyond the ordinary course of their duties to help the U.S. Senate complete this unusual but essential constitutional duty. This institution is not good enough at saying "thank you," let alone after an undertaking of literally historic proportions. We are grateful to all of you for your work—these past days and every day.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SENATE LEGISLATIVE AGENDA

Mr. CORNYN. Mr. President, the impeachment process that has consumed our country over the last several months is finally at an end. Every Member of this Chamber has spent dozens of hours, if not more, studying the precedents, listening to the House managers and the President's legal team as they presented their arguments, including the testimony of 13 witnesses whose sworn testimony was presented during the Senate trial.

In the end, the majority of the Senators agreed that President Trump should be acquitted of the charges brought by the House. No matter how each Senator voted or felt about the end result, I can hope that we would all agree on one thing, and that is, it is time to move forward.

Impeachment has paralyzed the work of Congress for far too long, and we can't continue to allow the divisions and partisan games that are associated with it to prevent us from doing the jobs we were sent here to do. We are 9 months away from the next election. I think it is somewhere around 267 days, if I am not mistaken. That is when the American people will choose their next President and vote on the direction of the country. But until then, our constituents expect us to use the remainder of the time we have here to find

consensus where and when we can and to make progress on issues that they care most about.

For my constituents in Texas, the No. 1 item on their list is prescription drug pricing. I continue to hear from my constituents in Texas who feel burdened, confused, and down-right frustrated by rising costs at the pharmacy. One of the reasons why I think that is probably true is that under the Affordable Care Act deductibles have risen and copays have ballooned, such that consumers are now paying more out of pocket for their prescription drugs than ever before, because from all of the negotiated deals between the pharmaceutical manufacturers and the prescription pharmacy benefit managers, none of that savings directly goes into the pocket of the consumer. So with increased deductibles and with expanded copays, my constituents, and, I dare say, all of our constituents are feeling more of that coming out of their pocket.

Medications that people have been taking for years just keep getting more and more expensive with no explanation behind the increase. To me, the No. 1 example of that is insulin. I support the role of our patent system to protect research and development of lifesaving and innovative drugs, that people get a period of exclusivity—the companies that bring them into the market—a period of exclusivity so they can recoup their sunk costs and perhaps even make a profit, but there is just simply no explanation for a drug like insulin, that has been on the market for so long, for people to see \$1,200 and higher copays, as we heard in the Senate Finance Committee hearing.

A mother talked about her young son who was leaving the nest, so to speak, but he was unable to meet the \$1,200 copay. He was deferring decisions in his life like buying a house and perhaps even getting married because of the burden of that copay. We must do better, particularly on drugs that have been on the market for a long, long time, like insulin, that are so important for treating conditions like diabetes.

But perhaps the single most—well, it is really the most common concern I hear about is a drug called HUMIRA, and that is perhaps because it is the most widely prescribed drug in the world. This drug is a miracle drug, to be sure. It treats arthritis and a number of other immunodeficiency conditions, and it has been available for 15 years.

Now, you typically think of an expensive drug as being one, as I said, freshly on the market, which has just completed costly research and development, but a drug that has been around 15 years, can it be still protected by those patents, even though it was supposed to expire years earlier? Well, apparently, it can.

Smart lawyers with pharmaceutical manufacturers have figured a way to impose what is known as patent thickets. In other words, they can request and get issued so many different pat-

ents that they literally can prolong the period in which a drug manufacturer can claim exclusive right to the sales of that drug.

AbbVie, the company that makes HUMIRA, has figured this out. They figured out how to game the patent system so that no competition ever comes to market, and they remain the sole provider of this widely used drug. Their playbook involves an intricate maze of overlapping patents, which make it nearly impossible for a competitor to come to market.

Here is the best evidence of that. Today there are five companies that compete with HUMIRA in Europe, but all are blocked from their competing drugs being sold here in America until 2023. That is as a result of this patent thicketing gamesmanship. The smart lawyers at AbbVie have effectively found loopholes that allow them to create and maintain a monopoly.

Unfortunately, this isn't the only example of anticompetitive behavior in the pharmaceutical industry. A number of my constituents have also told me about their experience with a drug called Namenda, which is used by patients with Alzheimer's, a devastating disease. Like other new drugs, it began with an exclusivity period, where they were the sole provider, but when that period was coming to a close, the drugmaker switched from a twice-daily to a once-daily dose. Believe it or not, that triggers a new patent application. That move itself prevented pharmacists from being able to switch patients to a lower cost generic, even though it is just as effective, so the company could continue to reap enormous profits basically by just changing from twice-a-day to once-a-day application.

The enemy here is not our patent system. It is the abuse of the patent system by some pharmaceutical companies—again, not all pharmaceutical companies—but some in ways that directly harm the people we represent, the American people.

Earlier this year, I introduced a bill with my friend, the Democratic Senator from Connecticut, RICHARD BLUMENTHAL, to take aim at some of these corrupt practices. Our bill strikes the delicate balance between protecting innovation while increasing competition, and when it passes, it will be a win for every American who has felt the pain of sticker shock at the pharmacy.

We know it takes a lot more than good policy to get a bill turned into law around here. It takes bipartisan support. It takes broad consensus support to get the green light from the appropriate committees and to pass them through both Houses of the Senate. Well, you would think a bill like this that is bipartisan, has broad support, passed unanimously out of the Judiciary Committee, and reduces Federal spending would be a piece of cake to