

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that following the confirmation vote on the Williams nomination, the Senate vote on the confirmation of Executive Calendar No. 920, the nomination of Bernadette M. Meehan, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chile.

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

## PRESCRIPTION DRUG COSTS

Mr. DURBIN. Madam President, now, back to my statement.

I came to the floor and heard a speech by the Republican leader, MITCH MCCONNELL of Kentucky. Now, it wasn't the first. I have heard many, and I listen closely so that I can divine the strategy of Senate Republicans. And for weeks we have heard speeches about the plight of American families dealing with inflation. It is a real problem. If you go to buy anything these days, you are shocked by the price, starting at the gas pump, if you have aspirations to buy a car or truck, ordinary food items—much more expensive. Most families are not seeing any increase in income so it is a real hardship for them to keep up.

Well, the Senator from Kentucky has given that speech so many times, I could almost repeat it verbatim. And I don't quarrel with his premise. Inflation is painful for working families.

But then—but then—he went into an area of pricing and took an exactly opposite point of view. What he said was he thought, if there was an effort to control the price of prescription drugs, it was “socialist price control,” it was really asking for something for nothing, and he didn't support it.

And I stopped to think for a second. Wait a minute. All the polling, when you ask American families what they worry about, tells you that this is a big headache for families. They go to a doctor. Somebody is sick. The doctor prescribes a drug. They take the prescription to the drug store. They get it filled. And then comes the moment of truth, the moment at the cash register when the family is told: Incidentally, that will cost you \$100, \$200, \$300 over your insurance coverage.

And you know what some families say?

I wish I could afford that; I can't.

And they don't pick up the drug or they pick it up and, instead of taking it, they kind of wait and say: I will see if I get any better by myself. They do the wrong thing because of the cost of prescription drugs.

So when the Republican Senators come to the floor every day talking about family expenses, it comes as a shock to know that they are planning to oppose the Democratic effort to establish prescription drug pricing. They complain about high prices for everything else, but they don't seem to want to do anything when it comes to prescription drugs.

Americans pay the highest prices in the world for prescription drugs, an average of nearly four times as much paid by an American family for exactly the same drugs that are being sold in Canada and Europe. Where are those drugs made? All made in the same place, all made by the same company, four times the cost for America.

To add insult to injury, many of these prescription drugs only exist because of the successful investment by American taxpayers in the National Institutes of Health. The National Institutes of Health is an amazing research organization. They do the research, the basic research. The drug companies capitalize on it, make the drugs, and sell them at a profit. So taxpayers pay on the front end for the drugs. American taxpayers and tax-paying families pay on the back end for the actual cost of the pharmaceuticals.

Out-of-control prescription costs aren't just hurting people financially; they hurt the health of Americans. One in five Americans don't take the medications as prescribed because they can't afford them. They cut their pills in half or they skip doses because they can't do it; they can't pay it.

“Your money or your life”—you expect to hear that from a stickup artist, not from a pharmaceutical company. That is the choice Americans face.

So we want to do something about it. Democrats don't want to hear speeches about the costs to families. We want to do something. We want to bring down the cost of prescription drugs for seniors first and then for families in general.

If you really care about inflation, most families would say, start with prescription drugs. That is what we are doing. And the Republicans are going to oppose this.

Ironically, Senator MCCONNELL gives a speech calling it socialism to deal with the cost of prescription drugs, and, within an hour, the senior Senator from Iowa gives a speech on the floor of the Senate—Republican Senator—how he wants to cut prescription drug prices for seniors. One of them didn't get the message at the caucus. I think the Senator from Iowa is right, incidentally.

So Democrats are proposing to allow Medicare to negotiate fair prices for drugs. We have been doing that for a long time when it comes to the Veterans' Administration. The Veterans' Administration buys a lot of prescription drugs for our veterans—and I am glad they do—and they negotiate with these companies to get a fair price. We think Medicare ought to do the same thing. It reduces the cost of prescription drugs. It makes them more affordable for seniors.

Now, a lot of people say: Well, if you do that, then the prescription drug companies, the pharmaceutical companies, just aren't going to be able to make it.

Well, here is the reality. Studies have found that Big Pharma could lose \$1

trillion in sales over the next decade and still remain the most profitable industry in America—lose \$1 trillion in sales and still be the most profitable industry. Higher profit margins in pharma than in the telecom industry, than in the defense industry, in the banking industry, and the Republicans are saying they are afraid that they are going to get hurt if consumers can buy drugs at lower prices.

But good news for those who fear that if you cut the amount of money going to pharma, it will cut research. That is not what we have learned. We know Bayer. It has been around a long time. It started off as a German company. It made aspirin. Now they have made some sizable acquisitions in the business.

They make a drug called Xarelto. Now, you would have to watch that television ad 10 or 12 times to be able to spell “Xarelto,” but they are trying to convince American consumers they can't live without it. Bayer spent \$18 billion on sales and marketing last year compared to \$8 billion on research for drugs.

Johnson & Johnson: \$22 billion on sales and marketing, \$12 billion on research. GlaxoSmithKline: \$15 billion on sales and marketing, \$7 billion on research.

Get the pattern? There is more money being spent on advertising than on research for new drugs. Americans get bombarded with nine drug ads on TV every day telling them to ask their doctor for the newest wonder drug. There are only two nations on Earth where you can legally advertise prescription drugs on television. One, of course, is the United States. The other, for some reason, is New Zealand. Filling the airwaves with ads is what Big Pharma does to try to convince customers they can't live without their drugs.

So the claim that allowing Medicare to negotiate a reasonable price for seniors will freeze out Big Pharma's innovation just doesn't wash.

Senator MCCONNELL says there is no “free lunch” when it comes to prescription drug pricing. Let's keep in mind that the 14 largest drug corporations spent more on stock buybacks—lining the pockets of their CEOs—than on research and development over the past 5 years.

So here is what it comes down to. Look at these, just as an illustration. I will do this quickly because Members are showing up to vote. Insulin, discovered by Canadian researchers at the beginning of the 20th century—they surrendered the patent for the drug for a dollar so that it would never be overcharged to consumers because it is a life-or-death drug for those suffering from diabetes.

Take a look, from the year 2004 to the year 2022, at what has happened to the drug insulin cost—insulin cost—on a regular basis, the manufacturing price by year. You can see it tracks all the companies that make insulin. It is

as high as \$300 a dose, and a person suffering from diabetes may need three doses a month—\$900 for insulin.

Well, let's take a comparative cost and take a look at what insulin costs in other countries. The United States, while it is paying \$98 for a dose of insulin—look—Japan is paying \$14; Canada, \$12; Germany, \$11; France, \$9; UK, \$7; Australia, \$6, \$7. And the good news is these are the same companies, the American companies, charging a fraction of the cost to the other countries for insulin. This is one of the drugs which we are working on now, Senator SHAHEEN and others, to bring down the cost.

I am going to close by saying this. If you care about the costs that families face, if you care about inflation, and you care about life-or-death medications, and you want to make them affordable, don't take the position of Senator MCCONNELL that this is socialism to demand negotiation in pricing. Don't take his position that it is just a free lunch to say that people will never have to pay more than \$2,000 a year out of pocket for drugs. This is a life-or-death decision. Even 70 percent of Republicans agree with that.

I wish the Senate Republicans would agree with it and join us in supporting this bill.

#### NOMINATION OF GREGORY BRIAN WILLIAMS

Mr. DURBIN. Madam President, today, the Senate will continue its vital work of confirming highly qualified judicial nominees to the Federal bench. We will vote on an outstanding district court nominee: Gregory Williams to the District of Delaware.

Mr. Williams is currently a partner at the firm Fox Rothschild LLP, where he has an extensive trial practice that focuses on intellectual property and other matters. Mr. Williams joined the firm immediately after law school, rising through the ranks to become the first African-American equity partner in the firm's history.

In addition to his work in private practice, Mr. Williams has dedicated countless hours to serving the Delaware legal and judicial communities. He has worked as a Special Master in complex civil cases for the District of Delaware; as president of the Delaware State Bar Association; and as chair of the State's judicial nominating commission. A graduate of Millersville University of Pennsylvania and Villanova University School of Law, Mr. Williams received a unanimous "well qualified" rating from the American Bar Association and has the strong support of Delaware's Senators, Mr. CARPER and Mr. COONS. With his depth of experience and impeccable credentials, Mr. Williams will serve Delaware with distinction.

I urge my colleagues to join me in supporting this outstanding nominee. I yield the floor.

#### VOTE ON WILLIAMS NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Williams nomination?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 43, as follows:

#### [Rollcall Vote No. 263 Ex.]

##### YEAS—52

Baldwin	Gillibrand	Padilla
Bennet	Graham	Peters
Blumenthal	Hassan	Reed
Blunt	Heinrich	Rosen
Booker	Hickenlooper	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Cramer	Murkowski	Warnock
Duckworth	Murphy	Wyden
Durbin	Murray	
Feinstein	Ossoff	

##### NAYS—43

Barrasso	Hawley	Rounds
Blackburn	Hoeven	Rubio
Blunt	Hyde-Smith	Sasse
Boozman	Inhofe	Scott (FL)
Braun	Johnson	Scott (SC)
Burr	Lankford	Shelby
Cassidy	Lee	Sullivan
Cornyn	Lummis	Thune
Cotton	Marshall	Tillis
Crapo	McConnell	Toomey
Cruz	Moran	Tuberville
Daines	Paul	Wicker
Ernst	Portman	Young
Fischer	Risch	
Grassley	Romney	
Hagerty		

##### NOT VOTING—5

Kennedy	Markey	Whitehouse
Leahy	Warren	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Bernadette M. Meehan, of New York, to be Ambassador Extraordinary and Pleni-

potentiary of the United States of America to the Republic of Chile.

#### VOTE ON MEEHAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Meehan nomination?

Ms. HASSAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 51, nays 44, as follows:

#### [Rollcall Vote No. 264 Ex.]

##### YEAS—51

Baldwin	Hassan	Peters
Bennet	Heinrich	Portman
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Romney
Brown	Kaine	Rosen
Cantwell	Kelly	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Lujan	Shaheen
Collins	Manchin	Sinema
Coons	Menendez	Smith
Cortez Masto	Merkley	Stabenow
Duckworth	Murkowski	Tester
Durbin	Murphy	Van Hollen
Feinstein	Murray	Warner
Gillibrand	Ossoff	Warnock
Hagerty	Padilla	Wyden

##### NAYS—44

Barrasso	Fischer	Risch
Blackburn	Graham	Rounds
Blunt	Grassley	Rubio
Boozman	Hawley	Sasse
Braun	Hoeven	Scott (FL)
Burr	Hyde-Smith	Scott (SC)
Capito	Inhofe	Shelby
Cassidy	Johnson	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	

##### NOT VOTING—5

Kennedy	Markey	Whitehouse
Leahy	Warren	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Florida.

UNANIMOUS CONSENT REQUESTS—S. 3086 AND S. 4571

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 3086 and the Senate