

rates, like certain cancers, would likely suffer the greatest impact, as Medicare would become increasingly stagnant and unable to meet the evolving needs of rapidly aging populations.

After coming in under budget with satisfaction rates soaring and premiums remaining remarkably stable, Medicare Part D would lose the market-driven structure that has made it such a success story for so many seniors. Instead, we would move closer to a government-run healthcare system—which is the ideal and the goal—where bureaucratic price controls like these would become the norm.

The vast majority of Americans, in my opinion, still reject the notion of a government-run healthcare system and price controls in place of a free market.

Meanwhile, our frontline healthcare providers have weathered a truly unprecedented 2 years of pandemic, and they would face a sweeping, immediate, and drastic payment cut as this legislation aims to advance immediate payment reductions under Medicare Part B with direct implications for doctors and other healthcare professionals across all settings.

In the face of widespread provider burnout, retirements, closures, and consolidation, these cuts risk accelerating trends that already jeopardize access to healthcare for far too many Americans from all walks of life, particularly in rural and underserved communities.

The VA, which has been referenced here, for its part, would inevitably see higher healthcare costs as any discounts or other price concessions that lower drug costs for our Nation's veterans would disappear.

Previous payment systems along these lines that have been suggested in the past have resulted in a host of unintended consequences, from higher launch prices to withheld rebates and discounts.

Our veterans do not stand to gain from being tied to this unvetted and failed new proposal.

As we confront unprecedented challenges at home and abroad, we must look to consensus-driven solutions that meet Americans' everyday needs, including prescription drug access and affordability. We can agree on that.

Members across the political spectrum have developed bipartisan drug pricing policies that could make a meaningful difference for workers and families. I have introduced legislation which is waiting in the committee for a vetting rather than coming to the floor here to try to get it brought to the floor without even going through Senate regular order.

My legislation is called the Lower Cost, More Cures Act. Here is just a quick summary of what it contains: a hard cap on annual out-of-pocket spending for all seniors under Medicare Part B, with an installment-based monthly payment option; reforming of Medicare Part B benefits to reduce sen-

iors' cost-sharing burdens and incentivize plans to negotiate the best possible deal for enrollees; increasing Part D plan choices; increasing options; and reducing prices.

My bill does have an out-of-pocket monthly insulin cap at \$35. That, you might remember, is the insulin cap that President Trump put into place. That is the kind of approach we need to follow.

It also includes establishing a chief pharmaceutical negotiator to combat foreign freeloading and ensuring the best trade deals that achieve American success in dealing with these price discrepancies that are driven by terrible behavior from our counterparts in other parts of the global economy; strengthening our consumer-oriented oversight through our cost-comparison tools and price transparency measures and robust reporting requirements in the drug supply chain; facilitating value-based arrangements where private and public sector payers can pay based on patient outcomes, driving better results for patients; and restructuring payments for drugs administered in the doctor's office or hospital outpatient department to encourage physicians to deliver cost-effective treatment options where appropriate clinically.

My point is, there are a lot of solutions that can work within the consistent free market and private sector solutions that we have solved here and are working on to make them better.

We have an opportunity to lower prescription drug costs without threatening access to therapies or cures or the future handling of giving an advantage, frankly, to our global rivals like the Chinese. With a bipartisan and bicameral effort undertaken through regular order, we could make a major impact on these issues. This legislation, unfortunately, does no such thing. It is thoroughly unvetted, showing no signs of technical assistance or practical feasibility. It has not, as I said, received a CBO score or even an informal analysis or a committee hearing. It did not advance through regular process in the Senate.

I see that our time is running out, and so I will end my comments at this point but just ask my colleagues to let us engage in regular order in the Finance Committee in the Senate and work these issues through. There are a lot of ideas on the table. Let's work them through rather than try to cram through one side's idea on the very day the bill was introduced in the Senate. I object.

The PRESIDING OFFICER (Mr. OSSOFF). The objection is heard.

The Senator from Vermont.

Mr. SANDERS. I say to my friend from Idaho, we have been going through regular order dealing with prescription drugs for 40 years. It hasn't quite worked.

Your bill has gone nowhere. My bill has gone nowhere. If you have got objections to what Senator KLOBUCHAR

and I are doing, let's debate them on the floor of the Senate.

We have heard all the talking points from you that the pharmaceutical industry wrote—I got that. They spend a lot of money writing these talking points. Let's have that debate right here. The bill that Senator KLOBUCHAR and I are proposing is supported by over 80 percent of the American people and, I dare say, a vast majority of the people of Idaho. You want to oppose it. Go for it.

Let's have the damn debate right here on the floor, and if it takes 1 week, great. If it takes 2 weeks, great. You will agree with me that this is an issue that the American people care about so I would hope that you would reconsider. Let's bring it to the floor. Offer your amendments. Let's have the debate.

NOMINATION OF LEONARD PHILIP STARK

Mr. DURBIN. Mr. President, this week, the Senate will vote to confirm Judge Leonard Stark to serve on the U.S. Court of Appeals for the Federal Circuit.

Judge Stark is an exceptional and experienced jurist. For the past 14 years, he has served the District of Delaware—first, as a magistrate judge and, since 2010, as a district court judge.

He has presided over 6,000 civil and criminal cases, including 2,400 patent matters and 63 patent trials.

This experience will be of particular importance on the Federal Circuit for two reasons. First, unlike the 12 other courts of appeals, the Federal Circuit has a specialized jurisdiction; it hears all of the Nation's patent appeals. Second, Judge Stark would replace the only active judge on the court who has previously served as a trial judge. This makes his extensive background as a trial judge especially valuable.

Judge Stark brings with him considerable experience serving on Federal appeals panels. He has sat, by designation, on the Third and Federal Circuits, where he heard 54 appeals and authored 11 unanimous opinions. Before joining the bench, Judge Stark served as an Assistant U.S. Attorney for the District of Delaware for 4 years. He worked as a litigation associate at an international law firm. And he clerked on the Third Circuit.

Judge Stark earned his bachelor of arts, bachelor of science, and master of arts simultaneously at the University of Delaware. He was awarded the prestigious Rhodes Scholarship and received a doctorate in philosophy from the University of Oxford. He also holds a J.D. from Yale Law School. With such impressive credentials, it is clear why the American Bar Association rated Judge Stark unanimously as "Well Qualified" to sit on the Federal Circuit.

His expertise in adjudicating patents combined with his experience hearing appeals will be an asset to the Federal Circuit and to our industrious, inventive Nation. I will be voting for Judge Stark's confirmation, and I urge my colleagues to join me.

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Alexandra Baker, of New Jersey, to be a Deputy Under Secretary of Defense.

VOTE ON BAKER NOMINATION

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

Mr. WHITEHOUSE. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Iowa (Ms. ERNST), and the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 75, nays 21, as follows:

[Rollcall Vote No. 47 Ex.]

YEAS—75

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Risch
Blunt	Hirono	Rosen
Booker	Hoeven	Sanders
Brown	Hyde-Smith	Sasse
Burr	Inhofe	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Shaheen
Cardin	Kennedy	Shelby
Carper	King	Sinema
Casey	Klobuchar	Smith
Collins	Leahy	Stabenow
Coons	Lee	Sullivan
Cornyn	Manchin	Tester
Cortez Masto	Markey	Thune
Cramer	McConnell	Tillis
Crapo	Menendez	Van Hollen
Daines	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wicker
Graham	Padilla	Wyden
Grassley	Peters	Young

NAYS—21

Blackburn	Hagerty	Paul
Boozman	Hawley	Romney
Braun	Johnson	Rubio
Cassidy	Lankford	Scott (FL)
Cotton	Lummis	Scott (SC)
Cruz	Marshall	Toomey
Fischer	Moran	Tuberville

NOT VOTING—4

Barrasso	Luján
Ernst	Rounds

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 action.

The majority leader.

Mr. SCHUMER. Mr. President, for the information of Members, we are going to have four more votes tonight. I urge Members to sit in their seats so

we can get these done quickly, like we did last week.

I ask unanimous consent that the votes be 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 Reta Jo Lewis, of Georgia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2025.

VOTE ON LEWIS NOMINATION

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

Mr. SCHUMER. Mr. 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), and the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 48 Ex.]

YEAS—56

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

NAYS—40

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

NOT VOTING—4

Barrasso	Luján
Blunt	Rounds

The nomination was confirmed.

The PRESIDENT pro tempore. 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 action.

The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate vote on confirmation of the Stark and MacBride nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. 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 Leonard Philip Stark, of Delaware, to be United States Circuit Judge for the Federal Circuit.

VOTE ON STARK NOMINATION

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Stark nomination?

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

The PRESIDENT pro tempore. Is there a sufficient question?

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 New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), and the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 61, nays 35, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—61

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Burr	Kelly	Schumer
Cantwell	Kennedy	Shaheen
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Collins	Markey	Tillis
Coons	Menendez	Toomey
Cornyn	Merkley	Van Hollen
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Wyden
Grassley	Portman	

NAYS—35

Blackburn	Cruz	Hyde-Smith
Boozman	Daines	Inhofe
Braun	Ernst	Johnson
Cassidy	Fischer	Lankford
Cotton	Hagerty	Lee
Cramer	Hawley	Lummis
Crapo	Hoeven	Marshall