

basic molecules. It just changed the prescribed dosage and taking, instead of twice a day, to once a day.

That move 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 profit. The Affordable Prescriptions for Patients Act puts an end to this practice by expressly prohibiting manufacturers from engaging in product hopping. It also facilitates market entry for generics and biosimilars, which lead to more options and lower prices for patients.

These reforms are, obviously, desperately needed. Patients in Texas and across the country are experiencing sticker shock at the pharmacy counter like never before. Many have tried to ration their critical medications, for example, in order to make them last longer. Some have been priced out of their medications entirely.

There is a clear need for Congress to step in and address the blatant abuse of the patent system, and I am optimistic that we will be able to do something important about it.

The Judiciary Committee will hold a markup next Thursday to consider this legislation and other bipartisan proposals to address sky-high drug prices. Last Congress, the Affordable Prescriptions for Patients Act passed the Judiciary Committee with unanimous bipartisan support, and I hope we will see the same level of support this go-round.

Over the last few years, we have held many hearings and advanced many drug pricing bills to the Senate floor, but, unfortunately, progress seems to often end there. We haven't had much success in getting those bills through the House and signed into law. I think I can speak on behalf of colleagues on both sides of the aisle and say I hope this year is different.

I have heard from many Texans who are frustrated by the lack of lower priced generic drugs. Given the impact of inflation on family budgets, that strain has only grown greater over the last few years. So there is a bipartisan desire to stop the anticompetitive behaviors that I have described here today that are costing patients and taxpayers a fortune, and I hope we can make progress this Congress and finally put a stop to some of the gamesmanship.

Senator BLUMENTHAL and I are committed to moving our bipartisan bill across the finish line, and we are eager to have others of our colleagues join us by cosponsoring this bill. But more important than that, it is important we actually get it across the finish line, get it through the House, and get it to the President's desk. So I hope this bill will continue to receive broad bipartisan support, and I am happy to work with anyone who has ideas to help us get there.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

INSULIN

Ms. STABENOW. Mr. President, last month, I received a message that reminded me of just how important the work we do here is for people and families in Michigan and all across the country.

Diane of Bloomfield Hills wrote to me about the cost of her prescription medicine. Diane is diabetic and she takes two types of insulin or four injections per day. Diane is retired. She is on Medicare, with a supplemental policy for prescriptions.

Diane told me that usually, when she goes to the pharmacy, she owes a copay of \$650, and sometimes more, for a 3-month supply of just one of her prescriptions.

But the good news is, not anymore.

Thanks to a unified Democratic majority last year, people on Medicare now have the cost of their insulin capped at \$35 a month—\$35 a month for anyone who is on Medicare.

Last month, Diane went to the pharmacy like usual. The pharmacist told her that her 3-month supply would now be \$105 instead of \$650.

She says:

I paid and walked away with a big smile.

She added this:

I know that for many seniors, the cost of insulin has been difficult, or impossible, to afford if they have a limited income or live on the margins.

Thank you for your support of this important legislation helping seniors (and others) by reducing the cost of insulin.

Mr. President, this \$35 cap per month on insulin is helping millions of people on Medicare breathe a little easier, and I know because of your strong "yes" vote, as well as mine, this is the reason we get up every day, to be able to help people, to be able to reduce costs, to be able to make sure that they can enjoy their life and actually have a life—save their life. Insulin is a serious medication.

And so this was a really important accomplishment that we came together on.

It was disappointing we didn't have one Republican colleague join us in the House or the Senate, but we stood together and were able to get that done.

Unfortunately, people who need insulin and aren't on Medicare are still paying outrageous prices for a medication their lives literally depend on.

We tried to cap insulin costs per month for everyone, for children. We know for children with juvenile diabetes, this is incredibly serious. We have families who come here to DC every year. We have a wonderful group from Michigan who comes every year to share their stories; the children sharing their stories, showing us pictures, talking about what it is for them to

manage this every day; their families talking about the cost. And we tried to cap their costs at \$35 a month as well.

But, unfortunately, because of budget rules, the Republicans were able to force that to be a 60-vote margin, and they blocked it. Shockingly to me, they blocked it. So they blocked a \$35 insulin cap for children.

Why?

Unfortunately, to protect pharmaceutical profits. I am going to repeat that. Democrats tried to ensure that families wouldn't have to spend more than \$35 a month on insulin that keeps their children alive. Republicans blocked it.

It was just one more gift to an industry that has received quite a few gifts in recent years from Republicans.

First, let me start with the fact that from 2010 to 2019, American taxpayers contributed more than \$230 billion in research funding that helped drug companies develop new medications. I support that. I support public-private partnerships. I support public financing of research. We want that. We want new medications.

But then you turn around and you look at between 2016 and 2020, drug companies spent \$577 billion on stock buybacks, 10 times more than they spent on research—10 times more than they spent on research.

And they also significantly increased executive compensation. Now, drug companies CEOs can definitely afford insulin for their children. We want it for all the children of America.

After the Trump tax giveaway, some giant, profitable drug companies now have an effective tax rate of under 10 percent. Republicans lowered it for all corporations to 21, but some of the big drug companies got even a bigger gift—below 10 percent for an effective tax rate. That is less than the tax rate a typical postal worker or a typical preschool teacher pays.

And between 2000 and 2018, big pharmaceutical companies raked in \$8.6 trillion in gross profit—trillion with "t"—trillion dollars in profits.

Here is the CliffsNotes version: Pharmaceutical companies employed 1,587 lobbyists last year, almost 16 for every Senator—almost 16 drug company lobbyists for every 1 Senator.

Then, Republicans provide huge tax cuts for them and block legislation that would help families afford medication that keeps their children alive.

It is clear whose side they are on—the wrong side, in my opinion.

Diane is lucky. She is on Medicare and can afford a \$35-per-month copay for insulin. A lot of Michigan families aren't so lucky.

Consider the Lockwoods. Three children in the Lockwood family have type 1 diabetes and take insulin—three children.

A change to their insurance coverage meant that the family went from paying no copay to paying \$600 a month in a copay for insulin for each child—\$1,800 a month in a copay for their three children.

They couldn't afford it so they began driving to Canada—not that far from Michigan—driving across the bridge to Canada, where the same medication costs \$71 because the Canadian Government negotiates the best price for Canadians.

Then the pandemic closed the border. Jim Lockwood needed to find a job with better health insurance, and he did—in Ohio.

American parents shouldn't be forced to either drive to Canada in order to pay for their children's prescriptions or they shouldn't be forced to uproot their families and move to another State in order to find a job with good insurance so they can afford their children's medicine.

It is time for Republicans to stop working on behalf of their wealthy buddies and join us in working on behalf of American families.

Children with diabetes, people under age 65 need a \$35-per-month cap on their insulin, just like we have been able to do as Democrats coming together for seniors, people on Medicare.

I think that is what we should be focused on here together and invite our Republican colleagues to join us.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. KING assumed the Chair.)

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

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

CLASSIFIED DOCUMENTS

Mrs. FISCHER. Mr. President, when I joined the Senate Armed Services Committee in 2013, I encountered a new world of information. Along with that information came a new world of security measures. As a member of that committee, I reviewed document after document apprising me of critical national security developments. I also received strict orders not to share the classified information that I encountered. The American people expect Senators tasked with this solemn duty to take our responsibility seriously.

Let me illustrate just how restrictive the rules are around these classified documents. When I receive classified information, I have to go to a secured place known as a SCIF to read the documents. There, a security manager and often a Capitol police officer will perform checks when I enter and when I exit.

My background on Armed Services is one of the many reasons that I am shocked at the news that classified documents dating back to President Biden's time in the Senate were found sitting haphazardly in his garage this month. The President's personal attorney confirmed that some of those documents came from the Senate, and they have apparently been collecting dust

next to the President's Corvette for years.

It is also concerning that the President's documents were found, in the first place, by personal lawyers without the necessary clearances to view those classified materials.

We have all learned recently that the executive branch has issues regulating documents. I have refrained from commenting on that issue because I have never been a part of that branch of our government, and so I cannot speak to their regulations. But in the Senate, we have strict protocols that protect classified information.

Based on the rigorous security standards of the Senate, it is important that we now ask hard questions. How did classified Senate documents make their way from the Capitol Complex past Senate security managers and all the way to the President's House in Delaware? I think most people believe that this demonstrates incompetence, at best. If a newly elected Nebraska Senator in 2013 could figure out how these security procedures work, surely, a career politician like then-Senator Joe Biden could do so.

As chair of the Foreign Relations Committee, former Senator Biden likely had access to information that could have jeopardized lives, especially those of patriots serving in sensitive roles overseas. President Biden should know that leaked information puts people in danger. This affects all Americans, including the many Nebraskans that are serving abroad, not to mention that it impedes our national security here at home.

Of course, we have no idea what is in the Senate documents that found their way to Wilmington, DE, because the President and his personal attorneys refuse to share them with Congress. The Biden administration argues that it cannot brief us on the mishandled documents because of the ongoing special counsel investigation. There is precedent for intelligence briefings coinciding with special counsel investigations.

As my friend Senator CORNYN said last week, there are public safety and national security concerns that make this an exceptional case. If there was a breakdown in Senate protocols to protect classified information, then we need to know that and we need to know it immediately. That is the only way that we will know how to rectify the potential problems caused by the President's unsecured Senate documents.

We, at least, need to know what the general subject of the documents or the area of the world that they cover. I am proud of my colleagues on the Intelligence Committee, both Democrats and Republicans, for realizing the seriousness of this issue. I hope that we can continue to set aside partisan politics and that we can uncover the truth in this matter.

President Biden's comment on his handling of documents a couple of weeks ago was that he has "no re-

grets." Let me tell you, Mr. President, if a sitting Senator was found to have mishandled classified information, it would be more than just regrettable; it would call into question his or her capacity to serve in this Chamber, and it would be a slap in the face to the hard-working men and women of the Intelligence Committee. By the time we uncover the truth about these documents, I hope that the President will have learned to regret his bad decision.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE ON FALK NOMINATION

Ms. HASSAN. Mr. President, I request consent for the scheduled vote to start immediately.

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

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

Ms. HASSAN. 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. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Florida (Mr. RUBIO).

The result was announced—yeas 60, nays 37, as follows:

[Rollcall Vote No. 5 Ex.]

YEAS—60

Baldwin	Graham	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Ricketts
Booker	Hickenlooper	Rosen
Brown	Hirono	Rounds
Cantwell	Kaine	Schatz
Capito	Kelly	Schumer
Cardin	Kennedy	Shaheen
Carper	King	Sinema
Casey	Klobuchar	Smith
Cassidy	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	McConnell	Warner
Cramer	Menendez	Warnock
Duckworth	Merkley	Warren
Durbin	Murphy	Welch
Feinstein	Murray	Whitehouse
Fetterman	Ossoff	Wyden
Gillibrand	Padilla	Young

NAYS—37

Barrasso	Ernst	Marshall
Blackburn	Fischer	Moran
Boozman	Grassley	Mullin
Braun	Hagerty	Paul
Britt	Hawley	Risch
Budd	Hoeben	Romney
Cornyn	Hyde-Smith	Schmitt
Cotton	Johnson	Scott (FL)
Crapo	Lankford	Scott (SC)
Cruz	Lee	
Daines	Lummis	