

important conversation, next week. We hope Senators will come—Senators and their staffs will come, listen, learn, and then act.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PRESCRIPTION DRUGS

Mr. McCONNELL. Mr. President, last week, the Biden administration rolled out the first targets of the scheme it has been working on for years—prescription drug socialism.

Ironically enough, Washington Democrats' plan to fix prices in the market for world-leading medical innovations is baked into legislation they produced after their own runaway spending sent consumer prices through the roof.

As we know, the Inflation Reduction Act did nothing to reduce inflation, and by one estimate, the government price controls it created may well cost the American economy 676,000 jobs.

Before Democrats rammed the IRA through on party lines, the average net prices for drugs were actually stable or falling, but that didn't stop the Biden administration from storming ahead with a drug-by-drug Federal power grab.

So let's be clear about what this means. Companies that don't comply with the administration's scheme will be forced to pay an unprecedented and excessive fine or withdraw their products from Medicare coverage, leaving American seniors with fewer options for lifesaving treatments. Meanwhile, researchers will have less certainty to dedicate years to creating the high-quality, consumer-friendly, affordable medications American industry is known for.

Research from the University of Chicago estimates that prescription drug socialism will result in 135 fewer new drugs—135 fewer new drugs, 188 fewer new treatments, and a \$663 billion drop in innovative research and development. It will impact 60 percent of cancer medications on the market today and inevitably freeze innovations on future treatments.

To make matters worse, limits on price increases will force manufacturers to launch new drugs at much higher prices to cover future rising costs and leave many low-income and elderly Americans simply out of luck.

Price fixing is not some bright new idea cooked up on a liberal college campus. It is the sort of decrepit socialism that has been tried with disastrous results in places like China, Cuba, Venezuela, and the former Soviet Union.

We cannot afford for America's world-leading medical innovators to be next on the leftwing chopping block,

and the millions of Americans living with rare and aggressive diseases can afford it least of all.

UKRAINE

Mr. McCONNELL. Mr. President, on another matter, the loudest critics of American assistance to Ukraine tend to rest their case on three dubious claims: first, that somehow our support for Ukraine is a distraction—a distraction—from China, when, in fact, there are many reasons to believe exactly the opposite; second, that there is no accountability of lethal U.S. assistance when, in fact—in fact—we have unprecedented visibility into how the weapons and vehicles we are providing Ukraine are being utilized; and third, that somehow this whole thing is a zero-sum proposition, that support for Ukraine or European security comes at the expense of American prosperity and security, that we are spending too much.

I will discuss each of these faulty arguments in detail in the coming days, but today I would like to discuss this last one, in particular. Set aside the fact, recognized by the previous administration's National Security Strategy, that "a strong and vital Europe is of vital importance to the United States."

Standing with our allies against Putin is directly and measurably strengthening the U.S. military, growing the U.S. industrial base, and supporting thousands of good-paying American jobs. The overwhelming majority of the money that we have appropriated is being spent here in America, right here in this country. This is especially true for the security assistance we have appropriated for Ukraine. This assistance falls into two basic buckets.

The first, smaller portion is for the Ukraine Security Assistance Initiative—USAI for short. USAI predates the Biden administration. It was used by the previous administration to enhance Ukraine's military capabilities.

The second, larger portion isn't even for Ukraine. It is referred to as "backfill" or "replenishment" money, and it is used to purchase new versions of weapons and vehicles to replace the old—sometimes very old—versions the United States has taken from stockpiles and warehouses and transferred to Ukraine.

Now, the Biden administration often announces tranches of assistance as though it is new, direct aid to Ukraine. In fact, it is previously authorized or appropriated assistance that is only too slowly actually being disbursed. But, in both cases, the money we are talking about doesn't go to Ukraine; it goes to defense manufacturing facilities all across America and supports tens of thousands of American jobs—expanding our defense industrial capacity to better compete with China, replenishing America's arsenal with weapons built by American workers.

But don't take my word for it. Just look at where some of these resources are going. Nearly \$1.4 billion is buying the U.S. military new Javelin anti-tank missiles. These weapons are manufactured at facilities in Troy, AL; Ocala, FL; Farmington, NM; and Tucson, AZ, that employ hundreds of thousands of Americans.

Another \$3 billion is producing new precision rockets and Patriot missiles for our military. That work is underway at a plant in Camden, AR, that employs nearly 1,000 workers. Dozens of suppliers across the country are doing work to support these high-end weapons.

Hundreds of millions of dollars in new air-to-air weapons systems bound for the U.S. military are rolling off production lines across the country—from a Massachusetts facility that employs 400 people to one in Arizona that employs 14,000. And this work is made possible by suppliers all across America, including in Iowa, Missouri, Texas, Florida, Alabama, Utah, and my home State of Kentucky—tens of billions of dollars directly invested in American military strength, directly supporting thousands of American jobs, and expanding our defense industry's capability to produce the weapons needed to deter adversaries like Russia and China.

Our support to Ukraine is grinding down one of America's biggest strategic adversaries and showing the other one the strength of our resolve; and it is providing Western forces, from NATO to Taiwan, with valuable operational lessons to apply to their own defense.

The value of that to American interests can hardly be measured simply in dollars or jobs; but critics of this investment cannot ignore its returns: American industry and workers are stronger for it; our warfighters are stronger for it; and our Nation is stronger for it.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. 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 Adriana Debora Kugler, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2012.

The ACTING PRESIDENT pro tempore. The majority whip.

MEDICARE

Mr. DURBIN. Mr. President, my timing couldn't have been better than to

have arrived on the floor of the Senate after the Republican leader, Senator MCCONNELL, had given a speech on the cost of drugs in America. I have the rest of the story, the other side of the story, that he has just delivered. He spoke about prescription drug socialism. I want to talk about the unfairness of pharmaceutical pricing to Americans, to families, and across the board.

People have talked about the cost of prescription drugs being too high for as long as I can remember; but last week, President Joe Biden and the Democrats in Congress marked a milestone in fulfilling a commitment to start bringing down the outrageous price of prescription drugs. For years, Americans have paid the highest prices in the world—in the world—for medications. We pay an average of nearly four times more than other Western countries for exactly the same drugs made by the same companies.

Last year, thanks to the Inflation Reduction Act, which Senator MCCONNELL calls prescription drug socialism, the Democrats finally delivered for America's patients, granting Medicare the power to negotiate fair prices for medications used by seniors. He made the point; I want to make it again. Not a single Republican Senator voted in favor of bringing down prescription drug prices in the Inflation Reduction Act. Not one. Not one Republican Senator would join us. Thank goodness, we had enough votes to pass it, and President Joe Biden signed it into law.

Well, last week, the President announced the first 10 drugs that would see the reductions from negotiations—the medications that cost the Medicare program and American taxpayers more than \$50 billion last year. In 2022, seniors across America spent more than \$3 billion on copays at the drug stores for these 10 drugs.

For example, 132,000 seniors in Illinois each spent an average of \$500 out of pocket on Eliquis. Do you recognize the name? Eliquis is a blood thinner. The Inflation Reduction Act capped the price of insulin for seniors at \$35 a month and went on to say that no senior will have to pay more than \$2,000 in a year out of pocket for the cost of prescription drugs. The law established new penalties for drug manufacturers that raise prices unreasonably. And many vaccines are now free for seniors, like the shingles vaccine that had a list price of nearly \$400.

This is what Senator MCCONNELL and the Republicans call socialism. To me, it is simple fairness. Once again, not a single Republican voted to support this measure. Not one. In fact, the Republicans have called this socialist price controls—socialism. It is all socialism. Bringing down the cost of prescription drugs, to the Republicans, has to be just too much government—socialism.

How do they ignore the fact that, for years, the Veterans Health Administration has already used negotiations to bring down prices for veterans and the

VA to provide for some of the best-serving Americans in history? Bargaining for fair prices allows the VA to pay an average of one half of what Medicare pays for exactly the same drug.

Let me make sure this is clear to you. The Veterans Health Administration says to the pharmaceutical companies: Our veterans need your drugs, but we are going to negotiate with you to get a fair price.

That fair price means that the veterans are paying one half of what other families have to pay when they go to the drug store.

So now we are saying that Medicare for seniors and the disabled is going to have the same negotiating power, too, so they can bring the cost of drugs down for seniors and for our government.

I think if it is good enough for America's veterans, it is good enough for seniors too.

Let's be crystal clear. Big Pharma has been untouchable in politics for way too long.

First off, I imagine, when the President announced this list, America said: Well, I know those names and those drugs.

Why are we so familiar with these odd names? It is because they are among the most heavily advertised drugs on television in America today.

Do you know how many ads you see for drugs on television each day in America? It is an average of nine per day—and for those shows that look like they are geared toward senior audiences, even more.

How many countries in the world allow drug companies to advertise on television? Two. One is, of course, the United States. The other one is New Zealand. Only two countries do.

By filling the airwaves with these ads, Big Pharma is inflating demand for the most expensive drugs on the market. Some manufacturers spend over \$100 million a year to make sure that you can spell "Xarelto" and then go ask your doctor for it. They never tell you what the price of the drug is, do they? Of all of the things they say on TV in that garbled message that they have with rapid fire at the end, they never mention the price. Don't you think it is worth knowing that Xarelto costs \$500 a month when a generic or lower priced alternative may be just as effective?

Republican Senator CHUCK GRASSLEY and I have a commonsense, bipartisan bill. Let me give you the idea behind the bill. Some may call it radical, socialism.

We would require Big Pharma to end the secrecy about the price of the drugs that they are running on the ads and disclose that price right up front. Incidentally, in 2020, Xarelto's manufacturer, Johnson & Johnson, spent \$22 billion on marketing. How much did they spend on research for drugs in the new year? \$12 billion. This is \$22 billion versus \$12 billion.

Similarly, Bristol-Myers Squibb and Pfizer spent more than \$1 billion on ads for Eliquis—\$1 billion—and doubled the price from \$250 a month to \$529 a month. The result? Medicare spent \$16 billion last year on this blood thinner and medication—\$16 billion.

I have a chart here which I want to refer to. It has a lot of information, but there are several things I will point out just to make clear what we are up against.

For Xarelto, Medicare spent \$6 billion. The average estimated expenditure for ads was \$107 million a year for 6 years. The overall revenue for Xarelto was \$7.4 billion. Medicare paid \$6 billion of it. We are the biggest consumers of these drugs that are being advertised on television whose prices are going up and up and up. Bristol-Myers Squibb and Pfizer earned more than \$18 billion from Eliquis last year.

One drug that is not on the list of the 10 drugs that the President noted is Ozempic. It could be subject to price negotiations next year. Most Americans are now aware of this blockbuster diabetes medication and can probably sing the jingle on command. Its manufacturer, Novo Nordisk, has plastered the airwaves, spending three-quarters of a billion dollars on ads since 2018. As a result, Ozempic charged Medicare \$3 billion in 2021.

People are going to argue—and you heard it from the Senator from Kentucky—that, you know, who is going to pay for this? This is private industry simply coming up with a good product that is needed and charging for a profit. What they don't tell you is that virtually all of the 356 drugs approved by the Food and Drug Administration between 2010 and 2019 were developed with research from the National Institutes of Health. What is the National Institutes of Health? It is the taxpayer-funded, basic research Agency that does the groundbreaking research that leads to these drugs. So the taxpayers are in on the cost of the drugs from the start.

The manufacturers have gamed the patent system to keep lower priced competitors off the markets. The typical patent lasts for 20 years. Now, here is what this basic bill boils down to in explanation: When you discover a chemical formula that you think has the potential to have some drug value, you file a patent, and you are protected for 20 years in developing that chemical compound and selling it to the public. So it is virtual monopoly control of the pricing of the drug during your patent period.

The idea is, at the end of the patent, the formula becomes available to the public, and generic drug manufacturers can step in and make the same thing that you originally made but at a fraction of the cost so that the consumer finally, at the end of the patent, gets a break and gets the cost reduced. However, some very well-paid lawyers for these pharmaceutical companies find ways to stretch that patent on and on

for years. As I said, the typical patent lasts for 20 years from the discovery of the chemical compound. It is usually filed at that time, early in drug development. But these 10 drugs that the President noted have been loaded up with secondary patents, extending that period of monopoly sales for years and years. It is a scheme by Big Pharma to block competition, which brings prices down for consumers and for Medicare and Medicaid.

Take a look at—I am going to see if I can pronounce this drug's name—Imbruvica, a cancer medication. It is right here, Imbruvica, a cancer medication from AbbVie and Johnson & Johnson. It has received 37 patents since its original FDA approval, extending its protection to 2035—another 12 years from now.

Also on this list here is Farxiga. Medicare spent \$3.3 billion a year on this drug. It spent \$77 million a year advertising it on television. How much did they have as global revenue in 2022? They had \$4.4 billion. So of the \$4.4 billion, \$3.3 billion came right out of the taxpayer's Agency, Medicare.

It is a heart medication. This added 13 patents after its approval, shielding the drug from competition for 16 years.

By retaining extensive monopoly periods, the manufacturers have been able to charge Medicare and patients as much as they want. It doesn't have to be this way. While Jardiance retails for more than \$700 in the United States, the exact same drug sells for \$150 in Canada—\$700 in the United States, \$150 in Canada. It costs \$680 to \$700 in the United States. Farxiga costs \$680 in the United States and \$110 in the United Kingdom. How can you explain that difference? Why are the American consumers being taken to the cleaners?

Here is the bottom line: For too long, Big Pharma has abused the drug-pricing system in America, driving up costs and profits off the backs of patients who can no longer afford these medications.

Last week's announcement is a breakthrough, a political breakthrough, thanks to the Inflation Reduction Act passed here in the Senate and the House, signed by President Biden, without a single Republican Senator voting in favor of it—not one. What a shame it is that Big Pharma has filed lawsuit after lawsuit to block these savings for patients, and what a shame that it has become so darn partisan.

I can't tell you how many families have brought this issue up to me. Whether they have a sick child or an aging parent, they need help with the cost of medications. This should be bipartisan, for goodness' sake.

We can have a healthy, productive pharmaceutical industry and have pricing that is affordable. We can bring Canadian prices home to America once we shame these pharmaceutical companies into admitting that they are taking advantage of American consumers.

One of the arguments made by Senator MCCONNELL was to reference a

study at the University of Chicago. He said that if we go ahead with this so-called prescription drug socialism, we are going to deny the discovery and marketing of 130 new drugs. Of course, that would be of very grave concern.

The Congressional Budget Office looked at that study, which was done long before this bill was passed, and said that, in fact, we stand to lose 13 new drugs over the next 30 years if we bring down the profit-taking by these pharmaceutical companies—13 over 30 years.

If a drug is not affordable, it is not accessible. So a drug that you can't afford, even if it is on the market, is of no help to you and your family.

Is this important beyond the cost at the drugstore? Yes, it is. One of the leading health insurers in this country, Blue Cross Blue Shield, told me in Chicago that the No. 1 driver of health insurance premiums people are paying at work is the cost of prescription drugs. This advertising that creates this appetite for all these new drugs leads to requests by patients of doctors to prescribe them. Some doctors, instead of taking the time to question whether or not a patient needs the drug or whether a generic could be satisfactory, just write out a script, and the cost of healthcare goes up day in and day out. Individuals, even with copays, are finding it difficult to have their prescriptions filled.

It doesn't have to be this way. If the pharmaceutical companies of the United States of America would just treat us like their Canadian customers—that is all I might ask for—or European customers, we would be in much better condition.

Finally, we have a President and an administration that stopped talking about it and is doing something. What the President has said is that we are going to negotiate for American consumers and for Medicare the prices of these top-10 drugs: Eliquis, Jardiance, Xarelto, Januvia, Farxiga, Entresto, Enbrel, Imbruvica, Stelara, and NovoLog/Fiasp. All of these are going to be negotiated by the President to bring down the prices by authority created with Congress and a bill that passed with no Republican support.

If the price of prescription drugs is important to you, understand that the battle is now joined. The President has announced we are going after these overcharging pharmaceutical companies. Finally, the American consumer is going to have a champion and have a break in the cost of prescription drugs. It is long overdue.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

REGULAR ORDER PROCESS

Mr. THUNE. Mr. President, today, I want to talk about something that has been going really right here in the U.S. Senate, and that is the use of regular order to consider the annual appropriations bills.

What do I mean by “regular order”? For starters, regular order refers to allowing bills to go through the committee process—including hearings and a markup—where members of the committee have a chance to amend and approve the bill before being referred by the committee to the Senate as a whole for additional debate and deliberation.

The regular-order process is key. It provides the time and space for real deliberation. It allows for input from a broad array of Members and promotes collaboration and compromise. It is a transparent process, one that ensures that both Senators and the American people can see how the legislation in question is made and have ample time to digest it, not to mention the fact that by ensuring the input of more Senators, the regular-order process helps ensure that a broader swath of the American people is represented in any final legislation.

One of Congress's most basic responsibilities is funding the government. For all the reasons I just listed, the way we should be doing that is through regular order. But we haven't been doing the greatest job of that lately here in the Senate. But this year, for the first time in 5 years, the Senate Appropriations Committee has processed all 12 appropriations bills through the committee. A huge amount of credit goes to Senator COLLINS and to her Democrat counterpart, Senator MURRAY, for making this happen.

I hope this will not be a one-off but the start of a new habit for the Senate—a habit of giving each of the appropriations bills the time, debate, and serious consideration that it deserves.

In their press release following passage of all 12 appropriations bills out of committee, Senators COLLINS and MURRAY noted that the bills had passed the committee by overwhelming bipartisan margins, and it is not surprising. When you give Members time to debate and amend legislation and make their concerns and the concerns of their constituents heard, you are a lot more likely to get bipartisan buy-in on the final product.

Today, we expect the Democrat leader to file cloture on what we call a minibus of three appropriations bills: Agriculture; Transportation, Housing and Urban Development, or what we call THUD; and Military Construction and Veterans Affairs, or MILCON-VA. I hope the hearing these bills got in committee will be matched by a similarly deliberative process on the floor, including ample time for consideration of amendments.

Debate and amendment on the floor is another key element of the regular-