

Another way PBMs manipulate the market is through abusive practices like spread pricing or clawbacks. Spread pricing is when a PBM reimburses a pharmacy one amount for filling a prescription and then charges the health plan a higher price and keeps the difference.

That is the scheme. That is the scheme of how they are making money. They basically say: Oh, this is the price. And they then charge the plan a higher amount.

This creates two problems: One, neither the pharmacy nor the plan knows what the other paid or was charged. So both parties lack the data on what a true price for the drug is. Second, this practice allows PBMs to squeeze more money out of the supply chain without anyone knowing how much.

They also claw back reimbursements from pharmacies after a claim is settled through direct and indirect remuneration fees, or what I call DIR fees, which have generic effective rates, or GER.

So, for example, an independent pharmacy in Seattle actually had to close because the PBMs said that this independent pharmacy owed \$538,000 in reimbursements in a single year from these PBMs. They just came up with a number and said this is how much you owe us. So it is not surprising that independent pharmacies can't stay open with these kinds of tactics.

In just the last 18 months, 83 pharmacies in the State of Washington have closed. These practices have contributed to the creation of pharmacy deserts. In fact, *Fortune* magazine just wrote a story about this particular problem in the State of Washington.

There are now 86 towns in my State that are more than 10 miles from the nearest pharmacy. That means that roughly 450,000 people in my State live in an area where they have to drive 10 miles just to go to a pharmacy.

And we now rank sixth among all States for poor access to pharmacies. According to the Washington State Pharmacy Association, there are no more 24-hour pharmacies left in the city of Seattle.

So I am very concerned about the number of independent and community pharmacy closures in my State. I am also concerned about how insurance company middlemen and their unfair business practices have contributed to these closures.

Some might ask why hasn't anyone discovered these schemes or done something about it. Well, that is because PBMs shield their practices and profits by claiming that their data that they have is considered proprietary information.

But we must have laws on the books that make sure that the legal, manipulative schemes can help stop these players in the marketplace who have too much of a concentrated power.

PBMs cannot continue to operate in the dark while Americans see their prescription drugs rise and rise year after

year. And that is why Senator GRASSLEY and I introduced the Pharmacy Benefit Manager Transparency Act, to shine light on these harmful practices, increase the transparency, and increase the accountability for pharmacy benefit managers.

The Pharmacy Benefit Manager Transparency Act directs the Federal Trade Commission to crack down on unfair and abusive schemes, such as the spread pricing or reimbursement clawbacks. It also mandates transparency for these PBMs and that they submit a report about these activities so that we can understand how they are basically moving other products that are not on the formulary placements. That is exactly how some of these schemes have operated.

It is important to have this help from the Federal Trade Commission. It is their job to stop these unfair practices. It is their job to hold PBMS accountable for manipulation of practices or prices and give the Agency more insight into this marketplace.

We cannot wait any longer to get this legislation passed. My bill has come out of the Commerce Committee with good bipartisan support, and it has bicameral support as well.

So we must keep the momentum going. I hope my colleagues here in the Senate will bring this Pharmacy Benefit Manager Transparency Act to the Senate floor when we return. Americans are hurting, and so are our pharmacists.

Our pharmacies themselves are places where information about our prescriptions are held to a high standard. I would hate to see Americans in such a concentrated market that all of our prescription drugs are bought online from one or two big suppliers, and that somehow is our delivery system.

I think pharmacists are a key part of our delivery system. Pharmacies are a key part of communities. And we shouldn't have big, concentrated players manipulating the prices of drugs and putting pharmacies out of business and raising these unbelievable prices on our consumers.

So I thank the President, and I hope our colleagues will consider getting this legislation in front of the Senate when we return.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

LGBTQ+ PRIDE MONTH

Mr. CARDIN. Madam President, I rise today in recognition of the 54th anniversary of Pride Month. I would first like to take a moment to acknowledge how much progress has been made in the span of just a half century.

The first Pride was born out of the Stonewall Uprising, which took place in 1969 after police conducted a violent raid at the Stonewall Inn, a New York City bar known as a place of refuge for members of the LGBTQ+ community. The raid and the ensuing riot in response nearly destroyed the Stonewall Inn and sparked a series of protests against the police's brutality that night.

In the face of such violence and discrimination, a group of gay rights organizers responded by commemorating the first anniversary of the uprising with a march to celebrate the resilience of the LGBTQ+ community. Five decades later, we continue to strive toward equality and inclusion for this community in all aspects of life. While we have many victories to celebrate, such as the 2015 Supreme Court *Obergefell* decision guaranteeing marriage equality, we still have much to do.

I am proud to represent a State that is known to be welcoming to members of the LGBTQ+ community. Last year, Maryland Governor Wes Moore issued an executive order to protect access to gender-affirming care, a huge win for transgender and nonbinary Marylanders.

This year, Maryland is hosting over a dozen local Pride parades and celebrations, from Hagerstown to Salisbury and everywhere in between. And this past weekend, we celebrated Pride in my home city of Baltimore, which has one of the longest running Pride celebrations in the nation.

However, I am dismayed by a growing movement across the country to suppress the rights of LGBTQ+ people and reverse our Nation's hard-won progress. We have a responsibility to uphold the rights and freedoms of all Americans. Therefore, we must not stand by idly as legislative attacks on this community increase across the country. Laws that aim to codify hate and discrimination are despicable. We must challenge this hate not only with our hearts, but through the proactive protection of civil rights.

In particular, we must defend transgender children, their parents, and the right to access gender-affirming care and other support services.

There have been recent efforts by some Members of Congress to use the annual appropriations bill as a vehicle to ban the use of Federal funds for gender-affirming care and DEI initiatives. I urge my colleagues to remember the commitment we have to our Nation to ensure liberty and justice for all. Attacks on personal autonomy that use the mantle of religious freedom to

sanction official discrimination are unacceptable. In 2024, we as the U.S. Congress must rebuke these efforts not only with words, but with action.

The energy with which an alarming number of local and State legislators craft legislation that targets transgender individuals should be channeled into other efforts that would help, not harm, our people.

I am proud to support several pieces of legislation that would expand LGBTQ+ individuals' access to a wide range of resources and protections. I am particularly proud to be a cosponsor of Senator MURRAY's Therapeutic Fraud Prevention Act. We hear a lot of talk about the importance of protecting our children but have yet to take serious action to hold so-called "conversion therapy providers" accountable for abuse and fraud.

The scientific literature increasingly agrees that "conversion therapy," which claims to be able to change a person's sexual or gender identity through various interventions, simply does not work.

Furthermore, these practices are strongly associated with adverse mental health effects, such as anxiety, depression, and suicide, in people who have been through conversion programs. With Senator MURRAY's Bill, we can—and will—prevent further traumatization of our LGBTQ+ youth and their families.

Another bill I am proud to support is the bipartisan Safe Schools Improvement Act, led by Senator CASEY, that would ensure K-12 students across America could receive age-appropriate education to prevent all forms of bullying and harassment. Bullying can lead to tragic outcomes like the loss of Nex Benedict, a nonbinary teenager who died this March after being severely bullied at school for their gender identity.

We already know statistically that LGBTQ+ children and teens across America are at disproportionate risk of depression, anxiety, and suicidality. Instead of enabling the discrimination that is so damaging to our kids' mental health, we should be working to turn those statistics around so that more children, like Nex, get the chance to grow up and pursue their dreams.

Eradicating homophobia in our Nation starts with an honest education on the past and present of the LGBTQ+ community. Senator CASEY's bill presents an opportunity to protect our youth from ignorance and its dire consequences.

I am also proud to cosponsor the Equality Act, offered by Senator MERKLEY. This legislation would prohibit discrimination based on sex, sexual orientation, or gender identity with respect to businesses, employment, housing, federally funded programs, and other settings.

All Americans should be treated equally under the law—no matter who they love or how they identify. LGBTQ+ individuals deserve to be af-

forded every right and protection granted to their neighbors. Members of this community should feel safe enough to be themselves and are entitled to the respect and recognition we expect for every human being.

I am a proud ally who will continue to fight all forms of attack against the LGBTQ+ community. No hate crimes or State-sanctioned discrimination will ever be tolerated by myself, and I expect the same of my colleagues and fellow Americans. The U.S. Senate must challenge intolerance and safeguard civil rights for LGBTQ+ individuals everywhere.

Our Nation must not allow individual opinions to derail the right to dignity to which every American is entitled. It is imperative the United States of America uphold the values of tolerance, compassion, and freedom upon which we claim to stand.

And we certainly cannot overshadow the bravery, joy, and resistance to societal regression that so many LGBTQ+ individuals and activists have demonstrated. I am committed to growing Federal support and increasing resources to safeguard civil rights for this community. I believe that I have an obligation, not just as a Senator from Maryland, but as a human being, to do so. And I look forward to continuing to work, not just this Pride Month but every day of the year, toward equality for all.

TRIBUTE TO MATTHEW BROWN

Mr. THUNE. Madam President, today I recognize Matthew Brown, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Matthew is a graduate of Brandon Valley High School in Brandon, SD. Currently, he is attending Augustana University in Sioux Falls, SD, where he is pursuing a degree in business administration and finance. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Matthew for all of the fine work he has done and wish him continued success in the years to come.

TRIBUTE TO HENRY HAFT

Mr. THUNE. Madam President, today I recognize Henry Haft, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Henry is a graduate of Lincoln High School in Sioux Falls, SD. Currently, he is attending the University of Nebraska-Lincoln in Lincoln, NE, where he is pursuing a degree in business administration. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Henry for all of the fine

work he has done and wish him continued success in the years to come.

TRIBUTE TO NATHAN LAW

Mr. THUNE. Madam President, today I recognize Nathan Law, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Nathan is a graduate of Wall High School in Wall, SD. Currently, he is attending Dakota State University in Madison, SD, where he is pursuing a degree in cyber operations. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Nathan for all of the fine work he has done and wish him continued success in the years to come.

TRIBUTE TO ELLE WESTRA

Mr. THUNE. Madam President, today I recognize Elle Westra, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Elle is a graduate of Lincoln High School in Sioux Falls, SD. Currently, she is attending the University of St. Thomas in Saint Paul, MN, where she is pursuing a degree in business management. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Elle for all of the fine work she has done and wish her continued success in the years to come.

ADDITIONAL STATEMENTS

REMEMBERING DOMINGA BUSTAMANTE

• Mr. PADILLA. Madam President, I rise today to celebrate the life of Dominga Bustamante, a selfless community leader and an adored mother, grandmother, and great-grandmother, who passed away in May at the age of 89.

Dominga Bustamante's family first migrated to California in search of agricultural work and settled in the town of Dinuba, CA, in Tulare County. It was there that she would meet her high school sweetheart and the love of her life, Cruz Bustamante Jr., with whom she would have six children: Cruz, Belinda, Dorothy, Ron, Andrew, and Naomi.

But it was further west in San Joaquin, CA, where Dominga would make her biggest impact. Though she held no elected office and had no formal obligation to serve, her personal moral convictions and her deep religious values made her a relentless force for good.

She was the unofficial "Welcome Host" to Hindu and Sikh families moving to town, an ally to families trying