

a bill to provide for the long-term improvement of public school facilities, and for other purposes.

S. 283

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 283, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 285

At the request of Ms. ERNST, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 285, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 294

At the request of Mr. UDALL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 294, a bill to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

S. 311

At the request of Mr. SASSE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 319

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 319, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S.J. RES. 3

At the request of Mrs. HYDE-SMITH, the names of the Senator from Indiana (Mr. YOUNG), the Senator from Georgia (Mr. ISAKSON), the Senator from North Dakota (Mr. CRAMER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

S. RES. 30

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a co-

sponsor of S. Res. 30, a resolution condemning efforts to undermine democracy in Hungary and urging President Trump to defend the universal human rights and democratic norms under attack by the Orbán government.

AMENDMENT NO. 103

At the request of Mr. PETERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 103 intended to be proposed to S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. LEE, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. COLLINS, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. DURBIN, Ms. ERNST, Mrs. FISCHER, Ms. HASSAN, Mr. KENNEDY, Mr. KING, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. PAUL, Mr. ROUNDS, Ms. SMITH, Ms. STABENOW, Mr. TESTER, Mr. WHITEHOUSE, and Mr. YOUNG):

S. 340. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products; read the first time.

Mr. LEAHY. Mr. President, over the past few years, the national headlines have been dominated by stories about the high cost of pharmaceuticals. We have seen jaw-dropping examples of companies raising the cost of their products overnight, pricing too many families out of the prescription drugs they need to survive. Just last week, House and Senate Committees charged with oversight of the pharmaceutical industry heard heartbreaking testimony from family members of those dependent on insulin who have been forced to ration their treatment because the annual cost of insulin has nearly doubled since 2012. That is appalling, and putting Americans into that kind of situation is unacceptable.

Lawmakers across the political spectrum, including President Trump, agree that Congress needs to act to rein in these spiraling prescription drug prices. Pharmaceutical companies should be compensated for their important work developing lifesaving treatments. But when companies engage in predatory practices at the expense of consumers, we must act. That is why today I am reintroducing the Creating and Restoring Equal Access to Equivalent Samples (CREATES) Act, bipartisan legislation to end inappropriate delay tactics that are used by some brand-name drug companies to block

competition from more affordable generic drugs. I am glad to be joined by Senators GRASSLEY, KLOBUCHAR, LEE and 24 other Senators of both parties in introducing this bill today.

The first delay tactic addressed by the CREATES Act involves the withholding of drug samples that generic manufacturers need to gain regulatory approval. Federal law requires generic competitors to prove that their low-cost alternative is equally safe and effective as the brand-name drug with which they wish to compete. Unfortunately, some brand-name companies are preventing generic manufacturers from obtaining the samples they need to make the necessary comparison. This simple delay tactic misuses regulatory safeguards as a weapon to block competition.

The second delay tactic addressed by the CREATES Act involves the development of shared safety protocols. For some high-risk drugs, Federal law requires a generic drug manufacturer to join the brand-name drug manufacturer in a single, shared safety protocol for distribution of the drug. Despite this requirement, some brand-name companies are refusing to negotiate shared safety protocols with potential generic competitors, again undermining those competitors' ability to gain FDA approval for their generic versions of such drugs.

The CREATES Act allows the FDA more discretion to approve alternative safety protocols, rather than require parties to develop shared safety protocols. Any safety protocol approved by the FDA must meet the rigorous statutory standards already in place.

These exclusionary practices thwart competition and deny consumers the benefit of lower drug prices. Recognizing the effect these tactics have in keeping drug prices high, in May 2018, FDA for the first time publicly identified brand-name drug companies that abuse FDA's safety programs or enact their own restricted distribution systems to delay competition from generic and biosimilar manufacturers. The FDA's list shows 164 inquiries covering more than 50 prescription drugs where access to samples was at issue. In recent years, according to FDA testimony to Congress, the number of inquiries has increased.

I share the concerns of Vermonters and Americans across the country that many prescription drugs are simply too expensive. I hear this again and again, from Vermonters in every corner of our state. When brand companies can artificially raise the price of drugs by using predatory practices, patients suffer. Illnesses worsen. Families, government programs, and other payers in the healthcare system ultimately bear those added, unnecessary costs.

Making meaningful reform to reduce the cost of prescription drugs should be a top priority for all lawmakers. The CREATES Act is an important piece of that puzzle, and is widely supported across the political spectrum and has

been endorsed by more than 90 groups. The Congressional Budget Office estimates that the CREATES Act would lower Federal spending on prescription drugs by \$3.9 billion and research shows that the savings to patients with employer-based health insurance and the health care system overall would be far greater—many billions of dollars more.

Think for a moment about the impact of price hikes on the family of a patient facing a life-threatening illness. Across the country, hardworking Americans feel like the system is rigged against them by corporations that are looking to make a profit at any price. With examples like Turing and Mylan, it is no wonder they feel that way.

The CREATES Act is one piece of the puzzle, addressing anticompetitive behavior that delays the creation of affordable generic drugs. Drug affordability is a bipartisan issue that affects each and every American. These reforms will make a difference. I hope we can finally act together to help put more affordable prescription drugs in the hands of Americans.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 40—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. GRASSLEY submitted the following resolution; from the Committee on Finance; which was referred to the Committee on Rules and Administration:

S. RES. 40

*Resolved*, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2019, through September 30, 2019; October 1, 2019, through September 30, 2020; and October 1, 2020, through February 28, 2021, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2a. The expenses of the committee for the period March 1, 2019, through September 30, 2019, under this resolution shall not exceed \$5,119,003, of which amount (1) not to exceed \$17,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2019, through September 30, 2020, expenses of the committee under this resolution shall not exceed \$8,775,434, of which amount (1) not to exceed

\$30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2020, through February 28, 2021, expenses of the committee under this resolution shall not exceed \$3,656,431 of which amount (1) not to exceed \$12,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$4,166 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2019, through September 30, 2019; October 1, 2019, through September 30, 2020; and October 1, 2020 through February 28, 2021, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

##### SENATE RESOLUTION 41—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BARRASSO submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Rules and Administration:

S. RES. 41

*Resolved*,  
**SECTION 1. GENERAL AUTHORITY.**

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works (in this resolution referred to as the "committee") is authorized from

March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

#### SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed \$3,183,482, of which amount—

(1) not to exceed \$4,666 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$1,166 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$5,457,399, of which amount—

(1) not to exceed \$8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$2,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$2,273,917, of which amount—

(1) not to exceed \$3,334 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$834 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

#### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate such sums as may