S. 46

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Ms. BLUNT ROCHESTER) was added as a cosponsor of S. 46, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan.

S. 74

At the request of Mrs. BLACKBURN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 74, a bill to require the Attorney General to submit to Congress a report relating to violence against women in athletics.

S. 106

At the request of Mr. CRAMER, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 106, a bill to amend title XVIII of the Social Security Act to provide Medicare coverage for all physicians' services furnished by doctors of chiropractic within the scope of their license, and for other purposes.

S. 107

At the request of Mr. TILLIS, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 107, a bill to amend the Lumbee Act of 1956.

S. 142

At the request of Mr. BARRASSO, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 142, a bill to award a Congressional Gold Medal to wildland firefighters in recognition of their strength, resiliency, sacrifice, and service to protect the forests, grasslands, and communities of the United States, and for other purposes.

S. 143

At the request of Mr. CRUZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 143, a bill to amend the Clean Air Act to repeal the natural gas tax.

S. 157

At the request of Mrs. BLACKBURN, the names of the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from North Carolina (Mr. BUDD), the Senator from Texas (Mr. CORNYN) and the Senator from Oklahoma (Mr. MULLIN) were added as cosponsors of S. 157, a bill to authorize certain States to take certain actions on certain Federal land to secure an international border of the United States, and for other purposes.

S. 179

At the request of Mr. TUBERVILLE, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 179, a bill to amend the Defense Production Act of 1950 to prevent harm and disruption to the United States agriculture industry by protecting against foreign influence over agriculture production and supply chains, and for other purposes.

S. 198

At the request of Mr. COTTON, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 198, a bill to impose sanctions with respect to the system of compensation of the Palestine Liberation Organization and the Palestinian Authority that supports acts of terrorism.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. RISCH, Mr. ROUNDS, Ms. LUMMIS, and Mr. SHEEHY)

S. 211. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing permits and leases, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Resiliency for Ranching and Natural Conservation Health Act''.

SEC. 2. TEMPORARY USE OF VACANT GRAZING ALLOTMENTS FOR HOLDERS OF GRAZING PERMITS OR LEASES DURING EXTREME NATURAL EVENTS AND DISASTERS.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

''SEC. 405. VACANT GRAZING ALLOTMENTS MADE AVAILABLE TO HOLDERS OF GRAZING PERMITS OR LEASES DURING EXTREME NATURAL EVENTS AND DISASTERS.

''(a) DEFINITION OF SECRETARY CONCERNED.—In this section, the term 'Secretary concerned' means—

''(1) the Secretary of Agriculture, with respect to National Forest System land; and

''(2) the Secretary, with respect to public lands.

''(b) ALLOTMENTS.—

''(1) IN GENERAL.—The Secretary concerned may make available to the holder of a grazing permit or lease issued by either Secretary concerned the temporary use of a vacant grazing allotment if—

''(A) 1 or more grazing allotments covered by the grazing permit or lease of the holder of the grazing permit or lease are temporarily unusable, as determined by the Secretary concerned, because of unforeseen natural events or disasters (including an extreme weather event, drought, wildfire, infestation, or blight); and

''(B) the Secretary concerned determines that the vacant grazing allotment is appropriate for temporary grazing use.

''(2) TERMS AND CONDITIONS.—In establishing the terms and conditions in a permit or lease for the temporary use of a vacant grazing allotment made available pursuant to this subsection, the Secretary concerned—

''(A) shall take into consideration the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment;

''(B) if there are no terms or conditions available for consideration under subparagraph (A), may assign temporary terms or conditions, after considering ecological conditions of, or terms on, adjacent grazing allotments;

''(C) shall base the terms and conditions on local ecological conditions, as determined by the applicable official;

''(D) shall take into consideration other factors, including any prior agency agreement that resolved or sought to resolve a management conflict, including a conflict related to State management of wildlife; and

''(E) may authorize the placement and use of temporary rangeland improvements (including portable corrals, fencing, aboveground pipelines, and water troughs) on the vacant grazing allotment to accommodate the temporary use.

''(3) COORDINATION.—To the maximum extent practicable, the Secretaries concerned shall coordinate to make available to holders of grazing permits or leases the use of vacant grazing allotments, regardless of agency jurisdiction over vacant grazing allotments, pursuant to paragraphs (1) and (2).

''(4) EFFECT.—The temporary use of a vacant grazing allotment under this subsection shall not—

''(A) preclude or otherwise alter other ongoing or future actions or assessments evaluating the potential of the vacant grazing allotment to be used or otherwise assigned; or

''(B) alter—

''(i) the terms and conditions of the original grazing permit or lease of the holder of the grazing permit or lease;

''(ii) the preference or ability of the holder of the grazing permit or lease to return to the original allotment once access to, or the use of, the original allotment is restored; or

''(iii) the animal unit months in future authorizations, or conditions of a permit, of the holder of the grazing permit or lease.

''(c) DURATION.—The Secretary concerned shall determine the duration of the temporary use of a vacant grazing allotment made available pursuant to subsection (b), after considering—

''(1) the condition of the vacant grazing allotment; and

''(2) the period of time necessary for the original allotment of the holder of the grazing permit or lease to return to use.

''(d) GUIDELINES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary concerned shall establish guidelines to expeditiously, efficiently, and effectively carry out activities authorized under this section.

''(2) CONSIDERATIONS.—In establishing the guidelines under paragraph (1), the Secretary concerned may consider—

''(A) criteria for determining whether the vacant grazing allotment is suitable for temporary grazing use;

''(B) eligibility criteria for the holders of grazing permits or leases;

''(C) prioritizing holders of grazing permits or leases in close proximity to a vacant grazing allotment;

''(D) any class or change in class of livestock on the temporary use of a vacant grazing allotment, with consideration given to local ecological conditions, disease, wildlife conflicts, and other factors based on localized conditions;

''(E) processes for coordinating with allotments adjoining or within the vicinity of a vacant grazing allotment; and

''(F) any other processes intended to expedite procedures for making vacant grazing allotments available during emergent circumstances.

''(e) PERIODIC EVALUATIONS.—The Secretary concerned shall periodically evaluate land health conditions of vacant grazing allotments to facilitate the efficient implementation of this section.''.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. KING, Ms. ERNST, Ms. SMITH, Mr. WELCH, Mr. BLUMENTHAL, Ms. BALDWIN, and Mr. TUBERVILLE):

S. 229. A bill to amend title XI of the Social Security Act to require that direct-to-consumer advertisements for prescription drugs and biological products include an appropriate disclosure of pricing information; to the Committee on Finance.

Mr. DURBIN. Mr. President, as President Trump begins his second term, I am concerned about his immigration policy, pardons for violent insurrectionists of January 6, and the grifters seeping into the White House. In each of these areas, I am prepared to fight with every tool at my disposal to stop abuses that harm Americans.

But I also believe we must find areas of agreement where we can, and one of those areas could be addressing the astronomical cost of prescription drugs, a real-life issue facing American families.

Thankfully, last week, President Biden announced 15 new drugs that Medicare will now bargain for, to lower prices for seniors across the America. Remember, those savings are only possible because of the passage of the Inflation Reduction Act, which did not receive a single Republican vote.

There is more work to do though. On average, patients in the United States of America pay four times more—four times more—than people in similar countries for the exact same drugs. What is going on here? A drug is made in America and sold at four times the cost in America as is charged by the same companies overseas.

Why is the United States such an outlier? One reason is advertising. Have you noticed any ads for drugs on television lately? If you haven't, you don't have a TV. The United States is one of only two industrialized countries in the world that allows pharmaceutical companies to advertise on television. What is the other country that allows this? New Zealand—the United States and New Zealand.

You know these ads I am talking about—catchy jingles, flashy images; patients rock climbing, swimming, dancing. Big Pharma spends—get this now—$6 billion every year to flood the airwaves about the latest wonder drug. Why do they spend so darn much money on drug ads? Because it increases their profits. Big Pharma thinks, if they can pummel you with enough ads, not only will you be able to spell Xarelto, but you will be able to tell your doctor this is the blood thinner you have been waiting for.

Don't take my word for it. Here is what the American Medical Association says about these ads we are inundated with every single darn day on our televisions:

Direct-to-consumer advertising inflates demand for new and expensive drugs, even when these drugs may not be appropriate.

So when President Biden announced a list of 15 drugs that will be negotiated for discounts, I imagined most Americans already recognized many of their names: Ozempic, Trelegy, Ibrance, and Otezla.

Manufacturers spend hundreds of millions of dollars encouraging you to just ''ask your doctor'' about these drugs. The result? Medicare spent $22 billion last year on those very same four drugs that were heavily advertised medications.

A recent headline in the New York Times read:

Robert F. Kennedy Jr. Wants to Ban Drug Ads on TV. It Wouldn't Be Easy.

It discussed the First Amendment challenges Pharma would raise as a result of that.

While I have strong concerns with President Trump's health nominee, I am glad this administration wants to join me to tackle these promotional ads. We already have an incredible strategy on the table.

For the last 8 or 9 years, I have introduced bipartisan legislation to crack down on these drug ads on TV and other places. Senator CHUCK GRASSLEY, Republican of Iowa, has been my partner.

When you turn on the evening news—get this—one-third of all commercial time is for prescription drugs. Do you think you are seeing a lot of ads? One-third of all commercial time is for prescription drugs.

Try to avoid it, if you wish. But the average American sees nine drug ads a day. I will bet it is more. It seems like more.

With billions in targeted spending, patients are bombarded with information. All of this information is being tossed at you, most of it at a mile-a-minute gibberish. But they do keep in the darkness one important factor: They never mention the cost, the price of the drug.

In 2023, Illinois company AbbVie spent $315 million on TV ads for Rinvoq. I have an ad here. Rinvoq is an eczema and arthritis drugs. However, in the commercial, they don't tell you one thing. The cost of this drug is $6,100 per month. My staff just corrected me before I came to the floor and said: You missed the latest increase. It is now up to $6,400 a month for Rinvoq.

Hang on. I am sure you will see one of those ads in no time at all.

Senator GRASSLEY and I think it is time to end the big secrecy on the cost of these drugs. If they are going to advertise it and rattle off gibberish—I love the one that says: Don't take Otezla if you are allergic to Otezla.

That never would have dawned on me. That is part of their ad.

If you are looking at the ads and hearing the gibberish they throw at us, they tell you everything under God's green Earth, except a basic honest issue: How much does it cost?

That is why today we are introducing bipartisan legislation to require price disclosures in direct-to-consumer drug ads.

Our plan is simple. It actually passed the Senate once before, in 2018, and 88 percent of the American people support this kind of disclosure. In fact, after we worked to advance this measure, Donald Trump, then President of the United States, said this, and I want to make sure the quote is accurate. This is from his first term in office:

Big announcement today: Drug companies have to come clean about their prices in TV ads. Historic transparency for American patients is here. If drug companies are ashamed of those prices—lower them!

I may disagree with the President on many things, but I certainly agree with this statement there.

Big Pharma hates being honest with patients about the true prices of their drugs. They fear it might cut into their colossal historic profits. With the support of President Trump and Senator GRASSLEY, I believe this will be the year we finally pass bipartisan legislation to bring sunshine to these ads and to actually lower health costs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Drug-price Transparency for Consumers Act of 2025'' or the ''DTC Act of 2025''.

SEC. 2. FINDINGS; SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds the following:

(1) Direct-to-consumer advertising of prescription pharmaceuticals is legally permitted in only 2 developed countries, the United States and New Zealand.

(2) In 2018, pharmaceutical ad spending exceeded $6,046,000,000, a 4.8 percent increase over 2017, resulting in the average American seeing 9 drug advertisements per day.

(3) The most commonly advertised medication in the United States in 2020 had a list price of more than $6,000 for a one-month supply.

(4) A 2021 Government Accountability Office report found that two-thirds of all direct-to-consumer drug advertising between 2016 and 2018 was concentrated among 39 brand-name drugs or biologicals, about half of which were recently approved by the Food and Drug Administration.

(5) According to a 2011 Congressional Budget Office report, pharmaceutical manufacturers advertise their products directly to consumers in an attempt to boost demand for their products and thereby raise the price that consumers are willing to pay, increase the quantity of drugs sold, or achieve some combination of the two.

(6) Studies, including a 2012 systematic review published in the Annual Review of Public Health, a 2005 randomized trial published in the Journal of the American Medical Association, and a 2004 survey published in Health Affairs, show that patients are more likely to ask their doctor for a specific medication, and the doctor is more likely to write

a prescription for it, if a patient has seen an advertisement for such medication, even if such medication is not the most clinically appropriate for the patient or if a lower cost generic medication may be available.

(7) According to a 2011 Congressional Budget Office report, the average number of prescriptions written for newly approved brand-name drugs with direct-to-consumer advertising was 9 times greater than the average number of prescriptions written for newly approved brand-name drugs without direct-to-consumer advertising.

(8) The Centers for Medicare & Medicaid Services is the single largest drug payer in the United States. Between 2016 and 2018, 58 percent of the $560,000,000,000 in Medicare drug spending was for advertised drugs, and in 2018 alone, the 20 most advertised drugs on television cost Medicare and Medicaid a combined $34,000,000,000.

(9) A 2021 Government Accountability Office report found that direct-to-consumer advertising may have contributed to increases in Medicare beneficiary use and spending among certain drugs.

(10) The American Medical Association has passed resolutions supporting the requirement for price transparency in any direct-to-consumer advertising, stating that such advertisements on their own ''inflate demand for new and more expensive drugs, even when these drugs may not be appropriate''.

(11) A 2019 study published in the Journal of the American Medical Association found that health care consumers dramatically underestimate their out-of-pocket costs for certain expensive medications, but once they learn the wholesale acquisition cost (in this section referred to as the ''WAC'') of the product, they are far better able to approximate their out-of-pocket costs.

(12) Approximately half of Americans have high-deductible health plans, under which they often pay the list price of a drug until their insurance deductible is met. All of the top Medicare prescription drug plans use coinsurance rather than fixed-dollar copayments for medications on nonpreferred drug tiers, exposing beneficiaries to WAC prices.

(13) Section 119 of division CC of the Consolidated Appropriations Act, 2021 (Public Law 116–260) requires the Secretary of Health and Human Services to increase the use of real-time benefit tools to lower beneficiary costs. However, there still remains a lack of available pricing tools, so patients may not learn of their medication's cost until after being given a prescription for the medication. A 2013 study published in The Oncologist found that one-quarter of all cancer patients chose not to fill a prescription due to cost.

(14) The Federal Government already exercises its authority to oversee certain aspects of direct-to-consumer drug advertising, including required disclosures of information related to side effects, contraindications, and effectiveness.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a lack of transparency in pricing for pharmaceuticals has led to a lack of competition for such pharmaceuticals, as evidenced by a finding by the Department of Health and Human Services that ''Consumers of pharmaceuticals are currently missing information that consumers of other products can more readily access, namely the list price of the product, which acts as a point of comparison when judging the reasonableness of prices offered for potential substitute products'' (84 Fed. Reg. 20735);

(2) in an age where price information is ubiquitous, the prices of pharmaceuticals remain shrouded in secrecy and limited to those who subscribe to expensive drug price reporting services, which typically include pharmaceutical manufacturers or other health care industry entities and not the general public;

(3) greater insight and transparency into drug prices will help consumers know if they can afford to complete a course of therapy before deciding to initiate that course of therapy;

(4) price shopping is the mark of rational economic behavior, and markets operate more efficiently when consumers have relevant information about a product, including its price, before making an informed decision about whether to buy that product;

(5) providing consumers with basic price information may result in the selection of lesser cost alternatives, all else being equal relative to the patient's care, and is integral to providing adequate competition in the market;

(6) the WAC is a factual, objective, and uncontroversial definition for the list price of a medication, in that it is defined in statute, reflects an understood place in the supply chain, and is at the sole discretion of the manufacturer to set;

(7) there is a governmental interest in ensuring that consumers who seek to purchase pharmaceuticals for purposes of promoting their health and safety understand the objective list price of any pharmaceutical that they are encouraged through advertisements to purchase, which allows consumers to make informed purchasing decisions; and

(8) there is a governmental interest in mitigating wasteful expenditures and promoting the efficient administration of the Medicare program by slowing the growth of Federal spending on prescription drugs.

SEC. 3. REQUIREMENT THAT DIRECT-TO-CONSUMER ADVERTISEMENTS FOR PRESCRIPTION DRUGS AND BIOLOGICAL PRODUCTS INCLUDE AN APPROPRIATE DISCLOSURE OF PRICING INFORMATION.

Part A of title XI of the Social Security Act is amended by adding at the end the following new section:

''SEC. 1150D. REQUIREMENT THAT DIRECT-TO-CONSUMER ADVERTISEMENTS FOR PRESCRIPTION DRUGS AND BIOLOGICALS INCLUDE AN APPROPRIATE DISCLOSURE OF PRICING INFORMATION.

''(a) REQUIREMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), not later than July 1, 2026, the Secretary shall require that each direct-to-consumer advertisement for a prescription drug or biological product for which payment is available under title XVIII or XIX and that is required to include the information relating to side effects, contraindications, and effectiveness described in section 202.1(e)(1) of title 21, Code of Federal Regulations (or any successor regulation) also include an appropriate disclosure of pricing information, as described in subsection (b), with respect to such prescription drug or biological product.

''(2) EXEMPTION.—The requirement under paragraph (1) shall not apply to a prescription drug or biological product for which the wholesale acquisition cost for a 30-day supply of (or, if applicable, a typical course of treatment as set forth in the approved label for the primary indication addressed in the advertisement for) such prescription drug or biological product is less than $35.

''(b) APPROPRIATE DISCLOSURE OF PRICING INFORMATION.—For the purposes of subsection (a), an appropriate disclosure of pricing information, with respect to a prescription drug or biological product—

''(1) shall clearly and conspicuously disclose the wholesale acquisition cost for a 30-day supply of (or, if applicable, a typical course of treatment for) such prescription drug or biological product; and

''(2) may explain that a consumer may pay a different amount for such prescription drug or biological product than such wholesale acquisition cost depending on the health insurance coverage of the consumer.

''(c) RULEMAKING.—Not later than 1 year after the date of enactment of this section, the Secretary shall promulgate final regulations to carry out this section, including establishing requirements for—

''(1) the visual and audio components, with respect to each medium of direct-to-consumer advertisement, to communicate the wholesale acquisition cost of the advertised prescription drug or biological product; and

''(2) the amount of time for a manufacturer to update any direct-to-consumer advertisement to reflect any change to the wholesale acquisition cost of the advertised prescription drug or biological product.

''(d) SANCTIONS.—Any manufacturer of a prescription drug or biological product, or an agent of such manufacturer, that violates the requirement of this section may be subject to a civil money penalty of not more than $100,000 for each such violation. The provisions of section 1128A (other than subsections (a) and (b)) shall apply to civil money penalties under the preceding sentence in the same manner as they apply to a penalty or proceeding under section 1128A(a).

''(e) PUBLIC REPORTING.—In order to enforce the requirement under this section, the Secretary may use information reported about manufacturers that fail to comply with such requirement.

''(f) DEFINITIONS.—In this section:

''(1) BIOLOGICAL PRODUCT.—The term 'biological product' means any biological product (as defined in section 351(i) of the Public Health Service Act) that is licensed by the Food and Drug Administration pursuant to section 351 and is subject to the requirements of section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act.

''(2) PRESCRIPTION DRUG.—The term 'prescription drug' means any drug (as defined in section 201(g) of the Federal Food, Drug, and Cosmetic Act) that has been approved by the Food and Drug Administration pursuant to section 505 of such Act and is subject to the requirements of section 503(b)(1) of such Act.

''(3) WHOLESALE ACQUISITION COST.—The term 'wholesale acquisition cost' has the meaning given such term in section 1847A(c)(6)(B).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the purposes of carrying out this section.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—CALLING ON THE GOVERNMENT OF PANAMA TO EXPEL OFFICIALS AND INTERESTS OF THE PEOPLE'S REPUBLIC OF CHINA AND TERMINATE CHINESE MANAGEMENT OF KEY PANAMANIAN PORTS

Mr. SCHMITT (for himself, Mr. COTTON, Mr. MARSHALL, Mrs. BRITT, Mrs. BLACKBURN, and Mr. RICKETTS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 31

Whereas the strategic location of the Panama Canal is vital to global trade and the security of the Western Hemisphere;

Whereas Panamanians and Americans have invested significantly to secure the sovereignty, stability, and prosperity of Panama, including the construction, defense,