

JOHN JAMES HAS TAKEN NEARLY ONE HUNDRED THOUSAND DOLLARS FROM PRESCRIPTION DRUG MANUFACTURERS WHILE SUPPORTING BILLIONS IN TAX CUTS FOR BIG PHARMA

JAMES HAS TAKEN NEARLY ONE HUNDRED THOUSAND DOLLARS FROM PHARMACEUTICAL INDUSTRY

James Accepted \$81,668 From Pharmaceutical-Related Industries. [Center for Responsive Politics, accessed [9/14/20](#)]

- **James Accepted \$52,062 From The Pharmaceuticals/Health Products Industry During The 2020 Cycle.** [Center for Responsive Politics, accessed [9/14/20](#)]
- **James Accepted \$29,606 From The Pharmaceuticals/Health Products Industry During The 2018 Cycle.** In the 2018 cycle, James accepted \$29,606 from the pharmaceuticals/health products industry. [Center for Responsive Politics, accessed [9/14/20](#)]

JAMES SUPPORTED A \$28 BILLION DOLLAR TAX CUT FOR BIG PHARMA

James Said He Wanted To Repeal The Affordable Care Act. [Talking Points Memo, [5/10/19](#)]

James Supported The Republican Plan To Repeal And Replace The Affordable Care Act. “Our failure to repeal and replace Obamacare is the surest sign that we need new conservative leadership in Washington. Someone who will go and work their tail off to remove this monstrosity.” [YouTube, [10/9/20](#)]

Americans For Tax Fairness Headline: “Big Pharma Gets \$28 Billion Tax Break In GOP Trumpcare Plan”
[Americans For Tax Fairness, [6/21/17](#)]

- **The GOP Repeal And Replace Plan Would Make The Nation’s Pharmaceutical Industry \$28 Billion Richer Thanks To A Big Tax Cut.** “There will be a lot of losers if the House GOP’s disastrous plan to repeal and replace the Affordable Care Act (ACA, or Obamacare) ever becomes law: people with preexisting medical conditions, working families, older folks, kids. One of the few winners would be the nation’s pharmaceutical industry: \$28 billion richer thanks to a big tax cut. (The Senate is likely to keep this tax break in its version of the legislation.)” [Americans For Tax Fairness, [6/21/17](#)]

If Trump And The Republican-Controlled Congress Had Succeeded In Repealing The Affordable Care Act, Big Pharma Would Have Seen An Additional \$28 Billion Tax Cut Over The Next Ten Years. “Big Pharma would have seen an additional \$28 billion tax cut over the next ten years if Trump and the Republican-controlled Congress had succeeded in repealing the Affordable Care Act.” [Public Citizen, [10/9/20](#)]

- **New York Times: “G.O.P. Health Bill Would Leave 23 Million More Uninsured In A Decade, C.B.O. Says”**
[New York Times, [5/24/17](#)]
 - **The Joint Committee On Taxation Said The ACA Replacement Bill Would Cut Taxes For High-income People By \$230 Billion Over 10 Years.** “In a separate report, the congressional Joint Committee on Taxation said Wednesday that the House bill would cut taxes for high-income people by \$230 billion over 10 years. The bill would repeal provisions of the Affordable Care Act that increased the payroll tax rate for many high-income taxpayers and imposed a surtax on their net investment income.” [New York Times, [5/24/17](#)]

JAMES SUPPORTED THE GOP TAX LAW WHICH PROVIDED A TAX WINDFALL TO BIG PHARMA

HEADLINE: “Drug Firms Lead The Way On Pocketing Tax Cuts.” [Editorial, St. Louis Post-Dispatch, [2/26/18](#)]

St. Louis Post-Dispatch Editorial: Large Pharmaceutical Companies “Pocketed” \$50 Billion In Tax Savings From The Republican Tax Bill Rather Than Investing In Research & Development. “A new survey of U.S. companies from analysts at Morgan Stanley estimates that 43 percent of the savings from the Republican tax cut bill will be paid to

investors in the form of higher dividends and stock buybacks. Leading the way are large pharmaceutical companies, which Axios.com reported last week are spending a combined \$50 billion on stock-buyback programs. Only 13 percent of corporate America's tax-cut savings will be passed on to employees, the Morgan Stanley analysts reported. Much of that will go to executives, whose compensation is often tied to stock prices, and they'll benefit as well when share buybacks cause stock prices to jump. The buybacks at Big Pharma are particularly galling. This is the industry that defends high drug prices by citing the high research and development costs of creating new drugs. Did they use that \$50 billion in tax savings for R&D? No, they pocketed it." [Editorial, St. Louis Post-Dispatch, [2/26/18](#)]

- **St. Louis Post-Dispatch Editorial: "The Tax-Bill That Trump Championed Provided An Additional Windfall For Big Pharma Beyond Cutting The Corporate Tax Rate From 35 Percent To 21 Percent."** "Instead the tax-bill that Trump championed provided an additional windfall for Big Pharma beyond cutting the corporate tax rate from 35 percent to 21 percent. The bill included a repatriation deal for companies holding cash overseas, including the \$200 billion held by pharmaceutical companies. Instead of paying the old corporate tax rate of 35 percent on profits held overseas, companies will get a one-time deal that taxes them only 15.5 percent on repatriated cash." [Editorial, St. Louis Post-Dispatch, [2/26/18](#)]

HEADLINE: "Health Care Companies' Huge Tax Windfalls." [Axios, [10/26/18](#)]

Axios: "The Republican Tax Law Has Rerouted Billions Of Dollars From The Federal Treasury Into The Bank Accounts Of Health Care Companies And Wall Street Investors." [Axios, [10/26/18](#)]

HEADLINE: "The Tax Overhaul Is Actually A Big Win For Insurers And Drugmakers." [Washington Post, [12/20/17](#)]

Washington Post: Republican Tax Plan "A Pretty Big Boon" For The Health Insurance Industry, Expected To Reap "The Biggest Benefits" From Its Corporate Tax Cut. [Washington Post, [12/20/17](#)]

- **Washington Post: "Here's An Effect Of The Tax Overhaul That Is Clearer: It Means More Money In The Pockets Of Insurers And Probably Drugmakers, Too."** [Washington Post, [12/20/17](#)]

HEADLINE: "Tax Cuts Will Save Health Care Companies Billions — But Not Patients." [Axios, [3/5/18](#)]

Axios: "Health Care Companies Will Add Tens Of Billions Of Dollars To Their Bottom Lines This Year Thanks To...The Republican Tax Cut Package. But Only A Fraction Of That Money Will Benefit Patients." [Axios, [3/5/18](#)]

- **Axios: "Even Though A Lower Corporate Tax Rate Frees Up More Cash For A Health Care System That More Patients Are Finding Increasingly Unaffordable, Patients Should Not Expect The Health Industry's Windfall To Lead To Lower Premiums [Or] Reduced Price."** [Axios, [3/5/18](#)]

Axios: "Most Of" The Estimated \$10 Billion Tax Cut Expected By 21 Health Care Companies From The Republican Tax Bill Was Going To "Share Buybacks, Dividends, Acquisitions, And Paying Down Debt." [Axios, [3/5/18](#)]

- **Axios: "A Majority Of UnitedHealth's Windfall Is Going To Wall Street And Executives...Even Health Care Companies That Didn't Forecast Specific Tax Savings Nevertheless Made It Clear Wall Street Will Get Its Fill."** [Axios, [3/5/18](#)]

Headline: "Pharma's \$50 Billion Tax Windfall For Investors" [Axios, [2/22/18](#)]

- **Axios: The Pharmaceutical Industry Is Using A Large Portion Of Its Windfall From Republicans' Corporate Tax Cuts To Boost Its Stock Prices.** "The pharmaceutical industry is using a large portion of its windfall from Republicans' corporate tax cuts to boost its stock prices. Nine drug companies are spending a combined \$50 billion on new share buyback programs, a sum that towers over investments in employees or drug research and development." [Axios, [2/22/18](#)]

Axios: "4 Pharma Companies Saved \$7 Billion From GOP Tax Law." [Axios, [4/9/19](#)]

Headline: "The Drug Companies That Rang In 2018 With Price Hikes" [Axios, [1/3/18](#)]

University of Michigan Health Care Business Professor: Republican Tax Bill "Unlikely To Lead To Significant, Long-Lasting Savings For Patients." [Axios, [3/5/18](#)]

Pharmaceutical Manufacturer Eli Lilly Was Estimated To Have An Effective Tax Rate Of Effectively 0%. “At least 60 companies reported that their 2018 federal tax rates amounted to effectively zero, or even less than zero, on income earned on U.S. operations, according to an analysis released today by the Washington, D.C.-based think tank, the Institute on Taxation and Economic Policy. The number is more than twice as many as [ITEP](#) found roughly, per year, on average in an earlier, multi-year analysis before the new tax law went into effect. Among them are household names like technology giant Amazon.com Inc. and entertainment streaming service Netflix Inc., in addition to global oil giant Chevron Corp., pharmaceutical manufacturer Eli Lilly and Co., and farming and commercial equipment manufacturer Deere & Co. [...] The controversial Tax Cuts and Jobs Act, signed by President Donald Trump in December 2017, lowered the corporate tax rate to 21 percent from 35 percent, among other cuts. That’s partly to blame for giving corporations an easier way out of paying taxes, said Matthew Gardner, an ITEP senior fellow and lead author of the report. The new corporate tax rate ‘lowers the bar for the amount of tax avoidance it takes to get you down to zero,’ he said. [...] Pharmaceutical and technology companies have long been criticized for leaving profits overseas in countries with little or no corporate taxes, or tax havens like the Cayman Islands, Luxembourg and the Netherlands. The 2017 tax law looked to address those issues by changing the way the profits from foreign subsidiaries are taxed in the United States. As part of the shift to a new tax regime, U.S. corporations were assessed a one-time tax on foreign profits; the tax can be paid over eight years.” [NBC News, [4/11/19](#)]

Tax Bill Was Estimated To Save Top Five Pharmaceutical Companies \$42.7 Billion. “The tax proposal supported by President Donald Trump and congressional Republicans would give five top pharmaceutical corporations a \$42.7 billion tax break.” [Public Citizen and ITEP, 11/20/17]

In Response To Republican Tax Reform, Drug Companies Gave Their Investors \$50 Billion In Share Buybacks. “The pharmaceutical industry is using a large portion of its windfall from Republicans’ corporate tax cuts to boost its stock prices. Nine drug companies are spending a combined \$50 billion on new share buyback programs, a sum that towers over investments in employees or drug research and development.” [Axios, 2/22/18]

JAMES WILL SIDE WITH BIG CORPORATE DONORS WHO WOULD RAISE DRUG PRICES FOR SENIORS AND OPPOSE EFFORTS TO MAKE LIFESAVING DRUGS MORE AFFORDABLE

JAMES WANTS TO REPEAL THE ACA

James Said He Wanted To Repeal The Affordable Care Act. [Talking Points Memo, [5/10/19](#)]

THE ACA EXPANDED THE GENERIC, BIOLOGICS DRUGS MARKET, ESTIMATED TO PRODUCE SAVINGS OF \$54 BILLION FROM 2017 TO 2026

Passage Of The ACA Included The Biologics Prices Competition And Innovation Act, Which Created An Approval Pathway For Biosimilar Medications, Which Are Cheaper Alternatives To Expensive Biologics. [DPCC, accessed [6/23/20](#)]

Biosimilar Medications Were Estimated To Save \$54 Billion From 2017 To 2026. [Rand Health Quarterly, [3/30/18](#)]

DRUG COMPANIES WOULD ONCE AGAIN BE ALLOWED TO PAY DOCTORS BEHIND CLOSED DOORS, TO PRESCRIBE DRUGS YOU DON’T NECESSARILY NEED

Passage Of The ACA Included The Physician Payments Sunshine Act, Which Would Allow Drug Companies To Once Again Be Allowed To Make Payments And Offer Gifts To Doctors Without Disclosure. [Health Affairs, [10/2/14](#)]

The Act Requires Pharmaceutical Companies To Disclose Gifts And Payments To Physicians. “The ‘sunshine’ law This provision, a longtime priority of Senator Chuck Grassley of Iowa, requires pharmaceutical companies to disclose gifts and payments to physicians.” [New York Times, Upshot, 7/10/19]

Payments To Clinicians That Are Made Without Transparency May Create A Conflict Of Interest. “There have also been a number of attempts to increase transparency around these relationships, in the hopes that disclosure would help to reduce their negative consequences without unnecessarily blocking constructive partnerships. Laws have been passed in at least five states and the District of Columbia, requiring that manufacturers of drugs, devices, biologicals, and medical supplies report various details of their financial relationships with clinicians. [...] In addition, certain pharmaceutical and medical device companies have been required to disclose these relationships as part of legal settlements with the Department of Justice. However, these data are scattered across multiple sources, may require formal disclosure requests, and are of variable quality and completeness. Several of the laws also exclude medical device manufacturers.

In 2008 and 2009, respectively, the Medicare Payment Advisory Commission and the Institute of Medicine published influential reports on physician conflicts of interest. Both documents highlighted the need for greater transparency around physician-industry relationships as part of a broader strategy for addressing conflicts of interest. Both documents also called for the establishment of a standardized, nationwide, mandatory public reporting program, which could supplement or replace the patchwork reporting system currently in place.” [Health Affairs, [10/2/14](#)]

REPEALING THE ACA WOULD REOPEN THE PRESCRIPTION DRUG “DONUT HOLE” WHICH WOULD MAKE MEDICATIONS MORE EXPENSIVE FOR 12 MILLION SENIORS

According To A January 2017 CMS Report, From 2012 To 2016, More Than 11.8 Million Medicare Beneficiaries Have Received Discounts Over \$26.8 Billion On Prescription Drugs—An Average Of \$2,272 Per Beneficiary. “The Department of Health and Human Services released today new information that shows that millions of seniors and people with disabilities with Medicare continue to save on prescription drugs and see improved benefits in 2016 as a result of the Affordable Care Act. More than 11.8 million Medicare beneficiaries have received discounts over \$26.8 billion on prescription drugs – an average of \$2,272 per beneficiary – since the enactment of the Affordable Care Act. In 2016 alone, over 4.9 million seniors and people with disabilities received discounts of over \$5.6 billion, for an average of \$1,149 per beneficiary. This is an increase in savings compared to the 2015 information released this time last year, when 5.2 million Medicare beneficiaries received discounts of \$5.4 billion, for an average of \$1,054 per beneficiary.” [Protect Our Care via CMS, [7/30/19](#)]

203,864 Michiganders Enjoyed \$266,450,202 In Discounts To Close The Gap In The Donut Hole, Or \$1,307 Per Beneficiary. [Protect Our Care via CMS, [7/30/19](#)]

WITHOUT THE ACA, INSURERS WOULD NOT HAVE A FEDERAL REQUIREMENT TO PROVIDE COVERAGE FOR PRESCRIPTION DRUGS AND 231,000 MICHIGANDERS WOULD NOT RECEIVE TAX REDITS TO HELP MAKE COVERAGE MORE AFFORDABLE

March 2019: The Trump Admin. Formally Supported A Lower-Court Ruling On Texas v. United States That Found The Entire ACA To Be Unconstitutional. “The Trump administration told a federal court late Monday that it would ask judges to toss out the entire Affordable Care Act, a decision that cast further uncertainty over the future of a federal law that has extended health insurance to millions of Americans. Justice Department attorneys said in a letter filed with the U.S. Court of Appeals for the Fifth Circuit in New Orleans that a lower court’s ruling the health law is unconstitutional ‘should be affirmed’ and that the ‘United States is not urging that any portion of the district court’s judgement be reversed.’” [USA Today, [3/26/19](#)]

- **Urban Institute: The Number Of People Uninsured In Michigan Would Increase By 720,000 If The Affordable Care Act Ceased To Exist.** [Urban Institute, [March 2019](#)]
- **FY 2017: 688,300 People In Michigan Enrolled In Medicaid Under The ACA Expansion Program, With 634,300 Of Them Newly Eligible For The Program Thanks To The ACA.** [Kaiser Family Foundation, accessed [7/2/19](#)]
- **2019: 202,809 MI Marketplace Enrollees Received Tax Credits To Help Make Coverage More Affordable.** [Marketplace Plan Selections with Financial Assistance, Kaiser Family Foundation, Open Enrollment [2019](#)]

Without The ACA, Insurers Would Not Have A Federal Requirement To Provide Coverage For Prescription Drugs, Substance Abuse Treatment And Maternity Care, And They Could Charge Women More. “Insurers in the non-group and small group market may not vary premiums based on health status or gender [...] All ACA compliant health plans in the individual and small group market must cover 10 categories of essential health benefits (EHB), including hospitalization, outpatient medical care, maternity care, mental health and substance abuse treatment, prescription drugs, habilitative and rehabilitative services, and pediatric dental and vision services” [Kaiser Family Foundation, [9/22/20](#)]

JAMES STANDS WITH MITCH MCCONNELL WHO HAS BLOCKED BILLS TO LOWER PRESCRIPTION DRUG PRICES

JAMES STANDS WITH MCCONNELL

On June 19th, James Held A D.C. Fundraiser With Mitch McConnell And NRSC Chairman Where The Minimum Donation Was \$500. [Release, John James for Senate Invite, [8/6/19](#)]

James Was Scheduled To Attend A “Save The Senate” Retreat Hosted By The NRSC At Trump Hotel With Special Guests Donald Trump And Mitch McConnell. “The National Republican Senatorial Committee is hosting a “Save the Senate” retreat from November 7 to 8 at the Washington, D.C., hotel. Listed on the invitation as attending are Donald Trump, Senate Majority Leader Mitch McConnell (Kentucky), NRSC Chair Todd Young (Indiana), Sens. Shelley Moore Capito (West Virginia), Steve Daines (Montana), Cory Gardner (Colorado), Jim Risch (Idaho), Pat Roberts (Kansas), Dan Sullivan (Alaska), and Thom Tillis (North Carolina), along with Michigan Senate candidate John James.” [The Intercept, [10/18/19](#)]

John James And Mitch McConnell Both Belong To A Joint Fundraising Committee Called “Keep The Senate Red.” [Political Moneyline, accessed 10/29/19]

- **“Keep The Senate Red” Joint Fundraising Committee Included The Campaigns Of Mitch McConnell, Susan Collins, Joni Ernst, Cory Gardner, John James, Martha McSally, And Thom Tillis.** [FEC.gov, accessed 10/29/19]

McConnell-Aligned Senate Leadership Fund, The NRSC, And One Nation Have Spent Millions To Prop Up James. [Politico, [4/13/20](#); Roll Call, [10/1/20](#); Roll Call, [8/18/20](#)]

MCCONNELL BLOCKED BILLS TO LOWER PRESCRIPTION DRUG COSTS

BILL #1 MCCONNELL RX DRUGS BLOCKED

Politico Headline: “McConnell Warns Pelosi’s Drug-Pricing Plan Is DOA.” [Politico, [9/19/19](#)]

The Lower Drug Costs Now Act Passed The House And Was Awaiting Senate Action. In December 2019, the House voted to pass: Passage of the bill, as amended, that would allow the Health and Human Services Department to negotiate prices for certain drugs under Medicare programs and would make a number of modifications to Medicare programs related to drug costs and plan benefits. Specifically, the bill would establish a fair price negotiation program in which HHS would enter into agreements with drug manufacturers to negotiate maximum fair prices for certain drugs. It would allow the department to negotiate a ‘maximum fair price’ for insulin and up to 250 other Medicare-eligible, brand-name drugs that do not have generic competition, including 125 drugs that account for the greatest national spending and 125 drugs that account for the greatest spending under Medicare parts C and D. The bill would require the department to negotiate the maximum price of at least 25 drugs for 2023 and at least 50 drugs in each subsequent year. It would require that such maximum prices would not exceed 120% of a drug’s average international price or 85% of the average manufacturer price for drugs for a year. The bill would subject drug manufacturers who do not reach a negotiated agreement for a drug to excise taxes based on gross sales of that drug. It would require manufacturers to offer negotiated prices to private health insurers. The bill would also make adjustments to payments, pricing structures, and programs related to Medicare parts B and D. Among other provisions, it would place a \$2,000 annual out-of-pocket cap on costs for Medicare Part D beneficiaries, expand eligibility for a Part D low-income subsidy program, and add comprehensive vision, dental, and hearing coverage under Medicare Part B. Finally, it would authorize funding for HHS programs to address opioid and substance use disorders and authorize funding for National Institutes of Health and Food and Drug Administration activities related to the development of new drugs and medical treatments.” [CQ, accessed [1/31/19](#); H.R. 3, vote #682, [12/12/19](#)]

BILL #2 MCCONNELL BLOCKED A BIPARTISAN RX DRUG BILL

CNBC: “GOP Sen. Grassley Says Mitch McConnell Sabotaged Support For His Drug Pricing Bill” [CNBC, [12/18/19](#)]

- **Grassley-Wyden Prescription Drug Price Bill.** [Govtrack, S. 2543, introduced [9/25/19](#)]
- **Sen. Grassley Said McConnell Asked Republican Colleagues Not To Support His Bipartisan Drug Pricing Bill Even Though Trump Supported It.** “Republican Sen. Chuck Grassley said Wednesday that Senate Majority Leader Mitch McConnell is responsible for his colleagues’ apparent lack of enthusiasm about his bipartisan bill to lower drug prices. When asked by reporters during a briefing why more Senate Republicans haven’t supported the legislation, the Senate Finance Committee chairman said because McConnell ‘asked them not to.’ ‘The president wants it!’ Grassley said, according to a recording of the briefing. Grassley and McConnell have reportedly been at odds over the bipartisan measure, which has support from President Donald Trump and many Senate Democrats.” [CNBC, [12/18/19](#)]
- **McConnell Blocked Grassley’s Bipartisan Drug Price Bill, Claiming It Was Bad Policy.** “Senate Majority Leader Mitch McConnell (R-Ky.) and Sen. Chuck Grassley (R-Iowa) are increasingly at odds over a bipartisan

measure to lower drug prices backed by President Trump. McConnell has said privately that he thinks Grassley's bill is bad policy, according to sources who heard his comments. Grassley, meanwhile, is trying to increase pressure on McConnell to support his bill, arguing lowering drug prices will help vulnerable Republicans at the ballot box." [The Hill, [12/6/19](#)]

- **AARP Thanked Grassley And Wyden For Moving The Bill To Markup, To Lower Prescription Drug Prices.** [AARP, [7/23/19](#)]

BILL #3 MCCONNELL RX DRUGS BLOCKED

McConnell Buried Commonsense, Bipartisan Bills In His Legislative Graveyard, Including The Strengthening Health Care And Lowering Drug Costs Act (H.R. 987).

AAPR "Strongly Supports" H.R. 987. [AARP, [5/17/19](#)]

AARP: The Bill Would Help Lower-Priced Generic Drugs In Entering The Marketplace And Prevent The Expansion Of Junk Health Plans. "We commend Congress for continuing to focus on legislative solutions to help combat skyrocketing prescription drug prices, including the CREATES Act (H.R. 965) and the Protecting Consumer Access to Generic Drugs Act (H.R. 987), both of which are included in H.R. 987. Together, these bills will help eliminate legal loopholes that are preventing lower-priced generic drugs from entering the market and creating much-needed competition. 'H.R. 987 also protects Americans from discrimination in health insurance coverage by preventing the expansion of short-term limited duration plans. These short-term plans are particularly harmful to older adults ages 50 to 64 because insurers do not need to abide by the ACA rules on age rating and can charge older Americans an 'age tax' to purchase them. Also, these plans aren't required to cover people with pre-existing conditions, which is alarming because 40 percent of adults ages 50 to 64 have at least one. 'We urge Congress to vote yes on this bill to protect access to affordable health care for older adults.'" [AARP, [5/17/19](#)]