

U.S. Senator Maria Cantwell

Senate Committee on Finance

Hearing to Consider Robert F. Kennedy Jr. to be Secretary of the Department of Health and Human Services

January 29, 2025

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Sen. Cantwell: Thank you, Mr. Chairman, and just congratulations on your nomination, Mr. Kennedy, and I've been absent only because I've been in another hearing with the nominee to be the Commerce Secretary. So, I will review everything that you've said today and look at that diligently.

But one of the things that I wanted to discuss with you is, I represent a very big innovation state. And innovation in healthcare specifically, innovation like NIH funding to the Fred Hutch Cancer Center that helped develop the HPV vaccine, which has the potential to eliminate over 95% of cervical cancer. NIH also funds a lot of jobs and grants, nearly 11,000 people in the state of Washington, and over \$1.2 billion worth of grants. So while I agree with you on healthy foods, I definitely am troubled by the medical research side of innovation and some of the things that you have said.

In fact, this issue about laying off 600 employees at NIH, or the fact that, to quote, "Give infectious disease a break for eight years." So, we've had a chance to talk about this a little bit. But the most striking example of this is when COVID hit. And we were the first in the nation, we had the first case, and it really was the fast response by the University of Washington that really helped save lives.

So, I just want to know -- are you aware of how harmful these issues could be for public health? That public health, in and of itself, could be affected by these kind of anti-science views?

RFK Jr.: Senator, I have always been a science person, a pro-science person. I believe in evidence-based medicine and gold standard science. When I said, and I've explained this before, you came in, at 600 people out of a workforce of 91,000 is pretty typical.

Last year alone, President Biden replaced 3,000 people at HHS, and 700 at NIH. I want to say this, I said give infectious disease a break because that's been the principal preoccupation. Infectious disease, chronic disease, is 92% -- accounts for 92% of deaths in this country, and almost nothing is studied at NIH about the etiology of our chronic disease epidemic.

Sen. Cantwell: But right now ...

RFK Jr.: The money is going to infectious disease...

Sen. Cantwell: I get your point. It's an interesting point. The problem is -- we had to respond, and it's actually the Gates Foundation and a flu cohort that figured out what was wrong and that we had an outbreak of COVID that was going beyond the very first case, and so we had to build a very fast response. So, I take this too -- the University of Washington has conducted groundbreaking stem cell research on fetal tissue. To me, I know there's probably a lot of people that may not agree with

this, but we're making regenerative heart tissue now at the University of Washington. So yes or no, do you commit to protecting stem cell research for scientific agencies if confirmed?

RFK Jr.: I will protect stem cell research. Stem cell research today can be done on umbilical cords and you don't need fetal tissue.

Sen. Cantwell: You'll protect the laws that are on the books today and the research that's done?

RFK Jr.: My job is, Senator, to enforce the laws.

Sen. Cantwell: Okay, so I want to move to PBMs, because PBMs are driving up drug prices. And one of the biggest things that we need to do here, I think, in a new administration, is get a handle on everything that is driving up prices and lower them.

The report found that PBMs generated \$1.4 billion from spread pricing. That is where they are able to basically set the price, not reimburse pharmacies, and then pocket the rest. We've had bipartisan legislation in several different committees now to get at this. What do you think the solution is?

RFK Jr.: I think one of the really notable achievements of this panel was the PBM legislation that they put together in a bipartisan way. I haven't met a single Senator, well, actually one only, but the 60 odd senators that I talked to, all of them talked about PBMs -- how important it was. And President Trump, during his first administration, pushed through a law or pushed a law to give transparency to PBMs. It got overruled during the Biden administration. Luckily, this panel is resuscitating that. President Trump is absolutely committed to fixing the PBMs.

Sen. Cantwell: My time is running out, so I just want to clarify -- you believe that we should pass these laws that now have been proposed in the Senate?

RFK Jr.: I haven't read the entire law, so I don't know, but I think that we need to reform the PBMs. I think we need to get rid of all of these vested interests that are draining money from the system.

Sen. Cantwell: Okay, somebody suggested, though, that you thought you should convene the PBMs and talk to them about some sort of self-regulation. So I am trying to distinguish between these people who basically are doing illegal activities and ripping off -- really, they're creating pharmacy deserts in my state. So, I'm asking you whether you believe that we have to legislate in this area.

RFK Jr.: Again, I'm not being evasive. I just don't know exactly what the law says. I met with the PBMs. I met with Pharma. My job is to meet with all the stakeholders. I've been meeting with stakeholders for 40 years. People I was suing, people I was -- you want to hear from the other side. Well, it doesn't mean I would let the PBMs write their own ticket.

I think I support the I support the efforts of this committee to come up with bipartisan legislation. President Trump wants to get the excess profits away from the PBMs and send it back to primary care, to patients in this country, to high quality health care.

Sen. Cantwell: I'll ask you for the record, since my time has expired, to look at the legislation that came out of the Commerce Committee that defines the legal activities that they are doing to drive up prices and get us an answer for the record. Thank you, Mr. Chairman.

RFK Jr.: In principle, I support that legislation.