EXTENSIONS OF REMARKS

RYAN EDDY HOUGHTALING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Ryan Eddy Houghtaling. Ryan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Ryan has been very active with his troop, participating in many Scout activities. Over the many years Ryan has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ryan has earned the rank of Warrior in the Tribe of Mic-O-Say. Ryan has also contributed to his community through his Eagle Scout project. Ryan planned and coordinated the construction of two 8x8 cement pads for bench swings for the Immacolata Manor home for developmentally disabled women in Liberty, Missouri.

Madam Speaker, I proudly ask you to join me in commending Ryan Eddy Houghtaling for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECONCILIATION ACT OF 2010

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, March 21, 2010

Mr. STARK. Mr. Speaker, I, on behalf of myself and Ms. SLAUGHTER, rise to speak about the Independent Payment Advisory Board, IPAB, which is a new executive branch body created in the Senate-passed health reform bill and charged with constraining Medicare spending. The IPAB is given unprecedented power to make sweeping changes to the Medicare program without going to Congress for approval. I and many of my colleagues in the House are concerned about some of the specific provisions and procedural changes included in section 3403 of H.R. 3590.

Since its inception in 1965, Medicare has guaranteed access to health care for 115 million Americans who would otherwise find it nearly impossible to obtain affordable health insurance in the private market: senior citizens, people with disabilities, and those with end-stage renal disease. Medicare is a critical part of this nation's social compact, and it is our obligation as elected representatives of our constituents to protect and preserve the program now and in the future. The health care reform legislation fulfills this responsibility by making a number of substantial improvements to Medicare, including provisions that improve benefits, extend solvency by at least 9 years and winnow out waste, fraud and abuse.

As part of the effort to make improvements to the Senate-passed bill, key chairmen and Members of the House and Senate, along with the administration, were also working on a number of important and necessary changes to the IPAB policy. Unfortunately, the Senate Parliamentarian indicated that any attempt to improve IPAB in the reconciliation bill would be ruled out of order, and could jeopardize the status of the entire reconciliation bill.

Since we were unable to make any changes to the IPAB as part of the reconciliation bill, I would like to identify critical improvements that need to be made in subsequent legislation. Many of these changes had been agreed to by our colleagues in the Senate, as well as the administration, and I look forward to working with them to ensure they are enacted in the near future.

While IPAB is designed to help control growing costs in Medicare through swift implementation of payment and delivery reforms, the actions of the board will be driven by the need to meet targets for Medicare cost growth. As we have seen with prior attempts to control health care spending, limiting spending to arbitrary and unrealistically low growth caps is a recipe for failure. In order for IPAB to have any real hope of controlling Medicare cost growth without threatening access to care, as is required, the growth targets must be rational and realistic. The current spending targets mandated by IPAB are neither. They fail to fully take into account the three variables that drive health spending growth: price, volume of services, and intensity of services. The target only accounts for price growth, and does so at an unrealistically low rate. Controlling costs in the health care system is important, and I am committed to doing so. In fact, Medicare growth has typically been below private sector health care cost growth. However, the growth targets established by IPAB need to be revised and increased to reflect a more realistic expectation about how much growth can be slowed in order to ensure continued access to care and a strong program infrastructure in the future.

The IPAB policy as written by the Senate also tips the balance of power too far in favor of the executive branch. In the event that IPAB cannot agree on Medicare recommendations required by the targets, the Senate bill requires the Health and Human Services Secretary to make recommendations instead. Like IPAB's proposal, the Secretary's proposal would become law unless Congress passes an alternative. It is one thing to give an independent board of health care experts such sweeping power to change the Medicare program, but it is quite another to give that power to a partisan political figure who reports directly to the President. I say this not as a negative comment directed toward our current Secretary or President, but a general concern about whether we should empower one person with the ability to make such potentially sweeping changes to the Nation's signature health program.

Furthermore, by placing unprecedented procedural barriers to congressional consideration of alternatives to the IPAB or secretarial proposals, the bill attempts to virtually lock Congress out of the process of making changes to Medicare. In the event IPAB or the Secretary mandates implementation of draconian cuts to Medicare, Congress will encounter procedural barriers to changing those recommendations in a meaningful way.

Thus, in order to maintain a proper balance between Congress and the executive branch, all parties had agreed to use a sequestration process to meet the mandated savings targets should IPAB fail to make recommendations on how to meet those targets. Instead of the decisions going to the executive branch, the onus would fall on Congress to arrive at thoughtful ways of reducing spending. If Congress failed to agree on ways to reduce spending, sequestration would go into effect. But it would be my hope and expectation that this would not happen, and that Congress would instead be spurred to action by the threat of sequestration.

Another important flaw with IPAB that needs to be addressed is the fact that it ignores the broken system used to update Medicare physician payment rates. Under current law, the sustainable growth rate formula will require physician payment rates to be reduced by more than 30 percent over the next decade. Yet, the IPAB could decide to make additional cuts on top of those already set to take place. The House has passed legislation that would make comprehensive permanent reforms to the physician payment formula, but that bill has not been taken up by the Senate. As such, all parties agreed that physician payment rates should be off limits to IPAB until the sustainable growth rate is replaced with a permanent, stable way of updating payments to physicians.

I also want to clarify legislative intent with regard to one issue in IPAB. Section 1899A(c)(2)(A)(iii) of the Social Security Act, as added by Section 3403 of PPACA, states that in the case of IPAB proposals submitted prior to December 31, 2018, IPAB shall not include any recommendations that would reduce payment rates for providers that receive an additional market basket cut on top of the productivity adjustment. The rationale for this provision is that these providers are already facing extra downward adjustments in their payments and thus should not be subject to "double jeopardy" by also being subject to IPAB recommendations which will further reduce spending. In creating this exclusion, it is the intent of Congress to exclude all payment reductions applicable to providers captured by this language in all the relevant years. Therefore, in the case of inpatient hospitals, the provision excludes from IPAB recommendations payment reductions applicable to hospitals including payment reductions for indirect medical education under 1886(d)(5)(B), graduate medical education under 1886(h), disproportionate share hospital payments under

1886(d)(5)(F), and capital payments, as well as incentives for adoption and maintenance of meaningful use of certified electronic health record technology under 1886(n). In addition, further clarifications are needed to ensure that IPAB is empowered to seek savings or payment improvements for all items and services provided to Medicare beneficiaries.

There are smaller, but no less important additional improvements that I believe need to be made. Changes made to the Medicare program by IPAB are granted broad exemption from judicial review. We should remove this exemption to ensure that IPAB is not above the law and its actions can be reviewed in a court of law.

The legislation also prevents IPAB from making changes that would increase premiums or ration care, but it is important to include the specific protections that are scattered through the Social Security Act. Medicare law contains an array of beneficiary protections that are designed to ensure that seniors and people with disabilities have access to affordable care. The IPAB should not be permitted to make changes to these key beneficiary protections.

Finally, as the legislation is written, IPAB would be required to reduce spending above the growth targets resulting from unforeseen and unavoidable health events, such as a flu pandemic, hurricane, or act of terrorism. Increases in spending from these kinds of catastrophic events should be excluded from the overall spending targets.

TRIBUTE TO VICTOR ROSADO, CARLOS ROSADO, AND QUINTON GUNDOLF

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 2010

Mr. GRIFFITH. Madam Speaker, I rise today to pay tribute to three brave Boy Scouts. These young men—two brothers, Victor and Carlos Rosado of Madison, Alabama, and their cousin, Quinton Gundolf of Camden, Arkansas—were on a family vacation in Puerto Rico. They were enjoying themselves on the beach when they noticed a man struggling amid the waves. Without regard for their own safety, these young men bravely swam out to help the man to shore. It was clear that, without their intervention, this man would not have survived this harrowing experience. These young men acted bravely and decisively to save a life. Entering the water to help a man who is struggling for his life is a very dangerous undertaking indeed. However, the American Spirit is epitomized by such selfless acts. For that, I commend them and wish them the best of luck in their future endeavors.

IN HONOR OF WILSON PICKETT

HON. BOBBY BRIGHT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 2010

Mr. BRIGHT. Madam Speaker, I come to the floor today to recognize the life and artistic contributions of a son of the Second District of Alabama—Wilson Pickett. Pickett was born March 18, 1941, in Prattville, Alabama, and first developed his musical talents singing in local Baptist church choirs. Despite a difficult childhood, Pickett used his undeniable talent to begin performing gospel music professionally and soon transitioned into soul and R&B music, joining the Falcons in 1959. Pickett quickly gained recognition for his songwriting skills as well as his powerful and distinctive voice. While Pickett was successful with various singles in the early sixties, he achieved his first national chart-topping single with the hit ''In the Midnight Hour'' in 1965. This hit launched Pickett onto the soul and R&B scene and his Billboard success continued with such hits as ''Land of 1,000 Dances,'' ''Mustang Sally,'' and ''Funky Broadway.''

In acknowledgment of his unique contributions to American soul and R&B music, Wilson Pickett was inducted into the Rock & Roll Hall of Fame in 1991. Wilson Pickett remains an integral part of the rich musical heritage of Southeast Alabama that includes Hank Williams, Lionel Richie, Martha Reeves, and Nat King Cole. Pickett passed away in 2006 and left behind a legacy of soulful melodies and gifted songwriting that will be enjoyed by his legions of fans for many years to come.

ZACHARY WILLIAM KESNER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Zachary William Kesner. Zachary is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Zachary has been very active with his troop, participating in many Scout activities. Over the many years Zachary has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Zachary has earned the rank of Tom-tom Beater in the Tribe of Mic-O-Say. Zachary has also contributed to his community through his Eagle Scout project. Zachary planned and coordinated the construction of handicap accessible deer blinds at Kelsey Short Youth Camp at Smithville Lake.

Madam Speaker, I proudly ask you to join me in commending Zachary William Kesner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

STATEMENT IN SUPPORT OF H.R. 4840, A BILL TO NAME A POST OFFICE IN HONOR OF CLARENCE D. LUMPKIN

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 2010

Ms. KILROY. Madam Speaker, I rise today in strong support of H.R. 4840, a bill to designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the ''Clarence D. Lumpkin Post Office'' in honor of Clarence Lumpkin, a long-time community activist who has worked tirelessly on behalf of his Columbus neighborhood of Linden. Mr. Lumpkin has had a profound impact on many families in central Ohio, and his community involvement and activism have helped ensure that the Linden community retains its post office.

Growing up in the rural South, Clarence Lumpkin first moved to the Linden neighborhood after serving in the Army during World War II. Proving to be a tireless community activist, Mr. Lumpkin became affectionately known as ''the Mayor of Linden'' for his efforts. He successfully advocated for the needs of his community numerous times over the past several decades, persuading the city to separate storm and sanitation sewers to stop basement flooding, to build a long-needed new fire station, and ensuring the Department of Transportation did not divide the Linden community with interstate highway construction. His many accomplishments also include his work with the Community Development Block Grant task force to secure home improvement grants for seniors and low-interest loans for Linden residents, leading anti-drug marches, and making Linden the first inner city community with lights on every residential street.

Mr. Lumpkin once presented a speech before the Columbus City Council in 1974 regarding the needs of the Linden community, calling for ''a point of pride'' to be developed to motivate interest in Linden and give the community a sense of direction. His vision became reality in 2007 with the dedication of the ''Clarence D. Lumpkin Point of Pride Building,'' the last building to be built by the Greater Linden Development Corporation as a part of its Four Corners Vision Plan for commercial redevelopment, and a testament to his diligence and activism.

As a father, grandfather, and mentor, Mr. Lumpkin worked to instill in others the same virtues of hard work and community involvement that drive him. His son, Doug, and his daughter, Carolyn, who worked with me during my time as a county commissioner, continue his legacy of public service through their work in state and local government. Mr. Lumpkin also had a tremendous impact as a mentor through the Simba program, a program in which African-American men mentor African-American boys, most of whom have no father or other adult male in their lives. Because of his efforts, a young man Mr. Lumpkin mentored is expected to graduate from college in 2011.

I am proud to be a cosponsor of this legislation and to recognize Mr. Lumpkin's many achievements and decades of service to his community. I urge my colleagues to join me in honoring Clarence Lumpkin and his lifetime of community involvement and activism by supporting the passage of H.R. 4840.

STARKS, A LEGEND IN POLITICS, DIES

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 2010

Mr. RYAN of Ohio. Madam Speaker, I submit the following.