

HOUSE OF REPRESENTATIVES—Monday, November 29, 2010

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Ms. RICHARDSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.
November 29, 2010.

I hereby appoint the Honorable LAURA RICHARDSON to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

All the ages, all the years and seasons of life are but an eternal moment before You, Almighty God.

Grateful for all the blessings You have showered upon this country in the past, we turn to You again in our present difficulties.

May this Congress accomplish the tasks set before it and act in accord with Your commands.

Help all Americans seize each new day and make the most of it with Your grace and inspiration and so give You glory by the way they live and the decisions they make both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communica-

nation from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 19, 2010.

Hon. NANCY PELOSI,
*The Speaker, House of Representatives,
Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 19, 2010 at 9:33 a.m.:

That the Senate passed S. 1609.

That the Senate passed with amendments H.R. 5712.

That the Senate agreed to S. Con. Res. 75. That the Senate agreed to S. Con. Res. 76. That the Senate agreed to H. Con. Res. 332. With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 22, 2010.

Hon. NANCY PELOSI,
*The Speaker, House of Representatives,
Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 22, 2010 at 2:53 p.m.:

That the Senate passed with amendments H.R. 4783.

That the Senate concurs in House amendment to Senate amendment H.R. 5566.

That the Senate concurs in House amendments S. 3689.

That the Senate passed S. 3650.

That the Senate passed with amendment H.R. 6198.

That the Senate agreed to without amendment H. Con. Res. 327.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills and joint resolution were signed by the Speaker on Thursday, November 18, 2010:

S. 1376, to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Inter-country Adoption to allow their admission into the United States;

S. 3567, to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the “Navy Corpsman Jeffrey L. Wiener Post Office Building”;

S.J. Res. 40, appointing the day for the convening of the first session of the One Hundred Twelfth Congress; and the Speaker signed on Friday, November 19, 2010:

H.R. 1722, to require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes;

S. 3774, to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 24, 2010.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I hereby give notice of my resignation from the United States House of Representatives, effective 4:00 p.m., Eastern Standard Time, Monday, November 29, 2010. Attached is the letter I submitted to Governor Pat Quinn.

Serving the 10th District of Illinois has been one of the greatest honors of my life. We saved a veterans hospital, expanded commuter rail and defended Lake Michigan. We fought for our district, state, nation and our allies overseas.

I look forward to continuing our important work in the United States Senate.

Sincerely,

MARK KIRK,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, November 24, 2010.

Hon. PAT QUINN,
Governor, State of Illinois, State House, Springfield, IL.

DEAR GOVERNOR QUINN: I hereby submit my resignation as United States Representative of the 10th District of Illinois, effective 4:00 p.m., Eastern Standard Time, Monday, November 29, 2010.

Serving the 10th District of Illinois has been one of the greatest honors of my life. We saved a veterans hospital, expanded commuter rail and defended Lake Michigan. We fought for our district, state, nation and our allies overseas.

I look forward to working with you as a United States Senator to promote bipartisan pro-Illinois policies to strengthen our economy and improve our quality of life.

Sincerely,

MARK KIRK,
Member of Congress.

BLUE RIBBON COMMISSION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, the Blue Ribbon Commission on America's Nuclear Future is set to visit South Carolina and the Central Savannah River Area, CSRA, on January 6 and 7. Back in July, I invited the cochairs of the commission to request that they hold their September meeting in the CSRA.

I'm grateful that the commission is planning a visit. This is a perfect location for the President's nuclear commission to review policies related to the storage of nuclear waste.

Waste material found in South Carolina is from the weapons production program of the Cold War resulting in victory over communism and also now from commercial nuclear reactors that produce energy. The Savannah River site should not indefinitely host nuclear waste. We should keep Yucca Mountain open. The closing has been criticized as breathtakingly irresponsible by The Post and Courier. The Greenville News editorialized last week that the Yucca closing is politically expedient but practically foolish.

Nuclear energy is a clean, safe, and cost-effective energy source that has provided over half of the electricity in South Carolina for 30 years. But in order to keep it safe, we must have a permanent site for disposal.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

PLEDGE TO AMERICA

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, when I first ran for public office in 1994, I said then that we have too much government. We still have too much government. In fact, we have way more government than we had then, and it is too much. But Republicans have been listening to the American people who agree with us that we have too much government, and we have made a Pledge to America to reduce the role of the Federal Government in our lives.

We invite you to look at the Pledge to America that Republicans took last fall. We believe it has had a major impact on the election that was held in November. What we promise is that we are going to fulfill that pledge and reduce the role of the Federal Government in our lives and take our country back to what it was meant to be.

□ 1410

HOUR OF MEETING ON TOMORROW

Mr. PALLONE. Madam Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet at 10:30 a.m. tomorrow for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6 p.m. today.

THE PHYSICIAN PAYMENT AND THERAPY RELIEF ACT OF 2010

Mr. PALLONE. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 5712) to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children's Health Insurance Program.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Physician Payment and Therapy Relief Act of 2010".

SEC. 2. PHYSICIAN PAYMENT UPDATE.

Section 1848(d)(11) of the Social Security Act (42 U.S.C. 1395w-4(d)(11)) is amended—

(1) in the heading, by striking "NOVEMBER" and inserting "DECEMBER";

(2) in subparagraph (A), by striking "November 30" and inserting "December 31"; and

(3) in subparagraph (B)—

(A) in the heading, by striking "REMAINING PORTION OF 2010" and inserting "2011"; and

(B) by striking "the period beginning on December 1, 2010, and ending on December 31, 2010, and for".

SEC. 3. TREATMENT OF MULTIPLE SERVICE PAYMENT POLICIES FOR THERAPY SERVICES.

(a) SMALLER PAYMENT DISCOUNT FOR CERTAIN MULTIPLE THERAPY SERVICES.—*Section 1848(b) of the Social Security Act (42 U.S.C. 1395w-4(b)) is amended by adding at the end the following new paragraph:*

"(7) ADJUSTMENT IN DISCOUNT FOR CERTAIN MULTIPLE THERAPY SERVICES.—In the case of therapy services furnished on or after January 1, 2011, and for which payment is made under fee schedules established under this section, instead of the 25 percent multiple procedure payment reduction specified in the final rule published by the Secretary in the Federal Register on November 29, 2010, the reduction percentage shall be 20 percent.".

(b) EXEMPTION OF PAYMENT REDUCTION FROM BUDGET-NEUTRALITY.—*Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w-4(c)(2)(B)(v)) is amended by adding at the end the following new subclause:*

"(VII) REDUCED EXPENDITURES FOR MULTIPLE THERAPY SERVICES.—Effective for fee schedules

established beginning with 2011, reduced expenditures attributable to the multiple procedure payment reduction for therapy services (as described in subsection (b)(7))."

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Amend the title so as to read: "An Act Entitled The Physician Payment and Therapy Relief Act of 2010."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on concurring in the Senate amendments to H.R. 5712.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill is a stopgap measure to guarantee that seniors and military families can continue to see their doctors during December while we work on a solution for the next year. Without this legislation, the fees Medicare pays to physicians will be reduced by 23 percent on December 1, this Wednesday. And because TRICARE, the civilian health program for military families and retirees, uses Medicare rates, fees for physicians seeing TRICARE patients would be cut by 23 percent as well.

Madam Speaker, I have to say that kind of cut is obviously not reasonable. We have a responsibility to ensure that Medicare is a steady partner for physicians so that we are able to maintain the kind of excellent access to care that seniors and people with disabilities have come to expect from the program. Medicare enrollees still enjoy better access to care than anyone else in the country. The rate cuts created by the SGR would undermine that trust that seniors and physicians have historically had in the program.

The 111th Congress has passed into law three SGR extensions of less than a year, and this will be the fourth. I think we need to stop legislating SGR policy in 1 to 6 month intervals in order to provide some stability to the Medicare program for 2011. And I hope that before the 111th Congress adjourns, we can pass legislation addressing all of 2011 at a minimum.