

that PBMs are refusing to reimburse any pharmacy for its actual cost of a drug if the pharmacy is competing with the PBM to serve the patient. This is despite the fact that the pharmacies are required under Medicare and other federal programs to submit all costs they incur for the programs to the PBMs for reimbursement. Today, these tactics are being used to consolidate market power and destroy competition. The result is higher prices for taxpayers and consumers.

An additional concern for Congress, taxpayers and consumers is the complete lack of information about the actual prices PBMs pay for drugs. As a result, we have no way of knowing just how much PBMs profit from underpayments to pharmacies. I am also sure that many of my colleagues here are unaware that PBMs require pharmacies filling prescriptions under their plans to sign non-disclosure agreements that cover drug prices. This includes pharmacies that must deal with PBMs through Medicare and other government programs.

The role of the PBM has evolved in a relatively short period of time. PBMs emerged during the advent of managed care as pharmacy benefit administrators. Their role was to help large plans simply process drug benefit claims. The companies evolved into pharmacy benefit "managers" when they reached a scale large enough to steer volume sales for drug manufacturers.

Today, PBMs have tremendous and questionable impact on the rising costs in the current drug program. Community pharmacies purchase drugs from wholesalers to fill prescriptions, and submit reimbursement forms to the PBMs for any patients covered by the PBM plan.

PBMs that own their own pharmacies or mail programs simply pay the pharmacies below their actual acquisition cost for the drugs and pocket the difference. This provides two benefits to the PBMs. First, they make big profits on the spread between the low reimbursement they pay for the medication and the inflated price they charge the program. Second, it drives the competing pharmacies out of business, which allows further market share gains and increased pricing power.

More recently, the PBMs have developed an additional revenue stream. When Congress passed the Medicare Part D program, large pharmacy chains realized the value of merging with PBMs. The merged companies now control huge shares of the prescription drug market, and use this control to extract fees from competing pharmacy retailers that service Part-D patients.

In short, Madam Speaker, PBMs have simply placed themselves in the middle of the drug supply chain between manufacturers or wholesalers and retailers without any proof that they add value. The "Patient Health and Real Medication Access Cost Savings Act of 2009" will help end these abuses by requiring transparency. It will also ensure that lower-cost generic medications are prescribed when appropriate whenever taxpayers are paying the bill. Most important, the bill will make sure that Congress and the taxpayers we serve can actually measure the savings they have been promised.

In closing, Madam Speaker, let me say that my home state of North Carolina is a model for how to achieve savings by moving away from the PBM model in its state administered

drug benefits program. Under its plan, generic utilization has already increased, and the state projects annual utilization to reach nearly 75% in the first year. The North Carolina model proves that when retail pharmacies manage the drug benefits for plans, generic utilization increases even more. I am proud of what has been accomplished in my state, and can only hope that Congress will choose to focus on this issue so that all Americans can reap the benefits and savings from a similar approach at the federal level.

PERSONAL EXPLANATION

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2009

Mr. BROWN of South Carolina. Madam Speaker, due to an illness, I was absent for votes on November 16, 17, 18 and 19. Please see a list of votes I missed.

Rollcall vote No. 889: S. 1314: To Designate the Facility of the United States Postal Service Located at 630 Northeast Killingsworth Avenue in Portland, Oregon, As the "Dr. Martin Luther King, Jr. Post Office."

Rollcall vote No. 890: H.R. 3539: To Designate the Facility of the United States Postal Service Located at 427 Harrison Avenue in Harrison, New Jersey, As the "Patricia D. McGinty-Juhl Post Office Building."

Rollcall vote No. 891: H.R. 3767: To Designate the Facility of the United States Postal Service Located at 170 North Main Street in Smithfield, Utah, As the "W. Hazen Hillyard Post Office Building."

Rollcall vote No. 892: H.R. 3360: Cruise Vessel Security and Safety Act: H.R. 3360.

Rollcall vote No. 893: H. Res. 841: Expressing Support for Designation of November 29, 2009, As "Drive Safer Sunday."

Rollcall vote No. 894: On Approving the Journal.

Rollcall vote No. 895: H. Res. 891: Expressing the Gratitude of the House of Representatives for the Service to Our Nation of the Coast Guard and Marine Corps Aircraft Pilots and Crewmembers Lost Off the Coast of California on October 29, 2009.

Rollcall vote No. 896: H. Con. Res. 214: Providing for a Conditional Adjournment of the Two Houses.

Rollcall vote No. 897: Previous Question on H.R. 3791, Fire Grants Reauthorization Act of 2009.

Rollcall vote No. 898: Rule for H.R. 3791, Fire Grants Reauthorization Act of 2009.

Rollcall vote No. 899: Perlmutter of Colorado Amendment to H.R. 3791.

Rollcall vote No. 900: Flake of Arizona Amendment to H.R. 3791.

Rollcall vote No. 901: H.R. 3791: Fire Grants Reauthorization Act of 2009.

Rollcall vote No. 902: Previous Question on H.R. 2781 to Amend the Wild and Scenic Rivers Act to Designate Segments of the Molalla River in Oregon, As Components of the National Wild and Scenic Rivers System, and for Other Purposes.

Rollcall vote No. 903: Rule for H.R. 2781 to Amend the Wild and Scenic Rivers Act to Designate Segments of the Molalla River in Oregon, As Components of the National Wild and Scenic Rivers System, and for Other Purposes.

Rollcall vote No. 904: S. 1599; Reserve Officers Association Modernization Act of 2009.

Rollcall vote No. 905: H.R. 2781: To Amend the Wild and Scenic Rivers Act to Designate Segments of the Molalla River in Oregon, As Components of the National Wild and Scenic Rivers System, and for Other Purposes.

Rollcall vote No. 906: H. Con Res. 212: Expressing the Sense of Congress on the Occasion of the 20th Anniversary of Historic Events in Central and Eastern Europe, Particularly the Velvet Revolution in Czechoslovakia, and Reaffirming the Bonds of Friendship and Cooperation Between the United States and the Slovak and Czech Republics.

Rollcall vote No. 907: Table the Appeal of the Ruling of the Chair on the Motion to Recommit H.R. 3961: Medicare Physician Payment Reform Act of 2009.

Rollcall vote No. 908: Motion to Recommit H.R. 3961: Medicare Physician Payment Reform Act of 2009.

Rollcall vote No. 909: H.R. 3961: Medicare Physician Payment Reform Act of 2009.

Rollcall vote No. 910: H.R. 1834: Native American Business Development Enhancement Act of 2009.

INTRODUCTION OF A RESOLUTION COMMEMORATING THE WORLD MARCH FOR PEACE AND NON- VIOLENCE

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2009

Mr. LEWIS of Georgia. Madam Speaker, I rise to introduce a resolution commending the participants and organizers of the inaugural World Peace March.

Dr. Martin Luther King, Jr. famously said, "Non-violence is the greatest force at the disposal of mankind. It is mightier than the mightiest weapon of destruction devised by the ingenuity of man."

The idea for this march was developed during the Symposium of the World Center for Humanist Studies in Punta de Vacas, Argentina. The result is a 90-day global voyage to raise awareness about the importance of peace and nonviolence. More than 100 participants will visit 45 countries encouraging a global movement towards peace.

On the 140th anniversary of Mahatma K. Gandhi's birth, the World March for Peace and Non-Violence began in Wellington, New Zealand. The participants have since traveled across Asia, Europe, and Africa, through many countries in opposition to militarism, war, and violence. Upon arriving in the United States, the teams divided to travel across the country and to Canada before beginning the final leg of their journey through Central and South America en route to Argentina.

I applaud the participants for their commitment to nonviolence and their determination to follow in the footsteps of Gandhi and Dr. King. Earlier this year, I led a congressional delegation to India to commemorate the 50th anniversary of Dr. and Mrs. King's pilgrimage. Upon return, I introduced H.R. 3328, the Gandhi-King Scholarly Exchange Initiative Act of 2009, a bill to establish initiatives through the U.S. State Department and the U.S. Institute of Peace to rededicate our nation and educate our future leaders about the power of peace.

Madam Speaker, I have dedicated my life to Gandhi's words, "Nonviolence is a weapon of the strong." Nonviolence was the foundation of the Civil Rights and Quit India movement. I hope that all of my colleagues will appreciate the value of nonviolence as a means to achieving both domestic and global peace. I hope they will join me in support of this very simple resolution.

**DARÍO SILVA-SILVA: A GREAT
COMMUNITY LEADER**

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2009

Ms. ROS-LEHTINEN. Madam Speaker, I would like to congratulate Darío Silva-Silva for being such an inspiring member of our south Florida community and for his community service and humanitarian work. His exemplary work and dedication to journalism, his church and our community.

Darío, born in Colombia, has been a protestant preacher, social commentator and journalist for more than 30 years. His service has been promoted through numerous print media, radio stations and television channels. Silva is the minister of the Christian church The House Over the Rock, with twenty congregations in Colombia and one in Miami. He is the director of the television show "Hechos y Crónicas", which is seen in various countries in Latin-American. In addition, he is a visiting professor at the Continued Studies School at the University of Miami Koubek Memorial Center and is a member of the Advisory Logo Counsel of the Christian College in Jacksonville. In 2001, the city of Miami recognized Darío for his inspiring work and dedication by declaring December 15 as the "Day of Reverend Doctor Darío Silva-Silva."

Once again, I would like to express my admiration of Darío for his dedication to journalism, his faith and the community. I wish him well and know that he will spend many more years serving his fellow man.

**HONORING THE STUDENTS,
TEACHERS AND ADMINISTRATORS AT
WAXHAW ELEMENTARY
SCHOOL**

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2009

Mrs. MYRICK. Madam Speaker, I would like to honor and recognize the students, teachers and administrators at Waxhaw Elementary School in Waxhaw, North Carolina. During the month of November, Waxhaw Elementary students collected 2,742 food items for the school's 2009 Food Drive.

The food went to provide Thanksgiving meals to twenty-five families in the area. Families were able to come to the school to "shop" for Thanksgiving items, and were able to select either a ham or a turkey to complete their meal.

At a time when families across our area struggle to put food on the table, I am so impressed by the compassion and willingness to

help others shown by the Waxhaw Elementary family. Students not only contributed to the food drive, but were able to experience the reward that comes with helping others. What better lesson can we teach our young people, especially during the holiday season?

Madam Speaker, I am honored to say that I represent Waxhaw Elementary School. In a day and age where people tend to think only of themselves, here is a shining example of a group of young people who have reached out to make their community a better place by helping the less fortunate. I hope that this wonderful effort will continue at Waxhaw Elementary for many years to come.

**HONORING MR. STEPHEN
HODGKINS**

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2009

Mrs. BLACKBURN. Madam Speaker, it is a privilege to rise today to congratulate Mr. Stephen Hodgkins as he ends a successful term as President of the Memphis Area Homebuilders Association.

As homebuilders in Memphis and across Shelby, Fayette and Tipton County continue to weather an unrelenting storm of economic uncertainty, Stephen has provided a strong and steady hand of unwavering leadership that has shined as a beacon of hope and instilled confidence in MAHA members when his organization has needed it the most.

Throughout the course of his term as President, Stephen has been a relentless advocate for homebuilders and has worked tirelessly in reaching out to legislators in Nashville and in Washington, DC. Throughout our many discussions I have always found Stephen's advice to be insightful as we continue to look for ways to reinvigorate the housing market and alleviate the hardships that continue to face homebuilders across West Tennessee.

While the forecast for the housing market still remains unclear one thing that has always been certain is that Stephen's success as a leader is deeply rooted in the skills he has developed over 36 years as a mortgage banker and later through the launch of his home building company Oaktree Homes LLC.

Madam Speaker, I ask my colleagues to join me in congratulating Mr. Stephen Hodgkins for a successful term as President of the Memphis Area Homebuilders Association and wish him the best in all of his future endeavors.

**MEDICARE PHYSICIAN PAYMENT
REFORM ACT OF 2009**

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2009

Mr. HOLT. Mr. Speaker, I rise in strong support of the Medicare Physician Payment Reform Act, H.R. 3961, legislation that would ensure that physicians are reimbursed fairly for treating Medicare patients. Improving this payment system is vital to improving our nation's health insurance system.

There is broad consensus that the current Medicare formula for reimbursing physicians, the Sustainable Growth Rate (SGR), is fundamentally flawed. This formula would be eliminated by this bill and replaced with a better structure for Medicare physician payments. Without this necessary action, doctors' payments would be cut 21 percent in 2010, forcing many doctors to stop accepting Medicare patients and undermining the ability of millions of Medicare beneficiaries to get the care they need to stay healthy. I am pleased that this new formula would compensate physicians fairly for their services to seniors.

As a U.S. Representative and the spouse of a physician, I have heard from many physicians, nurses, and other health care providers frustrated with the annual ritual of preventing major Medicare physician payment cuts. I am pleased that this legislation, a crucial part of health care reform, would stop this cycle and reset the Medicare physician payment baseline to ensure seniors continue to have access to their doctors. In addition, this bill recognizes the importance of primary care, a key component of health reform, and would provide seniors with greater access to primary care practitioners. This would help seniors with greater coordination of their medical care and promote medical care that keeps seniors healthy.

In addition to stopping the Medicare physician payment cuts, the legislation also would implement the Statutory Pay-As-You-Go Act. This Act would require all new spending to be paid for and not increase the debt by instituting pay-as-you-go budgeting as law. I support pay-as-you-go rules because fiscal discipline must always be a hallmark of our government. In the 1990s with pay-as-you-go as the law, we turned the massive deficits of the 1980s into a record surplus under President Clinton. Pay-as-you-go is only one tool, but it is a strong one to return our nation back to fiscal stability.

I voted in favor of this bill to help physicians and health care providers continue to provide excellent service to our nation's seniors.

IN MEMORY OF NAO TAKASUGI

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2009

Mr. GALLEGLY. Madam Speaker, I rise in memory of Nao Takasugi, a former California assemblyman and Oxnard mayor, who passed away last week after 87 years of dedication to family, friends, his country and his community.

Nao and I served together on the Ventura County Regional Sanitation Board more than 30 years ago and he and his wife, Judy, quickly became friends with me and my wife, Janice. I have also been friends with his son Russell for more than 30 years through Russell's law partnership with Bob Huber. They are a close and strong family.

Nao was an incredible gentleman. I don't think I ever heard him raise his voice. His strength was in quiet determination, a will to do good always, and an undyingly optimistic outlook.

Nao's parents immigrated to the United States from Japan and set up shop in Oxnard, California, where Nao was born on April 5, 1922. When World War II broke out, Nao was