

Madam Speaker, we have lost a dedicated public servant who was an outstanding Member of this body. In his memory, I ask all Members in the Chamber to join me in observing a moment of silence as we honor the incredible life and remarkable accomplishments of Congressman John Cooksey.

HONORING THE SERVICE OF MRS. DEANNA DELUNA

(Mrs. CHERFILUS-McCORMICK asked and was given permission to address the House for 1 minute.)

Mrs. CHERFILUS-McCORMICK. Madam Speaker, I rise today to extend our eternal gratitude to Mrs. DeAnna Deluna for her dedication to our Nation's children as a 16-year educator for our South Florida community.

She is known to go above and beyond to support struggling children and to provide everyone, from every background, with a quality education.

Education is the one field that makes all others possible. Every one of us has been shaped by someone who inspired our curiosity and helped us find our confidence.

We are inspired by Mrs. Deluna and are thankful for her service to our children and her dedication to the Broward County School District.

CONGRATULATING PAT PECORA

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to congratulate Pat Pecora, Pitt-Johnstown's wrestling coach, on his fourth NCAA Division II National Wrestling Coach of the Year Award.

This award is presented to the coach who has demonstrated outstanding effort throughout the season in developing and elevating their program on campus and in the community. Pat has previously received this award in 1995, 1999, and 2019 for his efforts at Pitt-Johnstown.

This season, Pat led the Mountain Cats to a 13-1 dual-meet record and the program's 24th NCAA regional title. This year's team won a share of the PSAC dual-meet title for their sixth straight conference championship.

This recognition is well-deserved for Pat; and he is the all-time winningest coach in college wrestling at all divisions of the NCAA. In his 46 years at Pitt-Johnstown, he has recorded 631 victories.

Madam Speaker, Pat is an incredible coach and a great role model for the Pitt-Johnstown community.

Congratulations again on this well-deserved recognition and award.

Go Mountain Cats.

HONORING THE LIFE OF PAULINO VILLARREAL, SR.

(Mr. GARCÍA of Illinois asked and was given permission to address the House for 1 minute.)

Mr. GARCÍA of Illinois. Madam Speaker, I rise today to honor the life of Paulino Villarreal, Sr.

Paulino was a longtime city worker, community volunteer, loving father, and a longtime Pilsen resident. He saw the children of his neighborhood as an extension of his own, holding toy and school supply drives to help them.

Paulino represented what the southwest side of Chicago is all about: hard work, humility, and service to family and community.

Paulino left us with an important lesson: The people we help, the helping hand we extend, is the legacy we leave behind.

Family and friends will remember him for his cheerful outlook on life, his love for the Cowboys, and Tejano music. Above all, Paulino will be remembered for his generosity and his love of service.

I express my deepest condolences to the Villarreal family.

Rest in peace, my friend.

PRESIDENT BIDEN SIMPLY MUST DO BETTER

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

Mr. ROSE. Madam Speaker, the average price of gasoline has more than doubled since President Biden was sworn into office. That is not a coincidence. After all, before he took office, he told us he would "end fossil fuel."

Now, Americans are finding out the hard way what happens when we elect a President that wants to end fossil fuels. The cost of living rises faster than we can keep up with because almost everything we wear, eat, and use is transported using fossil fuels.

Meanwhile, yesterday, the President announced he would be invoking the Defense Production Act to make more solar panels. Give me a break.

The President needs to concede his war against American energy and allow companies to drill and explore for new oil. It is that easy. Yet, he refuses.

President Biden simply must do better.

SOLAR TARIFF SUSPENSION

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

Ms. KAPTUR. Madam Speaker, I rise today to call out China for its long history of predatory dumping and tariff avoidance.

We have seen China cheat on this game before on everything from steel to autos to solar. It hurts American workers and American companies that I represent in Ohio.

China is a nation that does not abide by global trading rules. Fair trading nations must apply strict scrutiny and appropriate penalties in response.

I welcome the administration's focus on boosting manufacturing of critical

solar components here in America. But we cannot encourage a tilting of the playing field that favors a country whose sinister trade practices have crushed the American middle class.

Ohio's workers make and build the products that make and build America. Our Nation must respect them, as well as the innovative companies that are working to deliver America's energy independence in perpetuity.

Let's champion free trade among free people.

AMERICANS ARE LOSING THEIR COOL

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

Mr. MEUSER. Madam Speaker, as Americans struggle to afford the record-high price of gas and the cost to keep their homes comfortable this summer, they are losing their cool with President Biden's attempts to develop a plan to tame skyrocketing inflation while playing the blame game.

Harry Truman said and was known for "the buck stops here." The Biden mantra seems to be "pass the buck."

While the President puts the blame on the Federal Reserve for inflation and taps the Strategic Petroleum Reserve to provide a few pennies a gallon off the price of gas, Americans continue to pay historic prices at the pump, face sticker shock at the supermarket, and wonder which utility company will raise their rates next.

We have gone from an energy independent Nation to one that is at the mercy of OPEC and Russia with consequences that are rattling the world economy. Yet, the President tells us this is the most robust recovery in modern history.

It is time to embrace the truth and do what works: Responsible domestic energy production; lower taxes to rev up our economy; stop the reckless spending; and reduce the economic burden on Americans.

We need the courage to change course.

VITAMIN D DEFICIENCY AND COVID

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Well, Madam Speaker, one more time I will make my weekly statement with regard to Vitamin D.

The COVID epidemic is on the downside but, in the most recent week, we still had 1,600 Americans die.

I call America's attention, and the subcommittee dealing with COVID, to the fantastic benefits of Vitamin D.

Israeli studies show people who have inadequate Vitamin D levels, under 20 nanograms per milliliter, are 11 times more likely to die of the COVID. And we have known about this for 2 years now.

I beg the public health establishment to spend a little bit of time talking about Vitamin D. I beg the public health establishment to check for Vitamin D levels when people come in. I have found people with levels as low as 16 or 4. By taking Vitamin D supplements, it may save their life.

I point out to the medical establishment that when I talk to the American people back home and they wonder why this isn't being talked about, they believe it is because there is no money to be made in giving a supplement that can cost 12 or 13 bucks at Walgreens. And it is a sad state of affairs when the American public believes that is the reason they haven't been educated on this lifesaving supplement.

COMMEMORATING THE 30TH ANNIVERSARY OF THE 340B DISCOUNT DRUG PROGRAM

The SPEAKER pro tempore (Mrs. CHERFILUS-McCORMICK). Under the Speaker's announced policy of January 4, 2021, the gentlewoman from Virginia (Ms. SPANBERGER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. SPANBERGER. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Ms. SPANBERGER. Madam Speaker, I rise today to speak about the 340B program. I rise today to commemorate the 30th anniversary of the 340B drug discount program, which has supported health providers in their mission to care for the most vulnerable and low-income patients in our communities, all at no additional cost to the taxpayer.

Tonight, the House will hear stories from both Democrats and Republicans about how 340B supports the healthcare safety net in districts across the country, including in Virginia's Seventh District.

In 1992, Congress started the 340B program with a simple goal. The 340B program has helped hospitals, community health centers, and Federal grantees stretch their scarce resources as far as possible, helping them reach more eligible patients and provide more comprehensive services.

The way it works is simple: 340B requires pharmaceutical companies to make drugs more affordable for healthcare providers serving vulnerable communities and low-income patients. By discounting the drugs, these providers can stretch their resources further and reach even more patients.

The 340B program is especially important for providers in rural America. In these areas, lower incomes lead to higher rates of uncompensated care

and a disproportionate number of patients with Medicare and Medicaid. Hospitals struggle to maintain costly services such as maternity wards and trauma centers, and patients at federally qualified health centers lack the resources to access high-cost drugs for HIV/AIDS, hemophilia, or diabetes.

Unfortunately, since the summer of 2020, at least 16 pharmaceutical companies have announced or implemented restrictions on 340B pricing. Both the current Biden administration and the previous Trump administration have found these restrictions to be unlawful, yet HHS has taken no serious enforcement action to prevent or penalize these illegal actions.

Let me be very clear: Every time a pharmaceutical company withholds a 340B discount from an eligible pharmacy, that company is unlawfully overcharging the healthcare safety net and withholding resources from the most vulnerable patients in our communities. And, in response, we need to defend 340B.

I commend HHS for its commitment to protecting the integrity of the 340B program, but I urge the agency to penalize the companies that refuse to comply with Federal law. It is the right thing to do for the people we serve.

Madam Speaker, I yield to my colleague from Tennessee (Mr. ROSE).

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Mr. ROSE. Madam Speaker, I thank the gentlewoman from Virginia for yielding me time to speak on this very important and lifesaving program as we commemorate the 30th anniversary of the creation of the 340B program.

I applaud the gentlewoman from Virginia for her leadership on this issue and for organizing this opportunity for Members on both sides to speak about how important this issue is to each of our districts.

I also thank the other Members here tonight and those who routinely support the 340B program. More than 220 Members of the House recently joined a letter to Health and Human Services, urging the Department to crack down on drug companies denying 340B discounts. By having such a large group of Members in support of that letter, to which I proudly lent my name, we demonstrated the broad bipartisan support the 340B program enjoys across the entire country.

Madam Speaker, I include the text of that letter in the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 26, 2021.

Acting Secretary COCHRAN,
Department of Health and Human Services,
Washington, DC.

DEAR ACTING SECRETARY COCHRAN: We write today as leading congressional proponents of the 340B drug discount program to ask you to take immediate action to ensure that manufacturers are prohibited from imposing unilateral changes to the program in direct conflict with congressional intent and decades of written guidance.

We were pleased to see 28 attorneys general urge former HHS Secretary Azar to protect

the 340B programs. We believe that letter and the Department's Office of General Counsel's advisory opinion, released on December 30 and described below, represent some of the most compelling legal arguments for the actions we ask you to take.

As you know, Congress enacted the 340B Drug Pricing Program in 1992 following the creation of the Medicaid Drug Rebate Program. In order for their drugs to be covered by Medicaid, manufacturers are required to offer discounts to certain public and non-profit health care organizations known as covered entities, including Federally Qualified Health Centers, Ryan White HIV/AIDS Clinics, Medicare/Medicaid Disproportionate Share hospitals, rural hospitals, and children's hospitals. According to the legislative history, Congress's intent in creating the discount program was to "stretch scarce federal resources to reach more eligible patients and provide more comprehensive services."

The 340B statute requires drug manufacturers to "offer each covered entity covered outpatient drugs for purchase at or below the applicable ceiling price." There are no provisions in the statute that allow manufacturers to set conditions or otherwise impede a provider's ability to access 340B discounts. The Health Resources and Services Administration (HRSA), which oversees the program, has indicated on multiple occasions, dating back to the early years of the program, that the 340B statute requires manufacturers to provide 340B discounts to covered entities when covered entities purchase drugs to be dispensed through contract pharmacies on a covered entity's behalf.

Beginning in the summer of 2020, several drug manufacturers began to announce a range of actions to avoid honoring 340B discounts for certain drugs, many with the highest prices, delivered to covered entities' contract pharmacies. Some manufacturers have announced they will no longer ship discounted drugs to contract pharmacies; others will ship to only one contract pharmacy per covered entity.

HHS has reviewed manufacturers' refusals to provide 340B discounts to covered entities' contract pharmacies and found them to be unlawful. In a December 30th 2020 advisory opinion, then-general counsel Robert Charrow wrote, "[T]he core requirement of the 340B statute . . . is that manufacturers must 'offer' covered outpatient drugs at or below the ceiling price for 'purchase by' covered entities. This fundamental requirement is not qualified, restricted, or dependent on how the covered entity chooses to distribute the covered outpatient drugs."

Unfortunately, publishing the advisory opinion has not deterred manufacturers from continuing with unlawful price hikes. Many covered entities are struggling with severe financial losses as a result of the COVID-19 pandemic. They cannot afford to be unfairly targeted by large pharmaceutical corporations or be forced to pay higher up-front costs for the drugs their patients need.

Furthermore, an information technology company has allied with manufacturers to change the 340B program from one of upfront discounts to post-sale rebates, a change that would greatly increase costs for covered entities and give manufacturers tremendous leverage over covered entities. Such action is inconsistent with HRSA's long-standing guidance that the 340B program is an upfront discount program."

The December 14th letter from the attorneys general called on HHS to "address drug manufacturers' unlawful refusal to provide critical drug discounts to covered entities." Consistent with that letter, we urge you to:

1. Begin assessing civil monetary penalties on manufacturers that deny 340B pricing to