

Medicare. In my view, this breaks long standing health care commitments to retirees, may increase costs, and affect military readiness.

IDENTIFYING THE PROBLEM

Current law inadvertently encourages DOD and Medicare to work against each other. As the defense budget tightens, DOD has a strong incentive to push older retirees and families out of the military medical system and back into Medicare, although Medicare probably costs both the Government and retirees more money than care under the military system. Theoretically, Medicare-eligible retirees may still use military hospitals on a space-available basis. However, space-available care is rapidly becoming nonexistent as military facilities downsize and Tricare expands across the country.

MEDICARE SUBVENTION IS THE SOLUTION

It seems to me, the solution to this problem is to change the law to allow Medicare subvention, allowing Medicare to reimburse DOD for care provided to older beneficiaries enrolling in Tricare Prime or otherwise using military hospitals.

DEMONSTRATION TEST OF MEDICARE SUBVENTION

We need to demonstrate to the interested parties, Department of Health and Human Services, and Department of Defense, that subvention is indeed a feasible and cost-effective program. Therefore I am introducing the legislation which gives those agencies the authority to conduct such a test. I believe this test will justify implementing subvention and allow those eligible military retirees over 65 to participate in Tricare Prime and receive care in military hospitals.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEMONSTRATION PROJECT FOR MEDICARE REIMBURSEMENT OF DEPARTMENT OF DEFENSE FOR HEALTH CARE PROVIDED TO MEDICARE-ELIGIBLE BENEFICIARIES UNDER TRICARE.

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to subsection (b), the Secretary of Defense and the Secretary of Health and Human Services shall enter into an agreement in order to carry out a demonstration project under which the Secretary of Health and Human Services reimburses the Secretary of Defense, on a capitated basis, from the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for certain health care services provided by the Secretary of Defense to Medicare-eligible military beneficiaries through the TRICARE program.

(b) PROJECT REQUIREMENTS.—(1)(A) The Secretary of Defense shall budget for and expend on health care services in each region in which the demonstration project is carried out an amount equal to the amount that

the Secretary would otherwise budget for and expend on such services in the absence of the project.

(B) The Secretary may not be reimbursed under the project for health care services provided to Medicare-eligible military beneficiaries in a region until the amount expended by the Secretary to provide health care services in that region exceeds the amount budgeted for health care services in that region under subparagraph (A).

(2) The agreement between the Secretary of Defense and the Secretary of Health and Human Services shall provide that the cost to the Medicare program of providing services under the project does not exceed the cost that the Medicare program would otherwise incur in providing such services in the absence of the project.

(3) The authority of the Secretary of Defense to carry out the project shall expire 3 years after the date of the commencement of the project.

(c) REPORTS.—Not later than 14 months after the commencement of the demonstration project under subsection (a), and annually thereafter until the year following the year in which the project is terminated, the Secretary of Defense and the Secretary of Health and Human Services shall jointly submit to Congress a report on the demonstration project. The report shall include the following:

(1) The number of Medicare-eligible military beneficiaries provided health care services under the project during the previous year.

(2) An assessment of the benefits to such beneficiaries of receiving health care services under the project.

(3) A description of the cost-shifting, if any, among medical care programs of the Department of Defense that results from the project.

(4) A description of the cost-shifting, if any, from the Department to the Medicare program that results from the project.

(5) An analysis of the effect of the project on the following:

(A) Access to the military medical treatment system, including access to military medical treatment facilities.

(B) The availability of space and facilities and the capabilities of medical staff to provide fee-for-service medical care.

(C) Established priorities for treatment of beneficiaries under chapter 55 of title 10, United States Code.

(D) The cost to the Department of providing prescription drugs to the beneficiaries described in subparagraph (C).

(E) The quality of health care provided by the Department.

(F) Health care providers and Medicare-eligible military beneficiaries in the communities in which the project is carried out.

(6) An assessment of the effects of continuing the project on the overall budget of the Department for health care and on the budget of each military medical treatment facility.

(7) An assessment of the effects of continuing the project on expenditures from the Medicare trust funds under title XVIII of the Social Security Act.

(8) An analysis of the lessons learned by the Department as a result of the project.

(9) Any other information that the Secretary of Defense and the Secretary of Health and Human Services jointly consider appropriate.

(d) REVIEW BY COMPTROLLER GENERAL.—Not later than December 31 each year in which the demonstration project is carried out under this section, the Comptroller General shall determine and submit to Congress a report on the extent, if any, to which the costs of the Secretary of Defense under the

TRICARE program and the costs of the Secretary of Health and Human Services under the Medicare program have increased as a result of the project.

(e) DEFINITIONS.—For purposes of this section:

(1) The term "Medicare-eligible military beneficiary" means a beneficiary under chapter 55 of title 10, United States Code, who is entitled to benefits under part A of title XVIII of the Social Security Act.

(2) The term "TRICARE program" means the managed health care program that is established by the Secretary of Defense under the authority of chapter 55 of title 10, United States Code, principally section 1097 of that title, and includes the competitive selection of contractors to financially underwrite the delivery of health care services under the Civilian Health and Medical Program of the Uniformed Services.

ADDITIONAL COSPONSORS

S. 704

At the request of Mr. SIMON, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 704, a bill to establish the Gambling Impact Study Commission.

S. 1139

At the request of Mr. LOTT, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1139, a bill to amend the Merchant Marine Act, 1936, and for other purposes.

S. 1150

At the request of Mr. SANTORUM, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Virginia [Mr. ROBB] were added as cosponsors of S. 1150, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the Marshall Plan and George Catlett Marshall.

S. 1183

At the request of Mr. HATFIELD, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1183, a bill to amend the Act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the act, and for other purposes.

S. 1188

At the request of Mr. SANTORUM, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 1188, a bill to provide marketing quotas and a price support program for the 1996 through 1999 crops of quota and additional peanuts, to terminate marketing quotas for the 2000 and subsequent crops of peanuts, and to provide a price support program for the 2000 through 2002 crops of peanuts, and for other purposes.

S. 1317

At the request of Mr. D'AMATO, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 1317, a bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1995, and for other purposes.

S. 1355

At the request of Mr. DORGAN, the name of the Senator from Oregon [Mr.

WYDEN] was added as a cosponsor of S. 1355, a bill to amend the Internal Revenue Code of 1986 to end deferral for U.S. shareholders on income of controlled foreign corporations attributable to property imported into the United States.

S. 1470

At the request of Mr. MCCAIN, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1470, a bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes.

S. 1521

At the request of Mr. DOLE, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 1521, a bill to establish the Nicodemus National Historic Site in Kansas, and for other purposes.

S. 1597

At the request of Mr. DORGAN, the names of the Senator from Illinois [Mr. SIMON], the Senator from Nebraska [Mr. EXON], the Senator from West Virginia [Mr. BYRD], the Senator from Arkansas [Mr. PRYOR], the Senator from Colorado [Mr. CAMPBELL], the Senator from Iowa [Mr. HARKIN], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of S. 1597, a bill to amend the Internal Revenue Code of 1986 to discourage American businesses from moving jobs overseas and to encourage the creation of new jobs in the United States, and for other purposes.

S. 1610

At the request of Mr. BOND, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to clarify the standards used for determining whether individuals are not employees.

S. 1612

At the request of Mr. HELMS, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1612, a bill to provide for increased mandatory minimum sentences for criminals possessing firearms, and for other purposes.

SENATE RESOLUTION 202

At the request of Mr. ABRAHAM, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from Mississippi [Mr. COCHRAN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Texas [Mr. GRAMM], the Senator from Oregon [Mr. HATFIELD], the Senator from Texas [Mrs. HUTCHISON], the Senator from Hawaii [Mr. INOUE], the Senator from Vermont [Mr. JEFFORDS], the Senator from Idaho [Mr. KEMPTHORNE], the Senator from Massachusetts [Mr. KERRY], the Senator from Vermont [Mr. LEAHY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Michigan [Mr. LEVIN], the Sen-

ator from Mississippi [Mr. LOTT], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Alaska [Mr. STEVENS], and the Senator from Tennessee [Mr. THOMPSON] were added as cosponsors of Senate Resolution 202, a resolution concerning the ban on the use of United States passports for travel to Lebanon.

AMENDMENTS SUBMITTED

THE PUBLIC RANGELANDS MANAGEMENT ACT OF 1996 NATIONAL GRASSLANDS MANAGEMENT ACT OF 1996

BINGAMAN (AND OTHERS) AMENDMENT NO. 3559

Mr. BINGAMAN (for himself, Mr. DORGAN, Mr. REID, Mr. BRYAN, and Mr. DASCHLE) proposed an amendment to amendment No. 3555 proposed by Mr. DOMENICI to the bill (S. 1459) to provide for uniform management of livestock grazing on Federal land, and for other purposes; as follows:

In lieu of the matter proposed insert the following new language:

SECTION 101. SHORT TITLE.

This title may be cited as the "Public Rangelands Management Act of 1996".

SEC. 102. DEFINITIONS.

As used in this title, the term—

(1) "public land" has the same meaning as given in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e));

(2) "Secretary" means the Secretary of the Interior, or where appropriate, the Secretary acting through the Bureau of Land Management; and

(3) "Secretary of Agriculture" means, where appropriate, the Secretary acting through the Forest Service.

SEC. 103. APPLICABILITY.

(a) BUREAU OF LAND MANAGEMENT LANDS.—This title shall apply to the grazing of livestock on public lands administered by the Secretary. Except as otherwise provided in this title, grazing on public lands administered by the Secretary shall be managed in accordance with applicable laws and regulations.

(b) FOREST SERVICE LANDS.—(1) Except as provided in section 113 (concerning the applicability of NEPA provisions), section 115 (establishing a new grazing fee formula), and section 116 (concerning expenditures of grazing fee receipts) livestock grazing on National Forest System lands in the sixteen contiguous Western States shall be managed in accordance with applicable laws and regulations.

(2) None of the provisions of this title shall apply to livestock grazing on National Forest System lands outside of the sixteen contiguous Western States. Livestock grazing on those lands shall be administered by the Secretary of Agriculture in accordance with applicable laws and regulations.

(c) NATIONAL GRASSLANDS.—Livestock grazing on the National Grasslands shall be administered in accordance with title II of this Act, except that sections 113 and 115 of title I shall also apply to the National Grasslands.

(d) COORDINATED MANAGEMENT.—(1) The Secretary and the Secretary of Agriculture shall seek to provide, to the maximum ex-

tent practicable, for consistent and coordinated grazing activities and management practices on lands in the sixteen contiguous Western States administered by the Forest Service (excluding the National Grasslands) and the Bureau of Land Management, consistent with the laws governing the public lands and the National Forest System.

(2) To the extent current regulations are inconsistent with the provisions of this title, the Secretary and the Secretary of Agriculture, as necessary, shall promulgate new regulations in accordance with this title.

SEC. 104. RANGELAND HEALTH STANDARDS AND GUIDELINES.

(a) IN GENERAL.—The Secretary, in consultation with the Resource Advisory Councils established in section 108, the Grazing Advisory Boards established in section 109, and appropriate State and local governmental and educational entities, and after providing an opportunity for public participation, shall establish State-wide or regional standards and guidelines to ensure the health and continued improvement of public land range conditions: *Provided, however*, That nothing in this title shall be construed as requiring the establishment of a minimum national standard for public land range conditions.

(b) CRITERIA.—Such standards and guidelines shall seek to ensure that—

(1) watersheds are in, or are making significant progress toward properly functioning condition;

(2) upland soils exhibit stability and infiltration and permeability rates that are appropriate to soil type, climate, and landform;

(3) ecological processes, including the hydrological cycle, nutrient cycle, and energy flow are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities;

(4) water quality complies with State water quality standards; and

(5) healthy, productive, and diverse native plant and animal populations are being supported.

(c) INCORPORATION.—Standards and guidelines developed for a specific region pursuant to this section shall, upon completion, be incorporated by operation of law into applicable land use plans. Standards and guidelines shall also be incorporated into allotment management plans and the terms and conditions of grazing permits and leases.

SEC. 105. PUBLIC PARTICIPATION.

(a) IN GENERAL.—In developing and revising land use plans, allotment management plans, activity plans, and rangeland standards and guidelines, the Secretary shall provide appropriate opportunities for public participation.

(b) AFFECTED INTEREST.—An individual or organization that has expressed in writing to the Secretary concern for the management of livestock grazing on specific allotments and who has been determined by the Secretary to be an affected interest, shall be consulted on significant grazing actions and decisions taken by the Secretary. Such consultation shall include, but need not be limited to, providing notice of the proposed action or decision and the reasons therefore, and a reasonable time in which to submit comments on the proposed action or decision.

(c) ABILITY TO PROTEST.—An applicant, permittee, lessee, or affected interest shall be entitled to protest proposed decisions of the Secretary.

SEC. 106. TERMS AND CONDITIONS.

(a) IN GENERAL.—The Secretary shall include such reasonable terms and conditions in a grazing permit or lease as the Secretary determines to be appropriate to achieve