

S. 1599. A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with Black Hills National Forest; to the Committee on Energy and Natural Resources.

BLACK HILLS NATIONAL FOREST LEGISLATION

Mr. DASCHLE. Mr. President, today I am introducing legislation to authorize the Black Hills National Forest to sell or exchange property it owns in order to acquire new property for the purpose of constructing two new district offices for the forest. The legislation is cosponsored by my colleague from South Dakota, Senator JOHNSON.

On February 27, 1998, the Forest Service approved the consolidation of the Black Hills National Forest's seven Ranger Districts into four districts. As a result, the Pactola/Harney and Spearfish/Nemo Ranger Districts are each currently managed by one District Ranger, but utilize two offices each. Combining these four separate offices into two district offices would save money in the long-term, be more efficient, and ensure good customer service for users of the forest.

One of the new district offices would be located on federally-owned property in Spearfish Canyon and house the Spearfish/Nemo Ranger District employees. The other new district office would be located on property to be procured near Rapid City, and would house the Pactola/Harney Ranger District and the Rapid City Research Station employees.

It is important to note that this legislation is particularly necessary given the extraordinarily poor working conditions experienced by the employees of the Rapid City Research Station. Their building is literally falling apart and fails to meet basic safety standards. In fact, due to a lack of proper ventilation and a failure to meet fire codes, the fire marshal has prohibited the research station from carrying out any of the chemical analysis critical to its mission. As a result, that work must be contracted out, using funds that could more appropriately be spent elsewhere.

Much of the resources necessary for the implementation of this legislation can be gained by selling property that will be made unnecessary by the construction of the new offices. However, the legislation does authorize any additional funds that may be necessary to complete this important project.

I have worked carefully with the Forest Service to develop this legislation. I believe it is a sensible and efficient way to ensure that the agency can meet the needs of the public. I urge my colleagues to give it their support.

By Mr. BAUCUS:

S. 1601. A bill to amend title XVIII of the Social Security Act to exclude

small rural providers from the prospective payment system for hospital outpatient department services; to the Committee on Finance.

SMALL RURAL PROVIDER ACT OF 1999

Mr. BAUCUS. Mr. President, I rise today to introduce the Small Rural Provider Act of 1999.

Small, rural hospitals have always played a vital role in ensuring access to quality health care. Today, rural hospitals are as important as ever. Half of all American hospitals are in rural areas, and these institutions account for fully one-quarter of the hospital beds in our country. And rural hospitals across America are expanding and improving their services, from disease prevention to rehabilitation to outpatient surgery.

But if the outpatient prospective payment system (PPS) goes into effect as currently proposed, rural hospitals in Montana and across the nation will lose millions of dollars in Medicare payments each year. Some of our smallest hospitals—the ones we should be supporting the most—will lose more than half of their current payments. That's just not right, and we should pass legislation to fix it.

Why does the outpatient PPS pose such a threat to small, rural hospitals? As you know, Mr. President, instead of reimbursing hospitals for the actual costs that they incur, a PPS would pay hospitals on a fixed, limited rate. That might make sense for a large hospital in Chicago or New York City that sees thousands of patients every day. But it doesn't make sense for a small hospital that doesn't enjoy the same economies of scale. It certainly doesn't make sense for Madison Valley Hospital, in Ennis, Montana, which would face an estimated 62.6 percent cut in outpatient payments under PPS.

Mr. President, how can small, rural hospitals, already struggling to improve their services with limited funds, survive and operate with half as much money? How can hospitals that rely on Medicare patients for most of their revenue endure a 50 percent pay-cut? The simple answer is: they cannot.

And let's remember, Mr. President, many of these hospitals are home to skilled nursing facilities (SNFs) and home health agencies (HHAs). These are the same SNFs and HHAs that have already been harmed by new prospective payment systems of their own.

This is a very simple bill. It would allow small, rural hospitals to opt out of the outpatient PPS. Without this bill, hospitals all across rural America will face devastating shortfalls in the coming year—and the quality of our country's health care will suffer. With this bill, the small hospitals that serve rural Americans throughout the nation can continue to improve the quality of their services.

Passing this bill is the right thing to do, and I urge my colleagues to join me in supporting it.

Mr. President, I ask unanimous consent that a copy 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. 1601

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Rural Provider Act of 1999".

SEC. 2. EXCLUSION OF SMALL RURAL PROVIDERS FROM PPS FOR HOSPITAL OUTPATIENT DEPARTMENT SERVICES.

(a) IN GENERAL.—Section 1833(t)(1) of the Social Security Act (42 U.S.C. 1395l(t)(1)) is amended—

(1) in subparagraph (B), by striking "For purposes of this" and inserting "Subject to subparagraph (C), for purposes of this"; and

(2) by adding at the end the following:

"(C) EXCLUSION FOR SERVICES FURNISHED BY SMALL RURAL PROVIDERS.—The term 'covered OPD services' does not include services furnished by a—

"(i) medicare-dependent, small rural hospital, as defined in section 1886(d)(5)(G)(iv);

"(ii) a critical access hospital, as defined in section 1861(mm)(1);

"(iii) sole community hospital, as defined in section 1886(d)(5)(D)(iii); or

"(iv) a hospital (determined as of the date of enactment of the Small Rural Provider Act of 1999) that—

"(I) has less than 50 beds; and

"(II) performed less than 5,000 outpatient procedures during the 12-month period ending on such date;

if such hospital, within the 180-day period beginning on the date of enactment of the Small Rural Provider Act of 1999, requests the Secretary to exclude services furnished by such hospital from the prospective payment system established under this subsection."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Balanced Budget Act of 1997.

ADDITIONAL COSPONSORS

S. 386

At the request of Mr. GORTON, the names of the Senator from Utah (Mr. HATCH) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities.

S. 391

At the request of Mr. KERREY, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 391, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 482

At the request of Mr. ABRAHAM, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to repeal the increase in the tax on the social security benefits.

S. 635

At the request of Mr. MACK, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 635, a bill to amend the Internal

Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment.

S. 693

At the request of Mr. HELMS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 708

At the request of Mr. DEWINE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 708, a bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

S. 897

At the request of Mr. BAUCUS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 897, a bill to provide matching grants for the construction, renovation and repair of school facilities in areas affected by Federal activities, and for other purposes.

S. 980

At the request of Mr. BAUCUS, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 980, a bill to promote access to health care services in rural areas.

S. 1053

At the request of Mr. BOND, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1053, a bill to amend the Clean Air Act to incorporate certain provisions of the transportation conformity regulations, as in effect on March 1, 1999.

S. 1091

At the request of Mr. DEWINE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1091, a bill to amend the Public Health Service Act to provide for the establishment of a pediatric research initiative.

S. 1172

At the request of Mr. BURNS, his name was withdrawn as a cosponsor of S. 1172, a bill to provide a patent term restoration review procedure for certain drug products.

S. 1175

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1175, a bill to amend title 49, United States Code, to require that fuel economy labels for new automobiles include air pollution information that consumers can use to help communities meet Federal air quality standards.

S. 1242

At the request of Mr. AKAKA, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Washington (Mrs. MURRAY) were

added as cosponsors of S. 1242, a bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States.

S. 1272

At the request of Mr. NICKLES, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

S. 1277

At the request of Mr. GRASSLEY, the names of the Senator from Missouri (Mr. BOND) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1277, a bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

S. 1384

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1384, a bill to amend the Public Health Service Act to provide for a national folic acid education program to prevent birth defects, and for other purposes.

S. 1414

At the request of Mr. MACK, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S. 1414, a bill to amend title XVIII of the Social Security Act to restore access to home health services covered under the medicare program, and to protect the medicare program from financial loss while preserving the due process rights of home health agencies.

S. 1473

At the request of Mr. ROBB, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

S. 1547

At the request of Mr. BURNS, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1547, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve low-power television stations that provide community broadcasting, and for other purposes.

SENATE RESOLUTION 92

At the request of Mrs. BOXER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of Senate Resolution 92, a resolution expressing the sense of the Senate that funding for prostate cancer research should be increased substantially.

SENATE RESOLUTION 158

At the request of Mr. CRAIG, his name was added as a cosponsor of Senate Resolution 158, a resolution designating October 21, 1999, as a "Day of National Concern About Young People and Gun Violence."

SENATE RESOLUTION 178

At the request of Mr. THURMOND, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of Senate Resolution 178, a resolution designating the week beginning September 19, 1999, as "National Historically Black Colleges and Universities Week."

SENATE RESOLUTION 179

At the request of Mr. BIDEN, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Mr. SARBANES), the Senator from Nebraska (Mr. KERREY), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of Senate Resolution 179, a resolution designating October 15, 1999, as "National Mammography Day."

SENATE RESOLUTION 180

At the request of Mr. SPECTER, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. HAGEL), and the Senator from California (Mrs. BOXER) were added as cosponsors of Senate Resolution 180, a resolution reauthorizing the John Heinz Senate Fellowship Program.

SENATE RESOLUTION 183

At the request of Mr. ASHCROFT, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of Senate Resolution 183, a resolution designating the week beginning on September 19, 1999, and ending on September 25, 1999, as National Home Education Week.

AMENDMENTS SUBMITTED

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

LAUTENBERG AMENDMENT NO. 1678

Mr. LAUTENBERG proposed an amendment to the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

At the appropriate place in the bill, insert:
SEC. . It is the sense of the Senate that the Secretary should expeditiously amend Title 14, Chapter II, Part 250, Code of Federal Regulations, so as to double the applicable penalties for involuntary denied boardings and allow those passengers that are involuntarily denied boarding the option of obtaining a prompt cash refund for the full value of their airline ticket.