provisions contained in the restoration bill change this by allowing more reasonable Medicare reimbursements for these therapies.

Take, for example, John Rapp, my constituent from Salt Lake City, Utah. Mr. Rapp, who is 71 years old, was diagnosed with prostate cancer last May. He was presented with a series of treatment options and decided to have BRACHY therapy because it was minimally invasive and he could receive it as an outpatient and it had fewer complications than radical surgery.

This new innovative therapy implants radioactive seeds in the prostate gland in order to kill cancer cells. The success rate of this therapy has been overwhelmingly high.

So, what's the problem? Without my legislation, services such as BRACHY therapy would not be available in the hospice setting, and for Medicare patients due to the way the outpatient prospective payment system is being designed. Life saving services such as BRACHY therapy would be reimbursed at significantly lower reimbursement rates, from approximately about $10,000 to $1500, and, therefore, it would not be cost-effective for hospitals to offer this service. Fortunately, the provisions included in the omnibus spending bill change all of that—innovative treatments, such as BRACHY therapy, will now be available to future prostate cancer patients.

We must get the newest technology, to seniors as quickly as possible. Government bureaucracy should not stand in the way of seniors receiving the best care available. We must put Medicare patients first, not government bureaucracy. That is why my legislation is necessary, so please note that this provision was included in the Medicare package.

Finally, I am pleased that this package also addressed the serious concerns of the community health centers. The community health centers community came to us because there were concerns about the financial hardship that the Balanced Budget Act would have imposed on these health centers and their patients. I worked hard with Finance Committee Chairman Roth, Senator Grassley, and Senator Baucus to resolve this important issue. I believe that the conference committee came up with a good solution, however, I intend to monitor this situation closely over the next couple of years.

Mr. President, there are numerous other provisions in this restoration package that I will not take the time to comment on now, but they are equally important. I want to commend the leadership in the Senate and House for working to put together this important measure that will clearly help millions of Medicare beneficiaries throughout the country.

THE DAKOTA WATER RESOURCES ACT

Mr. CONRAD. Mr. President, I rise today to discuss an important piece of legislation for my State of North Dakota. S. 623, the Dakota Water Resources Act, is legislation I introduced in the last Congress and early in this Congress to re-direct the existing Garrison Diversion project. This bill is designed to meet the contemporary water needs of the State of North Dakota, substantially reduce the cost of the project, and require compliance with environmental laws and our international treaty obligations with Canada.

North Dakota has significant water quality and water quantity needs that must be addressed. In many parts of my state, well water in rural communities resembles weak coffee or strong tea. It turns the laundry gray after the first wash, and in many places is unfit even for cattle to drink. This bill is designed to address those situations and help provide clean, reliable water to families and businesses across North Dakota.

This bill was favorably reported from the Senate Energy Committee earlier this year, after hearings were held in this Congress and in the previous Congress. During consideration in the Energy Committee, several amendments were adopted that reduced the cost of the bill by $140 million and strengthened environmental protections in the bill. I should also note that this bill reduces the cost of constructing the currently-authorized project by about $1 billion.

The bill is now pending on the Senate calendar, and was packaged with a group of other bills reported by the Energy Committee to be considered by this body. Unfortunately, when the Senate attempted to consider this legislation in recent days, objections to its consideration were registered by other Senators from another state who had concerns about the bill. In response, Senator Dorgan and I have worked with those Senators to address their concerns. We have engaged in those discussions in good faith, believing that if we continued to work with other states we would be able to address their concerns.

Unfortunately, those discussions have not yielded the results we were hoping for that would have allowed the bill to pass the Senate. Enacting this legislation will help my state overcome the tremendous water needs that are well documented, and I will continue to work in good faith with other Senators to pass this important bill. I am willing to address the concerns of other states, but it must be a two-way street.

I look forward to our discussions under the auspices of the Energy Committee in February to resolve those issues. I thank the Chair and yield the floor.