

Iraq in its movement of troops to the Kuwaiti border in October 1994; sponsorship of assassinations in Lebanon and in northern Iraq; incomplete declarations to weapons inspectors and refusal to provide immediate, unconditional, and unrestricted access to sites by these inspectors; and ongoing widespread human rights violations. As a result, the U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

The Baghdad government continues to violate basic human rights of its own citizens through systematic repression of all forms of political expression, oppression of minorities, and denial of humanitarian assistance. The Government of Iraq has repeatedly said it will not comply with UNSCR 688 of April 5, 1991. The Iraqi military routinely harasses residents of the north, and has attempted to "Arabize" the Kurdish, Turkomen, and Assyrian areas in the north. Iraq has not relented in its artillery attacks against civilian population centers in the south, or in its burning and draining operations in the southern marshes, which have forced thousands to flee to neighboring states.

The policies and actions of the Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, as well as to regional peace and security. The U.N. resolutions affirm that the Security Council be assured of Iraq's peaceful intentions in judging its compliance with sanctions. Because of Iraq's failure to comply fully with these resolutions, the United States will continue to apply economic sanctions to deter it from threatening peace and stability in the region.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *February 3, 1998.*

MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1085. An act to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations."

ENROLLED BILLS SIGNED

At 12:11 p.m., a message from the House of Representatives, delivered by Mr. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1564. An act to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

H.R. 1271. An act to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 and 1999, and for other purposes.

H.R. 3042. An act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native America Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on February 4, 1998 he had presented to the President of the United States, the following enrolled bill:

S. 1564. An act to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

MEASURE PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar.

S. 1601. A bill to amend title 18, United States Code, to prohibit the use of somatic cell nuclear transfer technology for purposes of human cloning.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAMS:

S. 1603. A bill to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

By Mr. D'AMATO (for himself and Mr. GRASSLEY):

S. 1604. A bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997; to the Committee on Finance.

By Mr. CAMPBELL (for himself, Mr. LEAHY, Mr. HATCH, Mr. D'AMATO, Mr. FAIRCLOTH, Mr. HOLLINGS, Mr. JOHNSON, Mr. KENNEDY, Mr. REID, Mr. TORRICELLI, and Mr. DODD):

S. 1605. A bill to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers; to the Committee on the Judiciary.

By Mr. WELLSTONE (for himself, Mr. KENNEDY, and Mr. HARKIN):

S. 1606. A bill to fully implement the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

By Mr. FAIRCLOTH:

S. 1607. A bill to direct the Secretary of the Army to carry out an environmental restoration and enhancement project at the Eastern Channel of the Lockwoods Folly River, Brunswick County, North Carolina; to the Committee on Environment and Public Works.

By Mr. ALLARD (for himself and Mr. ENZI):

S. 1608. A bill to provide for budgetary reform by requiring the reduction of the defi-

cit, a balanced Federal budget, and the repayment of the national debt; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, as modified by the order of April 11, 1986, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. FRIST (for himself, Mr. ROCKEFELLER, Mr. MCCAIN, Mr. HOLLINGS, Mr. BURNS, and Mr. KERRY):

S. 1609. A bill to amend the High-Performance Computing Act of 1991 to authorize appropriations for fiscal years 1999 and 2000 for the Next Generation Internet program, to require the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet to monitor and give advice concerning the development and implementation of the Next Generation Internet program and report to the President and the Congress in its activities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD (for himself, Mr. DASCHLE, Mr. KENNEDY, Mr. INOUE, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. KERREY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. WELLSTONE, Mr. BUMPERS, Mrs. BOXER, and Mr. KERRY):

S. 1610. A bill to increase the availability, affordability, and quality of child care; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. KENNEDY):

S. 1611. A bill to amend the Public Health Service Act to prohibit any attempt to clone a human being using somatic cell nuclear transfer and to prohibit the use of Federal funds for such purposes, to provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings, and for other purposes; read the first time.

By Mr. HATCH (for himself, Mr. CLELAND, Mr. HAGEL, Mr. STEVENS, Mr. FORD, Mr. LOTT, Mr. COVERDELL, Mr. KEMPTHORNE, Mr. ALLARD, Mr. ASHCROFT, Mr. BOND, Mr. BROWNBACK, Mr. BURNS, Mr. CAMPBELL, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. DOMENICI, Mr. ENZI, Mr. FAIRCLOTH, Mr. FRIST, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HELMS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. KYL, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MURKOWSKI, Mr. ROBERTS, Mr. ROTH, Mr. SANTORUM, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. THOMPSON, Mr. THURMOND, Mr. WARNER, Mr. BAUCUS, Mr. BREAUX, Mrs. FEINSTEIN, Mr. HOLLINGS, Mr. REID, Mr. ROCKEFELLER, and Mr. JOHNSON):

S.J. Res. 40. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS (for himself and Mr. BROWNBACK):

S. Con. Res. 72. A concurrent resolution honoring the centennial celebration of the University of Kansas basketball program and the contributions of the program to the sport of basketball and of the coaches, players, and 500 lettermen, who have achieved success and made significant contributions on and off the basketball court; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 1603. A bill to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

THE SURVIVORS OF TORTURE SUPPORT ACT

Mr. GRAMS. Mr. President, most people do not realize that torture is practiced or condoned in more than 100 countries.

We all agree that torture is a horrible act. It is designed to physically and emotionally cripple individuals, to render them incapable of mounting an effective opposition to a regime or a system of beliefs.

Torture does not affect just the victim—it sends a strong message to the victim's family, community, and nation that dissent will not be tolerated. Torture is not used as a weapon just against an individual—it is used as a weapon against democracy.

As a nation, we cannot stand by and continue to let the victims of torture suffer in silence. We must do more than proclaim that the practice of torture is abhorrent. We must provide assistance to torture survivors, for they truly are not able to help themselves.

The "Survivors of Torture Support Act" will assist victims of torture both here and abroad. While the practice of torture is not a problem in this country, many victims of torture flee to the United States to seek refuge.

As many as 400,000 torture survivors now live in the United States. Many of the survivors may not be getting the assistance they need. Other survivors of torture remain abroad; they deserve effective treatment as well.

The "Survivors of Torture Support Act" makes changes in U.S. immigration policy to account for the special needs of torture survivors.

This bill designates torture victims as refugees of special humanitarian concern.

It ensures expedited processing for asylum applicants who present credible claims of subjection to torture. It also establishes procedures for taking into account the effects of torture in the adjudication of such claims.

This bill grants the presumption that such applicants shall not be detained while their asylum claims are pending, and provides exemption from expedited removal procedures for individuals in danger of being subjected to torture.

Many times, torture survivors are not identified by U.S. officials because

consular, immigration, and also asylum personnel have not received adequate training in either the identification of evidence of torture or the techniques for interviewing torture victims.

The "Survivors of Torture Support Act" requires that the Attorney General and the Secretary of State provide training necessary for these officials to recognize the effects of torture on victims, and the way this can affect the interview or hearing process.

It also requires special training in interview techniques, so that survivors of torture are not traumatized by this experience.

Torture survivors can be productive members of American society if they have access to treatment. That is why this bill provides \$50 million over three years for treatment of victims of torture in the United States and abroad.

My home state of Minnesota is fortunate to have the first comprehensive treatment center in the United States for victims of torture.

The Center for Victims of Torture has treated more than 500 patients since it was established in 1985, and by helping those patients overcome the atrocities suffered in their homelands, has assisted them in becoming productive members of our communities.

In addition to providing treatment to persons who have been tortured by foreign governments, the Center has been active in providing training and support for treatment centers abroad. I have learned a great deal from visiting the Center and meeting its clients and staff.

Support for legislation to assist torture survivors has been increasing since Senator Dave Durenberger first introduced it in 1994.

I have worked closely with my colleague from Minnesota, Senator WELLSTONE, in developing legislation to address the very real needs of these survivors. While we have chosen different paths in bringing this issue before the Senate, our bills differ primarily in approach.

Therefore, I applaud his efforts and look forward to working closely with him to move legislation forward in 1998 that will assist victims of torture who reside in the U.S. and also abroad.

The United States should take a leading role in encouraging the establishment of additional treatment programs both at home and also abroad.

We are making progress in this direction. The U.S. is now the largest contributor to the United Nations voluntary fund for victims of torture. We must continue to support treatment centers, like the one in Minnesota, which help those who cannot help themselves.

Again, I urge my colleagues to support this much-needed legislation.

By Mr. D'AMATO (for himself and Mr. GRASSLEY):

S. 1604. A bill to amend title XVIII of the Social Security Act to repeal the

restriction on payment for certain hospital discharges to post-acute care of imposed by section 4407 of the Balanced Budget Act of 1997; to the Committee on Finance.

MEDICARE TRANSFER REPEAL LEGISLATION

Mr. D'AMATO. Mr. President, I am introducing legislation today to repeal a provision of the Balanced Budget Act (BBA) of 1997 that is particularly onerous and unfair to New York's and our nation's hospitals. The provision is one that expands the definition of a Medicare transfer and it is inherently counterintuitive to assuring the delivery of appropriate health care services to patients.

As many of my colleagues might recall, I was actively involved during the Senate's debate of the BBA in fighting for the elimination of the transfer provision. I thought then, and I still believe now that it is bad health care policy that runs counter to the mission that we should be advocating when we make policy: to encourage the providers of health care in our communities to provide the most appropriate care for the good of their patients. Along with my colleague Senator DODD, last year, we were able to mitigate the impact of the original transfer provision in the final BBA that was enacted. Unfortunately, we were not able to eliminate it from the BBA and that is why I am here today, offering legislation to finish the job we started last summer.

Included in the BBA was a provision that would expand the definition of a Medicare acute care transfer to include discharges to any rehabilitation or psychiatric hospital, nursing home or home health agency. This policy is scheduled to go into effect on October 1, 1998, for 10 Medicare hospital procedures that will be determined by the Secretary of Health and Human Services. What this means for hospitals that transfer patients is that the hospital would no longer get paid the appropriate payment (a DRG payment)—they would instead get paid a lesser amount—just because the patient was discharged to receive a more appropriate level of care. This policy would only apply for patients that are transferred in under the average length of stay.

Let me give you an example: a patient goes into the hospital for one of the 10 designated procedures, for example, a hip operation, which has an average length of stay of 10 days. At 7 days, the patient's doctor wants to transfer him to a rehabilitation hospital to continue his recovery. This is where the transfer policy would have an effect: the hospital that discharged him would no longer receive the payment that is due to them—the DRG payment. Instead, they would receive a lesser per diem payment, merely because the patient was discharged to receive a more appropriate, cost effective level of care.

Let me spend a moment here talking about the hospital payment system. The DRG system was put into place by Congress to create the proper incentives for providing an appropriate level