

# SENATE RESOLUTION 265—COM-MENDING THE NAVAL NUCLEAR PROPULSION PROGRAM ON ITS 50TH ANNIVERSARY

Mr. WARNER submitted the following resolution; which was considered and agreed to:

S. RES. 265

Whereas in 1948, Admiral (then Captain) Hyman G. Rickover first assembled his team of Navy professionals, other Government professionals, and contractor professionals that would adapt the relatively new technology of atomic energy to design and build the United States' fleet of nuclear-powered warships;

Whereas over the next seven years, Admiral Rickover and his team developed an industrial base in a new technology, pioneered new materials, designed and built a prototype reactor, established a training program, and took the world's first nuclear-powered submarine, the U.S.S. Nautilus, to sea thus ensuring America's undersea superiority;

Whereas since 1955, when the U.S.S. Nautilus first sailed, the Navy has put to sea 209 nuclear-powered ships whose propulsion plants have given the Navy unparalleled mobility, flexibility, and, additionally for submarines, stealth, with an outstanding record of safety;

Whereas during its 50 years of existence, the Naval Nuclear Propulsion Program has developed, built, and managed the operation of 246 nuclear reactors of more than 30 different designs with a combined total of 4,900 reactor years of operation, thereby leading the world in reactor construction, servicing, and operational experience;

Whereas since its inception, the Naval Nuclear Propulsion Program has trained over 90,000 reactor operators and the Navy's nuclear-powered warships have achieved over 113,000,000 miles of safe steaming on nuclear power; and

Whereas nuclear energy now propels more than 40 percent of the Navy's major combatant vessels and these nuclear-powered warships are accepted without reservation by over 50 countries and territories into 150 ports: Now, therefore, be it

*Resolved, That—*

(1) the Senate commends the past and present personnel of the Naval Nuclear Propulsion Program for the technical excellence, accomplishment, and oversight demonstrated in the program and congratulates those personnel for the 50 years of exemplary service that has been provided to the United States through the program; and

(2) it is the sense of the Senate that the Naval Nuclear Propulsion Program should be continued into the next millennium to provide exemplary technical accomplishment in, and oversight of, Naval nuclear propulsion plants and to continue to be a model of technical excellence in the United States and the world.

# SENATE RESOLUTION 266—HONORING THE CENTENNIAL OF THE FOUNDING OF DEPAUL UNIVERSITY IN CHICAGO, ILLINOIS

Ms. MOSELEY-BRAUN (for herself and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 266

Whereas 1998 marks the 100th anniversary of the founding of DePaul University in Chicago, Illinois, which is the largest Catholic university in the Nation with over 17,000 students;

Whereas DePaul University was originally founded by the Vincentian Fathers to teach immigrants who were otherwise denied access to a college education, and has been guided for the past 100 years by the mission to foster in higher education a deep respect for the God-given dignity of all persons and to instill in educated persons a dedication to the service of others;

Whereas DePaul University has matured into a major regional resource that drives the Illinois economy at many levels and with over 65,000 alumni who live and work in Illinois, DePaul graduates are prominent in the State's business community, the law profession and the judicial system, the educational institutions of the State, and music and theatre;

Whereas DePaul University is nationally recognized for the diversity of its faculty and student population as the University enrolls the largest combined number of African-American and Latino students of any private college or university in Illinois;

Whereas DePaul University has distinguished itself in such fields as education, business, performance art, telecommunications, and law;

Whereas the School of Education has provided the Chicago metropolitan area with many of its elementary and high school teachers, and has joined forces with the Chicago Public School system to develop innovative educational techniques;

Whereas DePaul University has a nationally ranked graduate School of Business, which is one of the largest in the United States, and a part-time MBA program that has received national recognition as 1 of the top 10 programs in the Nation for the past 4 years;

Whereas DePaul's School of Music and Theatre School are nationally recognized institutions;

Whereas DePaul's School of Computer Science, Telecommunication and Information Systems is the largest graduate school of its kind in the United States; and

Whereas the DePaul School of Law has produced many of Chicago's lawyers and jurists while obtaining an international reputation for its work in international human rights, and the International Criminal Justice and Weapons Control Center of DePaul University is working in support of the establishment of an International Criminal Court: Now, therefore, be it

*Resolved, That the Senate—*

(1) recognizes the important educational contributions that DePaul University has made to the State of Illinois and the Nation; and

(2) congratulates the students, alumni, faculty, and staff of DePaul University on the occasion of the centennial anniversary of the founding of DePaul University.

# SENATE RESOLUTION 267—EXPRESSING THE SENSE OF THE SENATE RELATIVE TO THE PRESIDENT, THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, AND EMERGENCY RELIEF FOR THE PEOPLE OF SUDAN

Mr. FRIST submitted the following resolution; which was considered and agreed to:

S. RES. 267

Whereas the National Islamic Front regime in Khartoum, Sudan, continues to wage a brutal war against its own people in southern Sudan;

Whereas that war has already caused the death of more than 1,500,000 Sudanese since 1983;

Whereas famine conditions now threaten areas of southern Sudan as a direct consequence of the concerted and sustained effort by the regime in Khartoum to subdue its southern regions by force and including violations of basic human rights;

Whereas famine conditions are exacerbated by diversions of humanitarian assistance by armed parties on all sides of the conflict;

Whereas the United Nations World Food Program has now targeted 2,600,000 Sudanese for famine relief aid, to be distributed through an umbrella arrangement called "Operation Lifeline Sudan";

Whereas the regime in Khartoum retains the ability to deny the relief agencies operating in Operation Lifeline Sudan the clearance to distribute food according to needs in Sudan;

Whereas the regime in Khartoum has used humanitarian assistance as a weapon by routinely denying the requests by Operation Lifeline Sudan and its members to distribute food and other crucial items in needy areas of Sudan both within the Khartoum regime's control and areas outside the Khartoum regime's control, including the Nuba Mountains;

Whereas the United States Agency for International Development provides famine relief to the people of Sudan primarily through groups operating within Operation Lifeline Sudan and, thus, subjects that relief to the arrangement's associated constraints imposed by the regime in Khartoum;

Whereas several relief groups already operate successfully in areas of southern Sudan where Operation Lifeline Sudan has been denied access in the past, thus providing crucial assistance to the distressed population;

Whereas it is in the interest of the people of Sudan and the people of the United States, to take proactive and preventative measures to avoid any future famine conditions in southern Sudan;

Whereas the United States Agency for International Development, when it pursues assistance programs most effectively, encourages economic self-sufficiency;

Whereas assistance activities should serve as integral elements in preventing famine conditions in southern Sudan in the future;

Whereas the current international and media attention to the starving populations in southern Sudan and to the causes of the famine conditions that affect them have pushed the regime in Khartoum and the rebel forces to announce a tentative but temporary cease-fire to allow famine relief aid to be more widely distributed; and

Whereas the current level of attention weakens the resolve of the regime in Khartoum to manipulate famine relief for its own agenda: Now, therefore, be it

*Resolved, That it is the sense of the Senate that—*

(1) the President, acting through the United States Agency for International Development, should—

(A) aggressively seek to secure emergency famine relief for the people of Sudan who now face widespread starvation;

(B) immediately take appropriate steps to distribute that famine relief to affected areas in Sudan, including the use of relief groups operating outside the umbrella of Operation Lifeline Sudan and without regard to a group's status with respect to Operation Lifeline Sudan; and

(C) encourage and assist Operation Lifeline Sudan and the ongoing efforts to develop relief distribution networks for affected areas of Sudan outside of the umbrella and associated constraints of Operation Lifeline Sudan;

(2) both bilaterally and within the United Nations, the President should aggressively seek to change the terms by which Operation Lifeline Sudan and other groups are prohibited from providing necessary relief according to the true needs of the people of Sudan;

(3) the President, acting through the United States Agency for International Development, should—

(A) begin providing development assistance in areas of Sudan not controlled by the regime in Khartoum with the goal of building self-sufficiency and avoiding the same conditions which have created the current crisis, and with the goal of longer-term economic, civil, and democratic development, including the development of rule of law, within the overall framework of United States strategy throughout sub-Saharan Africa; and

(B) undertake such efforts without regard to the constraints that now compromise the ability of Operation Lifeline Sudan to distribute famine relief or that could constrain future multilateral relief arrangements;

(4) the Administrator of the United States Agency for International Development should submit a report to the appropriate congressional committees on the Agency's progress toward meeting these goals; and

(5) the policy expressed in this resolution should be implemented without a return to the *status quo ante* policy after the immediate famine conditions are addressed and international attention has decreased.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President and the Administrator of the United States Agency for International Development.

#### AMENDMENTS SUBMITTED

#### RICKY RAY HEMOPHILIA RELIEF FUND ACT OF 1998

#### JEFFORDS AMENDMENT NO. 3483

(Ordered referred to the Committee on Labor and Human Resources.)

Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill (H.R. 1023) to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Ricky Ray Hemophilia Relief Fund Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—HEMOPHILIA RELIEF FUND

Sec. 101. Ricky Ray Hemophilia Relief Fund.

Sec. 102. Compassionate payment.

Sec. 103. Determination and payment.

Sec. 104. Limitation on transfer of rights and number of petitions.

Sec. 105. Time limitation.

Sec. 106. Certain claims not affected by payment.

Sec. 107. Limitation on agent and attorney fees.

Sec. 108. Definitions.

TITLE II—TREATMENT OF CERTAIN PRIVATE SETTLEMENT PAYMENTS IN HEMOPHILIA-CLOTTING-FACTOR SUIT UNDER THE MEDICAID AND SSI PROGRAMS

Sec. 201. Treatment of certain private settlement payments in hemophilia-clotting-factor suit under the Medicaid and SSI programs.

#### TITLE I—HEMOPHILIA RELIEF FUND

#### SEC. 101. RICKY RAY HEMOPHILIA RELIEF FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the "Ricky Ray Hemophilia Relief Fund", which shall be administered by the Secretary of the Treasury.

(b) INVESTMENT OF AMOUNTS IN FUND.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on and proceeds from any such investment shall be credited to and become part of the Fund.

(c) AVAILABILITY OF FUND.—Amounts in the Fund shall be available only for disbursement by the Secretary of Health and Human Services under section 103.

(d) TERMINATION.—The Fund shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act. If all of the amounts in the Fund have not been expended by the end of the 5-year period, investments of amounts in the Fund shall be liquidated, the receipts of such liquidation shall be deposited in the Fund, and all funds remaining in the Fund shall be deposited in the miscellaneous receipts account in the Treasury of the United States.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund to carry out this title \$1,771,400,000.

#### SEC. 102. COMPASSIONATE PAYMENT.

(a) ELIGIBLE INDIVIDUALS.—

(1) IN GENERAL.—If the conditions described in subsection (b) are met and if there are sufficient amounts in the Fund to make the payment involved, the Secretary shall make a single payment of \$100,000 from the Fund to any individual—

(A) who—

(i) has an HIV infection; or

(ii) is diagnosed with AIDS; and

(B) who is described in paragraph (2).

(2) REQUIREMENT.—An individual described in this paragraph is any of the following individuals:

(A) An individual who—

(i) has any form of blood-clotting disorder, such as hemophilia, and was treated with antihemophilic factor at any time during the period beginning on July 1, 1982, and ending on December 31, 1987; or

(ii) was treated with HIV contaminated blood transfusion, HIV contaminated blood components, or HIV contaminated human tissue during the period beginning on January 1, 1982, and ending on March 31, 1985.

(B) An individual who—

(i) is the lawful spouse of an individual described in subparagraph (A); or

(ii) is the former lawful spouse of an individual described in subparagraph (A) and was the lawful spouse of the individual at any time after a date, within the applicable period described in such subparagraph, on which the individual was treated as described in such paragraph and through medical documentation can assert reasonable certainty of transmission of HIV from the individual described in such subparagraph.

(C) The individual acquired the HIV infection through perinatal transmission from a parent who is an individual described in subparagraph (A) or (B).

(b) CONDITIONS.—The conditions described in this subsection are, with respect to an individual, as follows:

(1) SUBMISSION OF MEDICAL DOCUMENTATION.—The individual submits to the Secretary written medical documentation that—

(A) the individual has (or had) an HIV infection; and

(B)(i) in the case of an individual described in subsection (a)(2)(A)(i), that the individual has (or had) a blood-clotting disorder, such as hemophilia, and was treated as described in such section; and

(ii) in the case of an individual described in subsection (a)(2)(A)(ii), the individual was treated with HIV contaminated blood transfusion, HIV contaminated blood components, or HIV contaminated human tissue provided by a medical professional during the period described in such subsection.

(2) PETITION.—A petition for the payment is filed with the Secretary by or on behalf of the individual.

(3) DETERMINATION.—The Secretary determines, in accordance with section 103(b), that the petition meets the requirements of this title.

#### SEC. 103. DETERMINATION AND PAYMENT.

(a) ESTABLISHMENT OF FILING PROCEDURES.—The Secretary of Health and Human Services shall establish procedures under which individuals may submit petitions for payment under this title.

(b) DETERMINATION.—For each petition filed under this title, the Secretary shall determine whether the petition meets the requirements of this title.

(c) PAYMENT.—

(1) IN GENERAL.—To the extent there are sufficient amounts in the Fund to cover each payment, the Secretary shall pay, from the Fund, each petition that the Secretary determines meets the requirements of this title in the order received.

(2) PAYMENTS IN CASE OF DECEASED INDIVIDUALS.—

(A) IN GENERAL.—In the case of an individual referred to in section 102(a)(1)(A)(ii) who is deceased at the time that payment is made under this section on a petition filed by or on behalf of the individual, the payment shall be made as follows:

(i) If the individual is survived by a spouse who is living at the time of payment, the payment shall be made to such surviving spouse.

(ii) If the individual is not survived by a spouse described in clause (i), the payment shall be made in equal shares to all children of the individual who are living at the time of the payment.

(iii) If the individual is not survived by a person described in clause (i) or (ii), the payment shall be made in equal shares to the parents of the individual who are living at the time of payment.

(iv) If the individual is not survived by a person described in clause (i), (ii), or (iii), the payment shall revert back to the Fund.

(B) FILING OF PETITION BY SURVIVOR.—If an individual eligible for payment under section 102(a) dies before filing a petition under this title, a survivor of the individual may file a petition for payment under this title on behalf of the individual if the survivor may receive payment under subparagraph (A).

(C) DEFINITIONS.—For purposes of this paragraph:

(i) The term "spouse" means an individual who was lawfully married to the relevant individual at the time of death.

(ii) The term "child" includes a recognized natural child, a stepchild who lived with the relevant individual in a regular parent-child relationship, and an adopted child.

(iii) The term "parent" includes fathers and mothers through adoption.

(3) TIMING OF PAYMENT.—The Secretary may not make a payment on a petition