

regular breast cancer screenings for high risk women and women over 40 is absolutely crucial. I was pleased that last year the National Institutes of Health joined me and others in recognizing the importance of annual screening of women over 40, and the availability and affordability of mammography and other promising detection techniques continues to increase.

So today, I join my colleagues and all Americans in celebrating those who have won the battle against breast cancer. We salute and celebrate their courage, optimism, and often selfless commitment to help those newly diagnosed to overcome the challenges that lay ahead. Mr. President, these individuals are not just survivors, they are beacons of inspiration and hope for all of us. With the heart and spirit of these survivors leading our way, I know that we will eventually win and conquer this disease. That will be the best Survivors' Day of all.

VIOLENT AND REPEAT JUVENILE OFFENDER ACT OF 1997

• Mr. LEAHY. Mr. President, the recent shootings outside a school in Jonesboro, Arkansas, that left four young students and a teacher dead and scores of others wounded in both body and mind are shocking. Just over the last few months, we have seen deadly shootings carried out by juveniles in rural communities in Kentucky, in Mississippi and now in Arkansas. Clearly, juvenile crime is not just an urban problem. These shootings leave scars on the loved ones of those killed and injured and on the communities involved that take a long time to heal.

We may never fully comprehend how such crimes against children could be executed by other children. But one thing should be clear: The issue of juvenile crime should not be used for cheap grandstanding or short-sighted political gain. We need to find constructive approaches to this problem that builds upon past successes and respects the proper roles of State, local and Federal authorities.

In the last session, and again at the beginning of this session, I have spoken about the need to address the nation's juvenile crime problem on a bipartisan basis. Politicizing the juvenile crime problem does a disservice to the citizens in this country who want constructive responses.

I have spoken about the need to address the flaws in the juvenile crime bill, S. 10, which the Judiciary Committee voted on last summer. In floor statements and in the extensive minority views included in the Committee report, I have outlined those areas in which this bill needs significant improvement.

In short, the bill reported by the Committee to the Senate would mandate massive changes in the juvenile justice systems in each of our States, and it would invite an influx of juvenile cases in Federal courts around the

country. The repercussions of this legislation would be severe for any State seeking federal juvenile justice assistance. The bill also removes core protections that have been in place for 25 years to keep juvenile offenders out of adult jails and away from the harmful influences of seasoned adult criminals.

The need for significant improvements to this bill is no secret. Virtually every editorial board to consider the bill has reached the same conclusion. Just in recent days, the Philadelphia Inquirer concluded that the bill "is fatally flawed and should be rejected." On Monday, March 23, the Los Angeles Times described the bill as "peppered with ridiculous poses and penalties" and taking a "rigid, counterproductive approach." The Chattanooga Times, on March 14, labeled the bill "misguided" with "flaws so far-reaching that the bill requires substantial surgery." The Houston Chronicle, on March 10, observed that this bill "at the very least, needs serious rethinking." The Legal Times, on March 2, called S. 10 "the crime bill no one likes." The St. Petersburg Times, on February 23, described the bill as "an amalgam of bad and dangerous ideas." A February 10 opinion piece in the Baltimore Sun described S. 10 as a "radical" and "aberrant bill."

The criticisms leveled at S. 10 are, unfortunately, well-deserved. Consequently, eight months after this bill was voted out of Committee, the Committee held a belated hearing on some of the new controversial mandates in the bill. At that hearing, on March 9, Senator SESSIONS announced a number of changes that he planned to make to the new juvenile record-keeping and fingerprinting mandates in the bill. I had recommended a number of these changes during Judiciary Committee mark-up of the bill, and I am pleased that, finally, my cautions are being heeded.

I will be glad to see removed the requirement of photographing every juvenile upon arrest for an act that would have been a felony if committed by an adult, and the new fingerprinting and record-keeping mandates limited to felony acts that occur in the future.

I continue to oppose the imposition of these new requirements as mandates. These mandates will cost States more to implement than they can hope to receive in federal assistance. Those who believe that \$250 million over 5 years, or \$50 million per year, will be sufficient to pay for the record-keeping mandates in S. 10 have not studied the comprehensive report recently released by the National Center for Juvenile Justice and that the bill, as currently drafted, would cost the states far more than that, especially through its new fingerprinting and record-keeping mandates.

Many of the States are way ahead of the federal government in finding innovative ways to address juvenile crime and need resource assistance, and not bullying, from Washington. They need

help to do what they decide is the right balance.

While it is a better practice to hold hearings and examine issues before legislation is voted on and reported out of committee, I look forward to working with Senators HATCH and SESSIONS to improve this package, now that the bill has been reported but finds itself off the main track and stalled on a siding. I again urge the sponsors of this legislation not to politicize the important issue of juvenile crime but to work in an open, fair and bipartisan way to make S. 10 a better bill that will truly do what we all say we want it to do: Reduce youth crime.●

ASYLUM

• Mr. DEWINE. Mr. President, I rise today to express my concerns about the implementation of the immigration laws that Congress passed in 1996, since we are fast approaching an important deadline. Today is the deadline for those immigrants who have lived in the United States for one year who wish to apply for political asylum.

The concerns I raised and shared during the debate on the 1996 Immigration bill are even more relevant today. People who have the most credible asylum claims—those under threat of retaliation, those suffering physical or mental disability, possibly as a result of torture they endured in their home country—may find themselves barred from ever applying for asylum if they miss this deadline.

To protect those who flee persecution and abuse and seek refuge in the United States, the INS should, at the very least, promulgate a final rule that includes the broad "good cause" exceptions from the Senate-passed version of the 1996 immigration law. Senators KENNEDY, FEINGOLD, and I sent a letter on February 12, 1998 to INS urging that the final rule include the Senate's more expansive definition of "good cause" exceptions for missing that deadline.

The INS should not issue regulations that might exclude the very applicants that the concept of asylum was meant to include. For this reason, our letter urges INS to promulgate a final rule that adopts the Senate's entire definition of "good cause" for missing the one-year filing deadline:

"Good cause" may include, but is not limited to, [1] circumstances that changed after the applicant entered the United States and that are relevant to the applicant's eligibility for asylum; [2] physical or mental disabilities; [3] threats of retribution against the applicant's relatives abroad; [4] attempts to file affirmatively that were unsuccessful because of technical defects; [5] efforts to seek asylum that were delayed by the temporary unavailability of professional assistance; [6] the illness or death of the applicant's legal representative; or [7] other extenuating circumstances as determined by the Attorney General. [Section 193 of Senate bill; *numbers added for reference].

Mr. President, the very least our country should offer these victims of

persecution, are clearly and fairly stated exceptions to this one-year filing deadline.

My second concern is that the implementation of the summary exclusion or expedited removal provisions of the new immigration law may prove to be even more harmful to those who flee from persecution and seek refuge in the United States. When this bill was being debated in 1996, Senator LEAHY and I sponsored an amendment that would have limited such expedited removal procedures to only emergency situations. While that amendment passed by one vote in the Senate, it unfortunately did not survive in conference.

I said in May of 1996, and I still believe today, that victims of politically motivated torture and rape are the very ones who are most likely to have to resort to the use of false documents to flee from repressive governments—yet the use of such fraudulent documents subjects them to summary exclusion under the 1996 law.

I also remain concerned that while the INS may instruct its inspectors not to assess the credibility of an asylum claim—but instead refer the claim to an asylum officer—who can say how this process is actually being implemented nationwide at all of our 260 ports of entry? Other outside agencies are not permitted to monitor this process. Some credible cases are being assessed at secondary inspection sites by INS officials who are not trained asylum officers. As a result, I urge the Attorney General to appoint someone from her office to oversee the functioning of secondary inspection sites to ensure that anyone stating a fear of persecution or abuse is not forced onto the next plane back to his or her persecutors.

DOJ oversight could also prevent future inhumane actions—cases of physical and mental abuse that some INS officials have allegedly inflicted on asylum seekers who are shackled to benches at JFK Airport—or at least provide accountability for a process sorely lacking such oversight. A man from Somalia, Mohamoud Farah, who was recently granted asylum, yesterday described his ordeal during a press conference sponsored by the Lawyers Committee for Human Rights. I will ask that his full statement be printed in the RECORD at the conclusion of my remarks, but I will highlight some of it now. While Mohamoud endured 14 and a half hours shackled to a chair at JFK Airport, without food or water or even restroom breaks, he experienced abuse from INS officials and saw them abuse others who had been detained in the secondary inspection waiting area.

Being kicked, cursed at, and shackled to a chair is not how any of us envision proper treatment of people who seek refuge in our great nation—in fact, I imagine that kind of treatment as only occurring at the hands of the persecutors in the very countries from which these refugees flee.

Finally, I am concerned about the consistency with which INS imple-

ments its own rules and regulations in compliance with the 1996 immigration law. For example, in the General Accounting Office's report that was sent to me yesterday, the GAO describes inconsistencies among the eight asylum offices in the process of conducting "credible fear" interviews. Some offices failed to document whether a required paragraph on torture was read to the asylum seeker, or whether questions about torture were asked. I am concerned about these inconsistencies—especially since information about torture would provide a solid basis on which to grant asylum.

INS should also be consistent in allowing for effective representation when an asylum applicant appears before an immigration judge. This means that immigration judges should allow the attorney or representative of the asylum seeker to participate at the hearing by speaking or asking questions.

The right to have a trained asylum officer hear an asylum claim or to have counsel speak during a review hearing before an immigration judge should be a consistent right of all asylum seekers—not just a right that depends on which airport a person lands in or which immigration judge that person ends up appealing to.

In conclusion, Mr. President, the Senate must remain vigilant in its oversight duties if we want to keep our asylum system working. We have to remember that there's a reason for having an asylum system in the first place—and that is to keep the torch of liberty lit for truly oppressed people. This is a basic American value, and America should not turn its back on this fundamental principle.

I ask that the statement of Mohamoud Farah be printed in the RECORD.

The statement follows:

STATEMENT OF MOHAMOUD FARAH
(represented by the Hebrew Immigrant Aid Society (HIAS))

I arrived at JFK airport in New York City on October 31, 1997, on an Egypt Air flight from Cairo. When the plane landed, I informed someone at the airport that I was a refugee without a visa to enter the United States. I overheard this person tell a uniformed INS officer that I was "illegal". This INS officer insulted me, cursed at me, and asked me why I came to the United States. He pushed me backwards, and I fell down. Before I knew what was happening, three or four INS officers were putting shackles on my arms and legs. They bound my wrists and ankles to the legs of a chair. As the shackle was short, I was forced to lean forward in an uncomfortable position. The officers yelled and cursed at me. One of them pulled my ear. I tried to explain that I was a refugee from Somalia, but they just continued to shout. I saw the officers kick some other people, who were then taken away.

I remained shackled to the chair, leaning forward, for fourteen and a half hours. During that time, despite my requests, I was not given any food or water, nor was I allowed to use the restroom. I saw two shift changes take place while I was still bound to the chair. At one point, employees from Egypt Air came with my luggage and ticket and

said they were trying to send me back. I was afraid that if I were sent to Egypt, I might be put in jail. I told them I would rather be in jail in the United States.

They eventually sent me to another office where someone from INS began to take a statement from me about why I left Somalia. This statement would be used by the Immigration Judge in my proceedings. I was expected to discuss very painful experiences with the same people who were being abusive to me. This interview took a long time, as there was another shift change, and a new officer had to finish the statement. After they took the statement, I had to wait in that office for three more hours. I still was not allowed water or given permission to use the restroom. Finally, I was transported to the detention facility, near the airport in Queens, NY, at about 3:30 a.m. At that point, I was finally able to have some water and use the restroom, but received no food until lunch the next day. In the detention center, I began the process of applying for asylum in the United States. I was represented by Olga Narymsky, an attorney with the Hebrew Immigrant Aid Society (HIAS). After 101 days in detention, on February 9, 1998, I was granted political asylum.

I never expected that I would be treated this way in the United States. I know America is a great nation and that the way I was treated is not normal. I hope that by telling my story, I can help prevent anyone else from having to endure what happened when I arrived seeking refuge in this country.

AGRICULTURAL RESEARCH, EXTENSION AND EDUCATION REFORM

● Mr. WELLSTONE. Mr. President, I am here to support the Senator from Iowa in asking that we be allowed to vote on S. 1150, so that we may provide crop insurance to the farmers in this country and begin to restore food stamps to some legal immigrants who lost eligibility under welfare reform. It is a bill financed primarily by funds from reducing the federal dollars for the administration of food stamps and provides the perfect opportunity to start correcting the mistakes made under welfare reform in denying legal immigrants access to the food stamp program. In addition it could allow full funding for crop insurance for next year and beyond. The only way Congress could avoid leaving farmers exposed in this way, would be to provide significant increases to crop insurance during the appropriation process. It will be incredibly difficult to increase crop insurance through the appropriations process because of the tight discretionary caps and the tremendous pressure on all programs.

As currently drafted, S. 1150 would provide just over \$800 million for FY1999-FY2003 to restore benefits to approximately 250,000 people. That is less than a third of those who lost their eligibility under welfare reform. It is a step in the right direction and we as the Senate should have the right to vote on this legislation.

We are not a country built on denying food to children and their parents. Yet that is essentially what we did when we passed Welfare Reform. Estimates suggest that around 900,000 legal