

Senator BOB KERREY; there are others. But today I speak of one such American hero, our esteemed colleague, DANIEL INOUE.

Like many others in this body, I have always thought of Senator INOUE as a national hero. I know of his wartime heroics in France and Italy during World War II. I know of how he fought to protect the troops with whom he served, without regard for his own life. Even though gravely wounded, Lieutenant DANIEL INOUE continued to fight, advancing alone against a machine-gun nest that had his men pinned down. I know that, upon returning home, DAN INOUE spent twenty months in Army hospitals after losing his right arm. He came home as a Captain, with a Distinguished Service Cross, a Bronze Star, a Purple Heart with cluster, and twelve other medals and citations.

After receiving his law degree at George Washington University Law School, DANNY broke into politics in 1954 with his election to the Territorial House of Representatives. After Hawaii became a State on August 21, 1959, DANNY INOUE won election to the United States House of Representatives as Hawaii's first Congressman, and was re-elected to a full term in 1960. In 1962, he was elected to represent Hawaii in the United States Senate.

I am proud to say that I am one who voted for statehood on behalf of both Alaska and Hawaii. I believe that I am the only Senator still serving here today who voted for statehood for both of these states. I am very proud of having done that. I believe that I am also one of only three members of today's Senate who were here when DAN INOUE joined this body in 1963.

I have had the pleasure of working with DANNY INOUE on many, many occasions over the years. He is a man of utmost integrity, who works tirelessly on behalf of his constituents and on behalf of the Nation. He is one Senator who was extremely supportive of me during my service as Majority Leader, as Minority Leader, as Chairman of the Appropriations Committee, and now as the Committee's Ranking Member. He is a Senator on whom I have relied for truth, for integrity, for steadfastness, for forthrightness, and as one who is highly dedicated to his work here in the Senate.

DANNY INOUE is a man who is modest about his many accomplishments here in the Senate, as well as his wartime heroics. He is not one to talk much about those things. He is a quiet, self-effacing Senator. But we are all aware of his great service to this Country throughout his adult life.

I am immensely proud of this outstanding American in our midst, and we are deeply moved that, this week, DANNY INOUE was awarded the highest military honor that can be bestowed upon any American citizen—the Congressional Medal of Honor. He has joined the ranks of the six other United States Senators who have received the

Congressional Medal of Honor, namely, Senator Adelbert Ames of Mississippi, Senator Matthew S. Quay of Pennsylvania, Senator William J. Sewell of New Jersey, Senator Francis E. Warren of Wyoming, Senator Henry A. du Pont of Delaware, and Senator J. ROBERT KERREY of Nebraska. Senator INOUE is the only United States Senator in history to receive the Medal of Honor for service in World War II.

A bit of verse comes to mind.

This I beheld, or dreamed it in a dream:
There spread a cloud of dust along a plain;
And underneath the cloud, or in it, raged
A furious battle, and men yelled, and
swords

Shocked upon swords and shields.

A prince's banner
Wavered, then staggered backward,
hemmed by foes.

A craven hung along the battle's edge
And thought, 'Had I a sword of keener
steel—

That blue blade that the king's son bears—
but this

Blunt thing!' He snapt and flung it from
his hand,

And lowering, crept away and left the field.

Then came the king's son, wounded, sore
bestead,

And weaponless, and saw the broken sword,
Hilt-buried in the dry and trodden sand,
And ran and snatched it; and with battle
shout

Lifted afresh, he hewed his enemy down,

And saved a great cause that heroic day.

DANNY INOUE has this same bravery as described of the king's son in Edward Rowland Sill's poem. DANNY INOUE is the kind of man who sees beyond the hilt-buried sword in the dry and trodden sand. He is a man who sees opportunity in the worst of situations, rather than despair. And, seizing every opportunity to advance a good cause, he acts swiftly and courageously to meet adversity head-on.

I thank the Chair again, and express to DANNY INOUE and his lovely wife, on behalf of my wife Erma and me, our congratulations, our best wishes, and our thankfulness to the Almighty for giving us two such wonderful friends—Senator and Mrs. DANIEL INOUE.

I thank the people of Hawaii for repeatedly sending DANNY INOUE to the Senate.

I express this hope, and I am sure DANIEL INOUE would say the same if he were here:

May God, the Almighty Creator, always watch over and keep the Senate of the United States, and may God always bless the United States of America.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from Kansas, I ask unanimous consent that the quorum call be dispensed with, and, without objection it is so ordered.

URGING COMPLIANCE WITH THE HAGUE CONVENTION

The PRESIDING OFFICER. In my capacity as a Senator from Kansas, I

request unanimous consent that the Senate proceed to the consideration of H. Con. Res. 293.

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 293) urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction.

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. In my capacity as a Senator from Kansas, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed in the RECORD, and, without objection, it is so ordered.

The resolution (S. Con. Res. 293) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

H. CON. RES. 293

Whereas the Department of State reports that at any given time there are 1,000 open cases of American children either abducted from the United States or wrongfully retained in a foreign country;

Whereas many cases of international child abductions are not reported to the Department of State;

Whereas the situation has worsened since 1993, when Congress estimated the number of American children abducted from the United States and wrongfully retained in foreign countries to be more than 10,000;

Whereas Congress has recognized the gravity of international child abduction in enacting the International Parental Kidnapping Crime Act of 1993 (18 U.S.C. 1204), the Parental Kidnapping Prevention Act (28 U.S.C. 1738a), and substantial reform and reporting requirements for the Department of State in the fiscal years 1998-1999 and 2000-2001 Foreign Relations Authorization Acts;

Whereas the United States became a contracting party in 1988 to the Hague Convention on the Civil Aspects of International Child Abduction (in this concurrent resolution referred to as the "Hague Convention") and adopted effective implementing legislation in the International Child Abduction Remedies Act (42 U.S.C. 11601 et seq.);

Whereas the Hague Convention establishes mutual rights and duties between and among its contracting states to expedite the return of children to the state of their habitual residence, as well as to ensure that rights of custody and of access under the laws of one contracting state are effectively respected in other contracting states, without consideration of the merits of any underlying child custody dispute;

Whereas article 13 of the Hague Convention provides a narrow exception to the requirement for prompt return of children, which exception releases the requested state from its obligation to return a child to the country of the child's habitual residence if it is established that there is a "grave risk" that the return would expose the child to "physical or psychological harm or otherwise place the child in an intolerable situation" or "if the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of the child's views";

Whereas some contracting states, for example Germany, routinely invoke article 13

as a justification for nonreturn, rather than resorting to it in a small number of wholly exceptional cases;

Whereas the National Center for Missing and Exploited Children (NCMEC), the only institution of its kind, was established in the United States for the purpose of assisting parents in recovering their missing children;

Whereas article 21 of the Hague Convention provides that the central authorities of all parties to the Convention are obligated to cooperate with each other in order to promote the peaceful enjoyment of parental access rights and the fulfillment of any conditions to which the exercise of such rights may be subject, and to remove, as far as possible, all obstacles to the exercise of such rights;

Whereas some contracting states fail to order or enforce normal visitation rights for parents of abducted or wrongfully retained children who have not been returned under the terms of the Hague Convention; and

Whereas the routine invocation of the article 13 exception, denial of parental visitation of children, and the failure by several contracting parties, most notably Austria, Germany, Honduras, Mexico, and Sweden, to fully implement the Convention deprives the Hague Convention of the spirit of mutual confidence upon which its success depends: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress urges—

(1) all contracting parties to the Hague Convention, particularly European civil law countries that consistently violate the Hague Convention such as Austria, Germany and Sweden, to comply fully with both the letter and spirit of their international legal obligations under the Convention;

(2) all contracting parties to the Hague Convention to ensure their compliance with the Hague Convention by enacting effective implementing legislation and educating their judicial and law enforcement authorities;

(3) all contracting parties to the Hague Convention to honor their commitments and return abducted or wrongfully retained children to their place of habitual residence without reaching the merits of any underlying custody dispute and ensure parental access rights by removing obstacles to the exercise of such rights;

(4) the Secretary of State to disseminate to all Federal and State courts the Department of State's annual report to Congress on Hague Convention compliance and related matters; and

(5) each contracting party to the Hague Convention to further educate its central authority and local law enforcement authorities regarding the Hague Convention, the severity of the problem of international child abduction, and the need for immediate action when a parent of an abducted child seeks their assistance.

RUSSIAN FEDERATION'S TREATMENT OF ANDREI BABITSKY

The PRESIDING OFFICER. In my capacity as a Senator from Kansas, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 598, S. Res. 303.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 303) expressing the sense of the Senate regarding the treatment by the Russian Federation of Andrei Babitsky, a Russian journalist working for Radio Free Europe/Radio Liberty, which had been reported from the Committee on For-

eign Relations, with an amendment, as follows:

[The parts of the resolution intended to be stricken are shown in boldface brackets and the parts of the resolution intended to be inserted are shown in italic.]

S. RES. 303

Whereas Andrei Babitsky, an accomplished Russian journalist working for Radio Free Europe/Radio Liberty, a United States Government-funded broadcasting service, faces serious charges in Russia after being held captive and beaten by Russian authorities;

Whereas the mission of Radio Free Europe/Radio Liberty's bureaus in Russia is to provide Russian listeners objective and uncensored reporting on developments in Russia and around the world;

Whereas Russian authorities repeatedly denounced Mr. Babitsky for his reporting on the war in Chechnya, including his documentation of Russian troop casualties and the Russian Federation's brutal treatment of Chechen civilians;

Whereas Senate Resolutions 223 and 262 of the One Hundred Sixth Congress condemning the violence in Chechnya and urging a peaceful resolution to the conflict were adopted by the Senate by unanimous consent on November 19, 1999, and February 24, 2000, respectively;

Whereas on January 16, Mr. Babitsky was arrested by Russian police in the Chechen battle zone, was accused of assisting the Chechen forces, and was told he was to stand trial in Moscow;

Whereas Russian authorities took Mr. Babitsky to a "filtration camp" for suspected Chechen collaborators where he was severely beaten and then transferred to an undisclosed location;

Whereas on February 3, the Government of the Russian Federation announced that it had traded Mr. Babitsky to Chechen units in exchange for Russian prisoners, a violation of the Geneva Conventions to which Russia is a party;

Whereas on February 25, Mr. Babitsky was released by his captors in the Republic of Dagestan, only to be jailed by Russian officials for carrying false identity papers;

Whereas Mr. Babitsky says the papers were forced on him by his captors and used to smuggle him across borders;

Whereas Mr. Babitsky now faces charges from the Government of the Russian Federation of collaborating with the Chechens and carrying false identity papers and is not allowed to leave the city of Moscow;

Whereas on February 25, a senior advisor in Russia's Foreign Ministry published an article in The Moscow Times entitled "Should Liberty Leave?", which condemned the coverage by Radio Free Europe/Radio Liberty of the war in Chechnya, particularly reporting by Radio Free Europe/Radio Liberty correspondent Andrei Babitsky, and which stated that it would "be better to close down the branches of Radio Liberty on Russian territory";

Whereas on March 13, the Russian Ministry of the Press ordered Radio Free Europe/Radio Liberty's Moscow Bureau to provide complete recordings of broadcasts between February 15 and March 15, an action that Radio Free Europe/Radio Liberty described as "designed to intimidate us and others";

Whereas on March 14, the Russian Ministry of the Press issued a directive to prevent the broadcast of interviews from Chechen resistance leaders, an act of censorship which undercuts the ability of Radio Free Europe/Radio Liberty to fulfill its responsibilities as an objective news organization;

Whereas the treatment of Mr. Babitsky intimidates other correspondents working in

Russia, particularly those covering the tragic story unfolding in Chechnya;

Whereas Russia's evolution into a stable democracy requires a free and vibrant press; and

Whereas it is imperative that the United States Government respond vigorously to the harassment and intimidation of Radio Free Europe/Radio Liberty: Now, therefore, be it

Resolved, [That the Senate—

[(1) urges the Government of the Russian Federation to drop its charges against Mr. Babitsky;

[(2) calls upon the Government of the Russian Federation to provide a full accounting of Mr. Babitsky's detention;

[(3) condemns the Russian Federation's harassment and intimidation of Radio Free Europe/Radio Liberty and other news organizations;

[(4) calls upon the Government of the Russian Federation to adhere fully to the Universal Declaration of Human Rights, which declares in Article 19 that "everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers";

[(5) urges the Government of the Russian Federation and the President of the United States to implement the recommendations in Senate Resolutions 223 and 262 of the One Hundred Sixth Congress; and

[(6) urges the President of the United States to place these issues high on the agenda for his June 4-5 summit meeting with President Vladimir Putin of the Russian Federation.]

That the Senate—

(1) urges the Government of the Russian Federation to drop its charges against Mr. Babitsky;

(2) calls upon the Government of the Russian Federation to provide a full accounting of Mr. Babitsky's detention;

(3) condemns the Russian Federation's harassment and intimidation of Radio Free Europe/Radio Liberty and other news organizations;

(4) calls upon the Government of the Russian Federation to adhere fully to the Universal Declaration of Human Rights, which declares in Article 19 that "everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers"; and

(5) urges the Government of the Russian Federation and the President of the United States to implement the recommendations in Senate Resolutions 223 and 262 of the One Hundred Sixth Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, this resolution, S. Res. 303, which I introduced with Senator GRAMS and Senator LEAHY on May 4, expresses our deep concern about the continuing plight of the Russian journalist Andrei Babitsky. The resolution was approved unanimously by the Senate Foreign Relations Committee on June 7.

Mr. Babitsky, an accomplished journalist working for Radio Free Europe/Radio Liberty, still faces serious charges in Russia after being held captive by Russian authorities, beaten, and detained in a "filtration camp" for suspected Chechen collaborators.

The resolution asks the Russian Government to drop its trumped-up charges against Mr. Babitsky, and provide a full accounting of his detention.