

(Mrs. CLINTON) was added as a cosponsor of S. 1967, a bill to amend title XVIII of the Social Security Act to improve outpatient vision services under part B of the medicare program.

S. 2051

At the request of Mr. REID, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2051, a bill to remove a condition preventing authority for concurrent receipt of military retired pay and veterans' disability compensation from taking effect, and for other purposes.

S. 2246

At the request of Mr. DODD, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 2246, a bill to improve access to printed instructional materials used by blind or other persons with print disabilities in elementary and secondary schools, and for other purposes.

S. 2480

At the request of Mr. LEAHY, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

S. 2509

At the request of Mrs. HUTCHISON, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2509, a bill to amend the Defense Base Closure and Realignment Act of 1990 to specify additional selection criteria for the 2005 round of defense base closures and realignments, and for other purposes.

S. RES. 185

At the request of Mr. ALLEN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 185, a resolution recognizing the historical significance of the 100th anniversary of Korean immigration to the United States.

S. CON. RES. 109

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Con. Res. 109, a concurrent resolution commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor, and for other purposes.

AMENDMENT NO. 3431

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 3431 proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

## STATEMENTS ON SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 272—EX- PRESSING THE SENSE OF THE SENATE REGARDING THE suc- CESS OF THE VARELA PROJECT'S COLLECTION OF 10,000 CERTIFIED SIGNATURES IN sup- PORT OF A NATIONAL REF- ERENDUM AND THE DELIVERY OF THESE SIGNATURES TO THE CUBAN NATIONAL ASSEMBLY

Mr. NELSON of Florida submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 272

Whereas Article 88 of the Cuban Constitution states that the Cuban National Assembly should schedule a national referendum if it receives the verified signatures of 10,000 legal voters;

Whereas on May 10, 2002, a group of Cuban citizens led by Oswaldo Paya delivered 11,020 verified signatures to the Cuban National Assembly in support of a referendum;

Whereas Mr. Paya's petition drive is inspired by the 19th-century priest and Cuban independence hero, Padre Felix Varela, and is known as the Varela Project;

Whereas the Varela Project seeks a referendum on civil liberties, including freedom of speech, amnesty for political prisoners, support for private business, a new electoral law, and a general election;

Whereas the Varela Project is supported by 140 opposition organizations in Cuba and has received no money or support from foreign citizens or foreign governments;

Whereas the Varela Project is the largest petition drive in Cuban history;

Whereas the Varela Project seeks amnesty for all of those who have been detained, sanctioned, or jailed for political motives and who have not participated in acts directly threatening the lives of others;

Whereas the Varela Project seeks to guarantee citizens the right to form private businesses, to carry out economic activities that could be productive and of service, and to establish contracts between workers and businesses for the development of these businesses in fair and just conditions so that no one may obtain profits by exploiting the work of others;

Whereas the Varela Project is a step in moving Cuba toward achieving international standards for human rights;

Whereas the goal of United States policy in Cuba is to promote a peaceful transition to democracy through an active policy of supporting the forces of change on the island; and

Whereas the Varela Project is engaged in the promotion of a peaceful transition to democracy in Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the constitutional right of the citizens of Cuba who have signed the Varela Project to petition the Cuban National Assembly for a referendum;

(2) calls on the Cuban government to accept the Varela Project petition and, in accordance with its obligation under Article 88 of the Cuban Constitution, to hold a referendum on civil liberties, including freedom of speech, an amnesty for political prisoners, support for private business, a new electoral law, and a general election;

(3) praises the bravery of Oswaldo Paya and his colleagues in collecting 11,020 verified signatures in support of the Varela Project;

(4) calls on the Cuban government to provide its citizens with internationally accepted standards for civil and human rights, and the opportunity to vote in free and fair elections;

(5) urges the President and his representatives to take all appropriate steps to support the Varela Project and any future efforts by the Cuban people to assert their constitutional right to petition the National Assembly in support of a referendum; and

(6) urges the President to pursue an action-oriented policy of directly assisting the Cuban people and independent organizations to strengthen the forces of change and to improve human rights in Cuba.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

### SENATE CONCURRENT RESOLU- TION 114—EXPRESSING THE SENSE OF CONGRESS REGARD- ING NORTH KOREAN REFUGEES WHO ARE DETAINED IN CHINA AND RETURNED TO NORTH KOREA WHERE THEY FACE TOR- TURE, IMPRISONMENT, AND EXE- CUTION

Mr. BROWNBACK (for himself and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 114

Whereas the Government of North Korea is one of the most oppressive regimes and was identified by the President of the United States as one of the three countries forming an "axis of evil";

Whereas the Government of North Korea is controlled by the Korean Workers Party, which does not recognize the right of North Koreans to exercise the freedoms of speech, religion, press, assembly, or association;

Whereas the Government of North Korea imposes severe punishments for crimes such as attempted defection, slander of the Korean Workers Party, listening to foreign broadcasts, possessing printed matter that is considered reactionary by the Korean Workers Party, and holding prohibited religious beliefs;

Whereas at least 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea and because of severe drought;

Whereas the combination of political, social, and religious persecution, economic deprivation, and the risk of starvation in North Korea is causing many North Koreans to flee to China;

Whereas between 100,000 and 300,000 North Korean refugees are estimated to be residing in China without the permission of the Government of China;

Whereas the Governments of China and North Korea have reportedly begun aggressive campaigns to locate North Koreans who reside without permission in China and to forcibly return them to North Korea;

Whereas North Koreans who seek asylum in China and are refused, are returned to North Korea where they have reportedly been imprisoned and tortured, and in many cases killed;

Whereas the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, defines a refugee as a person who "owing to well-founded fear of being

persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country";

Whereas despite China's obligations as a party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967, China routinely classifies North Koreans seeking asylum in China as "economic migrants" and returns the refugees to North Korea without regard to the serious threat of persecution they will face upon their return;

Whereas the Government of China is party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967 and must respect the term of these agreements;

Whereas in recent weeks, Chinese authorities have increased security around diplomatic properties and reportedly have stepped up detentions of North Koreans hiding in the country, in response to 28 North Koreans seeking asylum who rushed several foreign embassies;

Whereas on May 9th, eight North Koreans seeking political asylum rushed the United States and Japanese consulates in the northeastern Chinese city of Shenyang, including three who scaled a wall and made it into the United States mission; and

Whereas Chinese police captured the other five, including a toddler, allegedly by entering the Japanese Consulate compound without permission, and dragging five people out, in clear violation of the provisions of the Vienna Convention on Consular Relations ensuring the inviolability of consular missions: Now, therefore, be it

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

(1) the Government of China to honor its obligations under the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, by—

(A) making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing the refugees with a reasonable opportunity to petition for asylum;

(B) allowing the United Nations High Commissioner for Refugees to have access to all North Korean asylum seekers and refugees residing in China;

(C) halting the forced repatriations of North Korean refugees seeking asylum in China; and

(D) cooperating with the United Nations High Commissioner for Refugees in efforts to resettle the North Korean refugees residing in China to other countries;

(2) the Government of China to permit access to the United Nations High Commissioner for Refugees in order to evaluate the asylum claims and to facilitate the resettlement of the North Korean refugees residing in China in other countries; and

(3) the United States Government to consider asylum claims and refugee claims of North Koreans arising from a well-founded fear of persecution.

Mr. BROWBACK. Madam President, I appreciate the opportunity to speak a few minutes ahead of the Republican time. I want to draw my colleagues' attention to an issue Senator KENNEDY and I are working on together and that is increasing in importance and focus.

And that is what is taking place in North Korea and its border with China.

We have in that area approximately 150,000 to 300,000 North Korean refugees who have fled North Korea and the very oppressive regime there and are now being hunted down and sent back to North Korea to prison camps, to, in some cases, death and other circumstances that are horrible that may be just short of death in North Korea.

I want to outline what is taking place and a couple of action items this body can take up.

If a picture is worth 1,000 words, this picture says it all. On May 9, eight North Koreans were rushed inside the United States and Japanese consulates in Shenyang in northeastern China some 125 miles from the North Korean border. Five of those sought refuge in the Japanese consulate, including this 2-year-old girl who has the beautiful pigtails and in any other sitting you might think is cute—she is cute in this one as well—sought refuge in the Japanese consulate. They were forcibly removed from inside the consulate compound by the Chinese paramilitary security forces—two of whom you see arresting this girl's mother and why she is crying—and placed in Chinese police detention.

This morning's news came out that a Korean-American pastor had been detained by Chinese authorities for protecting 14 North Korean orphans in this same area.

Pastor Joseph Choi, 47, an American citizen, was detained in Yanbian, northeastern China, on May 9 along with 14 North Korean children. He was protecting these 14 orphans and providing them food and shelter. He was arrested, and that news came out this morning.

As you may know, the facts regarding this particular child and her family are at dispute, although the videotape of the incident, which I have reviewed, leaves no doubt that the Chinese authorities trespassed on the Japanese consulate compound. Chinese authorities allege that these five persons in Shenyang never made it inside the Japanese consulate compound. Once inside that compound, this is Japanese sovereign territory. They said the consulate had requested that the Chinese security forces remove the asylum seekers. Japanese consulate officials deny these allegations. A videotape filmed by a Japanese journalist documents their entry into the Japanese consulate compound and the forcible removal that took place.

Tokyo has demanded that Beijing apologize, release the detainees, and assure safe passage for these asylum-seekers and a promise that such intrusions won't happen again. As of this morning, China continues to detain the five individuals including the 2-year-old child, including the pastor and 14 other orphans.

A large-scale problem exists of North Koreans fleeing political and religious oppression and starvation and seeking

refuge in northeastern China. There are an estimated 150,000 to 300,000 North Korean refugees living illegally in China. China has a treaty with North Korea under which China agrees to view these individuals as illegal immigrants or "economic migrants" and to send them back, without consideration of the persecution they may face upon their return. The Chinese Government refuses to permit the UNHCR to screen fleeing North Koreans to determine whether they deserve political asylum. Furthermore, under Chinese law, anyone aiding a fleeing North Korean is subject to a fine, and bounties are paid to Chinese citizens who turn in North Koreans to the Chinese authorities—bounty hunting.

Since the end of April, Chinese authorities have increased the use of the People's Armed Police, a paramilitary security force guarding foreign diplomatic properties, in order to thwart further asylum attempts. An estimated 312 North Koreans have defected to South Korea to date.

The United States is the leading donor of food to North Korea, which cannot feed its 22 million people. American negotiators should insist on assurances that this aid is reaching those most in need.

Since 1995, the United States has provided more than \$500 million in food and other commodities to North Korea—up to 350,000 metric tons of food each year. This year this aid is down to 155,000 metric tons because of demands for aid in Afghanistan; other countries are also sending less to North Korea. But American deliveries of food and fuel remain critical to Pyongyang.

More than 2 million North Koreans are reported to have died from starvation and related diseases between 1994 and 1998, and large pockets of hunger and starvation remain. At least 40 percent of children under 5 are malnourished, according to the World Food Program, a United Nations agency.

No one really knows, however, how much donated food is diverted to the North Korean military, police, Communist Party officials, essential workers, and those loyal to the regime. The World Food Program argues that food aid is not going to the military because the military has the first cut from national harvests. But the agency has no evidence because there is no independent monitoring of donated food.

In the coming negotiations, the United States should insist upon unrestricted access to all areas of the country where food is delivered. It should require lists of the actual institutions to which food and medicines are going and uncontrolled access for the World Food Program. It should press the North Korean Government to allow international aid groups to set up feeding stations of their own that are accessible to all hungry North Koreans.

More importantly, the precarious situation of the North Koreans who have crossed into China should also be on

the table. These desperate people foraging for food are treated as illegal immigrants and hunted down. When forcibly returned to North Korea, they may face imprisonment or worse. And we should demand of the Chinese government to let these people go—let them go to a third country.

The Government of Korea is one of the most repressive regimes in the world and was identified by the President as one of three countries forming an "axis of evil." It is also an economic disaster in which a centralized agricultural system has led to millions starving to death. Yet it is flanked on all sides by some of the most successful economies in the world.

This picture and the video tape that has been played continuously in Japan, Korea, and around the world has shocked the conscience of people everywhere. Yet, we should be reminded it was not so long ago that the world at times ignored similar pictures and stories—during World War II, Cambodia, and Kosovo, to mention just a few. In North Korea today, we are facing a similar evil.

I am reminded of a story during World War II about a church along a railroad track that routinely carried people in trains on their way to the Nazi concentration camps. When members of the congregation could no longer ignore the cries for help from those trains, some insisted that they sing louder. I hope we will listen, learn and act. What we should be afraid of is not the deeds of "evil" but the conscience of the world. This child is watching us, judging us. I hope China does the right thing.

At this time, I ask unanimous consent to submit a sense-of-the-Senate resolution, along with Senator KENNEDY, my colleague and chairman of the Immigration Subcommittee, where I serve as the ranking member. The purpose of this resolution is simple and direct: under both international laws and on humanitarian grounds, China should release this girl and her family as well as the Korean American pastor and 14 orphans immediately and provide them safe passage to a third country. I encourage my colleagues in joining Senator KENNEDY and myself in supporting this resolution and getting quick passage so that we can send a strong message to China to let these people go.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The resolution will be received and appropriately referred.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3456. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

SA 3457. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401

proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3458. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3459. Mr. REID (for Mr. HARKIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3460. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3461. Mr. REID (for Mr. CORZINE) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3462. Mr. REID (for Mr. CORZINE) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3463. Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3464. Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3465. Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3466. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3456. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

At the end of title XXXII, insert the following:

##### SEC. 3204. DUTY SUSPENSION ON WOOL.

(a) EXTENSION OF TEMPORARY DUTY REDUCTIONS.—

(1) HEADING 9902.51.11.—Heading 9902.51.11 of the Harmonized Tariff Schedule of the United States is amended by striking "2003" and inserting "2005".

(2) HEADING 9902.51.12.—Heading 9902.51.12 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking "2003" and inserting "2005"; and

(B) by striking "6%" and inserting "Free".

(3) HEADING 9902.51.13.—Heading 9902.51.13 of the Harmonized Tariff Schedule of the United States is amended by striking "2003" and inserting "2005".

(4) HEADING 9902.51.14.—Heading 9902.51.14 of the Harmonized Tariff Schedule of the United States is amended by striking "2003" and inserting "2005".

(b) LIMITATION ON QUANTITY OF IMPORTS.—

(1) NOTE 15.—U.S. Note 15 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking "from January 1 to December 31 of each year, inclusive"; and

(B) by striking "or such other" and inserting the following: "in calendar year 2001, 3,500,000 square meter equivalents in calendar year 2002, and 4,500,000 square meter

equivalents in calendar year 2003 and each calendar year thereafter, or such greater".

(2) NOTE 16.—U.S. Note 16 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking "from January 1 to December 31 of each year, inclusive"; and

(B) by striking "or such other" and inserting the following: "in calendar year 2001, 2,500,000 square meter equivalents in calendar year 2002, and 3,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater".

(c) EXTENSION OF DUTY REFUNDS AND WOOL RESEARCH TRUST FUND.—

(1) IN GENERAL.—The United States Customs Service shall pay each manufacturer that receives a payment under section 505 of the Trade and Development Act of 2000 (Public Law 106-200) for calendar year 2002, and that provides an affidavit that it remains a manufacturer in the United States as of January 1 of the year of the payment, 2 additional payments, each payment equal to the payment received for calendar year 2002 as follows:

(A) The first payment to be made after January 1, 2004, but on or before April 15, 2004.

(B) The second payment to be made after January 1, 2005, but on or before April 15, 2005.

(2) CONFORMING AMENDMENT.—Section 506(f) of the Trade and Development Act of 2000 (Public Law 106-200) is amended by striking "2004" and inserting "2006".

(3) TRUST FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the "Worst Wool Fabric Manufacturer Trust Fund" (in this paragraph referred to as the "Wool Fabric Trust Fund"), consisting of \$32,000,000 transferred to the Wool Fabric Trust Fund from funds in the general fund of the Treasury.

(B) GRANTS.—

(i) GENERAL PURPOSE.—From amounts available in the Wool Fabric Trust Fund, the Secretary of Commerce is authorized to provide grants to manufacturers of worsted wool fabric to assist such manufacturers in maximizing employment in the production of textile products, and meeting their obligations to workers, former workers, and retirees in the textile industry.

(ii) APPLICATION FOR GRANTS.—Qualified applicants shall apply for such grants no later than 30 days after enactment of this paragraph in accordance with guidelines prescribed by the Secretary and the Secretary shall award such grants no later than 60 days after receiving a completed application.

(C) DISTRIBUTION OF FUNDS.—Of the amounts in the Wool Fabric Trust Fund—

(i) \$16,000,000 shall be made available to manufacturers of worsted wool fabric whose aggregate domestic production of fabric of the kind described in heading 9902.51.12 of the Harmonized Tariff Schedule of the United States during calendar years 1999, 2000, and 2001 equals or exceeds 60 percent of all worsted wool fabric produced by all such manufacturers, and shall be allocated based on the percentage of each such manufacturer's production of the fabric described in such heading for such 3 years compared to the production of such fabric for all such applicants who qualify under this clause; and

(ii) \$16,000,000 shall be made available to manufacturers of worsted wool fabric who do not qualify under clause (i), and shall be allocated based on the percentage of each such manufacturer's aggregate domestic production of the fabric described in heading 9902.51.11 of the Harmonized Tariff Schedule of the United States during calendar years