

Bradley Skolnik, Securities Commissioner of Indiana, Chairman, Enforcement Division, North American Securities Administrators Association, Washington, DC; Mr. Frank Bowman, Associate Professor of Law, Indiana University School of Law, Bloomington, Indiana; and Mr. Paul Rosenzweig, Senior Legal Research Fellow, Center for Legal and Judicial Studies, The Heritage Foundation, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a roundtable entitled "Are Government Purchasing Policies Failing Small Business?" on Wednesday, June 19, 2002, beginning at 9:00 a.m. in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 19, 2002 at 10 a.m. and 2:30 p.m. to hold a closed hearing on the Joint Inquiry into the events of September 11, 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON COMMUNICATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Communications be authorized to meet on Wednesday, June 19, 2002, at 10 a.m. on Future of Universal Service: Ensuring the Sufficiency and Stability of the Fund.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology and Space be authorized to meet on Wednesday, June 19, 2002, at 2:30 p.m. on NASA and education.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that John Wason, a fellow in my office, be granted the privilege of the floor for the duration of the debate on S. 2514.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Mark Hamilton, a defense fellow in Senator MIKULSKI's office, be granted the privilege of the floor during the duration of the Department of Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLELAND. Mr. President, I ask unanimous consent that my military fellow, Skip Sherrell, be granted the privilege of the floor during consideration of the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Barbara Morrow, a fellow on my staff, be granted floor privileges for the duration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, I ask unanimous consent that Senator MCCAIN's legislative fellow, Navy LCDR Paul Gronemeyer, be granted floor privileges during consideration of the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DETAINING OF NORTH KOREAN REFUGEES

Mr. REID. I ask unanimous consent the Senate proceed to Calendar No. 419, S. Con. Res. 114.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 114) expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution.

There being no objection, the Senate proceeded to consideration of the concurrent resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble, and an amendment to the title.

[Omit the parts in black brackets and insert the parts printed in italic.]

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]

*Whereas the people of North Korea live in extreme poverty and do not enjoy 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 and other natural calamities;*

*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 presence of so many North Korean refugees on Chinese soil imposes a heavy burden on the Chinese people;*

*Whereas North Koreans who seek asylum while 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 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;

Whereas China routinely characterizes North Koreans seeking asylum while in China as being economic migrants and returns the refugees to North Korea without adequate due process or regard to the serious threat of persecution they will face upon their return;

Whereas in recent weeks, in response to North Koreans seeking asylum who have rushed several foreign missions, Chinese authorities reportedly have begun an aggressive campaign to locate North Koreans who reside without permission in China and forcibly to return them to North Korea;

Whereas the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations obligate China to ensure the inviolability of foreign missions and to provide for their security;

Whereas the refugee problem will persist until there is peace and reconciliation on the Korean Peninsula;

Whereas June 15, 2002, marks the second anniversary of the historic North-South Summit in Pyongyang between South Korean President Kim Dae-jung and North Korean leader Kim Jong-il, at which both sides pledged to pursue peace and reconciliation;

Whereas President Bush has pledged to support South Korea's policy of engagement with North Korea; and

Whereas the President of the United States has offered to send a representative to meet with North Korean authorities to address issues of mutual concern, including humanitarian issues: 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.]

That Congress—

(1) encourages 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 in order to evaluate the asylum claims and to facilitate the resettlement of the North Korean refugees residing in China in other countries; and

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

(2) encourages the Government of China to respect the inviolability of foreign missions while providing for their security, as called for under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations;

(3) urges the Government of North Korea to alleviate the suffering of the North Korean people, to respect their universally recognized human rights, and to take concrete steps to implement the North-South Joint Declaration of June 15, 2000, issued by the leaders of South Korea and North Korea on that date; and

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

Amend the title to read: "A Concurrent Resolution expressing the sense of Congress regarding North Korean refugees in China and those who are returned to North Korea where they face torture, imprisonment, and execution.".

Mr. REID. I ask unanimous consent that the committee amendment be agreed to, the concurrent resolution, as amended, be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the title amendment be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements related thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The concurrent resolution (S. Con. Res. 114), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The title amendment was agreed to.

#### HONORING THE HEROISM AND COURAGE OF FLIGHT ATTENDANTS

Mr. REID. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Con. Res. 110, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is ordered. The clerk will

report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 110) honoring the heroism and courage displayed by airline flight attendants on a daily basis.

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

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution and the preamble be agreed to en bloc, the motion to reconsider be laid upon the table en bloc, and that any statements relating thereto be printed in the RECORD without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 110), was agreed to.

The preamble was agreed to.

The concurrent resolution with its preamble, reads as follows:

#### S. CON. RES. 110

Whereas over 100,000 men and women in the United States serve as flight attendants;

Whereas flight attendants dedicate themselves to serving and protecting their passengers;

Whereas flight attendants react to dangerous situations as the first line of defense of airline passengers;

Whereas safety and security are the primary concerns of flight attendants;

Whereas flight attendants evacuate passengers from an airplane in emergency situations;

Whereas flight attendants defend passengers against hijackers, terrorists, and abusive passengers;

Whereas flight attendants handle in-flight medical emergencies;

Whereas flight attendants perform routine safety and service duties on board the aircraft;

Whereas 25 flight attendants lost their lives aboard 4 hijacked flights on September 11, 2001;

Whereas 5 flight attendants helped to prevent United Flight 93 from reaching its intended target on September 11, 2001;

Whereas flight attendants provided assistance to passengers across the United States who had their flights diverted on September 11, 2001;

Whereas flight attendants on American Airlines Flight 63 helped to subdue Richard Reid on December 22, 2001, thereby preventing him from detonating an explosive device in his shoe intended to bring down the airplane and kill all 185 passengers and 12 crew members on board; and

Whereas flight attendants helped to prevent Pablo Moreira, a Uruguayan citizen, from breaking into the cockpit on February 7, 2002, during United Flight 855 from Miami to Buenos Aires: Now therefore be it

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

(1) expresses its profound gratitude for the faithful service provided by flight attendants to make air travel safe;

(2) honors the courage and dedication of flight attendants;

(3) supports all the flight attendants who continue to display heroism on a daily basis, as they had been doing before, during, and after September 11, 2001; and

(4) shall send a copy of this resolution to a family member of each of the flight attendants killed on September 11, 2001.