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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. H.D. McCarty, Brigadier General, USAF, Retired, of Fayetteville, AR.

PRAYER

The guest Chaplain offered the following prayer:

May we speak to Him for a moment. Gentle and patient Father, on this National Day of Prayer, we thank You for the love and understanding and forgiveness You have for our imperfections and blunderings as Your people. We are grateful for this wondrous country whose roots are still deep enough in spiritual reality to acknowledge that vital prayer is critically necessary not only for our well-being, but for our survival.

My Dear Lord, grant afresh to the Members of this historic Chamber the increased power in mind, heart and will to overcome unnecessary conflicts, shallow contentions and abiding differences to such a degree that their honest tensions will bring the good and the best to our American people, both living in our homeland or serving throughout the world. Give our President, our leaders, our citizens and especially these Senators a depth of selflessness, a love of others and an expansion of vision that will enhance and fulfill dreams and goals of our gifted Founding Fathers. Let them seek and find Your path as earnestly today as our ancestors did in 1776 and 1787.

Finally, my Lord, teach us that prayer that is powerful is more than asking You for gifts, answers or promises fulfilled but, rather, the yielding of ourselves to truth. May our actions demonstrate that our passion for our country is not sourced in the conservative view of truth or the liberal view of truth but in the right view of truth. Give our Senators righteous, humble

and honest minds that the awesome task that is theirs will be effectively achieved for ourselves and our posterity. Guide them with foresight that when their labor here be ended Scripture could testify of them as it does of King David, "he led them with a pure heart, and guided them with skillful hands!" Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

LEADER TIME

The PRESIDENT pro tempore. Under the previous order, there will now be a period of leader time.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning, the Senate will conduct a period of morning business for up to 90 minutes, with the first 45 minutes under the control of the majority leader or his designee and the second 45 minutes under the control of the Democratic leader or his designee. Following morning business, the Senate will resume consideration of the FSC/ETI JOBS bill.

We made significant progress on the bill thus far this week. I hope that will continue through today. Chairman GRASSLEY and Senator BAUCUS will be here to continue working through relevant amendments.

In addition, we expect to consider the Negroponte nomination during today's

session. This is one of many important ambassadorial nominations on the Executive Calendar. I expect a vote on this nomination today. Therefore, roll-call votes will occur during today's session.

CONDEMNING THE GOVERNMENT OF THE REPUBLIC OF THE SUDAN

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 497, S. Con. Res. 99.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 99) condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan.

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

(Strike the parts shown in black brackets and insert the parts printed in *italic*.)

S. CON. RES. 99

Whereas, since early 2003, a conflict between forces of the Government of the Republic of the Sudan, including militia forces backed by the Government, and rebel forces in the impoverished Darfur region of western Sudan has resulted in attacks by ground and air forces of the Government of Sudan against innocent civilians and undefended villages in the region;

Whereas the militia forces backed by the Government of Sudan have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas United Nations officials and non-governmental organizations have indicated that the humanitarian situation in the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Darfur region is extremely urgent, particularly in light of restrictions by the Government of Sudan on the delivery of humanitarian assistance for the people of the region;

[Whereas, on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs Jan Egeland declared that the Darfur region was probably "the world's worst humanitarian catastrophe";

[Whereas, on February 17, 2004, Amnesty International reported that it "continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers, and pro-government militia";

[Whereas, on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan Tom Eric Vraalsen declared, following a trip to the Darfur region, that "aid workers are unable to reach the vast majority [of the displaced]";

[Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of "catastrophic mortality rates"; and

[Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance, and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been displaced within Sudan in the past year: Now, therefore, be it]

Whereas, since early 2003, a conflict between forces of the Government of the Republic of the Sudan, including militia forces backed by the Government, and rebel forces in the impoverished Darfur region of western Sudan has resulted in attacks by ground and air forces of the Government of Sudan against innocent civilians and undefended villages in the region;

Whereas the militia forces backed by the Government of Sudan have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas, on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs Jan Egeland declared that the Darfur region was probably "the world's worst humanitarian catastrophe", and in April 2004 reported to the United Nations Security Council that in Darfur, "a sequence of deliberate actions has been observed that seem aimed at achieving a specific objective: the forcible and long-term displacement of the targeted communities which may also be termed 'ethnic cleansing'";

Whereas, on February 17, 2004, Amnesty International reported that it "continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers, and pro-government militia";

Whereas, on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan Tom Eric Vraalsen declared, following a trip to the Darfur region, that "aid workers are unable to reach the vast majority [of the displaced]";

Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of "catastrophic mortality rates";

Whereas, on April 20, the United Nations Office of the High Commissioner for Human Rights delayed the release of a report citing gross human rights abuses, crimes against humanity, and war crimes committed in Darfur in a bid to gain access to Sudan for investigators;

Whereas the Government of Sudan continues to deny humanitarian assistance for the people of the Darfur region by denying them unrestricted access to humanitarian aid organizations;

Whereas attacks on civilians in Darfur continue despite an April 8, 2004, temporary cease-fire agreement; and

Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance, and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been displaced within Sudan in the past year: Now, therefore, be it

Resolved, [That Congress—

(1) strongly condemns the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan and for its failure to take effective actions to stop militia attacks on civilians in the region, and demands that the Government of Sudan immediately take actions to cease these attacks;

(2) calls on the international community to strongly condemn the Government of Sudan for its participation and complicity in these attacks and demand that such attacks cease;

(3) urges the Government of Sudan to allow the delivery of humanitarian assistance to people in the Darfur region; and

(4) urges the President to direct the United States Representative to the United Nations to seek an official investigation by the United Nations to determine if crimes against humanity have been committed by the Government of Sudan in the Darfur region.]

That Congress—

(1) strongly condemns the Government of the Republic of the Sudan and militia groups supported by the Government of Sudan for attacks against innocent civilians in the impoverished Darfur region of western Sudan, in violation of Article 3 of the Geneva Conventions, done at Geneva August 12, 1949, and entered into force October 21, 1950, which specifically prohibit attacks on civilians, and demands that the Government of Sudan immediately take actions to cease these attacks;

(2) calls on the Government of Sudan to grant full, unconditional, and immediate access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, and an international monitoring team in compliance with the temporary cease-fire agreement that is based in Darfur and has the support of the United States and the European Union;

(3) encourages the Administrator of the United States Agency for International Development to work with donors to develop a plan to pre-position and deliver humanitarian assistance to Darfur, including a plan for delivery of food by air if necessary;

(4) calls on the Secretary of State to develop a plan for further bilateral and multilateral action in the event the Government of Sudan fails to immediately undertake the actions called for in paragraph (2), including a plan to seek a Security Council resolution addressing the Darfur situation;

(5) deplores the inaction of some member states of the United Nations and the failure of the United Nations Human Rights Commission to take strong action with respect to the crisis in Darfur; and

(6) urges the President to direct the United States Representative to the United Nations to—

(A) seek an official investigation by the United Nations to determine if crimes against humanity have been committed by the Government of Sudan in the Darfur region; and

(B) work with the international community to ensure that the individuals responsible for

crimes against humanity in Darfur are accountable for their actions.

Mr. FRIST. Mr. President, I wish to make a brief comment. First, I ask unanimous consent that the committee-reported 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 motions to reconsider be laid upon the table en bloc, and that any statements relating thereto be printed in the RECORD, with no intervening action.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The committee amendment, in the nature of a substitute, was agreed to.

The concurrent resolution (S. Con. Res. 99), as amended, was agreed to.

The amendment to the preamble, in the nature of a substitute, was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 99

Whereas, since early 2003, a conflict between forces of the Government of the Republic of the Sudan, including militia forces backed by the Government, and rebel forces in the impoverished Darfur region of western Sudan has resulted in attacks by ground and air forces of the Government of Sudan against innocent civilians and undefended villages in the region;

Whereas, the militia forces backed by the Government of Sudan have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas, on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs Jan Egeland declared that the Darfur region was probably "the world's worst humanitarian catastrophe", and in April 2004 reported to the United Nations Security Council that in Darfur, "a sequence of deliberate actions has been observed that seem aimed at achieving a specific objective: the forcible and long-term displacement of the targeted communities which may also be termed 'ethnic cleansing'";

Whereas, on February 17, 2004, Amnesty International reported that it "continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers, and pro-government militia";

Whereas, on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan Tom Eric Vraalsen declared, following a trip to the Darfur region, that "aid workers are unable to reach the vast majority [of the displaced]";

Whereas, Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of "catastrophic mortality rates";

Whereas, on April 20, the United Nations Office of the High Commissioner for Human Rights delayed the release of a report citing gross human rights abuses, crimes against humanity, and war crimes committed in Darfur in a bid to gain access to Sudan for investigators;

Whereas, the Government of Sudan continues to deny humanitarian assistance for the people of the Darfur region by denying

them unrestricted access to humanitarian aid organizations;

Whereas, attacks on civilians in Darfur continue despite an April 8, 2004, temporary cease-fire agreement; and

Whereas, nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance, and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been displaced within Sudan in the past year: Now, therefore, be it

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

(1) strongly condemns the Government of the Republic of the Sudan and militia groups supported by the Government of Sudan for attacks against innocent civilians in the impoverished Darfur region of western Sudan, in violation of Article 3 of the Geneva Conventions, done at Geneva August 12, 1949, and entered into force October 21, 1950, which specifically prohibit attacks on civilians, and demands that the Government of Sudan immediately take actions to cease these attacks;

(2) calls on the Government of Sudan to grant full, unconditional, and immediate access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, and an international monitoring team in compliance with the temporary cease-fire agreement that is based in Darfur and has the support of the United States and the European Union;

(3) encourages the Administrator of the United States Agency for International Development to work with donors to develop a plan to pre-position and deliver humanitarian assistance to Darfur, including a plan for delivery of food by air if necessary;

(4) calls on the Secretary of State to develop a plan for further bilateral and multilateral action in the event the Government of Sudan fails to immediately undertake the actions called for in paragraph (2), including a plan to seek a Security Council resolution addressing the Darfur situation;

(5) deplores the inaction of some member states of the United Nations and the failure of the United Nations Human Rights Commission to take strong action with respect to the crisis in Darfur; and

(6) urges the President to direct the United States Representative to the United Nations to—

(A) seek an official investigation by the United Nations to determine if crimes against humanity have been committed by the Government of Sudan in the Darfur region; and

(B) work with the international community to ensure that the individuals responsible for crimes against humanity in Darfur are accountable for their actions.

The PRESIDENT pro tempore. The majority leader.

Mr. FRIST. Mr. President, I do want to draw attention to this terrible tragedy unfolding in the Darfur region of Sudan. I have had the opportunity to travel to the Sudan a number of times, many times over the last several years, and care greatly for the people there, as do all of our colleagues who are in this Chamber today.

I thank Senator BROWNBACK for his tremendous leadership on this issue. He will come to the floor later today to comment on this important resolution. He has shown steadfast commitment

throughout for the people of southern Sudan.

I also thank Senator FEINGOLD. He and I have had the opportunity to work together for many years on the Africa Subcommittee and have worked together to draw attention to the terrible civil war in Sudan, which has displaced millions of people. A million people have died over the last 20, 22 years.

I also thank my colleague from Tennessee, Senator ALEXANDER, who now chairs the African Subcommittee, as well as Chairman LUGAR and Senator BIDEN, and all the colleagues who have worked on this issue.

The international community estimates that 1 million—1 million—Sudanese in the Darfur region have been displaced by the ongoing attacks by government-backed militias. At least 110,000 Darfur Sudanese have sought refuge in Chad. But even there the militias have been able to cross the border and attack the refugee camps. It is an ongoing tragedy.

The outgoing United Nations humanitarian coordinator in Khartoum says the continuing atrocities are nothing short of genocide.

Since the violence began in February of last year, up to 30,000 Darfur natives have been killed. The U.N. coordinator warns that the raping, looting, and mass destruction being perpetuated is “more than just a conflict.” He warns that, “It is an organized attempt to do away with a group of people.”

On Monday, a U.N. mission returned from a 6-day inspection of Darfur. The team concludes that many of the violations they investigated may constitute war crimes and/or crimes against humanity. Their report, due to be completed by the end of this week, is expected to confirm many of the accounts of mass murder, multiple rapes, aerial bombings, and ground attacks.

The crisis only threatens to worsen. Later this month, the rainy season will begin. Aid experts tell us the massive yearly flooding may seriously hinder their efforts to distribute desperately needed aid and medical supplies. Amnesty International warns that the impending rains are a ticking timebomb in the countdown to disaster.

The situation in Darfur is dire. I take a special interest in the plight of the Darfur people because of my own contact with the Sudanese. I have traveled extensively throughout southern Sudan. I have had the opportunity to perform medical mission work in that part of the world in a hospital in a little village called Lui. I have visited the Nuba Mountains in central Sudan, the Blue Nile region north of there, as well as Pabong, which is one of the oil regions in which there has been a lot of displacement.

Recently, in August, I was in southern Sudan, where I had the opportunity again to operate and perform surgery and serve the community there in this hospital in Lui, the only medical facility in about a 150-mile radius of that small village.

Through these travels, I have had the opportunity to take care of patients who have come in with war-torn injuries, and who are suffering from the plight of this civil war, a brutal war—the innocent people there who are being shattered day in, day out, by civil war.

I wanted to share with my colleagues the suffering of the people of southern Sudan and thus wholly endorse this resolution. We have all worked together—Senators BROWNBACK, FEINGOLD, BIDEN, LUGAR, HELMS, and many others—to enact a Sudan Peace Act in the past. That bill, indeed, provided a framework for peace negotiations in Sudan.

This past September, shortly after we were in southern Sudan, I was heartened by the cease-fire by the Khartoum government and the Sudanese rebels. Peace, it seemed, at that point in time might finally come. But now my hopes are wearing thin. The government of Khartoum absolutely must take responsibility for its complicity in the systematic murders and atrocities being committed in Darfur by the Janjaweed.

On Tuesday the U.S. Agency for International Development delivered the first of four aid airlifts planned for the week. The Agency is providing thousands of blankets and temporary shelter and medical supplies and food. But even with the best, the most hopeful, the most optimistic projections that the Darfur crisis can be controlled, the most optimistic say it will continue for another 18 months, even if Khartoum right now starts cracking down on the Janjaweed militias. Hence, there is not time to waste. Literally millions of lives are in the balance. We must draw the world's attention to the crisis in Sudan.

This week's elections of Sudan to a third term on the United Nations Human Rights Commission is a travesty. It undermines the credibility of the Commission but, more importantly, it signals to the Sudanese people that the highest human rights body in the world has abandoned them and ignored their plight.

I stand alongside the administration in its unqualified disapproval of Sudan's inclusion in the U.N. Human Rights Commission. By approving S. Con. Res. 99, however, this body rightly condemns the actions of Khartoum and Darfur. We put Khartoum on notice that the Senate will continue to scrutinize and hold accountable acts of commission or omission by the Khartoum government that violate their citizens' human rights.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. Does the majority leader reserve the remainder of his time?

Mr. FRIST. Mr. President, that completes leader time. That should not take away from morning business.

The PRESIDENT pro tempore. The Democratic leader.

Mr. DASCHLE. Mr. President, I, too, will use my leader time and reserve the

remainder of the allocation for our Democratic colleagues to use the other time in morning business.

I share the sentiment expressed by the majority leader with regard to S. Con. Res. 99, regarding the Sudan. It is past time that we were heard on this troubling situation. I commend Senators Feingold and Brownback as well for their leadership.

Late last year, United Nations Under Secretary General for Humanitarian Affairs Jan Egeland called the developing situation in the Darfur region of Sudan, where two rebel groups have been locked in a battle with Sudanese government forces and government-backed militias since February 2003, "the world's worst humanitarian catastrophe."

Mr. Egeland has seen a lot of disaster, and he does not use terms like catastrophe loosely. In a world increasingly torn asunder by ethnic and regional conflicts, calling Darfur the world's worst catastrophe is saying something. Unfortunately, it appears that Egeland has chosen the right word to describe this situation.

Amnesty International has reported that it "continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers, and pro-government militia." Doctors Without Borders reported that the regions is the scene of "catastrophic mortality rates."

And American government and international estimates suggest that nearly 3 million people have been affected by the terrible fighting in Darfur; 700,000 have been displaced; 100,000 have fled to neighboring Chad, and 30,000 have been killed.

Meanwhile, international aid agencies estimate that, as a result of this fighting, they have been able to help only 15 percent of the people who need it. The Sudanese Government has systematically and deliberately denied humanitarian assistance for, and international access to, this region.

At the same time, credible reports suggest the militia forces backed by the Government of Sudan are engaged in the use of rape as a weapon of war, are abducting children, and are destroying food and water sources. If all this were not sad and outrageous enough, the Sudanese Government—the same one that is complicit in these atrocities—just Tuesday was chosen to serve on the United Nations Human Rights Commission. Nicholas Kristof of the New York Times recently described the situation in the Darfur region this way: I can't get the kaleidoscope of genocide out of my head since my trip last month to the Sudan-Chad border: the fresh graves, especially the extra-small mounds for children; the piles of branches on graves to keep wild animals from digging up corpses; the tales of women being first raped and then branded on the hand to stigmatize them forever; the isolated peasants, unfamiliar with electricity, who suddenly encounter the 21st century as

helicopters machine-gun their children.

Each of us hoped we would leave this hatred, violence and ethnic cleansing behind in the 20th century. At the very least, we must now ensure we do not repeat the mistakes of the past. I was heartened when the United States recently voted against a resolution backed by the United Nations Human Rights Commission because it didn't do enough to condemn ethnic cleansing in Darfur. And I am pleased that the President condemned the Sudanese Government's actions there. But that is just a first step.

If the Government of Sudan ever wants to be welcomed into the community of nations, it must take concrete steps that befit a member of the United Nations Human Rights Commission. It must immediately take actions to cease the attacks in Darfur. It must allow the delivery of humanitarian assistance to people in the Darfur region. President Bush must direct the United States Representative to the United Nations to seek an official investigation by the United Nations to determine if crimes against humanity have been committed by the Government of Sudan in the Darfur region.

This is the very least the international community must do, and we must do it now. Any delay will have a terrible cost in human lives.

Mr. BROWNBACK. Mr. President, I rise with several of my colleagues today to bring to the attention of this body a severe situation in the western part of Sudan. The Darfur region is facing an acute humanitarian catastrophe, which has been cited by some individuals as the worst humanitarian crisis in the world today.

For over a year now, government-backed militias have been carrying out savage attacks on innocent civilians and have engaged in the use of rape as a weapon, abducted children, destroyed food and irrigation systems and burned villages. We are gravely concerned about the violence that persists, despite the April 8 cease-fire agreement. Recent estimates report that 3 million people are beyond the reach of aid agencies trying to provide assistance in Sudan, and mortality rates in the Darfur region are catastrophic.

The Darfur disaster has forced staggering numbers of people to flee their homes. More than 800,000 people have been displaced, with more than 100,000 of them crossing the border into neighboring Chad. Less than half of these refugees are living in UNHCR camps. Refugees International reported yesterday that 540 refugees in Chad are near death due to lack of food. To make matters worse, the rainy season is expected soon, at which time roads will be impassable and the delivery of aid extremely difficult.

Human Rights investigators have finally been allowed into the region and we anticipate their findings later this week. However, initial reports indicate that their movements were severely re-

stricted, despite numerous requests for full access to the region. The international community must continue to call on the Government of Sudan to grant visas to the humanitarian organizations who are ready and waiting to provide much-needed assistance in Darfur.

Civil war has left carnage during the two decades of fighting in Sudan. The largely Arab-Islamic North had been fighting the predominantly African-Christian and animist South over issues of religion and Sharia law. Negotiations have included tough compromises over issues of power- and wealth-sharing. I believe that continued pressure on Sudan to end the suffering in Darfur can lead to a negotiated settlement between the North and the South, which we hope to see in the coming days. But we cannot wait for this agreement to address the current situation; the humanitarian crisis in Darfur warrants immediate attention by the international community.

Today the Senate passed S. Con. Res. 99, condemning the Government of Sudan for their complicity in attacks against innocent civilians and calling on them to immediately end such brutality. It calls on Sudan to grant immediate and unconditional access to Darfur for humanitarian and human rights organizations and for a cease-fire monitoring team. In addition, it calls on the USAID Administrator to develop a plan for the delivery of humanitarian assistance, by air if necessary. Furthermore, the resolution urges the Secretary of State to develop a plan for further bilateral and multilateral action in the event that the Government of Sudan fails to immediately allow access, including a plan to seek a Security Council resolution addressing the Darfur situation. Finally, S. Con. Res. 99 urges the President to direct the U.S. Representative to the United Nations to seek an official investigation to determine if crimes against humanity have been committed by the Government of Sudan in Darfur and work with the international community to ensure that the individuals responsible for such crimes are accountable for their actions.

I thank my colleagues for their support of this important resolution. The 10th anniversary of the Rwandan genocide was an important reminder of the devastating effects that international blindness can have on a population. Just this week, Sudan was voted back onto the U.N. Human Rights Commission, despite protests by the United States. How can a nation who allows for nearly 1 million displaced persons, catastrophic deaths, and the threat of continuing death and disease, remain on the very body of the United Nations which is responsible for preventing such atrocities?

We have a moral responsibility to the people of Darfur, let us not wait until another life is lost.

Mr. BIDEN. Mr. President, on Tuesday, the Foreign Relations Committee

discharged a resolution which speaks to the situation in Darfur, Sudan. I am alarmed by reports of atrocities there. I am worried that genocide may be unfolding.

We need to make a determination about what is going on in Darfur and respond accordingly. Administration officials have termed it ethnic cleansing. This would be horrific in and of itself. But we also have to ask whether or not Khartoum's actions are an intent to destroy in whole or in part a particular ethnic or racial group or groups. If so, what should we do about it? These are questions we must answer right away.

As you know, the administration has been heavily involved in negotiations between the government in Khartoum and southern Sudanese rebels. If an agreement is reached, it will bring an end to twenty years of civil war between the Muslim north, and non-Muslim south.

It will end 20 years of attacks against Muslims in the Nuba mountains and southern Sudanese; 20 years during which the government of Sudan targeted civilians either with its military forces, or through government allied militias; 20 years during which 2 million people have died; 20 years during which millions were displaced both within Sudan and beyond its borders.

The war sparked outrage among members of the international community because of the brutality of attacks against men, women and children. Some cast the war as Muslim versus Christian. I think this captures only a fraction of the story. Arab militias took southern, non-Muslims, black Africans captive as slaves. They pursued a scorched earth policy in southern villages. Muslims living in the Nuba Mountains, who happen to be black, were victims of attacks as well. One is left to wonder if the real cause of the attacks wasn't good old fashioned racism. And while the United States continues to spend valuable diplomatic time and political capitol to bring an end to the north-south conflict, history is repeating itself in western Sudan.

Early last year, ethnic minorities living in western Sudan took up arms to protest Khartoum's arming of Arab militias in the region, and what they believed was economic marginalization by the government in Khartoum. The wisdom of this course of action on the part of the rebels may be debatable. What is not debatable is the disproportionate response of the government—ethnic cleansing in Darfur by means of a well orchestrated campaign of attacks aimed specifically at non-military persons who belong to the same ethnic groups as the rebels.

Khartoum is employing the same tactics in Darfur that they used against those living in southern Sudan: Aerial bombardment of civilians with helicopter gun ships and planes, and attacks by government supported Arab militias known as janjaweed, which employ scorched earth tactics against

villages inhabited by black Africans. We are receiving reports of a variety of abuses perpetrated by the janjaweed—routine rape of women, murder of men, the wanton burning of children—from credible sources working in Darfur. In my view, these deliberate attacks and atrocities against civilians constitute crimes against humanity.

President Bush's statement on Sudan issued on April 7, while helpful, was inadequate. He condemned the atrocities in Darfur, but the statement does not speak to the ethnic nature of the attacks. We all know that ethnic cleansing has the potential to turn into genocide. By failing to highlight this very dangerous dimension of Khartoum's campaign, the president failed to speak to the most alarming aspects of the crisis.

The statement says that President Bush expressed his views condemning the atrocities directly to Sudanese President Omar al-Bashir. Since U.S. officials have acknowledged that the actions constitute ethnic cleansing, describing them as well "organized," and "comprehensive," I sincerely hope the President took Bashir to task about the particular evil of such actions. Given the vagueness President Bush's statement, however, one is left to wonder.

Our Ambassador to the U.N. Human Rights Commission, Rich Williamson, has said that 30,000 people are dead as a result of the conflict. One million people—25 percent of the population—are displaced, according to the U.N. High Commissioner for Refugees, UNHCR.

All of them are in dire need of assistance because on top of razing entire villages and firebombing civilians, in addition to burning crops, raping women, torturing men and throwing children into burning huts, on top of all the misery the government has heaped on the people of Darfur for months, Khartoum has refused to allow humanitarian relief organizations free, unfettered, regular access to the region. According to the State Department, it takes aid workers 2 months to get visas. And this is an improvement—it used to take 3 to 4 months.

After pursuing a scorched earth policy in Darfur for months—burned crops, stolen cattle and poisoned wells—the government's latest outrage is cynically ordering people to return to their homes. The few agencies on the ground in the area indicate that people cannot venture even 100 yards outside the displaced persons camps without being attacked. Even if they are able to make it home safely, there is absolutely no likelihood of people surviving in communities that literally no longer exist. At this point, return is not an option and Khartoum is well aware of this.

And the attacks by the janjaweed continue despite the April 8 cease-fire agreement.

Over 100,000 people have fled across the border into Chad. They too are still

subject to attack from the janjaweed. UNHCR is in the midst of attempting to relocate refugees farther from the border to enhance their safety. Only half of refugees are living in camps in more secure locations. The other half are making do the best they can. A report issued by Refugees International indicates that many refugees are living in the open with no food, water or shelter.

According to UNHCR's public documents, it needs \$27 million to address the needs of refugees in Chad. It has less than half of that on hand. Soon the rainy season will make roads impassible, preventing the delivery of food and shelter materials. The World Food Program is attempting to stockpile food in advance of the rains, but they have a 35 percent funding shortfall as well. We have contributed significant funds, but we and the rest of the international community need to do even more.

Congress needs to do more as well. S. Con. Res. 99 speaks to the nature of the violence and urges the President to do two main things:

First, develop a plan to deliver humanitarian aid to the nearly 1 million people who have been driven from their homes that does not necessitate permission from the government of Sudan. I hope that this plan includes immediate use of the commodities we are holding in the Emerson Trust stockpiles. I would also encourage the administration to come up with a way to deliver food through neighboring countries, including Chad.

Let me also say that I expect and welcome a request in the forthcoming supplemental for money to meet the humanitarian needs engendered by the crisis in Darfur.

Second, it urges the Secretary of State to develop options to increase sanctions on Sudan if the attacks in Darfur do not stop immediately.

I co-sponsored this resolution because I think that these are important steps. They are only steps however. If we do not see any change on the ground by the end of May, we should go even further than this resolution suggests.

We should amend the Sudan Peace Act, which was aimed at jump-starting the north-south peace process, so that it is relevant to the situation in Darfur. Three changes are essential. First, the act, Public Law 107-245, imposes sanctions on the government of Sudan if the President determines that it is not making a good faith effort to negotiate a peace agreement. The act should be amended to require that the President certify that neither the government nor government allied militias have attacked civilians in Sudan 30 days from the enactment of the act and every 90 days thereafter. If the President cannot certify such, then the sanctions in section 6, paragraph 2 should be triggered.

The same certification should apply to humanitarian access. This is already in the legislation, however the requirement is obviously not explicit enough

for the White House. Despite the restrictions placed on the non-governmental organizations attempting to go into Darfur, on April 21, the President certified the government of Sudan had not unreasonably interfered with humanitarian efforts. Making the law more explicit may prevent another such mistake.

Finally, we should add a requirement that our permanent representative to the U.N. Security Council pursue a Security Council Resolution condemning the government of Sudan for its actions in Darfur, and calling for accountability for those who are found responsible for orchestrating and carrying out the atrocities.

Mr. President, the administration has said that it will not attempt to secure the north-south peace agreement at the expense of the people in Darfur. I agree. In fact, a north-south agreement will be meaningless in the face of ethnic cleansing in western Sudan. I believe that we must ratchet up the pressure on the Government of Sudan, and our partners in the international community to bring an end to the criminal acts of the government in Khartoum.

RIISING COST OF HIGHER EDUCATION

Mr. DASCHLE. Mr. President, I rise to comment as well on another matter closer to home.

It is graduation season. Over the next several weeks, in cities and towns in South Dakota and across America, hundreds of thousands of young people will graduate from high school.

Parents will tell their graduating sons and daughters, "I'm proud of you."

Unfortunately, many parents will also have to tell their children, "I'm sorry."

"I'm sorry that we can't afford to send you to college."

The novelist James Michener grew up dirt poor in Pennsylvania, but he got a good education.

He once told an interviewer, "I went to nine different universities and never paid a nickel of my own money. My wife got many scholarships. We are children of the United States."

James Michener was able to graduate from college because America invested in him. In his case, it was the GI bill that opened the doors of higher education.

In my own case, it was the Air Force ROTC that opened those doors.

I was the first person in my family ever to go to college. I worked to pay part of my tuition, and my parents helped; my mother went back to work when I was in high school just to help pay for my college education.

Even with all of us pitching in, I still could not have paid for college without help from the United States Government.

I am deeply mindful of, and grateful for, the investment America made in

me. It is partly because of my own background that I am troubled today to see many families in America priced out—or on the verge of being priced out—of the college market.

Since President Bush took office, the average tuition at a 4-year public college has increased 28 percent.

This year, tuition increased at State universities in all 50 States. In some States, tuition shot up as much as 40 percent. And more increases are slated for next year.

The University of Kentucky is raising tuition for freshmen and sophomores by \$618 next year. That is a 14-percent increase—on top of this year's 14-percent increase.

The University of Missouri will see a 7.5-percent tuition increase next year—on top of this year's increase of 20 percent.

In Texas, the University of Houston recently raised tuition by 25 percent. The University of Texas at Austin plans a 26-percent increase. And Texas A&M University will charge students 21 percent more.

In Washington State, community college tuition is going up 7 percent, bringing the total increase over the past 5 years to more than 35 percent.

In California, where budget cuts and tuition increases this year shut an estimated 175,000 students out of community colleges, State lawmakers are now considering a 44-percent increase in community college fees; that would be on top of last year's 64-percent increase.

They are also looking at a 10-percent tuition increase for University of California students and a 9-percent budget cut for the Cal State system.

At the same time tuition is increasing dramatically, the value of the Pell Grant, America's main college tuition assistance program, is declining.

In 1979, the maximum Pell Grant covered 77 percent of the tuition at a 4-year public college or university. By 2001, that percentage had dropped to just 42 percent.

Today, the average college student needs to come up with \$3,800 per year out-of-pocket—that's after grants and loans.

Most college students today work. In fact, more than three-quarters of all full-time students at public colleges and universities work, and they work an average of 22 hours per week. Yet student debt has doubled over the last decade.

Students graduating from college this month will leave school with \$17,000-worth of student loan debt; that's for undergraduate students. Professional and graduate students often graduate with \$100,000—or more—in student loan debt. And they are luckier than some.

The rise in college costs is outpacing the ability of many low-income families to pay for college. At 4-year public colleges, tuition costs for the lowest 20 percent of wage earners rose from 12 percent of family income in 1980 to 25 percent of family income in 2002.

At 4-year private colleges, tuition costs for low-wage earners rose from 58 percent of family income in 1980 to 117 percent of family income in 2002.

And according to the National Center for Public Policy and Higher Education, in the fall of 2003, at least 250,000 prospective college students were priced out of the college market. They had the grades to go to college; they just couldn't afford the tuition.

When I graduated from high school, a college education was a big advantage. Today, it is rapidly becoming a necessity. The fastest-growing and best-paying jobs today require at least some college.

Over the course of his or her career, a person with a 2-year college degree will earn an average of \$400,000 more than a high school graduate. Someone with a 4-year degree will earn nearly \$1 million more.

But it is not just individuals who suffer when middle- and lower-income Americans are priced out of college. Our entire Nation suffers. Broad access to higher education is critical to America's economic future, our national security, our intellectual and cultural life, and our democracy.

There was a story on the front page of the New York Times on Monday that ought to alarm us all. The headline read: "U.S. is Losing Its Dominance in the Sciences."

It said:

The United States has started to lose its worldwide dominance in critical areas of science and innovation, according to federal and private experts who point to strong evidence like prizes awarded to Americans and the number of papers in major professional journals. . . .

Foreign advances in basic science now often rival or even exceed America's. . . .

It quoted John Jankowski, a senior analyst at the National Science Foundation, saying:

The rest of the world is catching up. Science excellence is no longer the domain of just the U.S.

The article cited three statistics to support that claim:

First, in international competition involving industrial patents, the percentage won by Americans "has fallen steadily over the decades and now stands at 52 percent."

Second, the percentage of research papers by Americans published in top physics journals has declined from 61 percent in 1983 to just 29 percent this year.

Finally, the share of Nobel Prizes for science won by Americans has fallen to 51 percent. These are prizes America dominated heavily from the 1960s well into the 1990s.

Unless we reverse this decline and regain America's scientific and technological edge, our children will grow up in a less productive, less prosperous America.

If we are going to meet the challenges of the future, we need the best thinking and best efforts of every American. Yet the doors to college are narrowing.