

cleared. But for him, that would not have been done tonight.

MEASURES PLACED ON THE CALENDAR—S. 2704 AND S. 2714

Mr. FRIST. I understand there are two bills at the desk which are due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills for a second time.

The legislative clerk read as follows:

A bill (S. 2704) to amend title XIX and XXI of the Social Security Act to provide States with the option to cover certain legal immigrants under the Medicaid and State children's health insurance programs.

A bill (S. 2714) to amend part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for negotiation of fair prices for Medicare prescription drugs.

Mr. FRIST. I object to further proceedings on the measures en bloc at this time.

The PRESIDING OFFICER. The bills will be placed on the calendar.

DECLARING GENOCIDE IN DARFUR, SUDAN

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 133, which was submitted earlier today.

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

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 133) declaring genocide in Darfur, Sudan.

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

Mr. CORZINE. Mr. President, today the Senate is taking historic action, stating clearly that the atrocities occurring in Darfur are genocide, reminding the world of its obligations under the Genocide Convention, and calling on the administration to lead an international effort to stop the genocide. This resolution, which I introduced with my colleague, SAM BROWNBACK, has broad, bipartisan support, and its unanimous approval by the U.S. Senate sends a powerful message—that this body will not remain silent as genocide occurs.

The situation remains, as U.N. officials have called it, “the world’s worst humanitarian catastrophe.” At least 30,000 have been killed. Mr. President, 1.2 million have been violently displaced from their villages, of whom 200,000 have fled to Chad. The potential death toll is horrifying. Andrew Natsios, Administrator of the U.S. Agency for International Development, has predicted that 300,000 will die this year, even in an “optimistic” scenario in which humanitarian assistance is provided, and that up to one million are at risk.

This disaster is the result of the deliberate policies of the Government of

Sudan and the “janjaweed” militias under its control. Earlier this week, Human Rights Watch reported how Sudanese government documents themselves prove Khartoum’s complicity. Those documents describe, in plain terms, the government’s military support for the militias—its, quote “loyalist tribes”—and its policy of tolerating the abuse of civilians by the militias.

What has been the result? Janjaweed militias, along with Sudanese forces, have engaged in systematic attacks against civilians in Darfur. As recently confirmed by U.S. Government satellite photographs, villages have been burnt to the ground. Livestock and food stock have been destroyed, and water sources poisoned. Humanitarian assistance has been denied. Militias have murdered civilians and abducted children.

Just this week, on Monday, Amnesty International issued a report describing how rape has been used as a weapon of war in Darfur. Amnesty described how women and girls as young as 8 have been raped and abducted, often with the involvement or acquiescence of Sudanese authorities. Janjaweed militia have raped women in public, in front of their families, with the intent of adding humiliation to the violence. Amnesty reports gang rapes, rapes of pregnant women, and torture and killings in the context of sexual violence. Darfuri women, who are often reluctant to talk about these experiences, nonetheless described how they were abducted and held captive during the day, when militia members were looting villages, so that they could be raped at night. Amnesty reported how rapes have occurred during attacks on villages, during the flight of civilians, and in the camps, all with total impunity. Not a single member of the janjaweed or the Sudanese armed forces have been charged with committing rape or abducting civilians.

In addition to stopping this violence, we must act now to prevent death from starvation and disease. Hundreds of thousands of civilians are currently crowded into camps, where conditions are simply stated, horrendous. Humanitarian organizations now estimate that nearly half of the internationally displaced civilians in Darfur have inadequate food and shelter, that 61 percent lack sufficient water, and that 87 percent lack adequate sanitation. Many of the camps are off limits to international relief workers, and much of the countryside is inaccessible as well.

The rains are adding to the obstacles presented to the humanitarian organizations. So, too, is the lack of security created by the militias and Sudanese forces. The result may be a complete break in the food pipeline, and the deaths of hundreds of thousands. As U.N. Under Secretary General for Humanitarian Affairs Jan Egeland said last week, “We are now in this moment of truth, which will last for some weeks.”

Along with my colleague, Senator BROWNBACK, I have introduced a resolu-

tion declaring the situation in Darfur to be genocide. Why is this so? To begin with, it is undisputed that the murders, rapes, abductions of children, displacements and denial of humanitarian assistance have been directed at particular ethnic groups, specifically the ethnically African groups—the Fur, Zaghawa, and Massalit. Both the U.S. and the U.N. have stated that “ethnic cleansing” is occurring. The U.S. Ambassador for War Crimes, Pierre-Richard Prosper, has said that there are “indicators of genocide.”

What does the Genocide Convention of 1948 state? It defines genocide as killing, causing serious bodily harm, and deliberately inflicting conditions of life calculated to bring about its physical destruction—all of which have occurred in Darfur—committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group. The Convention does not require that a certain number have died before it is genocide, only that the acts are occurring.

This declaration is important because of our obligation—and that of the world—to stop genocide before it is too late. After all, the full name of the Genocide Convention is the “Convention on the Prevention and Punishment of the Crime of Genocide.” Article I of the Convention states that the contracting parties “undertake to prevent and punish” genocide. The United States and every other permanent member of the U.N. Security Council is a party to the Genocide Convention.

The Genocide Convention arose out of the horror of the Holocaust, in a moment of history in which the world vowed never again to permit this evil. But the world has spoken much more recently. In late January 2004, 55 governments participated in the Stockholm International Forum, “Preventing Genocide; Threats and Responsibilities.” Those governments, which included the U.S., the U.K., France and Russia, declared, quote:

The Holocaust . . . challenged the foundations of human civilization . . . We are committed to shouldering our responsibility to protect groups identified as potential victims of genocide, mass murder or ethnic cleansing, drawing upon the range of tools at our disposal to prevent such atrocities in accordance with international law and fully upholding the Convention on the Prevention and Punishment of the Crime of Genocide.

This was this January. What do these words mean without action? More words, mere condemnations are not sufficient. Nor is humanitarian assistance possible without real intervention. The lack of food, water and sanitation have reached critical levels. But the problem is caused, and compounded, by the lack of security. As Jan Egeland said last week, quote “The number one problem now is lack of security. Our trucks are looted, our humanitarian workers are threatened and attacked.”

We must find ways to stop this catastrophe. This resolution calls on the President to lead an international effort to stop this genocide. In my view,

to be effective, we must take whatever actions are necessary, including armed intervention, to save the hundreds of thousands of lives that are at stake. I have called for a U.N.-authorized multinational force, as well as the provision of assistance to the African Union's critically important, but thus far, inadequate mission.

In the end, the only thing that will matter is whether we have saved these lives, whether we have done whatever it takes to stop this genocide. This resolution is a powerful statement. But it must also serve as an impetus to the administration and to the rest of the world to act. Morally and legally, we have no other option.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 133) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. CON. RES. 133

Whereas Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948) states that "the Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish";

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide declares that "in the present Convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group";

Whereas Article 3 of the Convention on the Prevention and Punishment of the Crime of Genocide affirms that "[the] following acts shall be punishable: (a) genocide; (b) conspiracy to commit genocide; (c) direct and public incitement to commit genocide; (d) attempt to committed genocide; and (e) complicit in genocide";

Whereas in Darfur, Sudan, an estimated 30,000 innocent civilians have been brutally murdered, more than 130,000 people have been forced from their homes and have fled to neighboring Chad, and more than 1,000,000 people have been internally displaced; and

Whereas in March 2004 the United Nations Resident Humanitarian Coordinator stated: "[T]he war in Darfur started off in a small way last year but it has progressively gotten worse. A predominant feature of this is that the brunt is being borne by civilians. This includes vulnerable women and children . . . The violence in Darfur appears to be particularly directed at a specific group based on their ethnic identity and appears to be systemized." Now, therefore, be it

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

(1) declares that the atrocities unfolding in Darfur, Sudan, are genocide;

(2) reminds the Contracting Parties to the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948), particularly the Government of Sudan, of their legal obligations under the Convention;

(3) declares that the Government of Sudan, as a Contracting Party, has violated the Convention on the Prevention and Punishment of the Crime of Genocide;

(4) deplores the failure of the United Nations Human Rights Commission to take appropriate action with respect to the crisis in Darfur, Sudan, particularly the failure by the Commission to support United States-sponsored efforts to strongly condemn gross human rights violations committed in Darfur, and calls upon the United Nations and the United Nations Secretary General to assert leadership by calling the atrocities being committed in Darfur by their rightful name: "genocide";

(5) calls on the member states of the United Nations, particularly member states from the African Union, the Arab League, and the Organization of the Islamic Conference, to undertake measures to prevent the genocide in Darfur, Sudan, from escalating further, including the imposition of targeted means against those responsible for the atrocities;

(6) commends the Administration's leadership in seeking a peaceful resolution to the conflict in Darfur, Sudan, and in addressing the ensuing humanitarian crisis, including the visit of Secretary of State Colin Powell to Darfur in June 2004 to engage directly in efforts to end the genocide, and the provision of nearly \$140,000,000 to date in bilateral humanitarian assistance through the United States Agency for International Development;

(7) commends the President for appointing former Senator John Danforth as Envoy for Peace in Sudan on September 6, 2001, and further commends the appointment of Senator Danforth as United States Ambassador to the United Nations;

(8) calls on the Administration to continue to lead an international effort to stop genocide in Darfur, Sudan;

(9) calls on the Administration to impose targeted means, including visa bans and the freezing of assets, against officials and other individuals of the Government of Sudan, as well as Janjaweed militia commanders, who are responsible for war crimes and crimes against humanity in Darfur, Sudan; and

(10) calls on the United States Agency for International Development to establish a Darfur Resettlement, Rehabilitation, and Reconstruction Fund so that those individuals driven off their land may return and begin to rebuild their communities.

CONDEMNING THE ATTACK ON THE AMIA JEWISH COMMUNITY CENTER IN BUENOS AIRES, ARGENTINA, IN JULY 1994

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 126 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 126) condemning the attack on the AMIA Jewish

Community Center in Buenos Aires, Argentina, in July 1994, and expressing the concern of the United States regarding the continuing, decade-long delay in the resolution of this case.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, all with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 126) was agreed to.

The preamble was agreed to.

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

S. CON. RES. 126

Whereas on July 18, 1994, 85 innocent people were killed and 300 were wounded when the Argentine Jewish Mutual Association (referred to in this resolution as the "AMIA") was bombed in Buenos Aires, Argentina;

Whereas that attack showed the same cowardice and utter disregard for human life as the attacks on the United States on September 11, 2001;

Whereas the United States welcomes Argentine President Nestor Kirchner's political will to pursue the investigation of the AMIA bombing, as demonstrated by his Executive order opening the archives of Argentina's Secretariat for State Intelligence (referred to in this resolution as "SIDE") and by his decisions to raise the AMIA cause to national status, and to emphasize that there is no statute of limitations for those responsible for this attack;

Whereas it is reported that considerable evidence links the attack to the terrorist group Hizballah, which is based in Lebanon, supported by the Government of the Syrian Arab Republic, and sponsored by the Government of the Islamic Republic of Iran;

Whereas the decade since the bombing has been marked by efforts to minimize the international connection to this terrorist attack;

Whereas in March 2003, an Argentine judge issued arrest warrants for 4 officials of the Government of the Islamic Republic of Iran who are believed to have been involved in planning or carrying out the attack against AMIA and requested that the International Criminal Police Organization apprehend them;

Whereas the 4 indicted Iranians are Ali Fallahian, a former minister of security and intelligence; Mohsen Rabbani, a former cultural attache at the Iranian Embassy in Buenos Aires; Ali Balesh-Abadi, an Iranian diplomat; and Ali Akbar Parvareh, a former minister of education;

Whereas Hadi Soleimanpour, Iran's Ambassador to Argentina in the 1990s, also has an international arrest warrant pending against him by Argentine authorities for his suspected primary role in the AMIA bombing;

Whereas it is reported that suicide bomber Ibrahim Hussein Berro, a Lebanese citizen, carried out the attack on AMIA;

Whereas it has been reported that contact was made by the Iranian embassy in Buenos Aires to Ibrahim Hussein Berro, who lived in a mosque in Canuelas, Argentina, in the days before the AMIA bombing;

Whereas Argentine officials have acknowledged that there was negligence in the initial phases of the investigation into the 1994