

favors. Some may not. The important thing is that we recognize our President's leadership, that he is not saying: I am going to walk away from this. He is saying: I am going to do the right thing. And he is asking Congress to sit down with him. We owe him that because he is trying to do the right thing.

Secondly, it is irresponsible for any sitting Member of the Senate or the House of Representatives not to come to the table. Certainly we have disagreements, but all of us have the same goal. The goal is to save Social Security for future generations and to do it in the least expensive, most efficient, least obtrusive way we possibly can.

I am proud of the President's leadership. I am proud to support him in saying: Yes, we are going to do what is necessary now when it is less painful and less expensive.

I will now turn the rest of our time over to the distinguished Senator from Kansas. I note that he has just returned from Iraq. I think he just returned last night. I appreciate so much his coming to the Senate floor when I am sure he has jet lag. I know he has been through a trying time because like myself and others—we have been to Iraq. We know that it is a tough trip but certainly something worth doing for every sitting Member of Congress. You do learn so much about what our troops need, what they are facing. You want to pat them on the back and let them know how much America appreciates the efforts they are making.

I appreciate Senator BROWNBACK being here this morning. I appreciate very much his willingness to come to the floor and speak.

The PRESIDING OFFICER. The Senator from Kansas.

#### IRAQ

Mr. BROWNBACK. Mr. President, I thank my colleague from Texas for her kind comments. I ran into a number of great troops from Texas, from Ft. Hood, TX, and individuals from Texas who are doing a fabulous job, putting their lives on the line and showing the definition of courage and honor. Those guys go right into the face of the fire, and when the fire fight comes when the bullets are flying, they are running towards the fire. It was really a beautiful modern-day story of courage under fire and of doing the right thing.

That right thing is now yielding, in the last week, multiparty elections in Egypt. Mubarak has not stood for elections in 25, 30 years. It is going to do that. With a protest now taking place, the Lebanese Government has withdrawn and is asking Syria to withdraw and to allow democracy to flourish in Lebanon. Saudi Arabia had flawed local elections, but they at least had somewhat of an election.

I met with officials in Iraq who are now discussing how to maintain a balance of power and an open society. The policies in Iraq are yielding enormous fruit—still difficult, still very fragile,

but those soldiers who have put so much on the line are really changing the world. I thank my colleague from Texas for her support in that effort. What we are seeing taking place in that region is amazing.

Our troops are in harm's way. We continue to see the number of improvised explosive devices about the same as they have in the past, although our number of wounded troops has gone down in the last 2 weeks about 40 percent, which is encouraging. That also means, apparently, that more of the attacks are directed at the Iraqis. We saw yesterday the horrific tragedy, over 100 Iraqis killed in a massive car bomb, that clearly the insurgency, much of it commanded and controlled out of other countries—and Syria has complicity of allowing some of this operation to take place—has to be pressured against that. But we have to get at that command and control structure of the insurgency and break that to be able to stop some of this incredible carnage that is taking place, people being killed in a country that just seeks to be free, seeks to be an open, fair society. It is difficult. In the early stages of democracy there will be flaws and missteps, but it is really changing the face of the region.

I met with Prime Minister Allawi. I met with the head of the Kurdish group, and Shias, Dr. Joffee. Each is talking about bringing in the Sunnis, working together, creating an open society. I am concerned about the issue of the role of Islam in the constitution. That is clearly one of the key issues being negotiated.

#### SUDAN

Mr. BROWNBACK. Mr. President, I want to use most of my time to show some very graphic pictures of the face of genocide that is taking place in Darfur, Sudan. I wish I didn't need to do this. I wish the international community, particularly the United Nations, was acting so that something would take place to prevent this man-made genocide. But this genocide is occurring. It occurs while we are here today. It occurs in large numbers. Eric Reeves is probably the best documenter of Smith College. He estimates between 300,000 and 400,000 Darfurians have been killed in this genocide. I have been there. A number of Members have been there. Villages are being burned out by the Arab militia called Jingawit. The African Union has not been in power to put in a sufficient number of troops or with enough authority to act to be able to stop this horror.

What I am going to show on the floor are African Union monitors' pictures taken of people who have been killed and brutalized in western Sudan. They are graphic pictures. They are pictures of people who have been brutally killed in this genocide. My hope in showing this is that people will see the face of genocide and action will occur, specifi-

cally that the United Nations will take credible action. They have not. They have not taken credible economic action, political action, and they certainly haven't taken anything in the way of credible military action to stop this from occurring.

These pictures come courtesy of Nichol Kristof of the New York Times, who wrote a February 23 article in which some of these pictures appeared titled "The Secret Genocide Archive." In it, Kristof says: "These are just four pictures in a secret archive of thousands of photos and reports that document the genocide currently underway in Darfur. The materials were gathered by African Union monitors, who are about the only people able to travel widely in that part of the Sudan." He goes on to say, "The archive also includes an extraordinary document seized from a janjaweed official that apparently outlines genocidal policies. Dated last August, the document calls for the 'execution of all directives from the president of the republic' and is directed to regional commanders and security officials. 'Change the demography of Darfur and make it void of African tribes,' the document urges." I have yet to determine if that document has been verified, but understand that the State Department is analyzing it for authenticity, and certainly the actions taking place in Darfur today reflect those words.

Finally, Mr. Kristof writes, "I'm sorry for inflicting these horrific photos on you." Mr. Kristof, with all due respect, you need not apologize. It is the world community that needs to apologize for their complete inaction and indifference to this modern genocide.

Over 6 months ago the U.S. Congress declared genocide, followed shortly thereafter with a similar declaration by former Secretary of State Colin Powell. Failure to deem this genocide by the international community, which would force action, has led to death beyond measure and the threat of famine and disease that could wipe out many more thousands. Eric Reeves of Smith College reports, "evidence strongly suggests that total mortality in the Darfur region of western Sudan now exceeds 400,000 human beings since the outbreak of sustained conflict in February 2003." The widely reported official number of deaths, recorded only since last March, is 70,000 and nearly 2 million displaced.

To give you a frame of reference, the tsunami's death toll has been placed at around 200,000. We are talking here about 400,000 deaths in a man-made catastrophe—genocide—in Sudan.

I ask my colleagues, and particularly the international community and the U.N.—and Kofi Annan in particular—how many more thousands of deaths does it take?

Nichol Kristof provided me with additional pictures of the genocide in Sudan. I have these pictures for my colleagues to see, but due to their

graphic nature, will not show all of them on television. I will describe each picture for my colleagues though, and would invite them to come and view these pictures in the cloakroom or in my office. The images tell a dark story of tragedy that continues to strike the villages of Darfur.

The first picture shows a child who had his face beaten in, presumably with a rifle butt, in a massacre in Hamada in January.

The next graphic photograph is of a man who was castrated and then shot in the head. This is a common fate of male prisoners taken captive by the janjaweed.

Skeletons litter the ground of Darfur near the sites of massacres. The next photograph is from a massacre in Adwa in December, 2004. It's difficult to determine if this individual was burned or if the corpse's condition is a result of severe decay. It does appear as though this person's last moments were spent fleeing the attack.

The next image is of a man who was one of 107 black Africans killed by Arabs in Hamada in the January massacre.

These photographs, taken by African Union officials on the ground in Darfur, were slipped to Nichol Kristof of the New York Times.

The next photograph is of a girl who was also killed in Hamada in January. The killers do not discriminate between male or female, children or adults.

Another photo is of a more fortunate victim of the attack on Hamada in January. As she displays her injured arm, I can only help but think what kind of traumatic experience she endured and what psychological after-effects she will have to deal with for her entire life.

Another young man did not make it out alive of the attack on Hamada. His blue flip-flops lay nearby.

Finally, a skeleton, from an attack in Adwa in December, still has its wrists bound in this photo. The clothes were pulled down, suggesting that the person had been sexually abused before being killed. If it was a woman, she was likely raped; if it was a man, he was likely castrated.

This is the face of genocide in the World today.

The African Union troops and monitors on the ground have seen these atrocities with their own eyes. I am proud to say that the United States has supported the African Union's peacekeeping efforts on various fronts. To date, the U.S. has contributed over \$40 million to the African Union. We have done so with hopes of securing an immediate end to the genocide and humanitarian crisis. Allowing the pictures and documents to remain buried away in a secret file will lend no immediate help to ending this crisis. However, we do believe that if these documents and photographs are made available to international actors including the United States, and other United

Nations Security Council member states, we would see immediate action that could end the crisis and foster accountability. I urge the leaders of the African Union to release these documents and photos immediately and for the Government of Sudan to allow complete unimpeded access to the region in discussion. The last public report the African Union posted on their website was dated January 31, 2005. I have heard reports of rape and pillage since that time.

The world community has watched as there have been numerous violations of last year's cease-fire agreement, including attacks aimed at killing innocent civilians and destroying villages. Unfortunately, aid groups have withdrawn from the region, and each day we run the risk of watching the current chaos spin out of control beyond imagination.

Despite numerous bills and resolutions passed in the House and the Senate and several U.N. Resolutions, the international community has failed to act efficiently and effectively to end the crisis. On July 30, 2004, United Nations Security Council passed a resolution in 1556 calling on the government of Sudan to disarm the janjaweed militia and to provide unfettered access for humanitarian relief agencies. The resolution also imposed an arms embargo on "nongovernmental entities and individuals" in Darfur. Essentially, this arms embargo only embargoed the rebels and not the janjaweed who were receiving arms from the government of Sudan.

In September, the Council passed Resolution 1564, calling on the government of Sudan to cooperate with an expanded AU force and threatened sanctions if the government failed to meet the Council's demands. We have seen no sanctions.

Despite all of these actions, the Government of Sudan has not acted to end the violence against civilians, nor have they disarmed the janjaweed, or abided by cease-fire violations, including use of air power against civilians. In addition, reports indicate that the United Nations was undermining the cease-fire through agreements they were making with the Government of Sudan, including authorizing police forces and security forces to patrol IDP areas without approval from the AU Commission. Several weeks ago with my colleague Congressman FRANK WOLF, I called on Kofi Annan to "lead or leave." In other words, he should lead the Security Council to pass a strong, meaningful resolution, or he should resign in protest at the complacency of the world.

The Commission of Inquiry began its three-month mandate on October 25, 2004. The report, which was leaked by the government of Sudan despite agreements with the U.N., has clearly been jaded by inside politics. I fear that we will continue to see lip-service without meaningful action. Somehow, the report has spawned a political debate over where to try the criminals and not

on how to effectively and immediately provide security and end the crisis. We are simply buying time for the murderers in Sudan.

The Report of the Commission of Inquiry makes clear the need for appropriate U.N. Security Council action. So it is in the best interest of all, especially the people of Darfur, to avoid protracted debate as to where the trial is taking place. The key is to stop the killing that is taking place in Sudan.

The deployment of African Union peacekeeping troops must be accelerated and expanded immediately. With only 2,000 troops currently in Darfur, and plans for 3,300 total, we must provide the appropriate technical assistance to see that the numbers needed to effectively patrol Darfur are on the ground immediately.

I believe that the United Nations should vote to immediately levy hefty and serious economic and diplomatic sanctions against the government of Sudan, the government-sponsored janjaweed, and any businesses or companies complicit through their government connections. We must insist upon an arms embargo against the Government of Sudan, travel restrictions of Sudanese government officials, and a freeze on the assets of companies controlled by the ruling party that do business abroad. Twenty months after the conflict in Darfur began, not one punitive measure has been imposed on the government of Sudan. It is time to act.

As the United States, European Union, African Union, and others begin deciding what steps are next, my colleague Senator CORZINE and I have decided to introduce a bill called the Darfur Accountability Act. This bill reiterates that the atrocities taking place in Darfur are genocide, it calls for sanctions in the UN Security Council. It also calls for accelerated assistance to the African Union force in Darfur, for the establishment of a military no-fly zone in Darfur, for an extension of the multilateral arms embargo to include the Government of Sudan, and it freezes the assets and property of criminals and denies visas and entry to them while also calling for a multilateral effort to do the same. In addition, it calls for a Special Presidential Envoy for Sudan, and states that the United States supports accountability through a competent international court of justice, and requires that the administration report to Congress on such efforts.

I encourage my colleagues to join us in moving this bill through Congress. We do not have days and weeks to spare when millions of lives are in jeopardy. We cannot grant the Government of Sudan and the janjaweed more time to execute the African tribes in Darfur. I look forward to working with Senator CORZINE and others to see passage of this bill.

I hope these pictures will serve as a reminder to my colleagues that we must act to end this genocide. Members of this body have traveled to

Rwanda and to Auschwitz to commemorate genocides of the past. We are doing no victims of genocide a favor by turning a blind eye to the atrocities in Sudan. Let these pictures and stories serve as a reminder of our responsibility to uphold dignity and human rights around the world. We need to act now.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

Mr. DURBIN. Mr. President, it is my understanding that 30 minutes is allotted to the Democratic side.

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. I will indicate that if Senator SPECTER from the Judiciary Committee comes to the floor to lay down the bankruptcy bill, I will ask unanimous consent that he be given an opportunity and that our time be preserved in morning business, even though he is given that chance to lay down the bill.

Before my colleague from Kansas leaves—I know he is off to a committee meeting—I thank the Senator for his statement. It is critically important that all of us on both sides of the aisle, Democrat and Republican, make it clear every single day about this senseless killing that is going on in the Darfur region of Sudan.

We had the gentleman who is the subject of "Hotel Rwanda" in Chicago a week ago, Paul Rusesabagina. He saved 1,200 people in Rwanda from genocide. He did not come to brag; he came to beg that we do something about Sudan. He touched my heart. I said I will come back and do everything I can, and every day I will get up and speak, if I have a chance, to remind people that we have to do something as a nation.

I thank the Senator from Kansas for his statement. It was very eloquent. Although I may not agree on every single thing he said, I certainly agree this is a matter of great urgency and immediacy. I thank him for his leadership.

#### BANKRUPTCY REFORM

Mr. DURBIN. Mr. President, when Senator SPECTER comes to the floor, soon he will lay down this bill, S. 256. It is about 500 pages. It is a recurring theme on the floor of the Senate. In the 9 years I have served in the Senate, I think a bankruptcy bill has been on the floor almost every year. I know this because when I first came to the Senate, to the Senate Judiciary Committee, I was the ranking Democrat on the subcommittee that wrote the bill. Senator CHUCK GRASSLEY and I came together and crafted what I thought to be a very fair and balanced bill. We were approached by people who said there are a lot of abuses in bankruptcy. There are people filing for bankruptcy who can really pay their debts. So let's try to tighten the process. Those who were irresponsible in their conduct,

those who incurred debt and turned to the bankruptcy court and tried to be absolved from their financial responsibilities should be held accountable.

Senator GRASSLEY and I agreed on that. We crafted a bill that was very balanced. The bill passed the Senate 97 to 1. Sadly, it did not go forward. The House had a different idea. After the House got its hands on it, it did not look anything like the bill we originally introduced. The bill kept disappearing, reappearing, disappearing, and reappearing, and here it is again, S. 256. Unfortunately, this version of S. 256 is a far cry from the original balanced approach. This bill is not balanced.

Who wants this bill? That is the most important question to ask about any legislation that comes to the floor. The people who want this bill are the credit card companies and major financial institutions.

Why do they want it? Here is the circumstance. Imagine, if you will, that you and your family are so deeply in debt that there is no way out. It could be because of medical bills you did not anticipate. It might be because somebody lost a job and could not find one. It could be because of a divorce or some other extraordinary situation. Maybe it is a personally owned family business that just fails.

Then you say: What am I going to do? I never dreamed I would reach this point. The law says there is a way out. It is bankruptcy. The law puts you through some pretty tough requirements if you want to file for bankruptcy. You have to go into court and really bear your soul, tell that judge and all of your creditors what you own, and they come in and say: Here is what you owe. Now how much can we collect from what you own?

It is a tough process. For many people it is a sad and embarrassing process. What we find is that many people have no choice; they have reached a point where they cannot pay the debt. There is no way they will be able to pay it off. They are being hammered by bill collectors calling their homes at all hours of the night and day, harassing their children, harassing them, trying to get some money paid on their debt, and they finally say: I cannot take it anymore. I am going to file for bankruptcy. It happens. It happens in families that never dreamed it would happen to them because of circumstances beyond their control.

What is this bankruptcy reform bill all about? The purpose of this bill is to make certain for many people that if you go into court to file for bankruptcy, the slate will not be wiped clean. You will not walk out of that bankruptcy court at the end of the day with no debt. You will end up in a circumstance where you will carry many of these debts to the grave. What kind of debts are we talking about? Credit card debt, other debts you have incurred that will stay with you for a lifetime. No matter what you do under the law, you cannot escape them.

Naturally, the credit card industry and big banks want this bill. They believe if they can hang on forever and will not be discharged in bankruptcy, they will get something back in the process. They believe this bill will discourage people from filing bankruptcy, and people will just labor under this debt they never paid off longer and longer. That is why we are considering this bill. This bill is all about creditors ending up with more money at the end of a bankruptcy.

It is interesting. We had one hearing on this 500-page bill. It has been 4 years since we had a hearing. We had one hearing. The hearing lasted 2 hours and 15 minutes on a 500-page bill. One would think the lead witness at that hearing would be someone from the credit card industry. They want it. They are pushing this bill. Or some banking institution. But when you looked at this array of people at the table before the Senate Judiciary Committee, they were nowhere to be found. They would not come in and sign a witness slip and testify in favor of the bill they created. I am going to explain why they did not. But if you looked in the back of the hearing room beyond the glare of the lights and the cameras, there they sat, row after row of lobbyists for the credit card companies and banks. They may have created this little child, sent it to the floor of the Senate, but they did not want to be associated with it when it came to answering questions. Boy, that tells me a lot. If this is such an innocent bill and such a good bill, why is it that the major credit card companies would not come and testify and explain why they wanted this bill? I think it speaks volumes.

They know what is going on. This is a bill which is going to hurt a lot of ordinary people, folks who, through no fault of their own, end up head over heels in debt and are desperate to start over. Credit card companies and banks want to make it tougher for them, and they will during the course of offering this bill.

This bill will radically alter America's bankruptcy laws, not for the better. If it becomes law, millions of hardworking Americans who have been devastated financially, through no fault of their own, are going to end up in a new sort of debtor's prison from which they may never escape.

We are not talking about people who go to the casino and get wild about their gambling and run their credit card or ATM card to the limit. We are not talking about people who go on a shopping spree for luxury cars. We are talking about ordinary people facing the ordinary demands of life who are swept away by debt they never anticipated. Sadly, this bill makes no distinction between the irresponsible who are in debt and those who have done everything humanly possible and end up in debt.

We had one hearing on this bill on February 10, 2 hours and 15 minutes. As I looked around that room, I thought