

the ones from the trust, rather than the numerous pledges of \$50 or \$100 they received in the past.

Clear Path also has the disadvantage of being based in Seattle and out-of-the-mainstream Dorset, far from the significant donors based in New York City or Washington, DC.

Clear Path has raised money through benefit concerts and a music CD. Its next concert will be on Oct. 13 at the Long Trail School in Dorset with performers Sarah Lee Guthrie and Johnny Irion, introduced by Sen. Patrick Leahy, D-Vt.

BURMA

Mr. LEAHY. Mr. President, I spoke last week in this Chamber about the political crisis in Burma where thousands of Buddhist monks, joined by an estimated 100,000 other Burmese citizens, peacefully protested for an end to military dictatorship.

Despite appeals for restraint by governments around the world, as well as the U.N. Secretary General, they were met with brute force. Soldiers firing live bullets and wielding clubs killed and injured an undetermined number of unarmed civilians, including at least one foreign journalist, and there are reports that hundreds, and possibly thousands, of monks have been beaten, killed or jailed.

The atrocities perpetrated by the Burmese generals are crimes against humanity. They should be indicted and prosecuted by the International Criminal Court.

Sooner or later they will be made to pay for the appalling brutality that has been witnessed on television by hundreds of millions of people around the world.

The United States has imposed economic sanctions on the Burmese government for many years, thanks in large measure to the tireless efforts of Senator MCCONNELL who, for the better part of two decades, has called for the release of Aung San Suu Kyi, Burma's rightful leader.

Additional sanctions were announced, belatedly, by President Bush last week. But far more pressure is needed, particularly to convince Burma's trading partners, like China, India and Thailand, to cut their economic ties to Burma. It is thanks in large part to them that the Burmese generals owe their power and wealth.

The crisis in Burma today tarnishes any government that values its financial interests over freedom for the Burmese people. For two decades, they have chafed under the iron grip of a clique of corrupt generals who have shown, year after year, that they belong in the category of ruthless despots who will stop at nothing, including mass murder, to perpetuate their control.

Lasting economic, social and political stability in Burma can only begin once the Burmese generals relinquish power. How that comes about is their choice. We have seen the results of peaceful protest. Not even civil disobe-

dience, just peaceful protest. Time and again it has been met with deadly force.

Those Nations that continue to do business with Burma make a mockery of their own professed commitment to the Universal Declaration of Human Rights. There is no truer test of their commitment to those fundamental principles than how they respond to the slaughter of unarmed monks and civilians by a regime that is apparently unconcerned that their crimes are being televised to the world.

Whether this year, next year, or thereafter, the Burmese junta's days are numbered. Where do Burma's trading partners want to be then—on the right side of history, or having propped up an illegitimate regime until its last gasps?

No government can claim perfection in its respect for human rights, including my own government. We have made mistakes, and it has damaged our credibility as a nation that was instrumental in the creation of the Universal Declaration.

But our own shortcomings are no excuse for other governments' actions to block U.N. resolutions condemning the crackdown in Burma or their refusal to join us in imposing economic sanctions that could deal a death blow to a tyrannical regime.

And it is certainly no excuse for continuing to do lucrative business deals with a government whose officials pocket the profits for themselves while they starve, imprison and murder their people.

It is a testament to the spirit of the Burmese people, and to the courage of Aung San Suu Kyi, that despite so many years of repression, they remain as defiant and as dedicated to the ideals of democracy as ever. Our moral responsibility, the world's responsibility, is to support them.

THE HOMEOWNERS' MORTGAGE AND EQUITY SAVINGS ACT

Mr. SPECTER. Mr. President, while I have the floor, I want to say a few words about S. 2133, the Homeowners' Mortgage and Equity Savings Act, which I introduced yesterday. This legislation addresses the very severe problem of the many homeowners who are now in default on their mortgage payments. This problem has arisen largely because of the many homeowners with adjustable rate mortgages who face increased interest rates and unexpected increases in their mortgage payments.

This is a complex matter, but in many cases, I think there is a real question as to whether lenders made adequate representations to borrowers. Regardless of whether the representations were adequate or not, many borrowers are now confronted with interest rates they had not anticipated and mortgage payments that they can't afford. In the past year, the percentage of homeowners with adjustable rate mortgages who are seriously delin-

quent either 90 days past due or in foreclosure—has nearly doubled. In my home State of Pennsylvania, the number of those who are seriously delinquent has gone up by some 40 percent. The problem is particularly severe among borrowers who had weak credit or low incomes and obtained mortgages at subprime rates. The Center for Responsible Lending projects that some 2.2 million Americans with subprime loans originated between 1998 and 2006 have lost or will lose their homes to foreclosure.

Chapter 13 of the Bankruptcy Code currently give debtors breathing space by imposing a stay on collection of debts, including mortgages, and prevents lenders from foreclosing for a period of time. During that period debtors are given the opportunity to get caught up on their mortgage payments. However, the current Code does not permit any modification of mortgages.

Now with many homeowners facing possible bankruptcy due to their mortgages, some relief is necessary.

The legislation which I have introduced will provide a number of remedies. With respect to adjustable rate mortgages, it will allow bankruptcy judges to prevent or delay interest rate increases and to roll back interest rates that have already reset. This will enable the homeowner to continue to pay down the principal amount that they took on when they bought their house, but will give them relief from increases in their payments due to resetting interest rates.

The bill also will allow the bankruptcy judges to waive early prepayment or prepayment penalties. Many of the borrowers face the situation where they could refinance and get less risky mortgages with manageable payments, but the penalties in their current mortgage contracts are so stiff that they cannot refinance.

Now, the bill does not give bankruptcy judges the latitude to reduce the principal on a mortgage. Senator DURBIN introduced a bill yesterday that goes beyond the bill I have introduced; it allows bankruptcy judges to reduce or "cram down" the principal on a mortgage in accordance with what the bankruptcy judge determines is the value of the property. My bill would only allow the reduction of principal if the lender and the homeowner agree.

I think there is a very significant risk in allowing cram down. If we allow cram down, lenders will factor the risk of having the principal value of their loan reduced into the interest they charge to future home buyers. In other words, people who borrow in the future are going to pay more in interest if the lenders don't have the certainty that at least the principal value of their loan will be recognized and not reduced. Under current circumstances, I think it is fair, on these adjustable rate mortgages—which really are the problem if delinquency rates are any indication—to allow judges to modify interest rate increases which in many

cases have been significant and in some cases the mortgage terms may have been fraudulent or just basically unfair. But when it comes to reducing the principal, then I think we go too far.

Many of the consumer groups would prefer to see the bankruptcy judge have the latitude to reduce the principal, and that might help those who are in default now, but that will make it more difficult for those who borrow in the future. That is because—to repeat—lenders will have to charge more interest to take into account this additional risk.

I have discussed the differences in our bills with Senator DURBIN. We tried to come to terms and find an accommodation so that we could support the same legislation. However, it appears we do support legislation directed at the same problem. The legislation I introduced is aimed at helping those caught up in the current crisis without making it harder on those Americans to own a home in the future.

The Judiciary Committee has jurisdiction on bankruptcy. The Committee has jurisdiction on the Durbin bill and on my bill, S. 2133. My position is not set in concrete. However, I am opposed to what Senator DURBIN seeks to accomplish and I am disinclined at this state based on the investigation which my staff and I have made to support his bill.

It is my hope that the Judiciary Committee will have hearings on this important issue and bring in mortgage bankers, consumer groups and investors to give us a better idea as to the intensity of the problem and what really ought to be done. Perhaps at that point we can meld our ideas into a common solution to the problem.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

Mr. REID. Mr. President, I rise today in recognition of National Disability Employment Awareness Month, NDEAM. Designated by Congress, this month is observed every October to increase the public's understanding of issues involving individuals with disabilities and their role in America's workforce. It is a time for us to reflect on past gains and goals for the future as well.

Seventeen years ago, I commended the passage of the landmark Americans with Disabilities Act, ADA, to help ensure the rights of people with disabilities throughout various sectors of society. Together with other Federal laws like the Vocational Rehabilitation Act and the Individuals with Disabilities Education Act, the ADA has been key to the progress made toward the full inclusion of people with disabilities in daily life. We see reasons to cheer today, as more people with disabilities succeed in school, enter the workforce, and participate in their communities.

More remains to be done, however. When Nevadans with disabilities share

their experiences with me, I hear many of the same struggles and challenges in their stories. Employment is an issue especially foremost on their minds, as it is for any person who wants to pursue the American dream. And like all Americans, individuals with disabilities deserve a fair shot to achieve as much success as their abilities and determination will allow.

I am heartened that this sense is spreading throughout the general public, beyond those of us who see the positive contributions that Americans with disabilities make as employees and coworkers every day. Much of the increase in awareness is due to local organizations, such as Nevada JobConnect, Opportunity Village, the Southern Nevada Center for Independent Living, SNCIL, and the Northern Nevada Center for Independent Living. This year for example, SNCIL is partnering with the City of Las Vegas to sponsor the 16th Annual Disability Awareness Day on October 20. Similar events are expected to be held across the country in observance of National Disability Employment Awareness Month.

While improving awareness is critical, especially for dispelling false stereotypes about people with disabilities, it isn't enough. Disparities on a wide range of economic and social dimensions point to significant barriers that remain for people with disabilities who want a good job to give them not just an income, but also dignity and independence. From listening to my constituents in Nevada, I also know that the incentives between employment, health care benefits, and eligibility for government-sponsored programs can interact in very problematic ways.

I supported the passage of new laws to address these issues, such as the Ticket to Work and Work Incentives Improvement Act to give people with disabilities greater access to Medicaid or Medicare coverage when they go to work. I was also pleased when Congress passed the Family Opportunity Act to allow more children with disabilities to enroll in Medicaid, thereby alleviating an unfair pressure on their parents to forgo better jobs just to keep their family health coverage. Looking ahead to the future, I will continue working to make sure that people with disabilities can access the health care they need, especially as they seek to move to economic self-sufficiency. We should not lose sight of other key priorities as well, including opening more doors to education and expanding employment opportunities for those able to work.

As we observe National Disability Employment Awareness Month this year, let us reaffirm the importance of its ideals and goals. From employers to policymakers, family members to people with disabilities themselves, all Americans can join in the effort to ensure that individuals with disabilities make the most of their potential—in the workplace and in all areas of society.

DARFUR

Mr. DURBIN. Mr. President, since returning to session, much of our discussion has once again been dominated by Iraq. Given the tragedy of the administration's Iraq policy and the need to change course, this is understandable. Yet Iraq's dominance has meant that many other critical foreign policy issues have been ignored or marginalized. From Latin America to Russia, this administration has failed to develop or implement any kind of coherent strategy.

Similarly, the crisis in Darfur demands more attention. For 4 years, the world has watched this tragedy. That is right—for 4 long years. Sadly, during this time the world has mostly stood by while yet another genocide unfolded before its eyes. Many of us on both sides of the aisle and in the international community have repeatedly called for greater U.S. and global action.

President Bush has rightly called the situation in Darfur genocide. New British Prime Minister Gordon Brown has also said that, "Darfur is the greatest humanitarian crisis the world faces today." Yet, despite these statements, ultimately we have not done enough.

Today, we are at a critical juncture in Sudan. The genocide in Darfur has increasingly become a complex conflict between many factions. Refugees have spilled into neighboring countries and humanitarian workers are increasingly at risk. And just the other day, a rebel group brutally killed 10 African Union peacekeepers in a surprise raid. Sadly, the cost in lives, destruction, and human misery has been immeasurable.

In late July the U.N. Security Council voted to implement a significantly increased United Nations-African Union peacekeeping force. This peacekeeping force is desperately needed, and the United States should work with the U.N. and the global community to make sure it is implemented as soon as possible. We in the Senate should also ensure that adequate funds are available to help pay for this critical mission. But the peacekeepers are only one important step. Sudan also needs a long-term political agreement among its many factions.

Upon taking office in January of this year, U.N. Secretary General Ban Ki-moon said that ending the violence in Darfur was going to be one of his top priorities. I spoke to him in July about our shared concern and commend him for advancing the peacekeeping and diplomatic efforts. I believe his tireless work has made an important difference. In early September, his efforts resulted in the announcement of formal peace talks to begin later this month between the various factions and the Sudanese Government.

These negotiations will be a critical step and deserve our strongest support. As Secretary Ban said during his recent trip, "there must be a peace to keep."

Finally, we must hold Sudanese President Bashir to his commitment to