

care, TBI treatment, or other specialty care. I agree! That is why their proposal puzzles me. At a time of war, when we're trying to get quicker access to VA care for our OIF/OEF and service-disabled veterans, how does allowing an increase in the patient load help matters? Where is the sense of priority here? It is like we are trying to keep a ship afloat by pouring tons of water onto the deck. It doesn't make sense.

For those who think that simply providing more money permits VA to automatically increase its capacity to see new patients, think again. It takes time to hire quality medical personnel. It takes time to find space to accommodate additional medical appointments and patients. Since 2003 VA has been able to improve the amount of time it takes to schedule primary and specialty care appointments so that more than 94 percent of such appointments are scheduled within 30 days of the veteran's desired date. Why would we risk longer waiting times for our OIF/OEF veterans and service-disabled veterans?

Furthermore, is this new spending fiscally prudent at a time when VA budgets have been growing at double-digit rates? There are 24 million veterans in the United States; only 5.3 million use VA health care now. Have the longterm cost implications of opening the system to all veterans been considered in this budget? Have we contemplated the multibillion dollar unfunded liability we are creating here if millions more Priority 8 veterans show up for free care?

Let me move on to another area that concerns me.

The chairman of the Budget Committee made it a point to show how his budget meets or exceeds the recommendations of the independent budget. That is all well and good, but when the IB is used to set budget policy for the Congress, then a fair evaluation of the budget numbers is in order. Let's look at one account in particular—general operating expenses. The Budget Committee chairman quite proudly stated that his budget meets the IB recommendation of \$2.23 billion for this account.

The largest portion of this account funds the administration of VA's benefits programs, to include its backlogued claims processing system. The administration has submitted a proposal that would provide VBA with the highest number of claims processors in its history. In fact, the President's budget will result in what will have been a 61 percent increase in claims processing staff since 1997. While I support the President's budget, it is time we tried a new approach to fixing the backlog of disability claims. Simply providing more and more money to fix the problem does not solve the problem.

What do we have with the Democrats' budget? On top of the President's

record increase, the IB recommends an extra \$700 million: roughly \$100 million for new information technology spending, and \$600 million for additional staff. According to unofficial VA estimates, 600 million would buy over 10,000 VBA employees, almost double the size of the existing bureaucracy? VA cannot accommodate a staffing influx of this size in 1 year. It would have to lease hundreds of thousands of square feet and additional facilities all over the country. More money would be needed for communication services, utilities, personal computers and IT support staff.

Is this rational? Have the long-term costs been factored in? Was VA's ability to provide space for these employees factored in? Does the incoming workload command a bureaucracy of that enormous size? As ranking member of the Veterans' Affairs Committee, I have not seen any data to substantiate a request of that magnitude. I have even asked the authors of the IB to justify the number, but have yet to receive a response.

We are not talking about chump change here. If an error was made by the IB, and I suspect one was, then we should fix it before it is perpetuated.

Let me conclude with this final observation. VA has been criticized in recent years for its very public budget gaffes. The General Accountability Office rightly condemned VA for "errors in estimation" and "inaccurate assumptions" that led to the VA funding shortfall of 2005. I would caution my colleagues that we, in this budget resolution, may be repeating those same mistakes by providing money that VA could not prudently spend. It may be politically expedient to reflexively throw more money at problems. But let's also not forget about our obligations to the American taxpayer.

#### MORNING BUSINESS

Mr. CASEY. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for 10 minutes each.

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

#### GENOCIDE ACCOUNTABILITY ACT OF 2007

Mr. DURBIN. Mr. President, I rise to speak about S. 888, the Genocide Accountability Act. It is a bipartisan bill I have introduced with Senator TOM COBURN of Oklahoma, Senator PATRICK LEAHY of Vermont, and Senator JOHN CORNYN of Texas.

This Genocide Accountability Act is the first legislation produced by the Judiciary Committee's new Subcommittee on Human Rights and the Law, which I chair and Senator COBURN serves as ranking member.

I wish to thank organizations that have endorsed this act, including Afri-

ca Action, the American Jewish World Service, Amnesty International USA, the Armenian Assembly of America, the Armenian National Committee of America, the Genocide Intervention Network, Human Rights First, Human Rights Watch, Physicians for Human Rights, Refugees International, and the Save Darfur Coalition.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the organizations I have just mentioned supporting this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 15, 2007.

Hon. RICHARD J. DURBIN,  
Hon. TOM COBURN,  
*Subcommittee on Human Rights and the Law,  
Senate Committee on the Judiciary, Washington, DC.*

DEAR CHAIRMAN DURBIN AND RANKING MEMBER COBURN: We write to express our strong support for the Genocide Accountability Act. We believe this legislation, a product of the Subcommittee on Human Rights and the Law's inaugural hearing on genocide, is necessary in order to enable the United States to lead the world in bringing perpetrators of the most serious human rights crimes to justice. We look forward to its swift enactment into law.

Winston Churchill once remarked that the extermination of Jews in Europe was "a crime without a name." That inspired Raphael Lemkin to name it, and he then devoted his life to codifying the crime of genocide in international law. Lemkin's work culminated in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. The most serious human rights crime had a name, but since 1988, when the United States formally ratified the treaty, genocide has been a crime under U.S. law only in the narrowest of circumstances.

The Genocide Implementation Act (18 U.S.C. 1091), enacted in 1987 as a prerequisite to the United States becoming a party to the Genocide Convention, provides jurisdiction over the crime of genocide only in circumstances where the perpetrator is a U.S. citizen or the crime took place in the United States. Since the time that law was enacted, the world's pledge that it would "never again" tolerate mass slaughter has been mocked again and again—in Bosnia, in Rwanda and now in Darfur. As the violence in Darfur rages into its fifth year, the United States must do all it can to deter those who act with seeming impunity, including by removing any barriers to prosecution in this country of those responsible for genocide.

The Genocide Accountability Act would accomplish this by enabling the Department of Justice to prosecute foreign nationals suspected of genocide who are present in the United States. This is not merely a theoretical concern. The Justice Department has already identified individuals who may have participated in the Rwandan and Bosnian genocides and are currently living in the United States under false pretenses, but current law fails to provide jurisdiction to charge them with that crime.

Like the pirate and the slave trader, perpetrators of genocide are rightly considered to be the enemies of all mankind. The United States must not remain passive when those

suspected of genocide enter or are found in its territory. By eliminating barriers to prosecution, as the United States has done in the cases of hostage-taking, torture, and other serious crimes, the Genocide Accountability Act will ensure that perpetrators of genocide do not evade accountability when they are present in the United States. We welcome its introduction and strongly urge its enactment into law.

Sincerely,

Africa Action, American Jewish World Service, Amnesty International USA, Arab American Institute, Armenian National Committee of America, Center for American Progress Action Fund, Genocide Intervention Network, Human Rights First, Human Rights Watch, Open Society Policy Center, Physicians for Human Rights, Refugees International, Save Darfur Coalition.

Mr. DURBIN. Mr. President, I thank Senator LEAHY for allowing the creation of this new subcommittee in Judiciary that is known as Human Rights and the Law. It is the first time in the 218-year history of the Senate such a committee has been designated, and I am honored to serve as its chair.

After our first hearing on genocide in Darfur, we decided it was time to close the legal loopholes that prevent the U.S. Justice Department from prosecuting people in our country who have committed genocide. This legislation is a result of our first hearing. We heard about these gaps in the law and found them hard to believe. Unlike the laws of torture, piracy, material support for terrorism, terrorism financing, hostage taking, and many other Federal crimes, laws related to genocide do not allow the arrest and prosecution in the United States of people who are not U.S. citizens, or who have not committed the act of genocide in our Nation. Of course, those are few and far between. There is no reason to treat genocide, perhaps the worst crime known to humanity, differently than any of these crimes.

During the Human Rights Subcommittee's hearings, we heard from Romeo Dallaire. He is now a member of the Canadian Senate, and he was the general in charge of the U.N. peace-keeping force in Rwanda in 1994. He tried desperately to stop that genocide, and many people refused to even listen. Two notable exceptions were former colleagues in the Senate: my predecessor, Senator Paul Simon of Illinois, and a man whom I respect very much and recently retired, Senator Jim Jeffords of Vermont. They appealed to the Clinton administration to send troops into Rwanda—just a small force to stop the massacre—but sadly, the administration did not respond. President Clinton has said it was the worst mistake of his administration. His candor and honesty are appreciated, but we should learn from that mistake.

Despite all of the world's solemn promises, today in Darfur, in western Sudan, another genocide rages. In a region of 6 million people, hundreds of thousands have been killed, and over 2 million people have been displaced. For them, the commitment of "never

again" rings very hollow. Earlier this month, Sudan's President Omar Hassan al-Bashir sent a letter to the U.N. Secretary General rejecting the core elements of the plan to send U.N. peacekeepers to Darfur. Bashir claimed that U.N. and African peacekeeping forces have no authority to protect civilians in his country, saying Sudan bears the primary responsibility.

Four years into the genocide, the claim that the Khartoum regime will protect civilians in Darfur is not only implausible, it is offensive. President Bashir has thumbed his nose at the international community. The question is: How will we respond, once having declared a genocide?

Last week a U.N. human rights team reporting on Darfur called for U.N. Security Council intervention, tougher sanctions, and criminal prosecution of guilty parties. They also called for the international community's response to the genocide in Darfur immediately.

The U.N. human rights team is led by Jody Williams, a genuine American hero who won the Nobel Peace Prize for her efforts to ban landmines. Upon completing her investigation of Darfur, Ms. Williams had a message for the international community. She said:

If you're not prepared to act on what you say, don't say it.

Jody Williams is right. We have to do more than just talk about genocide in Darfur. Today, joined by Senator SAM BROWNEBACK, a Republican of Kansas, and 30 of my colleagues, I sent a letter to the President urging him to put the question of meaningful multilateral sanctions to a vote before the U.N. Security Council. We have been told in the past that one of the permanent members of this council may veto the resolution. I say: So be it. Let that nation stand up in front of the world and say they are going to veto this effort to stop this mass murder.

We recognize there are political risks to advancing this strategy, but it is time to weigh those risks against the damage that is being done and the verdict of history. It is our moral obligation to do everything we can to stop this genocide in Darfur.

Another important step is to make clear the commitment of the United States to hold accountable those who are guilty of this ultimate crime. It is hard to imagine that individuals in the Sudanese Government whom we have identified as being involved in genocide have come to the United States and have been treated as visiting dignitaries, and have traveled with impunity around our Nation. It is hard to imagine we would turn our back on the fact of what they have done in their own home country.

I am pleased the International Criminal Court is moving forward with this investigation into the Darfur genocide, but that does not excuse the United States from its obligation to prosecute war criminals who seek safe haven or even travel in the United States.

It is not just Darfur. The Justice Department has identified individuals

who participated in the Rwandan and Bosnian genocides living now in the United States under false pretenses. How can we let the United States be a safe haven for those who are guilty of genocide around the world? The fact is the law is on their side. American law doesn't give us the authority to arrest and prosecute these individuals, and that is why I have introduced this legislation, to change the law and let them know they can no longer seek a safe haven in the United States.

The Genocide Accountability Act says if you commit genocide anywhere in the world and come to the United States, America will hold you accountable under the law. This is the first legislation produced by the Human Rights Subcommittee. There will be more bills to follow. But I doubt the subcommittee or any other committee in Congress will face another issue as compelling as this genocide in Darfur.

In 1862, 1 month before he signed the Emancipation Proclamation, President Abraham Lincoln sent a message to Congress proposing to end slavery. His words reach us even today when he said:

We—even we here—hold the power and bear the responsibility.

Those words remain true. We here, even now, hold the power and bear the responsibility to do all we can to stop this genocide. Enacting the Genocide Accountability Act is an important step to ending impunity for perpetrators of genocide.

Mr. President, I urge my colleagues to support this legislation. I ask unanimous consent that the letter which was sent to the President be printed in the RECORD.

Mr. President, I yield the floor.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
Washington, DC, March 22, 2007.  
The President,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: We write to you as Members of Congress who are deeply concerned about the ongoing genocide in Darfur and equally frustrated by the inability or unwillingness of the international community to put a halt to it. Last August, the United Nations Security Council passed UNSC Resolution 1706, which expanded the mandate of the United Nations Mission in Sudan to include Darfur and stated that over 20,000 military and civilian police personnel were to be deployed as peacekeepers in the region. Over six months have passed and fewer than 200 UN personnel have been deployed because of the Sudanese government's refusal to comply with what the Security Council has authorized.

History demonstrates that Sudan's leadership does not respond to this type of request. We believe that it is time for the Security Council to enact a new resolution, imposing multilateral economic sanctions on the Sudanese government and targeted sanctions on individuals named by the UN Commission of Inquiry as being responsible for crimes against humanity.

We recognize that previous U.S.-led efforts to move stronger resolutions at the Security

Council have been deterred by the threat of a veto by one or more of the Permanent Members. We frankly urge you to introduce and push for a vote on a resolution imposing multilateral sanctions regardless. Let a country stand before the community of nations and announce that it is vetoing the best effort we can muster to build the leverage necessary to end ongoing mass murder.

There are political risks to advancing this strategy, but we urge you to weigh those risks against the verdict of history if we fail to try. If the Security Council does not act, the United States should engage with our allies to create a coalition that will impose economic penalties on the Sudanese government. The United States has already implemented a number of unilateral sanctions, and we understand that you are considering still more, a development that we would applaud. However, the real key to changing Khartoum's behavior most likely lies in multilateral sanctions, especially those aimed at the Sudanese oil industry.

We encourage you to put this matter before the United Nations Security Council as soon as possible. A threatened veto should not silence us.

We know that you share our commitment to this issue and we commend your courage in recognizing this genocide for what it is. We look forward to continuing our efforts until a timely solution to the crisis in Darfur is found.

Sincerely,

Dick Durbin, Joe Biden, Carl Levin, Russell D. Feingold, Bill Nelson, Joe Lieberman, Mary Landrieu, Sam Brownback, John E. Sununu, Mel Martinez, Jack Reed, Tom Harkin, Barbara A. Mikulski, Barack Obama, Robert Menendez, Dianne Feinstein, John Cornyn, Susan Collins, Wayne Allard, Mark Pryor, Richard Burr, Sherrod Brown, Olympia Snowe, Frank R. Lautenberg, Amy Klobuchar, Mike Crapo, Maria Cantwell, Elizabeth Dole, Patty Murray, Hillary Rodham Clinton, Chris Dodd, Jim Webb, John F. Kerry, Pat Roberts.

#### ADDITIONAL STATEMENTS

#### HONORING JOHN COOPER

• Mr. THUNE. Mr. President, today I wish to recognize former South Dakota Game, Fish and Parks Department Secretary John Cooper, who received the Outdoor Life Conservation Award from Outdoor Life magazine. This prestigious award reflects his tremendous service to South Dakota and his commitment to wildlife conservation.

Mr. Cooper has been honorably serving the State of South Dakota for over 30 years. He spent 22 years with the Law Enforcement Division of the U.S. Fish and Wildlife Service, where he worked tirelessly to conserve and protect South Dakota's diverse wildlife. In 1995, he was appointed Secretary of South Dakota's Department of Game, Fish and Parks, a position that he held until earlier this year. He also spent years leading committees for the Association of Fish and Wildlife Agencies and in 2006 served as its president. In addition to his government duties, Mr. Cooper served as an editor and columnist for Dakota Outdoors magazine for 14 years.

Mr. Cooper's service to South Dakota has been, and will continue to be, vital to the health and wellbeing of our State. It gives me great pleasure to rise with Mr. Cooper and to offer my congratulations for this well-deserved award. I wish him continued success in the years to come.●

#### HONORING THE REV. DR. JOHN LOUIS WRIGHT

• Mr. CARDIN. Mr. President, today I wish to honor my dear friend and fellow Marylander, the Rev. Dr. John Louis Wright, for his exemplary 35 years of service as pastor of First Baptist Church of Guilford and for his work as a community leader and civil rights activist.

Pastor Wright is a native of Baltimore City and a shining product of the Baltimore City public school system. Since 1972, he has served as pastor of the First Baptist Church of Guilford, shepherding the church through periods of tremendous growth while faithfully serving its members and the surrounding community.

As a civil rights leader, Pastor Wright is a life member of the NAACP, and he has served as both president of the Howard County Chapter of the NAACP and the Maryland NAACP. He currently serves as director of the Maryland Baptist Aged Home.

Following Hurricane Floyd in 1999, Pastor Wright spearheaded flood relief efforts in North Carolina through the "Twelve Baskets Ministry," bringing much needed supplies to people left homeless by the hurricane.

Preventing handgun violence is an issue of particular importance to Pastor Wright. A 1997 graduate of the Federal Bureau of Investigation's Citizens' Academy in Baltimore, he is a member of the Maryland State Governor's Commission on Handgun Violence and Marylanders Against Handgun Violence.

Pastor Wright's efforts reach far beyond our shores. He has traveled around the world, sharing his warmth and wisdom in countries as diverse as Egypt, Israel, South Africa, Switzerland, and China. While in Israel, Pastor Wright continued his work by baptizing people in the Jordan River.

I am extremely proud of Pastor Wright's 35 years of dedicated service to his church and community and wish him many more years of continued success and good health.●

#### HONORING LARRY E. GABRIEL

• Mr. THUNE. Mr. President, today I wish to honor South Dakota Secretary of Agriculture Larry E. Gabriel. This month, Secretary Gabriel retired after nearly 7 years in office since his appointment in May of 2000.

Secretary Gabriel was born and raised on a ranch in western South Dakota and received his bachelor of science degree in agricultural economics at South Dakota State University.

While in college, he was recognized as the 1969 Doane's Outstanding Agricultural Economics Student.

Throughout his career, Secretary Gabriel has spent many years committed to public service, including roles as Haakon County Commissioner from 1975 to 1982 and State legislator from 1983 to 1998. He spent 6 years as the house majority leader while in the South Dakota House of Representatives, and currently serves as a member of the hospital board in Philip, SD.

Secretary Gabriel's dedication to South Dakota agriculture has made a defining impact in strengthening and sustaining the economy of our State. His strong support of rural economic development and assistance to young producers has brought increased vitality and prosperity to our agriculture industry.

I also would like to recognize Secretary Gabriel's wife Charlotte and his family for their support and sacrifice which allowed him to serve South Dakota for over 30 years.

It is with great honor that I remember and honor the service provided by Secretary Larry E. Gabriel to South Dakota. May he always be recognized for his lifetime of service to South Dakota agriculture. On behalf of a grateful State, I wish Secretary Gabriel all the best in his retirement.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 327. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.

H.R. 740. An act to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes.

H.R. 797. An act to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational