

Mrs. BOXER. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

SUDAN

Mr. DURBIN. Madam President, I try to come to the floor each week to address the issue of the ongoing genocide in Darfur. I am troubled that so much time has passed and so little has been done. When a great nation such as the United States declares a genocide in some part of the world, I think we have a moral responsibility to do something.

Imagine, transport yourself back in time to the genocides that have occurred in the past. Imagine a declaration by the United States of a genocide involving Jewish people and others during the Holocaust of World War II. Imagine that we had recognized that was going on and announced that our Government knew it was going on and ask yourself, if we had done nothing at that point, having made the announcement, what it says about the United States.

President Bush and his administration have done the right thing in declaring a genocide in Darfur. The President, a few weeks ago, gave a speech in which he said we have to go beyond this declaration to do something. Yet it has not happened.

I want to give the President and the Secretary General of the United Nations adequate time to respond in a way that will save lives, but as we wait and negotiate and think about it, people suffer. Millions remain displaced, unable to return home. Humanitarian assistance coming into Darfur continues to hang by a thread. It could be snapped at any moment by escalating violence or chaos in the region.

There were several developments this past week that reflect the turmoil and complexity of the Darfur situation.

The shareholders at Berkshire Hathaway, in Omaha, NE, at their annual meeting, rejected a proposal that would have required this giant investment firm to sell its investment in PetroChina, the large oil company in the Sudan owned by the Chinese. PetroChina is a subsidiary of a Chinese Government firm known as the China National Petroleum Corporation. It is the largest company operating in the Sudan, drilling and exporting much of China's oil. Berkshire Hathaway is the largest independent shareholder in PetroChina in America.

The second development was the release of a new report by Amnesty International detailing the transfer of arms to the Sudanese Government. Many of these arms have been supplied by Russia and China.

Another thing happened this week: China announced that it was sending a unit of military engineers to assist the African Union peacekeeping mission in Darfur.

I would like to speak for a moment about these three developments.

First, the vote at Berkshire Hathaway was a disappointment. Warren Buffett is my friend. I respect him very much. I think he is one of the nicest people I have ever met and is certainly one of America's great business leaders. I used to look forward, when I owned one share of his class B stock, to his annual report. I thought it was probably the most honest analysis of business and business decisions that one could read in the course of a year in America. I had hoped, when the shareholders came together in Omaha, they would decide to make an issue of this ownership of PetroChina.

The Los Angeles Times, last Friday, detailed how Berkshire's investments in PetroChina are particularly challenging for the Gates Foundation. Berkshire chairman, Warren Buffett, has pledged \$31 billion—that is \$31 billion—worth of Berkshire stock as a donation to the Gates Foundation. That is an amazingly generous donation to an organization that is doing life-changing work for the world's poor and suffering.

According to the L.A. Times, in its own investments, the Gates Foundation also currently holds about \$22 million in firms operating in Sudan that benefit the Sudanese Government.

A Gates Foundation spokesperson stated that:

Bill and Melinda [Gates] have initiated a process to assess the asset trust investments in Sudan.

These numbers really illustrate the complexities of this situation, when even mammoth foundations that do enormous good work across the world have to take an honest look at their own investments. I believe each of us should do the same. It is not an easy process. Subsidiaries may be hidden from open view, and it is difficult to know what exactly lies beneath the mutual fund statements we might receive.

My mutual fund statements certainly have far fewer pages than Mr. Buffett's or Mr. Gates'. I have still wrestled with how to ensure that my investments do not include funds related in some way to companies operating in Sudan. I am trying to make this process honest but easier for all Americans.

The second development I mentioned that took place this week was the release of a new report by Amnesty International. The report states:

[In 2005, the most recent year for which data is available] Sudan imported \$24 million worth of arms and ammunition from the People's Republic of China, as well as nearly \$57 million worth of parts and aircraft equipment and \$2 million worth of parts of helicopters and airplanes from China. . . . During a meeting in Beijing, the Defense Minister of China reportedly told Sudan's joint chief of staff that military relations had

been "developing smoothly" and said: "[We] are willing to further develop military co-operation between our two countries in all areas." . . . [A Chinese company] recently delivered six K-8 military training/attack aircraft to the Sudanese Air Force and a further six will follow soon, according to a military magazine. . . . Amnesty International is concerned that the Sudan Air Force . . . is highly likely to use these newly acquired jets, as it has other aircraft . . . for indiscriminate attacks in Darfur in violation of the UN arms embargo and international humanitarian law.

This report from Amnesty International details the ways in which the Sudanese Government violates the United Nations' arms embargo and disguises some of its military operations in Darfur. It offers a number of recommendations to close loopholes in the arms embargo and to better monitor the flow of goods into Sudan. The report also calls on all states to immediately suspend the transfer of all weapons, ammunition, and military equipment and "dual use" equipment likely to be used in the commission of human rights violations in Darfur. The report concludes that a global arms trade treaty is needed to prevent the flow of arms from fueling such catastrophic conflicts in the future.

We must see what we can do to prevent future disasters like the one playing out in Darfur.

Finally, I would like to mention the third development of the week. The Chinese Foreign Ministry announced to the press and in a letter to Members of Congress that it was sending a unit of military engineers to participate in the peacekeeping operation in Darfur and assist the African Union. This unit is expected to number perhaps 300 engineers. It is a welcome gesture.

China has taken other positive steps as well, such as helping to convince Khartoum to agree to the deployment of 3,000 U.S. peacekeepers.

Those steps must be juxtaposed, however, against some realities: China helping Sudanese President Bashir build a new Presidential palace; against China investing billions of dollars in the Sudanese oil industry; against China reportedly transferring arms to Sudan and seeking expanded military cooperation; and against China's opposition to sanctions against Sudan.

The international community has to do more to stop the killing in Darfur. China has to do more, and so do we as American individuals and as a nation.

On April 18, President Bush stated in his speech at the Holocaust Museum that Sudan had a short time to end its obstructions and accept a full-scale peacekeeping mission or face serious consequences. I applauded that statement.

I have spoken to the President personally about this statement, and I told him I believe those words were important for the world to hear. I understand President Bush did not impose a new sanction on that day because he wanted to give the Secretary General

of the United Nations several weeks to seek a diplomatic solution.

A short period of time is coming to a close. I am ready to work with the President and my colleagues in Congress to find new tools to bring to bear in order to stop the violence in Darfur.

Along with several colleagues, I am preparing to introduce legislation to provide some of those additional tools in this effort.

The most effective policy instruments will be multilateral, meaning many nations involved in achieving this goal. But in the meantime, the United States must act. We cannot let more months pass while people continue to suffer.

I hope by next week the President of the United States will have reached a conclusion that the Secretary General has had his opportunity, that the United Nations may not be able to broker some diplomatic resolution. I hope at that time the President of the United States—and I will urge him to—will make a decision that we should step out in terms of sanctions against the Sudanese Government.

What is at stake? Two hundred thousand to four hundred thousand innocent people who were killed—men, women, and children whose villages were destroyed, whose homes were destroyed, children were killed, terrible atrocities against humanity. Over 2 million people were displaced, forced to trudge across the desert to try to stay alive to make it to a refugee camp. Why? Because the Government of their country in Sudan has, frankly, ignored the obvious, that the jingawiet militia and other forces are killing their own people. That is clearly genocide, and it is a situation we can no longer tolerate.

I hope we can find bipartisan support for decisive action. I hope we can say to the Chinese: Yes, we applaud your sending 300 engineers into this region that is as large as the State of Texas. Yes, we applaud the public statements you have made encouraging the Sudanese to accept the U.N. peacekeeping force. But the Chinese can and must do more.

China is the biggest customer in the world for Sudanese oil. If the Chinese make it clear they are not going to continue their relationship with Sudan unless something is done to end this genocide, it can make a big difference. I think it is important they do these things. Certainly, to condemn violence on one hand and then sell the arms and ammunition to the Sudanese that is being used against their own people is duplicitous. It is not consistent. The Chinese should think long and hard about whether they can serve both roles and try to convince the world they are doing something meaningful.

In the meantime, I think we need a divestment strategy. I think it is time for the United States, first, to change the law so State and local governments can make decisions to divest in mutual funds, in investment funds that relate

to companies doing business in Sudan. Right now the courts have stopped that kind of divestment. We can change that law, and I have pending legislation to do that. We need to have our own policy in this country to put pressure on the Sudanese to accept the U.N. peacekeepers—not American soldiers but U.N. peacekeepers—who will come to the rescue of these poor people who are suffering in Darfur. This is a situation which calls on the United States to keep its word. When the President announced the genocide in Darfur, he reminded us of what happened in Rwanda. Under the previous administration in Rwanda, the genocide occurred which claimed as many as 800,000 innocent lives. The administration at that time, under President Clinton, was warned and took no action, would not declare a genocide. As a consequence, the massacre occurred. We know it could have been averted with very few soldiers, maybe even as few as 5,000 soldiers. Supplementing the U.N. peacekeeping force could have saved 800,000 lives. It is unimaginable that we did not respond, or at least help others to respond.

President Clinton, reflecting on this, has said it is one of the real disappointments and failures in foreign policy during the terms he served as President. Let's not repeat that mistake.

I have urged President Bush, with a year and a half left of his term, and so many other things that he has to consider, to remember a promise he made when he announced the genocide in Darfur. He said: Not on my watch.

Well, Mr. President, your watch is drawing to a close, and you have a chance, you have the power, unlike any other person in the world, to make a difference in Darfur. If the Secretary General of the United Nations will not respond in a timely way, we must respond. Some may argue it might fail. Maybe we won't succeed, but at least we will have tried.

I always think, when we come to these discussions about this kind of challenge, about one of my favorite movies: "Schindler's List." At the end of "Schindler's List," Oskar Schindler, if you will remember, was a businessman who started off with the goal of making money and then decided that he had a bigger goal in life, and that was to save as many Jewish people as he could by declaring that they were workers and employees in his plant. He managed to save so many lives.

At the end of the movie there was this graphic scene where the workers—the war was over and the workers were finally free, and they wanted to show their gratitude to Mr. Schindler. So they asked the workers to give up the gold fillings in their teeth, and they knocked out the gold fillings in their teeth and melted it into a ring that they gave him as a gift for saving their lives.

There was this touching scene at the end of the movie where Liam Neeson, who was playing the role of Oskar

Schindler, was standing by this car about to leave the factory, and they presented him with this ring. He broke down, and his words are unforgettable. He said: I should have done more. I should have done more.

I think about that in the context of Darfur. When it is all over, and history is written, I don't want to have to stand here and ask any Senator to say: I should have done more. We need to do something, and we need to do it now. If it is not successful in ending the genocide in Darfur, at least we can say we have given it our best effort. But today we can't say that. We haven't done nearly as much as we should or could do to help these suffering people.

When history is written, it will perhaps applaud our declaration of genocide, but there won't be much applause for the little action that has followed. It is not too late.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ASSISTING THE ARMED FORCES

Mr. FEINGOLD. Madam President, this week I introduced two bills to assist members of the armed services and veterans. S. 1314, the Veterans Outreach Improvement Act, will help to ensure that all of our veterans know about Federal benefits to which they may be entitled by improving outreach programs conducted by the Department of Veterans Affairs. S. 1313, the Servicemembers' Cellular Phone Contract Fairness Act, will ensure that deployed servicemembers are not subjected to unfair penalties for cancelling their cell phone contracts.

I would also like to thank my good friend, the junior Senator from Hawaii, for holding a hearing yesterday that considered both of these bills along with many other important pieces of legislation to improve the treatment of veterans, servicemembers and their families. Senator AKAKA is a strong leader on these vitally important issues as chairman of the Veterans Affairs Committee and I commend him on his efforts and look forward to working with him to enact veterans' benefits legislation that includes my two proposals.

I am pleased to be joined in the effort to improve outreach by the Department of Veterans Affairs by the Senator from North Carolina, Mr. BURR. I introduced identical legislation in the 108th and 109th Congresses. I am also pleased to note that there is a companion bill in the House, H.R. 67, sponsored by Representative MCINTYRE. On Tuesday, the House Veterans' Affairs Subcommittee on Disability Assistance