

has worked hard to tighten economic and political sanctions against the leaders and supporters of the Sudanese regime. President Bush spoke out at the Holocaust Museum a few weeks ago. He has vowed to keep pushing for change in Sudan. Yet the administration must do more.

In the private sector, I was pleasantly surprised to see that Fidelity recently decided to sell part of its stake in PetroChina, a company listed out at the New York Stock Exchange, the parent of which is a state-owned Chinese oil company with massive operations in Sudan. Fidelity sold 91 percent of its PetroChina holdings in the United States and even though that only amounts to 38 percent of its global PetroChina holdings, this is nonetheless a positive sign. The divestiture movement is under way. Other investment firms such as Calvert have gone a step further and promised to hold no shares of any firm that operates to the benefit of the Government of Sudan. Yet the private sector must do more.

Within the nonprofit community, organizations such as the Sudan Divestment Task Force and the Genocide Intervention Network continue to apply pressure to governments and to private firms to get them all to do more to stop the genocide. Yet they too must do more. All of us must work together to do more in Congress, in the private sector, among nonprofit organizations and, yes, individuals and families concerned about this terrible situation. To that end, I am working with my colleagues in the Senate and House and with the Bush administration, with private sector advisors, and with the advocacy community to craft a new bill that will apply even more economic pressure on the Sudanese regime and those who support it.

My bill, which I will introduce when we return, is the Sudanese Disclosure and Enforcement Act. It would do the following: First, it expresses the sense of the Congress that the international community should continue to bring pressure against the Government of Sudan in order to convince that regime that the world will not allow this crisis to continue unabated.

Second, it requires more detailed SEC disclosures by U.S.-listed companies that operate in the Sudanese petroleum sector, in order to provide more information to investors that are considering divestiture.

Third, it increases civil and criminal penalties for violating American economic sanctions in order to create a true deterrent.

Fourth, it requires the administration to report on the effectiveness of the current sanctions regime and recommend other steps Congress can take to help end the crisis.

Fifth, it authorizes greater resources for the Office of Foreign Assets Control within the Department of Treasury to strengthen its capabilities in tracking Sudanese economic activity and pursuing sanctions violators.

I will introduce this bill when we return. I urge my colleagues to seriously consider it, and I hope they will join me.

I have recently written to President Bush urging him to support the bill but also to take the next step. He promised 5 weeks ago to take action. His speech was at an auspicious location, the Holocaust Museum in Washington, DC, a museum which notes the terrible tragedy that befell 6 million people during World War II. The President said on that day:

You who have survived evil know that the only way to defeat it is to look it in the face and not back down. It is evil we are now seeing in Sudan—and we're not going to back down.

He went on to say:

No one who sees these pictures can doubt that genocide is the only word for what is happening in Darfur and that we have a moral obligation to stop it.

Those are the words of the President. They are words worth repeating. The President declared that the current negotiations between the U.N. Secretary General Ban Ki-moon and President Bashir of Sudan are "the last chance" for Sudan to do the following: Follow through on the deployment of U.N. support forces, allow the deployment of a full joint U.N.-African Union peace-keeping force, end support for the Janjaweed militia, reach out to rebel leaders, allow humanitarian aid to reach the people of Darfur, stop his pattern of destruction once and for all.

President Bush then declared that if Bashir does not follow these steps, in a short time the Bush administration will take the following steps, in the President's words: Tighten U.S. economic sanctions on Sudan, target sanctions against individuals responsible for the violence, and prepare a strong new United Nations Security Council resolution.

Five weeks later, a short time has passed, and now it is time to act. In these 5 weeks, President Bashir has ignored the world. In fact, a spokesperson for the Secretary General of the United Nations has called recently renewed bombing in Sudan indiscriminate and a violation of international law. While we wait, while we ponder, while we think, while we work, while we vacation, innocent people die, victims of a genocide. How will history judge us? Will it judge us for having acknowledged this genocide and responding, or will it judge us for having acknowledged this terrible tragedy and responded with nothing?

It is time to act. We must do more. This is simply too important and too historic to ignore any longer.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I compliment my friend from Illinois. He might be interested to know I met with the Secretary General of the United Nations on Monday in his office. I indicated I wanted to know what he was

prepared to propose. As you know, there are three phases to the process whereby the Sudanese have agreed to the implementation of ultimately 21,000 troops made up of the African Union as well as United Nations forces. He indicated he would have an answer as to what he thought might be able to be done probably by the end of Memorial Day. My point to him was similar to my friend from Illinois. If, in fact, the Sudanese Government refuses to allow, on the basis of their sovereignty, the placement of U.N. forces on the ground, that it violates their sovereignty.

I indicated I believed—and others believe as well—that the country forfeits its sovereignty when it participates and engages in genocide and that we, the United States, should push the Security Council to implement the placement of those troops on the ground regardless of what Khartoum says. Further, if they don't, it is my view the United States unilaterally should engage through a no-fly zone as well as the placement of 2,500 troops on the ground to take out the Janjaweed. That is not a political settlement, but the point I made to the Secretary General was, as we talk about the ultimate problem, the need for a political settlement, it is like talking about a patient who has cancer and on the way to the operating room falls off the gurney and slits his jugular vein and is bleeding to death. Everybody says: We have to take care of the cancer. But they are going to bleed to death.

I have been in those camps in Darfur, actually on the border of Darfur. I have visited them in Chad. One camp with 30,000 women and children in it, over 300,000 in that region, deteriorating rapidly. It is a human disaster. I hope if, in fact, the United Nations doesn't act, the Senate will be prepared to act to support pushing the President to have the United States lead.

The point I am making is, I compliment my friend for continuing to keep this in the consciousness of our colleagues and the public.

#### IRAQ

Mr. BIDEN. But, Mr. President, the reason I rise today is to speak because there was not time for me to speak on the supplemental we just voted for.

Earlier this month, Congress sent the President an emergency spending bill for Iraq. It provided the President with every single dollar our troops needed and the President requested, and then some.

It also provided the American people a plan to bring this war to a responsible end, including the language Senator LEVIN and I wrote, which required to start to bring American troops home within 120 days, have the bulk of our combat troops out of Iraq by March—it turned out to be April 1 of 2008, and to, most importantly, limit the mission of the smaller number that would remain to fighting al-Qaida and training Iraqi troops.

In vetoing that bill, the President denied our troops funding they needed and the American people the plan they want. When the President did that, I urged, like others, that we send the bill back to him again and again and again. But the hard reality is, we found out we did not have the 53 votes we had the first time, that we did not have even 50 votes, that we would not be able to send it back. And ultimately, even if we had the 50 votes, we probably did not have 60 votes to stop a filibuster. We clearly do not have 67 votes to overcome another veto. We do not have those votes either.

I do not like the bill we just voted on, the one I voted for. It denies the American people a plan for a responsible way out of Iraq. It would also start to cut off funds for the Iraqis if the benchmarks are not met. What a silly idea. That would be self-defeating. We are trying to build the Iraqi Army so we can get out of harm's way, and we are going to tell the Iraqis, who have no possibility of getting themselves together, if they do not, we are going to stop training them.

I would like nothing better than to have voted against this bill, but I think we have to deal with the reality. The reality is, first, for now, those of us who want to change course in Iraq do not have the 67 votes to override a Presidential veto. As long as the President refuses to budge, the only way we can force him to change his policy in Iraq is with 67 votes.

Well, we have 49 Democrats and one Independent on our side. We need to bring 17 Republicans along all the way to our thinking, to the way a strong majority of the American people are thinking. We are making progress, but we are not there yet. So it is nice to talk about taking a stand on this, but we do not have the votes, though. We do not have the votes yet to turn our rhetoric into reality. That is the reality.

Secondly, I believe as long as we have troops on the front lines, it is our shared responsibility to give them the equipment and protection they need. The President may be prepared to play a game of political chicken with the well-being of our troops, but I am not, and I will not.

For example, if we do not get the money this bill provides into the pipeline right now, we are not going to have a chance to build and field the mine-resistant vehicles that are being so dearly sought after by the Marine Corps and the rest of the services, and that I have been fighting for. If we build these mine-resistant vehicles, the facts show we can cut the deaths and casualties on the American side as a consequence of these bombings by two-thirds.

We just voted earlier on this bill—because we were going to drag out for 2 years the construction of these vehicles. In 2 years, another 2,000 people could die. They need to begin to be built now, and they all must be built by the end of this year.

Under anyone's plan for Iraq—even those who advocate pulling every single troop out of the country tomorrow—there is a reality: It would take months to get them out. In the meantime, our troops are riding around in humvees that are responsible for these roadside bombs: 70 percent—70 percent—70 percent—of the deaths and 70 percent of the casualties.

As long as there is a single soldier there, I believe we have an obligation, and speaking for myself, I will do everything to make sure he or she has the best protection this country can provide. That is my reality.

Third, I am prepared to cut funding to get our troops out of the sectarian civil war in Iraq and to start bringing most of them home, while limiting the mission of those who remain. That is why I voted for the Reid-Feingold amendment last week. But I am not prepared to vote for anything that cuts off 100 percent of the funding for all troops in Iraq because everyone in this room knows there is going to be a requirement—no matter what happens—to leave some troops in Iraq for a while.

So what are we going to do? Cut funding off for them to satisfy what is a very difficult—difficult—thing to explain to the vast majority of the American people who do not understand why we are not out of this war? We can and we must get most of our troops out by early next year. But we still need a much smaller number. That is my reality as well.

I know this supplemental bill is a bitter pill to swallow for so many Americans who believe, as I do, this war must end. I must tell you, in my present pursuit, it is not a smart vote for me to make because it requires explanation. But I do not believe people fully understand how it is that the people voted in the Democratic Party in November of last year, in large part to end this war, but we have not been able to do so yet.

Well, like it or not, we have a system that protects the rights of the minority and puts the burden on the majority in order to have its way. It also creates a balance of power between the President and the Congress. That is why it takes 60 votes in the Senate—not 51—to get something done if the minority is determined not to have it done. That is why it takes 67 votes in our Constitution to override a President's veto. That is a reality. Not my reality—that is a constitutional reality.

So where do those of us who are determined to end this war go from here? Well, day after day, vote after vote, we must, and we will, work to keep pressure on the Republicans to stop reflexively backing the President and start supporting a responsible path out of Iraq—make them vote against it again and again because, quite frankly, I do not expect to change the President's mind. But I believe we can change the mind of 17 Republicans.

Until that day comes—until that day comes—as long as this President is

President, the carnage and chaos and stupidity in the conduct of this war is likely to continue. So I believe with every funding bill, we are going to have to come back at every juncture and require people to vote time and again against the will of American people in order to change the attitude of my colleagues on the Republican side. That is the reality. That is the reality that will bring this war to an end.

Like the most distinguished Member who serves in this body, the Senator from West Virginia, I was here during the Vietnam war, at the end. We all talk about how we cut off funds. We did not cut off funds until the vast majority of the troops were already out. We did not cut off funds until 1975. The reality was—the reality was—we did not do it. It is an incredibly blunt instrument.

So I would have felt better, I would have had less to explain, and it would have been easier, because I have been such a persistent critic, I think most of my colleagues will acknowledge, for the 4½ years of this war, to vote to cut off the funding. But as we head into the Memorial Day recess, I want to remind my colleagues it is clearly time for us to do our part as well to support our troops.

We in the Senate, and our colleagues in the House, and the military leadership, the President, and the American people have an overriding, overarching moral obligation to provide our forces, who are in the middle of a war, with the full weight of this Nation's productive capacity, and all that is humanly possible, as we send citizens to war, to protect them. We have not done that. This administration has not done that and has not asked for the money to do that. But we have to, and we must. We must speak to one specific situation which I fear, if I do not raise today and every day—as I have in the last 3 weeks—it will not come to pass, it may not get done. It goes back to why I felt I had to vote for this funding.

The issue is these mine-resistant vehicles, but it is bigger than that. The issue is giving the men and women on the front lines a dramatically better chance to survive. It is totally, completely within our power to do that. We have the technology to do that. We have the capacity to do that. We have the money to do that. We need only the will to do that.

We have proven technically that our technology can, in fact, meet this glaring deficiency that is killing so many of our troops. When I say proven, I mean it. Let me be specific.

At the Aberdeen Proving Center, those folks have been working 24 hours a day, 7 days a week, for the past 3 months to fully test every design and variation of the so-called MRAPs, mine-resistant ambush-protected vehicles, vehicles that are out there. By next week, I am told, they will have concrete test data that will back up the purchasing decision the military will have to make.

We already know these mine-resistant vehicles give four to five times more protection than uparmored HMMWVs. We already know the casualty and death rate will go down by two-thirds if we have these mine-resistant vehicles, which means we know we should be doing everything possible, as rapidly as possible, because every day we waste one more life is in jeopardy. We can save two-thirds of the lives being lost there—3,400 dead plus, and almost 24,000 severely wounded.

But why did these amazing test efforts only begin to happen this year? Why are we only now starting to build these mine-resistant vehicles? And why are we building them in such small quantities?

We learned this week the Marine commanders in Iraq in February of 2005—February of 2005—realized they needed these vehicles that have a V-shaped hull. They are designed specifically to defeat what everybody in America, unfortunately, has come to know about: IED, improvised explosive devices. They are the roadside bombs and mines that we know cause 70 percent of all the casualties and deaths.

Now, in February of 2005, the first characteristic these commanders asked for—and I am quoting from the statement they sent to the Pentagon called a Universal Needs Statement—they said: We need a vehicle to “protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blasts and fragmentary effects.”

The PRESIDING OFFICER. The Senator has used his 10 minutes.

Mr. BIDEN. Mr. President, I ask unanimous consent that I may be able to proceed for 3 more minutes.

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

Mr. BIDEN. The bottom line, in simple English, for nonphysicists is, no matter how much you reinforce a flat-bottomed vehicle, when a bomb goes off under the vehicle, it either penetrates the vehicle or penetrates the vehicle, bounces back, and comes back up off the ground again.

With these V-shaped vehicles, what happens is, when the blast goes off—other than the very point of the V—it takes the blast and, instead of it bouncing back on the ground and bouncing back up, it shoots it off to the side, thereby increasing by two-thirds the likelihood of survival.

No one should give us any of the malarkey I have heard from some in the military and the administration about how any uparmored humvee might have satisfied the need. The bottom line is, they cannot do what these V-shaped vehicles can do.

Now, not only have these mine-resistant vehicles been fully tested at Aberdeen, but our allies have been using similar technologies for years. We are going to get down to the bottom of what happened in 2005. But for now, let me get right to the chase. We have an overwhelming moral obliga-

tion to build as many of these vehicles as rapidly as possible and get them to the field as soon as possible—even if we are pulling out every single troop in January. Between now and January, we have an obligation to save lives. It is within our capability and within our power to do so.

One more thing I would bring to the attention of my colleagues. I also learned today—and we will soon find out—I learned today they have also developed, out at the Aberdeen Proving Center, the capacity to be able to thwart the ability of these things called EFPs, explosively formed penetrators. That is going to cost a lot of money. I hope I do not hear from anyone on this floor or anyone in the Congress that, notwithstanding the fact we now have the technology, we are going to wait down the road because it costs too much money to do it now or it will take too much time, and we may have to leave—as one military man said to me: We don’t want to build all these. We are eventually going to be coming home. We will have to leave them behind. That is a little like Franklin Roosevelt saying, when asked to build landing craft for the invasion of D-Day: We don’t want to build too many of these, it costs too much money, because we are going to have to leave some behind.

I say to my colleagues and to the distinguished Senator from West Virginia, Secretary Gates ended his press conference today by saying there were competing interests for dollars. That may be true. But when it comes to the life of an American soldier we know—we know—we know for a fact we can protect, there is no other competing interest. There is no other competing interest. Competing interests may exist, but there is only one interest, and that is as this foolish war continues under this President, our sons and daughters are being killed, and we have the capacity right now to begin to build vehicles that will diminish by two-thirds the casualty rate. There are no other competing interests.

So I am going to continue to talk about this, I say to my colleagues, and I hope once we get the final call from the Pentagon, no one here on this floor will rise to tell me we can’t afford to do this.

I thank my colleague from West Virginia for his extreme courtesy, as always.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore is recognized.

#### MEMORIAL DAY

Mr. BYRD. Mr. President, I thank the Chair.

In Flanders fields the poppies blow  
Between the crosses, row on row  
That mark our place; and in the sky  
The larks, still bravely singing, fly  
Scarce heard amid the guns below.  
We are the Dead. Short days ago  
We lived, felt dawn, saw sunset glow,

Loved and were loved, and now we lie  
In Flanders fields.

Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders fields.

John McCrae, who wrote “In Flanders Fields,” was a Canadian physician. He fought on the western front in 1914 before he was transferred to the medical corps and assigned to a hospital in France. He died of pneumonia while on active duty in 1918, and his volume of poetry was published in 1919.

This Monday, in veterans cemeteries around the Nation, flags will be placed, tenderly placed—tenderly placed—before gravestones that carefully and simply mark the thousands of enlisted men and officers, soldiers, sailors, airmen and marines who, like John McCrae, did not come home to ticker tape parades but, rather, to slow caissons trailed by weeping families, final gunfire salutes, and the haunting melodies of “Taps” played by a lone bugler. Some of those graves will be lush with sod, and the final dates will bring back great battles in the campaigns from the Pacific, Africa, or Europe. Other graves will still be raw Earth, with dates on the headstones that mark the ambushes and improvised explosive devices of modern urban insurgent warfare. But on this day, none—none—will be forgotten, and all will be honored for their sacrifice, whatever their rank, whatever their service, and whatever their last proud moment. The red of the poppies and the red stripes in the flags recall the red badge of their courage.

The current conflicts in Afghanistan and Iraq have also given rise to some new ways to remember and honor the fallen. On the Internet, each soldier lost in Iraq has his or her name, his or her picture, and the date and the place of their death listed on a number of Web sites, including those hosted by several newspapers. A traveling exhibit of 1,319 portraits lets “America’s Artists Honor America’s Heroes” through their own talents—through their own talents. When the exhibit is over, those portraits will be given to the soldier’s family. In these ways, each of us can put a face to these statistics. We can see the faces, young and old, just as their families remember them.

The Senate this week has also remembered those who have fallen and those still in harm’s way in Afghanistan and Iraq. The Appropriations Committee has finalized the emergency supplemental bill to fund the operations of the military and provide more protective gear and technology to our troops in the field. I hope that this time the President, our President, will sign the bill and speed those funds to the troops. Also this week, the Senate Armed Services Committee is marking up the fiscal year 2008 Defense authorization bill. This bill too will look after all of our Active-Duty, Guard and Reserve forces that face the prospect of