

brutal ongoing war, which has marred the country for the past 10 years, and from the resulting displacement of the Congolese. When you flee for your life in these areas of Congo, there often is no other town or village in which to take shelter.

When you ask a Congolese about becoming displaced, their response to you is: Which time? They flee into the bush for months at a time with only the clothes on their back and a child in their arms.

Senator DURBIN and I went to Congo together 2 years ago. We saw some of the impact.

Chapter 5. I want to show you a specific story here, a heartbreaking story of one young boy and his family.

This is a picture of a 3-year-old boy. He is one of the millions of victims of displacement and malnourishment. His family fled into the jungle from a rebel group that had burnt their village to the ground in the North Kivu Province in the eastern part of Congo. They lived in the jungle and had been constantly on the move. Food became scarce, and meals became as sporadic as two to three a week.

When his mother brought him and his younger brother to the local health clinic, they were immediately referred to an international humanitarian organization in the area. There, this young boy was diagnosed with malaria. They immediately began his treatments, which his small, frail body rejected.

His doctors then discovered he had been eating that which his mother could gather in the jungle and only once every 3 to 4 days. Due to lack of nutrition, he was anemic. As they started his anemia treatment, his body began to shut down; he rejected the oral and IV treatments.

This 3-year-old passed away within 8 hours of first being diagnosed—minutes after this photo was taken. He is one of the millions of victims from this raging, complex conflict. As the IRC reports, the war is having direct and indirect impact on these deaths. While a small portion is dying directly from the conflict—bullets, bombs, and rifle butts—the majority are dying from malaria, malnourishment, diarrhea, and poor neonatal care.

While children under the age of 5 make up 19 percent of the population in the Congo, they comprise over 47 percent of the deaths in the recent mortality study. Nineteen percent of the population under the age of 5, 47 percent of the deaths in Congo.

The national rate of mortality is 60 percent higher in the Congo than the average mortality rate in sub-Saharan Africa. Sexual violence and rape is also on the rise in the Congo and has become a symptomatic tool of war there.

The U.N. reported 4,500 sexual violence cases had been reported in South Kivu the first half of 2007. Most of these cases reported have been committed by some of the 6,000 to 7,000 members of foreign armed groups operating in the eastern part of the Congo,

funded by coltan that we purchase to put in our Blackberries.

The U.N. reported that the Congolese national army, national police force, and increasing numbers of civilians were also brutalizing women, often during violent clashes with political rivals. Perpetrators are now making no distinctions between women and children. The local hospital in Goma, Congo, where Senator DURBIN and I both visited, a hospital named Heal Africa, tells a story of a 13-year-old girl who had been raped so viciously by her perpetrators that she couldn't walk for 2 weeks. She then walked approximately 7 miles to a facility for treatment. Her doctors reported her internal injuries were beyond their imagination.

A collapse in infrastructure such as the one we see in the Congo does not happen overnight. This is due to an ongoing 10-year conflict which has exploited that country, its people, its children. Coltan and other natural resources are at the root of that exploitation.

I want to show another display here. In spite of their sad history, the Congo is a beautiful country with resilient people. It is a country with so much potential for growth and development. Unfortunately, the Congo's story is one of devastation, forced labor, child soldiers, rape, curable illnesses left untreated, and deaths of 1,500 a day, as I have stated, and all because, all because of—and funded by this—a Blackberry that we buy.

My colleagues can see here in the pictures taken of a very rudimentary mine, but a mining operation of coltan in the Congo; rebel child soldiers—very common in this part of the world—well armed, deadly; a coltan battery, and cell phones.

Peace agreements call for implementation of a commission to oversee the conflict in this region. The Goma peace agreement was signed on January 22, 2008. I mentioned that previously, and that has recently been broken. The immediate cease-fire of the peace agreement was broken the first time within 5 days after it took place. While we must play our part, they must play their part as well, and I strongly urge all parties in that region to respect their commitments within this agreement.

The peace agreement calls for implementation of a commission to oversee disarmament of the Nkunda rebels and the extremist fighters. These fighters will either integrate into the Congolese national army or demobilize.

I strongly urge the implementation of these terms. This is another step in the right direction for the Congo and its people. However, I feel that as long as there is demand for valuable Congolese resources and thugs with the power to control these resources, this will not be the final chapter of this conflict. It has happened for too long.

The United States is completely dependent on foreign supplies of tan-

talum, and we admit to this. Both the "Minerals Yearbook," published by the U.S. Geological Survey, and the Department of Strategic and Critical Material Report to the Congress, coltan, also known as tantalum, is classed as a "critical" mineral.

We have come to a point where we cannot live without this mineral. However, neither can we ignore nor will we sit idly by while others suffer. We need to be responsible as a nation and as consumers. We must hold our suppliers accountable.

In the coming days I will be introducing legislation requiring certification of the origin of coltan for all U.S.-based companies that use tantalum in manufacturing. It will further require manufacturers who use tantalum to have a certificate of origin. All we want to do with this is make sure that the coltan, the tantalum we are using, comes from legitimate sources. That is all we are asking. As a supply chain, the Congolese government can set this up, saying that we register and license and saying this is the coltan that is coming out of here, coming from legitimate sources. I am fine with that. But we want that and we want to know where it is coming from and that is that it is not conflict coltan that is used to pay for the suffering of so many people.

We all must be good actors in this chain. With 1,500 people dying a day, there is no room for turning a blind eye on this matter.

American greatness has always been founded on our fundamental goodness. We need to be a nation where the strong protect the weak and people of privilege assist those in poverty. It says a lot about the kind of America we all should work for when we speak out against this type of tragedy and commit ourselves to those who are suffering there.

I will be sending around a "Dear Colleague" letter about this. I will be happy to supply more information. There are a number of reports from the United Nations and from Johns Hopkins that I have been citing, and others. We have some photographs of what is taking place presently, and I ask simply that if people are going to cause this suffering which we completely disagree with, they are not going to do it by us paying for it.

Mr. President, I thank the Chair.

COMMENDING SENATOR DANIEL K. INOUE

Mr. BYRD. Mr. President, with great pleasure I extend my most heartfelt congratulations to our esteemed colleague, the senior Senator from Hawaii, DANIEL K. INOUE, for casting his 15,000 vote in the Senate.

Many times on this floor I have referred to Senator INOUE as my "No. 1 hero," and he is. Few have ever served our country more bravely and with more loyalty and determination than has Senator INOUE.

DANIEL INOUE was a member of the famed 442nd Infantry Regimental Combat Team of World War II, the most decorated Army unit in U.S. history. During one bloody battle, Platoon Leader INOUE led an assault on a heavily defended Nazi position. Although gravely wounded, he still managed to destroy three Nazi machine gun nests. Anyone who is not familiar with the details of this amazing display of heroism should make it a point to become so.

For his incredible heroism, DAN INOUE was awarded the Distinguished Service Cross, the Bronze Star, the Purple Heart, and the Congressional Medal of Honor, making him one of only seven Senators to have achieved our Nation's highest military honor. Senator INOUE is the Senate's only Congressional Medal of Honor recipient from World War II.

In 1963, he became the first Japanese American to serve in the U.S. Senate, where he continues to represent his State and our country with great distinction and dedication. This man of incredible integrity has worked tirelessly in the Senate on behalf of his constituents and our country. Senator INOUE served on the Select Committee on Presidential Campaign Activities—Watergate Committee—the Select Committee on Secret Military Assistance to Iran, and the Nicaraguan Opposition, Iran-Contra. He is the next in line on the Democratic side to chair the Senate Appropriations Committee and is currently the chairman of the Appropriations Subcommittee on Defense. He also served as Secretary of the Democratic Conference from 1977 to 1989. I have always respected DANNY's deep loyalty to the Senate. I will always appreciate his loyalty to me when I was the Senate Democratic leader and I relied on his sage advice.

Senator INOUE is now the fourth longest serving U.S. Senator in history.

With today's vote, he is now the fourth U.S. Senator in history to have cast 15,000 votes.

Mr. President, I again congratulate my good friend, my outstanding colleague, and my "No. 1 hero" for another important milestone in his outstanding life:

God, give us men!

A time like this demands strong minds,
Great hearts, true faith, and ready hands.
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie.
Men who can stand before the demagogue
And brave his treacherous flatteries without
winking.

Tall men, sun-crowned;
Who live above the fog,
In public duty and in private thinking.
For while the rabble with its thumbworn
creeds,

Its large professions and its little deeds,
Mingles in selfish strife,
Lo! Freedom weeps!
Wrong rules the land and waiting justice
sleeps.

God give us men!

Men who serve not for selfish booty;
But real men, courageous, who flinch not at
duty.

Men of dependable character;
Men of sterling worth;
Then wrongs will be redressed, and right will
rule the earth.
God Give us Men!

REMEMBERING RICHARD DARMAN

Mr. BYRD. Mr. President, I was sad to learn that Richard Darman passed away last week. Mr. Darman was a good man, an outstanding public servant, and a great American. I liked him very much. Dick Darman was a graduate of Harvard and Harvard Business School whose career in Washington spanned two and a half decades. He served in five Presidential administrations and worked in six Cabinet departments and the White House.

Mr. Darman was a player in many of the important events of the last quarter of the 20th Century. While serving in the Justice Department, he helped arrange the plea bargain that eased Vice President Spiro T. Agnew out of office. Along with his boss, Attorney General Elliot Richardson, he was a victim of the infamous Saturday Night Massacre of the Watergate era. He served in the Reagan administration, eventually rising to the position of Assistant Secretary of the Treasury, where he helped formulate the economic policies of the Reagan revolution and helped negotiate the 1986 Tax Reform Act. And he served as Director of the Office of Management and Budget in the administration of the first President Bush.

It was during the 1990 budget summit that I really came to know and respect Mr. Darman. I quickly learned that Budget Director Darman was a pragmatist and a realist, who was opposed to budget gimmicks and simple and easy solutions to our Nation's fiscal woes. Concerned about a decade of devastating budget deficits he called for serious, realistic steps to get our Nation's budget under control. And he was not opposed to working with Democrats in seeking those solutions. As a result, we were able to craft the landmark 1990 deficit-reduction plan—a deal between a Republican-controlled White House and a Democratic Congress that marked a high point of bipartisan cooperation. This budget agreement helped reverse a decade of budget deficits and gave the economy a boost that lasted for more than a decade. Along with President Clinton's 1993 budget agreement, it helped lay the groundwork for the fiscal balance and economic growth of the 1990s.

This incredibly successful budget agreement, unfortunately, destroyed Mr. Darman's career in government. This man of deep integrity and incredible intelligence was eventually forced out of Government because too many people in his own political party had ideological differences with the contents of the 1990 budget agreement.

Mr. President, I extend my most heartfelt condolences to his wife Kath-

leen and his three sons and all of his family and friends. I am so pleased and proud to consider myself as one of the latter.

OFFICE OF GOVERNMENT INFORMATION SERVICES

Mr. LEAHY. Mr. President, with the enactment of bipartisan Freedom of Information Act, FOIA, reform legislation late last year, Congress demanded and won more openness and accountability in monitoring the activities of our Government. But, regrettably, just weeks after this historic open government legislation was signed into law, there are troubling signs from the Bush administration regarding how this law will be enforced.

Last week, the President buried a provision in the administration's fiscal year 2009 budget proposal that would move the functions of the new Office of Government Information Services, OGIS, which was created under the OPEN Government Act, from the independent National Archives and Records Administration to the Department of Justice. The President's proposal is not only contrary to the express intent of the Congress, but contrary to the very purpose of this legislation—to ensure the timely and fair resolution of American's FOIA requests.

The Office of Government Information Services was established to, among other things, mediate FOIA disputes between Federal agencies and FOIA requestors, review and evaluate agency FOIA compliance and house the newly established FOIA ombudsman. When Senator CORNYN and I drafted the OPEN Government Act, we intentionally placed this critical office in the National Archives, so that OGIS would be free from the influence of the Federal agency that litigates FOIA disputes—the Department of Justice. We also placed OGIS in the apolitical National Archives to enhance this office's independence, so that all Americans can be confident that their FOIA requests would be addressed openly and fairly.

Given the clear intent of Congress to establish OGIS as an independent office in the National Archives, the President's budget proposal should not—and cannot—go unchallenged. What's more, given the Justice Department's own abysmal record on FOIA compliance—a recent Bureau of National Affairs Daily Report for Executives article found that the Justice Department's Office of Information Policy is burdened by increasing FOIA backlogs—it is simply unfathomable that this agency would be entrusted with overseeing the processing of American's FOIA requests.

When the Congress unanimously passed the OPEN Government Act just a couple months ago, Democrats and Republicans alike joined together in promising the American people a more open and transparent government. I intend to work to ensure that that this was not an empty promise, but one that will be honored and fulfilled.