Mr. President, I rise

today to come to the floor, as I have

done many times before, to speak on

the crisis in Darfur, Sudan. I keep coming

because at the very least, I want to

do that, to keep speaking out. But this

Senator, this Congress, this country,

and the world must all do more. None

of us have done enough.

Last fall, U.S. Special Envoy to

Darfur Andrew Natsios declared that

on January 1, 2007, the United States

would launch a forceful ‘‘plan B,’’ as he

called it, if Sudan did not accept the

joint United Nations-African Union

peacekeeping mission that is desperately

needed in Darfur. As described

in the Washington Post, plan B was to

include aggressive economic measures

against Sudan.

Today is February 16. There are only

a handful of U.N. peacekeepers in

Darfur. Still no sign of plan B, other

than four U.S. Army colonels who have

been stationed along the Chad-Sudan

border.

Last week, according to a student

publication at Georgetown University

and other news sources, Ambassador

Andrew Natsios told a student audience

that genocide was no longer taking

place in Darfur. He was quoted as

saying:

I understand it is possible to get entangled

in words and semantics in the

definition of ‘‘genocide,’’ but I was

truly surprised to read this statement

from Ambassador Natsios.

On December 10, not that long ago,

the White House released a statement

headlined in part, ‘‘President Bush Appalled

by Genocide in Darfur.’’

The President’s statement continued:

Nothing that I have seen or been told

convinces me that conditions in Darfur

are significantly better today than

they were on December 10 when President

Bush reconfirmed the ongoing

horror of genocide. I can only assume

the President was troubled by the Special

Envoy’s statement as well.

The State Department has since

sought to clarify these remarks and

stated that it remains the administration’s

position that the situation in

Darfur is genocide. The State Department

explained that the Special Envoy

was referring to the fact that death

rates are lower now, but the conditions

could escalate.

I would argue that they are already

escalating. People continue to be murdered

and villages have been attacked

by air. Humanitarian aid workers have

come under special assault recently.

These brave men and women, unarmed,

working for the poorest people on

Earth, have been subjected to beatings,

rape, and arrests.

These concentrated attacks threaten

the people of Darfur who depend on

thin relief lines for survival. If the relief

workers are forced to withdraw and

these lines are severed, hundreds of

thousands of lives will be in jeopardy.

Recently, along with Senator

COBURN, I held the first hearing of the

Judiciary Subcommittee on Human

Rights and the Law. The focus of the

hearing was genocide and the rule of

law. Before this hearing, we noted that

the United States was a late signatory

to the treaty on genocide. One of our

predecessors in the Senate, Senator

William Proxmire of Wisconsin, literally

came to the floor of the Senate

every day it was in session for years to

convince the Senate to ratify this treaty.

Finally, it happened. We focused on

that treaty and the rule of law.

Given the ongoing crisis in Darfur

and our own ineffectual attempts to

halt the killing, I felt that should be

the first topic of this new subcommittee.

The witnesses who came before us included

the Canadian general, former

U.N. general, and now Senator in Canada,

Romeo Dallaire.

In 1994, General Dallaire commanded

a small U.N. force in Rwanda. When

the first wave of murders began, General

Dallaire called for 5,000 troops—

5,000 troops—to halt the killing.

My predecessor, my mentor, Senator

Paul Simon of Illinois, along with Senator

Jim Jeffords from Vermont, of the

opposite party, both came together and

called on President Clinton to help.

Sadly, the Clinton administration did

not. In fairness, they have acknowledged

it was the most serious foreign

policy mistake of their years in Washington.

General Dallaire did not receive the

reinforcements. Instead, this tiny force

of 2,500 was reduced. His country started

withdrawing their soldiers from the

U.N. force until there were only 450 left

on the ground. They couldn’t deal with

the slaughter that followed. It is estimated

that over 800,000 people were

murdered in a very short period of

time.

In Darfur, the African Union has

tried to stop the killing, but after 4

years, U.N. peacekeeping forces have

not even reached the level of 450. In his

statement for the subcommittee hearing

on genocide, General Dallaire said

this of Darfur:

Mr. President, we must do more in

Darfur. The United States must work

through the United Nations and with

other countries of influence to compel

the Khartoum Government to accept a

peacekeeping mission, and we must

help provide the resources to make

that possible.

Here at home we can do more as well.

I am a strong supporter of divestment.

I served in the House of Representatives

during apartheid in South Africa

when we tried everything in our power

to stop the racist government. We suggested

divestment. Many said it would

be worthless; it wouldn’t have an impact.

But I think it was a positive

thing, and I am glad that we moved

forward.

We need to do the same in Sudan

today. Millions of Americans are unknowingly

investing in companies that

do business in support of the Khartoum

Government. I know because I was one

of them. I discovered that fact when a

reporter, who researched my publicly

disclosed investments—not a massive

portfolio, I might add—told me one of

the mutual funds I owned included the

stock of a company doing business in

Sudan. I immediately sold it. But that

reporter’s question was a powerful

wake-up call for me.

A growing number of States, led by

my home State of Illinois and State

Senator Jacqueline Collins, a real leader

on this issue, and a growing number

of colleges and universities, including

Northwestern University—and I particularly

salute President Henry

Bienen—have taken steps to address

this issue of investing in Sudan. Some

have sought to fully divest pension

funds and endowments, others have

adopted more targeted measures to restrict

investments in the largest companies

operating in Sudan.

I salute these efforts, and I plan to

introduce legislation to help provide

Federal support for these efforts as

well.

Our subcommittee’s genocide hearing

also identified a serious loophole in

Federal antigenocide law that Congress

needs to close. Genocide is a Federal

crime, but under the law, as currently

written, only genocide that takes place

in the United States or is committed

by a U.S. national can be punished by

our courts. Federal investigators have

identified war criminals who were involved

in the Rwandan genocide and

the Srebrenica massacres who have

found safe haven in our country. These

are people perpetrating genocide in

other places on Earth now safely

ensconced in the United States. But because

they are not U.S. nationals, because

the genocide didn’t occur within

our borders, we cannot, under our current

law, prosecute them.

The Justice Department has been unable

to prosecute these individuals, and

we need to take another look at it. Let

me give an example: Salah Abdallah

Gosh is the head of security of the Sudanese

government. He reportedly has

played a key role in the government’s

genocidal campaign in Darfur. In the

year 2005, Mr. Gosh came to Washington

to meet with senior administration

officials. Under current law, the

Justice Department could not arrest

him for the crime of genocide.

I am developing legislation that

closes this loophole, giving Federal

prosecutors the tools they need to

prosecute individuals who have committed

genocide that are found in the

United States. No one guilty of genocide

should ever view the United States

as a safe haven.

This change in the law would simply

bring the antigenocide statute into line

with a lot of other Federal laws that

cover crimes committed outside the

United States, including torture, piracy,

material support to terrorists,

terrorism financing, and the taking of

hostages. Genocide should be subject to

the same basic penalties.

I hope these initiatives will be bipartisan,

as much of the Congresses work

on Darfur has been. These steps I have

mentioned will not stop the killing in

Darfur, but they will add to our arsenal

of weapons against genocide. We should

do far more to deal with these dangerous

situations, more to prevent

mass atrocities from occurring, more

to stop crimes against humanity once

they begin, and more to help those who

have been victimized, punishing the

perpetrators.

Eleanor Roosevelt once asked:

‘‘Where do universal human rights

begin?’’ And she answered: ‘‘They begin

in small places, close to home. So close

and so small that they cannot be seen

on any maps of the world. Yet they are

the world of the individual person; the

neighborhood he lives in; the school or

college he attends; the factory, the

farm, or office where he works.’’

I believe the means to stopping genocide

in Darfur begins with each of us,

and so does the responsibility.

I will close with one observation. As

a student at Georgetown University

many years ago, I had an outstanding

government professor named Jan

Karski. Professor Karski had been involved

in the Polish underground during

World War II. He was a brave man

who risked his life fighting the Nazis.

He learned of the Holocaust, came to

the United States, barely speaking

English, trying to find people in Washington

who would listen and who could

understand that hundreds of thousands

of innocent people were being killed.

He couldn’t find an audience with those

who could make a difference.

I thought about that course, and I

thought about the course of history,

how the Holocaust unfolded during

World War II and at least 6 million

died, maybe many more, and nothing

happened. And I wondered, despite all

that time and all that notice, why

couldn’t they do something?

Now I know.

It has been 4 years since we declared

a genocide in Darfur. People continue

to be murdered on our watch. I hope

my colleagues in the Senate on both

sides of the aisle will join me not only

in these efforts but efforts they believe

will move us toward a day when there

is peace in this region of the world. We

have a responsibility to do that to

these people and to the cause of humanity.

Mr. President, I yield the floor, and I

suggest the absence of a quorum.