Thank you, Mr. Chairman. And let me begin by

thanking Secretary Zoellick and General Jones. It is a pleasure to

see both of you here. And I understand—I apologize, Mr. Chairman.

With my familiarity, General Jones, I had forgotten for a moment

your new role here, I suspect, General.

And so I understand why you cannot have them at the table simultaneously.

But I have great respect for both these individuals

and thank them for their efforts.

I am sure the Chairman, I missed his opening comments, but I

presume you went over and mentioned some of the data and statistics

regarding the tragedy of Darfur. And I guess the numbers, Mr.

Zoellick, I presume you agree with them, roughly two million people have been displaced as a result of this situation. And the numbers

of those who have lost their lives, you see the low number of

around 70,000, the high number around 400,000. What is your statistic?

What is your number you use of the number of people who

have lost their lives?

But you would not necessarily argue with the

400,000 number either then, for that matter.

But the numbers are pretty staggering.

And the amount of refugees, that 200,000, that is

a more accurate number. We have a better a count on that.

Right. Displaced.

It was about a year ago, in fact on September 9 of last year, Secretary

Powell was sitting at that table, not in this room. We had

a hearing in another location. And on that day he called the activities

in Darfur genocide. What is the position of the administration

today? Do you still agree with Secretary Powell that you would call

it genocide?

Well, they took a different position. I know. I

mean, I realize the United States took the position this is genocide.

The U.N. has a different position. Is it our view

that the Sudanese government is complicit very directly in this

genocide?

I know that. I want to know what the United

States position is. Do we believe the Sudanese government is directly

complicit in this genocidal behavior?

Well, that bring me to the question, because obviously

while there has been a lot of good things that have happened,

and I want to emphasize that, the amount of resources that we

have voted on here and have been expended to try and provide

some relief for these people here, I am deeply worried that, one, we

still have under the African American Union situation, if we look

at the larger picture here and despite the U.N. investigation here,

as I understand it anyway, and you correct me if I am wrong, the

U.N. declines to endorse the United States assertion that the Sudanese

government is very directly, as a whole, complicit in genocide.

In its limited or unlimited report, the U.N. says the responsibility

for their actions in Darfur are limited to individuals. And this

does not even take into account, of course, that many members of

the African Union do not even view what is happening in Darfur

as genocide, which raises the point, when you look at what they

can do, they are limited, as I understand it, to protecting the monitors

rather the civilian population.

Is that not true?

Right.

Well, let me ask you this. Let me jump to one

area very quickly. The light went on here. And that is, I am distressed

in a sense. You mentioned the Nuremberg trials. We will

be—I think November 20 would be the sixtieth anniversary of the

opening of those trials. United States led the way. In fact in this

very room, Judge Roberts, who is going to be confirmed in a day

or so for Chief Justice of the United States, used Robert Jackson

as a model, the chief prosecutor for the United States during those

trials.

It is troublesome to me, and I understand the administration’s

view in not wanting to endorse the establishment of a permanent

international criminal court, but I am perplexed over how we can

call something genocide, how we can agree that the Sudanese government

is very complicit in this genocidal behavior, and then abstain

when it comes to a resolution, 1593, before the United Nations,

which would establish the bringing of the Sudanese officials

before a criminal court.

Again, the generation that said no, we are going to try these

criminals from the 13-year era, the Nazi regime 60 years ago, today

an administration that is reluctant and abstains when genocidal

behavior occurs from allowing these thugs to be brought to trial.

I do not understand that. Could you explain why the administration

is abstaining on this particular issue?

This is a specific request, though.

Yes.

We have supported in the past specific—and certainly

in Bosnia, the situation there—the criminal trials involving

those individuals. Why would we support one there and not one

here?

Are we going to, if they ask for our support?

Well, I do not disagree with that. I said that earlier.

My concern is whether or not we are going to stand up a generation

later. We watched Rwanda. We saw what happened with

Bosnia. We have it here now. We have called it genocide. We said

the Sudanese government is complicit. And yet we are abstaining

when it comes to bringing these people to bar justice. I am saddened

by that.

Mr. Chairman, I just had one additional question

for the secretary.

I understand your answer, obviously, to the question I raised

about the ICC. Under the American Services Protection Act, there

is a clause in that law that allows for the United States to cooperate

with these international criminal courts. The simple question

I have for you, if we are asked to cooperate with the court in pursuing

the officials of the Sudanese government, will we be cooperative

in that regard?

And that is the provision in the law that you are

aware of, as well.