

LAND CONVEYANCE IN THE CITY
OF RICHFIELD, UTAH

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 282, H.R. 680.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 680) to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes.

Mr. McCONNELL. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 680) was read the third time and passed.

DESIGNATING THE HOLLY A.
CHARETTE POST OFFICE

DESIGNATING THE RANDALL D.
SHUGHART POST OFFICE BUILD-
ING

DESIGNATING THE VINCENT
PALLADINO POST OFFICE

DESIGNATING THE WILLIE
VAUGHN POST OFFICE

Mr. McCONNELL. Mr. President, I ask unanimous consent the Homeland Security and Governmental Affairs Committee be discharged from further consideration, and the Senate proceed to the immediate consideration of S. 1989, H.R. 2062, H.R. 2183, and H.R. 3853, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to the consideration of the measures en bloc.

Mr. McCONNELL. I ask unanimous consent the bills be read a third time and passed and the motions to reconsider be laid on the table en bloc.

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

The bill (H.R. 2062) was read the third time and passed.

The bill (H.R. 2183) was read the third time and passed.

The bill (H.R. 3853) was read the third time and passed.

The bill (S. 1989) was read the third time and passed as follows:

S. 1989

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HOLLY A. CHARETTE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the “Holly A. Charette Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other

record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Holly A. Charette Post Office”.

DARFUR PEACE AND
ACCOUNTABILITY ACT OF 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent the Committee on Foreign Relations be discharged from further consideration of S. 1462 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1462) to promote peace and accountability in Sudan, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORZINE. Mr. President, today the Senate has passed the bipartisan Darfur Peace and Accountability Act introduced by my colleague, Senator BROWNBACK, and myself. This legislation is a critical step in finally stopping the genocide raging in Darfur and bringing lasting peace to the region.

It has been 15 months since the Congress declared the atrocities in Darfur to be genocide, and over a year since the administration made the same declaration. Yet far too little has been done to live up to our moral obligation to actually save lives. Fellow human beings are being mercilessly slaughtered. We have the capacity to protect them. If we do not, history will forever condemn our failure. That is what this bill is about.

This is the second time a version of this bill has passed the Senate. In April, the bill was included as an amendment to the emergency supplemental appropriations bill but was stripped out in conference. This time, however, I am hopeful that the bill will be passed into law. A dedicated, bipartisan group of House members, including Congressman PAYNE, have pushed this legislation. Through their efforts and with the support of leadership, we can pass this bill.

That's when the work will really begin. This legislation outlines the policies and provides the authorities necessary to stop the genocide.

First, the bill recognizes that boots on the ground are needed to provide security. It calls for the rapid expansion of the size and mandate of African Union, AU, forces in Darfur. We must, however, provide actual resources to the AU for it to be effective. Just a few weeks ago, a Senate amendment to the Foreign Operations appropriations bill for \$50 million was removed in conference, leaving the AU with an ever-increasing shortfall at precisely the worst moment. By passing this legislation, the Senate has once again stressed the need for greater U.S. assistance to the AU. The administration must now follow up by requesting significant funding for the AU in its next supplemental request.

While we must provide all necessary resources to the AU, we should also recognize its limitations. This bill identifies specific areas where NATO should provide assistance, including training, logistics, command and control, and intelligence.

The message is clear: the AU's failure will be ours. And, as the genocide continues to unfold, there will be only one question. Were all available resources expended to stop it?

Second, the bill insists that the United States work to impose sanctions currently available under existing U.N. Security Council resolutions and seek to pass a new, more effective resolution. The U.N. must impose the targeted sanctions promised under previous resolutions. And it must extend the arms embargo to include all of Sudan and thus truly ensure that weapons do not end up in Darfur.

The bill grants the President the authority to impose real sanctions—blocking of assets and denial of visas—to those responsible for genocide, war crimes and crimes against humanity, and requires that he report to Congress any waiver of those sanctions. Individual accountability changes behavior. This is a powerful tool, and I am hopeful that the President will use it to its fullest.

This bill has other critical provisions. It denies entry to our ports to ships working with Sudan's oil sector. It prohibits assistance to countries violating the arms embargo. And it calls for a Presidential envoy to bring the full weight of this administration to bear on stopping the genocide and resolving the crisis engulfing Sudan and the region.

Darfur must be a priority. The United States has faced resistance to multilateral sanctions against Sudan. But the answer is not to give up. The issue should be raised in bilateral and multilateral settings. Countries that do business with Sudan and seek to shield the government from sanctions need to understand that we are absolutely committed to stopping genocide and that our bilateral relations are at stake.

There is no time to lose. The situation in Darfur is deteriorating by the day. AU troops have been attacked, held hostage and killed. IDP camps have been overrun in recent weeks and dozens have been slaughtered. Hundreds of thousands of internally displaced persons can no longer be reached by humanitarian organizations. The conflict has spread into Chad, which already is straining to support 200,000 Darfur refugees. We are looking at the complete meltdown of the region. What positive efforts have been made in the last year and a half, the incredible work of NGOs, the important efforts of a couple thousand AU troops in a region the size of Texas, could soon be reversed.

I am grateful to my colleagues on both sides of the aisle who have supported this bill and have joined me in

demanding that we end this genocide. I must also recognize the incredible efforts of civic and student groups, people of faith of all religions and denominations, and Americans from all over the country and from all walks of life who have come together on this issue.

I have visited the IDP camps of Darfur and camps for Darfur refugees in Chad. But in our time, when news of human misery crosses the globe in an instant, none of us can pretend that we don't see. That is why so many of our citizens have risen up and demanded action, not just words.

The American people understand what Elie Wiesel said about Darfur well over a year ago. He asked:

How can a citizen of a free country not pay attention? How can anyone, anywhere not feel outraged? How can a person, whether religious or secular, not be moved by compassion? And above all, how can anyone who remembers remain silent?

Elie Wiesel was referring of course to the memory of the Holocaust from which the moral imperative of our day was borne: "never again." Never again will we stand by. Never again will we forget our common humanity. Never again will we turn away.

Mr. McCONNELL. I ask unanimous consent that the Brownback amendment at the desk be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The amendment (No. 2674) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1462), as amended, was read the third time and passed, as follows:

S. 1462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Darfur Peace and Accountability Act of 2005".

SEC. 2. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) **GOVERNMENT OF SUDAN.**—

(A) **IN GENERAL.**—The term "Government of Sudan" means the National Congress Party, formerly known as the National Islamic Front, government in Khartoum, Sudan, or any successor government formed on or after the date of the enactment of this Act (including the coalition National Unity Government agreed upon in the Comprehensive Peace Agreement for Sudan), except that such term does not include the regional Government of Southern Sudan.

(B) **OFFICIALS OF THE GOVERNMENT OF SUDAN.**—The term "Government of Sudan", when used with respect to an official of the Government of Sudan, does not include an individual—

(i) who was not a member of such government prior to July 1, 2005; or

(ii) who is a member of the regional Government of Southern Sudan.

(3) **COMPREHENSIVE PEACE AGREEMENT FOR SUDAN.**—The term "Comprehensive Peace Agreement for Sudan" means the peace agreement signed by the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) in Nairobi, Kenya, on January 9, 2005.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) On July 22, 2004, the House of Representatives and the Senate declared that the atrocities occurring in the Darfur region of Sudan are genocide.

(2) On September 9, 2004, Secretary of State Colin L. Powell stated before the Committee on Foreign Relations of the Senate, "genocide has been committed in Darfur and... the Government of Sudan and the [Janjaweed] bear responsibility—and genocide may still be occurring".

(3) On September 21, 2004, in an address before the United Nations General Assembly, President George W. Bush affirmed the Secretary of State's finding and stated, "[a]t this hour, the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide".

(4) On July 30, 2004, the United Nations Security Council passed Security Council Resolution 1556, calling upon the Government of Sudan to disarm the Janjaweed militias and to apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out violations of human rights and international humanitarian law, and establishing a ban on the sale or supply of arms and related materiel of all types, including the provision of related technical training or assistance, to all nongovernmental entities and individuals, including the Janjaweed.

(5) On September 18, 2004, the United Nations Security Council passed Security Council Resolution 1564, determining that the Government of Sudan had failed to meet its obligations under Security Council Resolution 1556, calling for a military flight ban in and over the Darfur region, demanding the names of Janjaweed militiamen disarmed and arrested for verification, establishing an International Commission of Inquiry on Darfur to investigate violations of international humanitarian and human rights laws, and threatening sanctions should the Government of Sudan fail to fully comply with Security Council Resolutions 1556 and 1564, including such actions as to affect Sudan's petroleum sector or individual members of the Government of Sudan.

(6) The Report of the International Commission of Inquiry on Darfur established that the "Government of the Sudan and the Janjaweed are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law," that "these acts were conducted on a widespread and systematic basis, and therefore may amount to crimes against humanity," and that Sudanese officials and other individuals may have acted with "genocidal intent".

(7) The Report of the International Commission of Inquiry on Darfur further notes that, pursuant to its mandate and in the course of its work, the Commission had collected information relating to individual perpetrators of acts constituting "violations of international human rights law and international humanitarian law, including crimes against humanity and war crimes" and that a sealed file containing the names of those individual perpetrators had been delivered to the United Nations Secretary-General.

(8) On March 24, 2005, the United Nations Security Council passed Security Council Resolution 1590, establishing the United Nations Mission in Sudan (UNMIS), consisting of up to 10,000 military personnel and 715 civilian police and tasked with supporting implementation of the Comprehensive Peace Agreement for Sudan and "closely and continuously liais[ing] and coordinat[ing] at all levels with the African Union Mission in Sudan (AMIS) with a view towards expeditiously reinforcing the effort to foster peace in Darfur".

(9) On March 29, 2005, the United Nations Security Council passed Security Council Resolution 1591, extending the military embargo established by Security Council Resolution 1556 to all the parties to the N'djamena Ceasefire Agreement and any other belligerents in the states of North Darfur, South Darfur, and West Darfur, calling for an asset freeze and travel ban against those individuals who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, are responsible for offensive military overflights, or violate the military embargo, and establishing a Committee of the Security Council and a Panel of Experts to assist in monitoring compliance with Security Council Resolutions 1556 and 1591.

(10) On March 31, 2005, the United Nations Security Council passed Security Council Resolution 1593, referring the situation in Darfur since July 1, 2002, to the prosecutor of the International Criminal Court and calling on the Government of Sudan and all parties to the conflict to cooperate fully with the Court.

(11) In remarks before the G-8 Summit on June 30, 2005, President Bush reconfirmed that "the violence in Darfur is clearly genocide" and "the human cost is beyond calculation".

(12) On July 30, 2005, Dr. John Garang de Mabior, the newly appointed Vice President of Sudan and the leader of the Sudan People's Liberation Movement/Army (SPLM/A) for the past 21 years, was killed in a tragic helicopter crash in southern Sudan, sparking riots in Khartoum and challenging the commitment of all the people of Sudan to the Comprehensive Peace Agreement for Sudan.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the genocide unfolding in the Darfur region of Sudan is characterized by atrocities directed against civilians, including mass murder, rape, and sexual violence committed by the Janjaweed and associated militias with the complicity and support of the National Congress Party-led faction of the Government of Sudan;

(2) all parties to the conflict in the Darfur region have continued to violate the N'djamena Ceasefire Agreement of April 8, 2004, and the Abuja Protocols of November 9, 2004, and violence against civilians, humanitarian aid workers, and personnel of the African Union Mission in Sudan (AMIS) is increasing;

(3) the African Union should rapidly expand the size and amend the mandate of the African Union Mission in Sudan (AMIS) to authorize such action as may be necessary to protect civilians and humanitarian operations, and deter violence in the Darfur region without delay;

(4) the international community, including the United Nations, the North Atlantic Treaty Organization (NATO), the European Union, and the United States, should immediately act to mobilize sufficient political, military, and financial resources to support the expansion of the African Union Mission

in Sudan so that it achieves the size, strength, and capacity necessary for protecting civilians and humanitarian operations, and ending the continued violence in the Darfur region;

(5) if an expanded and reinforced African Union Mission in Sudan fails to stop genocide in the Darfur region, the international community should take additional, dispositive measures to prevent and suppress acts of genocide in the Darfur region;

(6) acting under Article 5 of the Charter of the United Nations, the United Nations Security Council should call for suspension of the Government of Sudan's rights and privileges of membership by the General Assembly until such time as the Government of Sudan has honored pledges to cease attacks upon civilians, demobilize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance in the Darfur region, and allow for safe, unimpeded, and voluntary return of refugees and internally displaced persons;

(7) the President should use all necessary and appropriate diplomatic means to ensure the full discharge of the responsibilities of the Committee of the United Nations Security Council and the Panel of Experts established pursuant to section 3(a) of Security Council Resolution 1591 (March 29, 2005);

(8) the United States should not provide assistance to the Government of Sudan, other than assistance necessary for the implementation of the Comprehensive Peace Agreement for Sudan, the support of the regional Government of Southern Sudan and marginalized areas in northern Sudan (including the Nuba Mountains, Southern Blue Nile, Abyei, Eastern Sudan (Beja), Darfur, and Nubia), as well as marginalized peoples in and around Khartoum, or for humanitarian purposes in Sudan, until such time as the Government of Sudan has honored pledges to cease attacks upon civilians, demobilize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance in the Darfur region, and allow for safe, unimpeded, and voluntary return of refugees and internally displaced persons;

(9) the President should seek to assist members of the Sudanese diaspora in the United States by establishing a student loan forgiveness program for those individuals who commit to return to southern Sudan for a period of not less than 5 years for the purpose of contributing professional skills needed for the reconstruction of southern Sudan;

(10) the President should appoint a Presidential Envoy for Sudan to provide stewardship of efforts to implement the Comprehensive Peace Agreement for Sudan, seek ways to bring stability and peace to the Darfur region, address instability elsewhere in Sudan and northern Uganda, and pursue a truly comprehensive peace throughout the region;

(11) in order to achieve the goals specified in paragraph (10) and to further promote human rights and civil liberties, build democracy, and strengthen civil society, the Presidential Envoy for Sudan should be empowered to promote and encourage the exchange of individuals pursuant to educational and cultural programs, including programs funded by the United States Government;

(12) the international community should strongly condemn attacks against humanitarian workers and demand that all armed groups in the Darfur region, including the forces of the Government of Sudan, the Janjaweed, associated militias, the Sudan Liberation Movement/Army (SLM/A), the Justice and Equality Movement (JEM), and all other armed groups to refrain from such attacks;

(13) the United States should fully support the Comprehensive Peace Agreement for Sudan and urge rapid implementation of its terms; and

(14) the new leadership of the Sudan People's Liberation Movement (SPLM) should—
(A) seek to transform the SPLM into an inclusive, transparent, and democratic political body;

(B) reaffirm the commitment of the SPLM to bringing peace not only to southern Sudan, but also to the Darfur region, eastern Sudan, and northern Uganda; and

(C) remain united in the face of potential efforts to undermine the SPLM.

SEC. 5. SANCTIONS IN SUPPORT OF PEACE IN DARFUR.

(a) BLOCKING OF ASSETS AND RESTRICTION ON VISAS.—Section 6 of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108-497; 50 U.S.C. 1701 note) is amended—

(1) in the heading of subsection (b), by inserting “OF APPROPRIATE SENIOR OFFICIALS OF THE SUDANESE GOVERNMENT” after “ASSETS”;

(2) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and

(3) by inserting after subsection (b) the following new subsection:

“(c) BLOCKING OF ASSETS AND RESTRICTION ON VISAS OF CERTAIN INDIVIDUALS IDENTIFIED BY THE PRESIDENT.—

“(1) BLOCKING OF ASSETS.—Beginning on the date that is 30 days after the date of the enactment of the Darfur Peace and Accountability Act of 2005, and in the interest of contributing to peace in Sudan, the President shall, consistent with the authorities granted in the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block the assets of any individual who the President determines is complicit in, or responsible for, acts of genocide, war crimes, or crimes against humanity in Darfur, including the family members or any associates of such individual to whom assets or property of such individual was transferred on or after July 1, 2002.

“(2) RESTRICTION ON VISAS.—Beginning on the date that is 30 days after the date of the enactment of the Darfur Peace and Accountability Act of 2005, and in the interest of contributing to peace in Sudan, the President shall deny visas and entry to any individual who the President determines is complicit in, or responsible for, acts of genocide, war crimes, or crimes against humanity in Darfur, including the family members or any associates of such individual to whom assets or property of such individual was transferred on or after July 1, 2002.”

(b) WAIVER.—Section 6(d) of the Comprehensive Peace in Sudan Act of 2004 (as redesignated by subsection (a)) is amended by adding at the end the following new sentence: “The President may waive the application of paragraph (1) or (2) of subsection (c) with respect to an individual if—

“(1) the President determines that such a waiver is in the national interest of the United States; and

“(2) prior to exercising the waiver, the President transmits to the appropriate congressional committees a notification of the waiver that includes the name of the individual and the reasons for the waiver.”

(c) SANCTIONS AGAINST CERTAIN JANJAWEED COMMANDERS AND COORDINATORS.—The President should immediately consider imposing the sanctions described in section 6(c) of the Comprehensive Peace in Sudan Act of 2004 (as added by subsection (a)) against the Janjaweed commanders and coordinators identified by former United States Ambassador-at-Large for War Crimes before the Subcommittee on Africa of the Committee

on International Relations of the House of Representatives on June 24, 2004.

SEC. 6. ADDITIONAL AUTHORITIES TO DETER AND SUPPRESS GENOCIDE IN DARFUR.

(a) UNITED STATES ASSISTANCE TO SUPPORT AMIS.—Section 7 of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108-497; 50 U.S.C. 1701 note) is amended—

(1) by striking “Notwithstanding” and inserting “(a) GENERAL ASSISTANCE.—Notwithstanding”;

(2) by adding at the end the following new subsection:

“(b) ASSISTANCE TO SUPPORT AMIS.—Notwithstanding any other provision of law, the President is authorized to provide assistance, on such terms and conditions as the President may determine and in consultation with the appropriate congressional committees, to reinforce the deployment and operations of an expanded African Union Mission in Sudan (AMIS) with the mandate, size, strength, and capacity to protect civilians and humanitarian operations, stabilize the Darfur region of Sudan and dissuade and deter air attacks directed against civilians and humanitarian workers, including but not limited to providing assistance in the areas of logistics, transport, communications, materiel support, technical assistance, training, command and control, aerial surveillance, and intelligence.”

(b) NATO ASSISTANCE TO SUPPORT AMIS.—The President should instruct the United States Permanent Representative to the North Atlantic Treaty Organization (NATO) to use the voice, vote, and influence of the United States at NATO to advocate NATO reinforcement of the African Union Mission in Sudan (AMIS), upon the request of the African Union, including but not limited to the provision of assets to dissuade and deter offensive air strikes directed against civilians and humanitarian workers in the Darfur region of Sudan and other logistical, transportation, communications, training, technical assistance, command and control, aerial surveillance, and intelligence support.

(c) DENIAL OF ENTRY AT UNITED STATES PORTS TO CERTAIN CARGO SHIPS OR OIL TANKERS.—

(1) IN GENERAL.—The President should take all necessary and appropriate steps to deny the Government of Sudan access to oil revenues, including by prohibiting entry at United States ports to cargo ships or oil tankers engaged in business or trade activities in the oil sector of Sudan or involved in the shipment of goods for use by the armed forces of Sudan, until such time as the Government of Sudan has honored its commitments to cease attacks on civilians, demobilize and demilitarize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance, and allow for the safe and voluntary return of refugees and internally displaced persons.

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to cargo ships or oil tankers involved in an internationally-recognized demobilization program or the shipment of non-lethal assistance necessary to carry out elements of the Comprehensive Peace Agreement for Sudan.

(d) PROHIBITION ON ASSISTANCE TO COUNTRIES IN VIOLATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS 1556 AND 1591.—

(1) PROHIBITION.—Amounts made available to carry out the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may not be used to provide assistance to the government of a country that is in violation of the embargo on military assistance with respect to Sudan imposed pursuant to United Nations Security Council Resolutions 1556 (July 30, 2004) and 1591 (March 29, 2005).

(2) WAIVER.—The President may waive the application of paragraph (1) if the President determines and certifies to the appropriate congressional committees that it is in the national interests of the United States to do so.

SEC. 7. MULTILATERAL EFFORTS.

The President shall direct the United States Permanent Representative to the United Nations to use the voice and vote of the United States to urge the adoption of a resolution by the United Nations Security Council which—

(1) supports the expansion of the African Union Mission in Sudan (AMIS) so that it achieves the mandate, size, strength, and capacity needed to protect civilians and humanitarian operations, and dissuade and deter fighting and violence in the Darfur region of Sudan, and urges member states of the United Nations to accelerate political, material, financial, and other assistance to the African Union toward this end;

(2) reinforces efforts of the African Union to negotiate peace talks between the Government of Sudan, the Sudan Liberation Movement/Army (SLM/A), the Justice and Equality Movement (JEM), and associated armed groups in the Darfur region, calls on the Government of Sudan, the SLM/A, and the JEM to abide by their obligations under the N'Djamena Ceasefire Agreement of April 8, 2004 and subsequent agreements, urges all parties to engage in peace talks without preconditions and seek to resolve the conflict, and strongly condemns all attacks against humanitarian workers and African Union personnel in the Darfur region;

(3) imposes sanctions against the Government of Sudan, including sanctions against individual members of the Government of Sudan, and entities controlled or owned by officials of the Government of Sudan or the National Congress Party in Sudan until such time as the Government of Sudan has honored its commitments to cease attacks on civilians, demobilize and demilitarize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance, and allow for the safe and voluntary return of refugees and internally displaced persons;

(4) extends the military embargo established by United Nations Security Council Resolutions 1556 (July 30, 2004) and 1591 (March 29, 2005) to include a total prohibition on the sale or supply of offensive military equipment to the Government of Sudan, except for use in an internationally-recognized demobilization program or for non-lethal assistance necessary to carry out elements of the Comprehensive Peace Agreement for Sudan;

(5) calls upon those member states of the United Nations that continue to undermine efforts to foster peace in Sudan by providing military assistance and equipment to the Government of Sudan, the SLM/A, the JEM, and associated armed groups in the Darfur region in violation of the embargo on such assistance and equipment, as called for in United Nations Security Council Resolutions 1556 and 1591, to immediately cease and desist; and

(6) acting under Article 5 of the Charter of the United Nations, calls for suspension of the Government of Sudan's rights and privileges of membership by the General Assembly until such time as the Government of Sudan has honored pledges to cease attacks upon civilians, demobilize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance in the Darfur region, and allow for safe, unimpeded, and voluntary return of refugees and internally displaced persons.

SEC. 8. CONTINUATION OF RESTRICTIONS.

Restrictions against the Government of Sudan that were imposed or are otherwise applicable pursuant to Executive Order 13067 of November 3, 1997 (62 Federal Register 59989), title III and sections 508, 512, 527, and 569 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (division D of Public Law 108-447), or any other similar provision of law, should remain in effect and should not be lifted pursuant to such provisions of law until the President transmits to the appropriate congressional committees a certification that the Government of Sudan is acting in good faith—

(1) to peacefully resolve the crisis in the Darfur region of Sudan;

(2) to disarm, demobilize, and demilitarize the Janjaweed and all government-allied militias;

(3) to adhere to United Nations Security Council Resolutions 1556 (2004), 1564 (2004), 1591 (2005), and 1593 (2005);

(4) to negotiate a peaceful resolution to the crisis in eastern Sudan;

(5) to fully cooperate with efforts to disarm, demobilize, and deny safe haven to members of the Lords Resistance Army; and

(6) to fully implement the Comprehensive Peace Agreement for Sudan without manipulation or delay, including by—

(A) implementing the recommendations of the Abyei Commission Report;

(B) establishing other appropriate commissions and implementing and adhering to the recommendations of such commissions consistent with the terms of the Comprehensive Peace Agreement for Sudan;

(C) adhering to the terms of the Wealth Sharing Agreement; and

(D) withdrawing government forces from southern Sudan consistent with the terms of the Comprehensive Peace Agreement for Sudan.

SEC. 9. ASSISTANCE EFFORTS IN SUDAN.

(a) ADDITIONAL AUTHORITIES.—Section 501(a) of the Assistance for International Malaria Control Act (Public Law 106-570; 114 Stat. 350; 50 U.S.C. 1701 note) is amended—

(1) by striking “Notwithstanding any other provision of law” and inserting the following:

“(1) IN GENERAL.—Notwithstanding any other provision of law”;

(2) by inserting “civil administrations,” after “indigenous groups,”;

(3) by striking “areas outside of control of the Government of Sudan” and inserting “southern Sudan, southern Kordofan/Nuba Mountains State, Blue Nile State, and Abyei”;

(4) by inserting before the period at the end the following: “, including the Comprehensive Peace Agreement for Sudan”; and

(5) by adding at the end the following new paragraph:

“(2) CONGRESSIONAL NOTIFICATION.—Assistance may not be obligated under this subsection until 15 days after the date on which the President has provided notice thereof to the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1) in accordance with the procedures applicable to reprogramming notifications under such section.”.

(b) EXCEPTION TO PROHIBITIONS IN EXECUTIVE ORDER NO. 13067.—Subsection (b) of such section is amended—

(1) in the heading, by striking “EXPORT PROHIBITIONS” and inserting “PROHIBITIONS IN EXECUTIVE ORDER NO. 13067”;

(2) by striking “shall not” and inserting “should not”;

(3) by striking “any export from an area in Sudan outside of control of the Government of Sudan, or to any necessary transaction di-

rectly related to that export” and inserting “activities or related transactions with respect to southern Sudan, southern Kordofan/Nuba Mountains State, Blue Nile State, or Abyei”;

(4) by striking “the export or related transaction” and all that follows and inserting “such activities or related transactions would directly benefit the economic recovery and development of those areas and people.”.

SEC. 10. REPORTS.

(a) REPORT ON AFRICAN UNION MISSION IN SUDAN (AMIS).—Section 8 of the Sudan Peace Act (Public Law 107-245; 50 U.S.C. 1701 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) REPORT ON AFRICAN UNION MISSION IN SUDAN (AMIS).—In conjunction with reports required under subsections (a) and (b) of this section thereafter, the Secretary of State shall submit to the appropriate congressional committees a report, to be prepared in conjunction with the Secretary of Defense, on—

“(1) efforts to fully deploy the African Union Mission in Sudan (AMIS) with the size, strength, and capacity necessary to stabilize the Darfur region of Sudan and protect civilians and humanitarian operations;

“(2) the needs of AMIS to ensure success, including in the areas of housing, transport, communications, equipment, technical assistance, training, command and control, intelligence, and such assistance as is necessary to dissuade and deter attacks, including by air, directed against civilians and humanitarian operations;

“(3) the current level of United States assistance and other assistance provided to AMIS, and a request for additional United States assistance, if necessary;

“(4) the status of North Atlantic Treaty Organization (NATO) plans and assistance to support AMIS; and

“(5) the performance of AMIS in carrying out its mission in the Darfur region.”.

(b) REPORT ON SANCTIONS IN SUPPORT OF PEACE IN DARFUR.—Section 8 of the Sudan Peace Act (Public Law 107-245; 50 U.S.C. 1701 note), as amended by subsection (a), is further amended—

(1) by redesignating subsection (d) (as redesignated) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

“(d) REPORT ON SANCTIONS IN SUPPORT OF PEACE IN DARFUR.—In conjunction with reports required under subsections (a), (b), and (c) of this section thereafter, the Secretary of State shall submit to the appropriate congressional committees a report regarding sanctions imposed under subsections (a) through (d) of section 6 of the Comprehensive Peace in Sudan Act of 2004, including—

“(1) a description of each sanction imposed under such provisions of law; and

“(2) the name of the individual or entity subject to the sanction, if applicable.”.

(c) REPORT ON INDIVIDUALS IDENTIFIED BY THE UNITED NATIONS IN CONNECTION WITH GENOCIDE, WAR CRIMES, AND CRIMES AGAINST HUMANITY OR OTHER VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW IN DARFUR.—Section 8 of the Sudan Peace Act (Public Law 107-245; 50 U.S.C. 1701 note), as amended by subsections (a) and (b), is further amended—

(1) by redesignating subsection (e) (as redesignated) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

“(e) REPORT ON INDIVIDUALS IDENTIFIED BY THE UNITED NATIONS IN CONNECTION WITH GENOCIDE, WAR CRIMES, AND CRIMES AGAINST

HUMANITY OR OTHER VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW IN DARFUR.—Not later than 30 days after the date on which the United States has access to any of the names of the individuals identified by the International Commission of Inquiry on Darfur (established pursuant to United Nations Security Council Resolution 1564 (2004)), or the names of the individuals designated by the Committee of the United Nations Security Council (established pursuant to United Nations Security Council Resolution 1591 (2005)), the Secretary of State shall submit to the appropriate congressional committees a report containing an assessment as to whether such individuals may be subject to sanctions under section 6 of the Comprehensive Peace in Sudan Act of 2004 (as amended by the Darfur Peace and Accountability Act of 2005) and the reasons for such determination.”

Mr. McCONNELL. Mr. President, I suggest we are getting pretty good at this.

The PRESIDING OFFICER. The Chair agrees.

YEAR OF POLIO EDUCATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration and the Senate now proceed to S. Res. 304.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A resolution (S. Res. 304) to designate the period beginning on November 1, 2005, and ending on October 31, 2006, as the Year of Polio Education.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 304) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 304

Whereas 2005 is the 50th anniversary of the injectable polio vaccine;

Whereas the polio vaccines eliminated naturally occurring polio cases in the United States but have not yet eliminated polio in other parts of the world;

Whereas as few as 57 percent of American children receive all doses of necessary vaccines during childhood, including the polio vaccine;

Whereas the Centers for Disease Control and Prevention recommends that every child in the United States receive all doses of the inactivated polio vaccine;

Whereas the success of the polio vaccines has caused people to forget the 1,630,000 Americans born before the development of the vaccines who had polio during the epidemics in the middle of the 20th century;

Whereas at least 70 percent of paralytic polio survivors and 40 percent of nonparalytic polio survivors are developing post-polio sequelae, which are unexpected and often disabling symptoms that occur about 35 years after the poliovirus attack, including overwhelming fatigue, muscle weakness,

muscle and joint pain, sleep disorders, heightened sensitivity to anesthesia, cold pain, and difficulty swallowing and breathing;

Whereas 2005 is the 131st anniversary of the diagnosis of the first case of post-polio sequelae and is the 21st anniversary of the creation of the International Post-Polio Task Force;

Whereas research and clinical work by members of the International Post-Polio Task Force have discovered that post-polio sequelae can be treated, and even prevented, if polio survivors are taught to conserve energy and use assistive devices to stop damaging and killing the reduced number of overworked, poliovirus-damaged neurons in the spinal cord and brain that survived the polio attack;

Whereas many medical professionals, and polio survivors, do not know of the existence of post-polio sequelae, or of the available treatments; and

Whereas the mission of the International Post-Polio Task Force includes educating medical professionals and the world's 20,000,000 polio survivors about post-polio sequelae through the international Post-Polio Letter Campaign, The Post-Polio Institute at New Jersey's Englewood Hospital and Medical Center, the publication of The Polio Paradox, and the television public service announcement provided by the National Broadcasting Company: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need for every child, in America and throughout the world, to be vaccinated against polio;

(2) recognizes the 1,630,000 Americans who survived polio, their new battle with post-polio sequelae, and the need for education and appropriate medical care;

(3) requests that every State designate the period beginning on November 1, 2005, and ending on October 31, 2006, as the “Year of Polio Education” to promote vaccination and post-polio sequelae education and treatment; and

(4) requests that all appropriate Federal departments and agencies take immediate action to educate—

(A) the people of the United States about the need for polio vaccination; and

(B) polio survivors and medical professionals in the United States about the cause and treatment of post-polio sequelae.

DRIVE SAFER SUNDAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 326, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 326) designating November 27, 2005 as “Drive Safer Sunday.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 326) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 326

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas everyone on the roads and highways needs to drive more safely to reduce deaths and injuries resulting from motor vehicle accidents;

Whereas the death of almost 43,000 people a year in more than 6 million highway crashes in America has been called an epidemic by Transportation Secretary Norman Mineta;

Whereas according to the National Highway Transportation Safety Administration, wearing a seat belt saved 15,434 lives in 2004; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be careful about safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely during the heaviest traffic day of the year, and to publicize the importance of the day using Citizen's band (CB) radios and in truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive particularly safely on the Sunday after Thanksgiving; and

(E) everyone to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 27, 2005, as “Drive Safer Sunday.”

LITTLE ROCK CENTRAL HIGH SCHOOL DESEGREGATION 50TH ANNIVERSARY COMMEMORATIVE COIN ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 358, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 358) Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Pryor amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The amendment (No. 2675) was agreed to, as follows:

(Purpose: To provide a complete substitute)

Strike all after the enacting clause and insert the following: