

The Khartoum government has demonstrated that it cannot be relied upon to address the humanitarian crisis. The government's use of import restrictions and routine harassment of aid workers and obstruction to food aid deliveries is according to U.N. Secretary General Kofi Annan, "a violation of international humanitarian law." Also, The United Nations' International Commission of Inquiry on Darfur report found that the Sudanese government has committed major crimes under international law, including a pattern of mass killings, rape, pillage and forced displacement that constitutes war crimes and crimes against humanity. The U.N. must act now to protect civilians.

History will remember that we waited for the approval of a genocidal regime before going in to protect innocent Darfurians. We must act now. The world will remember that this Republican Congress, Republican Senate and Republican White House did not do all it could to stop the deaths, destruction and displacement that is occurring in Darfur.

It has been 2 years since then-Secretary of State Colin Powell declared that, "genocide has been committed in Darfur, and the government of Sudan and the Janjaweed bear responsibility." I have supported and continue to support the 7,000 member African Union Mission in Sudan, AMIS. As it stands, AMIS has no mandate to protect civilians, lacks the troop strength, financial, and logistical support necessary to stop the ongoing genocide. However, given these insurmountable odds, the A.U. force has performed admirably. AMIS' mandate was set to expire on September 30, 2006, and the A.U. has consistently called for transition of AMIS to the U.N. force. Khartoum vehemently opposes this request and consequently opposes U.N. Security Resolution 1706 but with much reluctance, Khartoum has agreed to extend AMIS' mandate until the end of the year.

The United States continues to call on the Sudanese Government to recognize the severity of the humanitarian crisis in Darfur and immediately agree to a transition of AMIS to the U.N. President Bush has failed to leverage the diplomatic might of the presidency to overcome the objections of the Sudanese Government to a U.N. force entering Darfur. Instead, we have accepted the stalling tactics of the Sudanese administration: Only a massive U.N. force can legitimately and credibly protect civilians, ensure humanitarian access and fully carry out the extensive monitoring and implementation duties spelled out in the Darfur Peace Agreement.

The Darfur Peace Agreement, DPA, establishes critical security, wealth-sharing and power sharing arrangements that address the long-standing economic and political marginalization of Darfur. To date, the criteria's of the DPA have yet to be implemented thus creating a sense of uncertainty for Darfur.

We must leverage our compounded international diplomatic efforts to work with members of the Security Council such as China and Russia to overcome Sudanese President al-Bashir's objections to U.N. Security Council Resolution 1706 and allow the 20,000 U.N. forces to enter Darfur and begin to provide immediate security to Darfurians. The international community should not take a backseat to Khartoum's objections nor should the deployment of the troops be contingent upon Khartoum's consent.

The situation on the ground continues to spiral out of control. Violence is causing surges in malnutrition and starvation rates. Humanitarian aid organizations have been cut off from helping those in need. Twelve humanitarian aid workers have been killed in the last 2 months. Twenty-five humanitarian aid vehicles have been hijacked causing humanitarian aid organizations to pull out of northern Darfur leaving major populations vulnerable.

Under pressure from the Congress, the President recently appointed a Special Envoy for Darfur, Andrew Natsios. Securing civilians should be Mr. Natsios' primary responsibility. Further, he should have a strong mandate and staff to ensure he is successful in achieving this mandate.

The Government of Sudan is deploying 26,000 Sudanese troops to Darfur in preparation for a major offensive. At the same time, the Sudanese Government is opposed to U.N. forces entering Darfur and continues to object to the African Union troops remaining in Darfur if they transition into a U.N. force. The actions by the Government of Sudan should raise concern for the safety of the people of Darfur.

Sudanese armed forces—Janjaweed militia—are still using vehicles that they've painted white to look like African Union troops and they continue to steal gasoline from the A.U. It is despicable to know that the Sudanese Government in Khartoum continues to use helicopter gunships and Soviet-era Antonov planes to bomb villages and drive innocent unarmed civilians from their mud-and-thatch hut homes.

An international force is needed immediately to stop the killings, rapes, and pillaging in Darfur; provide security to facilitate humanitarian assistance programs for internally displaced people; enforce the cease-fire between the government in Khartoum and the rebel groups in Darfur to allow for political negotiations; and, facilitate the return of civilians to their land, reconstruction of homes, and provide a secure environment.

Mr. Speaker, we should be immediately deploying a U.N. peacekeeping force in accordance with U.N. Security Council Resolution 1706 and immediately implement all previously passed U.N. Security Council resolutions. The people of Darfur should not have to wait. We must act not before it is too late, we must act now before there is no one left to protect.

TRIBUTE TO REVEREND DR. FRED
L. DAVIS, SR.

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to the Reverend Dr. Fred L. Davis, Sr. on the occasion of his retirement from the Community Church of God in Ypsilanti, Michigan, after 39 years of service.

A native of Boligee, Alabama, Dr. Davis came to the Ypsilanti area in 1968 with the intention to serve and help those in his community. He has provided this service with his leadership at the Community Church of God. Dr. Davis also worked as a Supervisor at General Motors for more than 30 years. His preparation and training for this service included a strong and supportive family and church and it

was supplemented by studies at the Detroit Bible College, where he received his diploma in 1961. Dr. Davis was also awarded an honorary doctorate's degree in 1996 from the Detroit Extension of Faith Evangelistic Christian Schools.

During his tenure, Dr. Davis implemented many different programs at Community Church of God, including Alcoholics Anonymous, narcotics and substance abuse assistance, food and clothing distributions, marriage and singles therapy classes and tutoring. These programs, which Dr. Davis started and facilitated, have helped to strengthen and improve the church and its community.

Dr. Davis' service has not been limited to only to his congregation. He has served as the Ypsilanti Police Department Chaplain since 1992, providing aid and comfort to the brave men and women of the department in their times of great need. He also currently serves as an active member of the United Way and the Hope Clinic and is on the executive committees for the United Negro College Fund and the Ministerial Alliance of the Ann Arbor/Ypsilanti Area.

I applaud Dr. Davis for his many years of service. I know that he and Verlouis Davis, his wife of 54 years, will enjoy this new phase of life, but will continue to give back to the community in the Ypsilanti area. Once again, I salute the work of Dr. Fred Davis and I wish both he and his wife many more years of happiness.

MILITARY COMMISSIONS ACT OF
2006

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong opposition to H.R. 6166, the Military Commissions Act of 2006. There are many glaring problems with this bill. It gives the President unilateral discretion to interpret the meaning and application of provisions in the Geneva Convention that relate to torture, which could result in the allowance of humiliating and degrading interrogation practices. It redefines the definition of an "unlawful enemy combatant" to include any individual who "materially" and "purposefully" supported hostilities against the United States. This new definition is so broadly worded; it could include someone who made an economic contribution to an organization that they did not know was on a terror-watch list. It still allows into evidence information that was obtained through torture and coercion, as long as it was obtained before the passage of the Detainee Torture Act. Perhaps most damaging is the stripping of the United States courts' habeas corpus jurisdiction to review detentions, eliminating one of the most fundamental and important precepts of our American Constitutional tradition.

The court-stripping provisions included in this legislation would do serious harm to the longstanding rule that the government cannot just imprison people without giving them the opportunity for a fair and impartial determination that the detention is in accordance with the Constitution. Consider the case of Maher

Arar, a Syrian-born Canadian citizen. During a layover in New York on his way home to Canada, United States authorities seized him and shipped him to Syria, where he was imprisoned and tortured for nearly a year. He was subjected to extensive interrogations, during which he was beaten and whipped. He was imprisoned in a 6-foot underground cell. The Canadian Government conducted an investigation into the case and found that Mr. Arar was placed on a terrorist watch-list based on inaccurate, unsubstantiated and unreliable evidence. Since being released, he has been cleared of all charges. This case illustrates why the right of habeas corpus is so vital to our rule of law. Individuals must always have an avenue to challenge their detention. If not, innocent people can be unlawfully detained and indefinitely imprisoned based upon insubstantial or even erroneous evidence.

In a letter to Members of Congress commenting on the habeas stripping provisions, former Judge Advocate Generals John Hutson, Donald Guter, and David Brahm stated, "it is critical to these detainees, who have not been charged with any crime, that Congress not strip the courts of jurisdiction to hear their pending habeas cases. The habeas cases are the only avenue open for them to challenge the bases of their detention—potentially life imprisonment—as 'enemy combatants.'" In another letter to Members of Congress, 9 former Federal judges also expressed concerns. They warn that ". . . depriving the courts of habeas jurisdiction will jeopardize the Judiciary's ability to ensure that Executive detentions are not grounded on torture or other abuse . . . Congress would thus be skating on thin constitutional ice in depriving the Federal courts of their power to hear the cases of Guantanamo detainees." Thomas Sullivan, a former United States attorney in Chicago who has represented Guantanamo Bay detainees, testified at a recent Senate hearing that he believed that if this legislation is "passed with these habeas-stripping provisions in it, then after I am dead and the members of this Senate are dead, an apology will be made, just as we did for the incarceration of the Japanese citizens in the Second World War." ("Security and War Take Center Stage as Campaign Break Nears," *New York Times*, September 26, 2006)

Mr. Speaker, as Members of Congress we should work to protect Constitutional rights, not deny them. As the former Judge Advocate Generals wrote in their letter to Members of Congress, ". . . the writ of habeas corpus embodies principles fundamental to our Nation. It is the essence of the rule of law, ensuring that neither king nor executive may deprive a person of liberty without some independent review to ensure that the detention has a reasonable basis in law and fact. That right must be preserved."

H.R. 6166 has serious consequences for the safety of our brave military men and women and for our Nation. If the United States supports stripping detainees of fundamental legal protections, other countries will feel justified in doing the same thing. Allowing questionable interrogation techniques—practices that could actually violate the Geneva Convention—would have dangerous implications for the treatment of American soldiers who are captured abroad. It will also make the enemy fight harder because capture or surrender could have such dire consequences. In fact,

there are fewer people surrendering to American troops now than in at the start of the war in Iraq.

While there are those who argue that the erosion of civil liberties is needed to protect our Nation, I believe it will actually have the opposite effect and will make our country less safe. The most important asset the United States has in the world community is our commitment to the rule of law and fair treatment. By denying habeas corpus rights and giving the President unfettered discretion in defining torture, we are sending out a signal to the world that the United States will no longer serve as the world's standard in our commitment to human rights, civil rights and the rule of law. It will erode our international reputation as a moral Nation that is an example of democracy and freedom, and it will undermine our leadership role in the world community.

I urge all of my colleagues to vote "no" on H.R. 6166.

HONORING THE LIFE OF LLOYD
WAYNE WAGGONER

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. YOUNG of Alaska. Mr. Speaker, I come to the House floor today to express my profound sadness for the loss of a constituent and a friend, Lloyd Wayne Waggoner. He was a husband, father, father-in-law, grandfather, brother, and a friend. Known by most people as "Wayne" or "Gotebo," the little town in Oklahoma in which he grew up, Wayne was an Alaskan for more than 40 years. He arrived shortly after the 1964 earthquake with a friend who asked him to ride along on his trip to the last frontier. And like many people in Alaska, Wayne fell in love with the beauty, independence and kind people that Alaska had to offer, and he never left.

When he first came to Alaska, he worked on an oil rig on the North Slope. During his years in the Last Frontier, he pursued such varied career interests as holding the first Seiko watch distributorship in the State, running for state office, operating a wholesale jewelry business, serving on the Anchorage Zoning Commission and opening Wayne's Diamond Center stores in Anchorage, Wasilla, and Fairbanks. He also gave his time generously to the Anchorage Lions Club, the Shriners, and the Freedom Frog program, which promotes recovery from substance abuse and addiction.

Wayne had experiences, met people, and lived a life that most people only dream about. He regaled his family and friends with stories he told about the little bar in Laguna Beach that he gave to a friend when he decided not to return from Alaska; his dislike for salmon because that was all he ate for 3 weeks on a cargo ship he boarded as a stowaway in the Mediterranean; his one and only hole-in-one that he shot in 2001 at Fort Richardson Golf Course; the night he met the beautiful pianist—the love of his life, Karen—at the bar up at Stuckagain Heights; and the time he and his daughter saw a moose calf taken down by a sow bear right in front of them while fly-fishing in Naknek River.

Wayne was a patriot, a great American who served his country honorably and a true

sourdough Alaskan. With a story and a smile for everyone, he was a person that made people think, "boy, am I glad I met him." We are all better for having known him, for having loved him, and for having been loved by him. For the person he was, for the lessons he taught us, for the love he shared with us, he will always be in our hearts. We celebrate his life and cherish our memories. Mr. Speaker, in Wayne's words I leave you with his favorite toast "may you work like you don't need the money, may you dance like no one is watching, and may you love like you've never been hurt."

MILITARY COMMISSIONS ACT OF
2006

SPEECH OF

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Ms. HOOLEY. Mr. Speaker, in the 5 years since this Administration declared a "War on Terror", hundreds of insurgents have been detained in Afghanistan and Iraq and are currently being held at Guantanamo Bay by American military forces. It was my hope that this legislation would establish clear guidelines for the treatment of these detainees as opposed to the undefined, and often conflicting, rules that the Administration has been acting under. Instead, this legislation threatens both the safety of our troops and undermines our values. Rather than clearly banning abuse and clearly recognizing these detainees as POWs under the Geneva Conventions, this legislation reinterprets the Geneva Conventions' guidelines and leaves American soldiers serving in Iraq, Afghanistan, and elsewhere outside the scope of protection offered by the Geneva Conventions. We have made the decision to send these soldiers into harm's way and we cannot in good conscience vote for legislation that exposes them to the risk of abuse.

McGOVERN-DOLE INTERNATIONAL
FOOD FOR EDUCATION PROGRAM

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. McGOVERN. Mr. Speaker, today, Congresswoman JO ANN EMERSON (MO) and I, along with 23 of our House colleagues, introduced legislation to reauthorize the George McGovern-Robert Dole International Food for Education and Child Nutrition Program (McGovern-Dole). This unique and flexible program, administered by the U.S. Department of Agriculture (USDA), helps promote education, child development, and food security for the world's poorest children.

Sadly, an estimated 300 million children go hungry every day around the world. Of these children, an estimated 120 million do not attend school, in part because of hunger or malnourishment. Because of cultural traditions, prejudice, or simple economic need, many of these children are girls or children engaged in labor to increase their families' basic income. Providing meals in schools has proven to be