

The conference agreement before us is an important step toward implementing the nuclear agreement with India, but we should understand that it is not the final step. This legislation sets the rules for subsequent Congressional consideration of a so-called 123 agreement between the United States and India. A 123 agreement is the term for an agreement for civil nuclear cooperation arranged pursuant to the conditions outlined in section 123 of the Atomic Energy Act of 1954.

I am pleased to note that the conference agreement does not restrict nor does it predetermine congressional action on the forthcoming 123 agreement. Unlike the administration's original legislative proposal, this bill preserves congressional prerogatives with regard to consideration of a future 123 agreement. Under the administration's original proposal, the 123 agreement would have entered into force 90 days after submission unless both Houses of Congress voted against it and with majorities that could overcome a likely Presidential veto. I am pleased the administration changed course on this matter and agreed to submit the 123 agreement with India to Congress under existing procedures in the Atomic Energy Act. This means that both the House and the Senate must cast a positive vote of support before the 123 agreement can enter into force. In my view, this better protects Congress's role in the process and ensures congressional views will be taken into consideration. In addition, it does not limit our actions to a single "no" vote, which could have severe consequences for United States-India relations. It would be particularly risky if that were the only course available to Congress, no matter what its concerns may be.

Title II of this conference agreement contains legislation on the U.S. Additional Protocol to its safeguards agreement with the International Atomic Energy Agency AEA. President Bush called on the Senate to ratify this important agreement on February 11, 2004, and the Senate did so on March 31, 2004. This conference agreement contains important implementing provisions for our Additional Protocol that the Senate Committee on Foreign Relations has been working on for more than 2 years. This legislative measure is critical because our Additional Protocol is not a self-executing agreement, and passage of implementing legislation completes Congressional action and permits the agreement to come into force. Our action today will allow the President to complete U.S. ratification and make this Nation a party to this important IAEA safeguards measure. U.S. ratification and implementation of the Additional Protocol will give Secretary Rice and our representative to the IAEA in Vienna, Austria, an important diplomatic tool in the battle against proliferation as we maintain our longstanding leadership and support for the IAEA safeguards

system. Our Additional Protocol is one part of that support, just like our annual voluntary contributions to the IAEA, and they involve significant congressional oversight and involvement. Approval of this legislation today is good news because it shows that Congress supports the critical non-proliferation work of the IAEA.

I thank Senator BIDEN for his close cooperation on developing this conference agreement. I thank our House colleagues, Chairman HYDE and Ranking Member LANTOS, for their close cooperation and hard work. Together, we have constructed a law that allows the United States to seize an important strategic opportunity while ensuring a strong congressional oversight role, reinforcing U.S. nonproliferation efforts and maintaining our responsibilities under the NPT. I also want to thank all members of the Foreign Relations Committee for their support.

Mr. BYRD. Mr. President, the Senate is set to give rubberstamp approval to legislation that would waive the most important parts of our nuclear non-proliferation laws, but only with respect to India. This so-called U.S.-India nuclear cooperation agreement is a mistake, and our Nation's efforts to draw a line in the sand against further proliferation of nuclear materials and technology may suffer as a result.

This agreement signals the willingness of the United States to look the other way when it comes to compliance with the Nuclear Non-Proliferation Treaty. At a time when nuclear weapons programs in North Korea and Iran are front-page news, the United States should not be giving its blessing to any nuclear weapons program that is not in one hundred percent compliance with all nonproliferation treaties. It is especially galling that the only thing the United States appears to be getting from this agreement is a vague assurance of improved relations. That just does not sound like a good deal to me.

India is a strategically important country, and the influence of the world's most populous democracy is expected to increase in the coming years. Closer relations between the United States and India is a worthy goal. However, the nuclear cooperation agreement before the Senate is a bad deal for the United States, and I will not support it.

PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE SECOND SESSION OF THE ONE HUNDRED NINTH CONGRESS

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 503, which was received from the House.

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

The legislative clerk read as follows: A concurrent resolution (H. Con. Res. 503) providing for the sine die adjournment of the second session of the One Hundred Ninth Congress.

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

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 503) was agreed to, as follows:

H. CON. RES. 503

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, December 8, 2006, or Saturday, December 9, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on any day from Friday, December 8, 2006, through Wednesday, December 13, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Mr. FRIST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

URGING AGREEMENT FOR PEACEKEEPING FORCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 631, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 631) urging the Government of Sudan and the international community to implement the agreement for a peacekeeping force under the command and control of the United Nations in Darfur.

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

Mr. DURBIN. Mr. President, along with Senator BROWNBACK, Senator KENNEDY, and others, I rise today in support of a bipartisan resolution on the crisis in Darfur, Sudan, and the urgent need to get a robust peacekeeping force on the ground there as soon as possible.

This Congress will adjourn in the next several hours or several days, but

the crisis in Darfur continues. As it continues, many innocent people will lose their lives in what our administration and most of the world has characterized as genocide.

On Wednesday of this week, in a meeting with the United States Special Envoy to the Sudan, Andrew Natsios, we asked him: What can Congress do at this point in time to help? Along with some technical changes in law that we will certainly consider, Mr. Natsios asked that we pass this resolution. Again, I think his hope is we will bring this matter to the attention of the American people and express to the world community our continuing alarm over this crisis in Darfur.

The President approved Mr. Natsios to his position in September. For months before that, many of us here in the Senate had urged the President to name a special envoy. We believed that violence and suffering in Darfur demanded a single individual in a leadership position who could devote all his time and energy to working to resolve this terrible crisis. That places a special obligation on us to listen when Mr. Natsios asks for help.

The resolution before us spells out the terrible facts of the genocide in Darfur and outlines two significant responses by the international community. The first was the passage by the United Nations Security Council of Resolution 1706, which authorized a 23,000-person peacekeeping force to Darfur, which was to be deployed no later than October 1 of this year. It is now well into December, and not a single U.N. peacekeeper has been deployed to Darfur, for the simple reason the Sudanese Government has continued to refuse to give consent to this United Nations mission to be sent expressly to protect innocent people in Darfur.

It looked for a moment last month as if Secretary General Kofi Annan had managed to break through this impasse.

On November 16, Secretary General Annan, along with the African Union, met in Ethiopia and helped broker the Addis Ababa agreement with the Sudanese Foreign Minister. This agreement laid out a roadmap for a joint or hybrid peacekeeping mission combining United Nations and African Union personnel under U.N. command and control. The Sudanese agreed to this in principle, although they did not agree on the spot to the numbers spelled out in the agreement; namely, 10,000 additional military peacekeepers and 3,000 police officers. These troops could join the 7,000 African Union monitors already in Darfur.

The resolution we have introduced on a bipartisan basis expresses the support of the United States Senate for this agreement, as well as U.N. Security Council Resolution 1706. It also declares that numbers and standards laid out in the Addis Ababa agreement represent the minimum acceptable. Hundreds of thousands of people have died in Darfur over the last 3 years; 2½ mil-

lion have been driven from their homes. In recent months, violence has escalated.

You and I and our colleagues in the Senate are thinking now about holiday gifts, Christmas gifts. We are thinking about being with our families and sharing a peaceful moment in our homes with our friends and with those we love at this time of year. As we consider the safety and security of our lives in the United States as we approach this holiday season, we cannot forget those who are suffering and dying around the world and in this spot on Earth known as Darfur. You cannot pick up a newspaper in America this week without seeing full-page ads urging the United States to take action, urging Congress to take action. This resolution we pass may not save a single life, but it may start a call to arms across this country and around the world that we will not tolerate a genocide.

Over 10 years ago there was a genocide in Rwanda. Sadly, we never accepted the reality of what faced us. Sadly, we never responded. There were a few stalwart, courageous voices in the Senate. My predecessor Senator Paul Simon, and the retiring Senator from Vermont, JIM JEFFORDS, spoke out. If they had been listened to, hundreds of thousands of lives could have been spared in the Rwandan genocide. Now this is our time.

I commend President Bush and his administration for acknowledging that, indeed, we face a genocide. But having made that admission, it calls on every civilized country on earth and every civilized person on Earth to do something, not just to acknowledge this terrible human tragedy but to do something.

In our meeting this week, special envoy Natsios described one murder among many. He told us of a woman in a refugee camp whose 1-year-old baby was shot and killed by a jingaweit militia man while she held the baby in her arms. The world cannot allow this to happen. Today we express our strongest support for a real peacekeeping force for Darfur made up of African Union and U.N. personnel to save the next child in a mother's arms.

I urge the Senate to pass this resolution. I say with real regret that it is certainly the least we can do today. I certainly wish we could do more.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 631) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 631

Whereas Congress declared on July 22, 2004 that the atrocities in Darfur were genocide;

Whereas, on September 9, 2004, Secretary of State Colin Powell testified that "genocide has been committed in Darfur";

Whereas, on June 30, 2005, President Bush confirmed that "the violence in Darfur region is clearly genocide [and t]he human cost is beyond calculation";

Whereas, on May 8, 2006, President Bush stated, "We will call genocide by its rightful name, and we will stand up for the innocent until the peace of Darfur is secured.;"

Whereas hundreds of thousands of people have died and over 2,500,000 have been displaced in Darfur since 2003;

Whereas the Government of Sudan has failed in its responsibility to protect the many peoples of Darfur;

Whereas the international community has failed to hold persons responsible for crimes against humanity in Darfur accountable;

Whereas, on May 5, 2006, the Government of Sudan and the largest rebel faction in Darfur, the Sudan Liberation Movement, led by Minni Minnawi, signed the Darfur Peace Agreement (DPA);

Whereas the Government of Sudan has not disarmed and demobilized the Janjaweed despite repeated pledges to do so, including in the DPA;

Whereas violence in Darfur escalated in the months following the signing of the DPA, with increased attacks against civilians and humanitarian workers;

Whereas violence has spread to the neighboring states of Chad and the Central African Republic, threatening regional peace and security;

Whereas, in July 2006, more humanitarian aid workers were killed than in the previous 3 years combined;

Whereas increased violence has forced some humanitarian organizations to suspend operations, leaving 40 percent of the population of Darfur inaccessible to aid workers;

Whereas, on August 30, 2006, the United Nations Security Council passed Security Council Resolution 1706 (2006), asserting that the existing United Nations Mission in Sudan (UNMIS) "shall take over from [African Mission in Sudan] AMIS responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of AMIS' mandate but in any event no later than 31 December 2006", and that UNMIS "shall be strengthened by up to 17,300 military personnel . . . up to 3,300 civilian police personnel and up to 16 Formed Police Units", which "shall begin to be deployed [to Darfur] no later than 1 October 2006";

Whereas, on September 19, 2006, President Bush announced the appointment of Andrew Natsios as Presidential Special Envoy to Sudan to lead United States efforts to bring peace to the Darfur region in Sudan;

Whereas, on November 16, 2006, high-level consultations led by Kofi Annan, Secretary General of the United Nations, and Alpha Oumar Konare, Chairperson of the African Union Commission, and including representatives of the Arab League, the European Union, the Government of Sudan, and other national governments, produced the "Addis Ababa Agreement";

Whereas the Agreement stated that the Darfur conflict could be resolved only through an all-inclusive political process;

Whereas the Agreement stated that the DPA must be made more inclusive, and "called upon all parties—Government and DPA non-signatories—to immediately commit to a cessation of hostilities in Darfur in order to give [the peace process] the best chances for success";

Whereas the Agreement included a plan to establish a United Nations–African Union peacekeeping operation;

Whereas the Agreement stated that the peacekeeping operation would consist of

17,000 military troops and 3,000 police, and would have a primarily African character;

Whereas the Agreement stated that the peacekeeping operation must be logistically and financially sustainable, with support coming from the United Nations;

Whereas the Agreement stated that command and control structures for the United Nations–African Union force would be provided by the United Nations;

Whereas the Government of Sudan's Foreign Minister agreed to the conclusions of the High Level Consultation on the Situation in Darfur, though the Foreign Minister indicated that he would need to consult with his government on the size of the peacekeeping mission;

Whereas, at an international press conference on November 27, 2006, Sudanese President Omar Hassan Al-Bashir rejected the Addis Ababa Agreement and reiterated his objections to any substantive United Nations involvement in Darfur, saying, "Troops in Darfur should be part of the [African Union] AU and under command of the AU";

Whereas it is imperative that a peacekeeping force in Darfur have the sufficient strength and mandate to provide adequate security to the people of Darfur; and

Whereas Presidential Special Envoy Andrew Natsios set December 31, 2006 as the deadline for the Government of Sudan to comply with the demands of the international community or face serious consequences: Now, therefore, be it

Resolved, That the Senate—

(1) supports, given the rapidly deteriorating situation on the ground in Darfur, the principles of the Addis Ababa Agreement in order to increase security and stability for the people of Darfur;

(2) declares that the deployment of a United Nations–African Union peacekeeping force under the command and control of the United Nations, as laid out in the Addis Ababa Agreement, is the minimum acceptable effort on the part of the international community to protect the people of Darfur;

(3) further supports the strengthening of the African Union peacekeeping mission in Sudan so that it may improve its performance with regards to civilian protection as the African Union peacekeeping mission begins to transfer responsibility for protecting the people of Darfur to the United Nations–African Union peacekeeping force under the command and control of the United Nations, as laid out in the Addis Ababa Agreement;

(4) calls upon the Government of Sudan to immediately—

(A) allow the implementation of the United Nations light and heavy support packages as provided for in the Addis Ababa Agreement; and

(B) work with the United Nations and the international community to deploy United Nations peacekeepers to Darfur in keeping with United Nations Security Council Resolution 1706 (2006);

(5) calls upon all parties to the conflict to immediately—

(A) adhere to the 2004 N'Djamena ceasefire; and

(B) respect the impartiality and neutrality of humanitarian agencies so that relief workers can have unfettered access to their beneficiary populations and deliver desperately needed assistance;

(6) urges the President to—

(A) continue to work with other members of the international community, including the permanent members of the United Nations Security Council, the African Union, the European Union, the Arab League, Sudan's trading partners, and the Government of Sudan to facilitate the urgently needed deployment of the peacekeeping force called

for by United Nations Security Council Resolution 1706;

(B) ensure the ability of any peacekeeping force deployed to Darfur to carry out its mandate by providing adequate funding and working with our international partners to provide technical assistance, logistical support, intelligence gathering capabilities, and military assets;

(C) work with members of the United Nations Security Council and the international community to develop and impose a set of meaningful economic and diplomatic sanctions against the Government of Sudan should the Government of Sudan continue to refuse to cooperate with the implementation of United Nations Security Council Resolution 1706 and the principles contained in the Addis Ababa Agreement; and

(D) work with members of the United Nations Security Council and the international community to address escalating insecurity in Chad and the Central African Republic; and

(7) strongly supports United Nations Security Council Resolution 1706 and the principles embedded therein.

URGING THE UNITED STATES AND THE EUROPEAN UNION TO WORK TOGETHER TO STRENGTHEN THE TRANSATLANTIC MARKET

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 632, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 632) urging the United States and the European Union to work together to strengthen the transatlantic market.

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

Mr. FRIST. 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. 632) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 632

Whereas a robust and cooperative transatlantic economic relationship is in the mutual interest of the United States and the European Union;

Whereas the strength of the transatlantic economic relationship underpins global economic stability and resiliency;

Whereas the United States–European Union economic relationship is the largest bilateral trade and investment relationship in the world, generating roughly \$3,000,000,000,000 in total commercial sales annually and providing employment for up to 14,000,000 people in the United States and the European Union;

Whereas, at the 2004 United States–European Union Summit, President George W. Bush and the leadership of the European Union jointly pledged to strengthen the transatlantic economic relationship by improving regulatory cooperation through the Roadmap for United States–European Union Regulatory Cooperation and Transparency;

Whereas, at the 2005 United States–European Union Summit, the United States and the European Union agreed upon numerous measures to expand economic ties, including the establishment of an official dialogue on regulatory cooperation between the Office of Management and Budget of the United States and the European Commission;

Whereas, at the 2006 United States–European Union Summit, President George W. Bush, European Union Council President Wolfgang Schuessel, and European Commission President Jose Manuel Barroso declared in a joint statement, "We will redouble our efforts to promote economic growth and innovation and reduce the barriers to transatlantic trade and investment by implementing all aspects of the Transatlantic Economic Initiative . . .";

Whereas, on November 9, 2006, the United States and the European Union held the second economic ministerial meeting to further the implementation of the agreements of the 2005 and 2006 United States–European Union Summits, focusing on regulatory cooperation, intellectual property rights, energy security, and innovation; and

Whereas non-tariff trade barriers such as regulatory divergence continue to pose the most significant obstacles to transatlantic trade, including in areas such as pharmaceuticals, automobile safety, information and communications technology standards, cosmetics, consumer product safety, consumer protection enforcement cooperation, unfair commercial practices, nutritional labeling, food safety, maritime equipment, eco-design, chemicals, energy efficiency, telecommunications and radiocommunications equipment, and medical devices: Now, therefore, be it

Resolved, That the Senate—

(1) supports efforts by the United States and the European Union to fulfill commitments made in recent United States–European Union Summits to implement all aspects of the United States–European Union Initiative to Enhance Transatlantic Economic Integration and Growth;

(2) calls upon the leadership of the United States and the European Union to identify and eliminate unnecessary regulatory compliance costs and non-tariff barriers to trade and investment at an accelerated pace; and

(3) urges the leadership of the United States and the European Union at the 2007 United States–European Union Summit to agree to—

(A) a target date of 2015 for completing the transatlantic market; and

(B) a jointly funded, cooperatively led study of existing obstacles to creating a transatlantic market, including sector-by-sector estimates of the costs of existing barriers to trade and investment, the costs and benefits of removing the barriers identified, and a timetable for removing those barriers.

CONDEMNING CONFERENCE DENYING THE HOLOCAUST OCCURRED

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 633, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 633) condemning the conference denying that the Holocaust occurred to be held by the Government of Iran and its President, Mahmoud Ahmadinejad.

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