

“LETTER TO PRESIDENT BUSH: Sudan Accountability and Divestment Act,” Senator Dick Durbin (D-IL), 21 February 2008, <http://durbin.senate.gov/showRelease.cfm?releaseId=293359>

Dear Mr. President:

On December 18, 2007, Congress passed S. 2271, the Sudan Accountability and Divestment Act of 2007. The bill allows states and municipalities to divest holdings from companies doing business in certain sectors of the Sudan economy. It passed unanimously in both the House and Senate and you signed it into law on December 31. However, you also included a signing statement that we believe, when combined with a troubling reliance on such statements, raises serious concerns over your administration’s intention to enforce this law.

As you know, the situation in Darfur remains grim. For more than four long years the world has watched as thousands of innocent victims have been murdered, tortured, and raped. More than two million people have been chased from their homes, their villages burned and their livelihoods stolen. Thousands remain trapped, year after year, in dangerous refugee camps. And just the other day Sudanese army and allied militia forces conducted a major assault on villages in Darfur, burning homes, killing civilians, and forcing thousands to flee into increasingly unstable Chad. You and other international leaders have rightly called the situation in Darfur genocide.

Yet, despite continued international condemnation and calls for a halt to the violence, the Sudanese government has remained defiant. At each seeming step forward, including deployment of a critical UN-African Union peacekeeping force, the Sudanese government has inevitably backed out of its commitments. In recent months the regime even appointed notorious figures complicit in the Darfur violence – including one wanted by the International Criminal Court -- to senior government positions.

The Sudanese government is also stalling deployment of the critically needed peacekeeping force. Government forces fired upon a peacekeeping convoy only last month. Khartoum’s brazen duplicity and obstruction appear boundless.

Such defiance continues in part because of international investment that helps prop up the regime. The Sudan Accountability and Divestment Act of 2007 takes an important step in reducing the regime’s financial strength and also allows concerned Americans to ensure that their money is not invested in a country whose government is guilty of genocide.

While we are pleased that you signed this, we are deeply troubled by your signing statement which could have a serious chilling effect on states and municipalities that are considering divestment. States and municipalities must receive a clear message from your Administration that you will respect and uphold divestment efforts as required by the Sudan Accountability and Divestment Act. We respect the role of the Executive in

executing foreign policy, but we also believe that Congress plays a key role in establishing law.

Given the grave situation in Sudan and the importance of the Sudan Accountability and Divestment Act, we request confirmation from you that your Administration does, in fact, intend to enforce this bipartisan legislation as enacted.

Sincerely,

Senators Durbin, Schumer, Sanders, Brown, Clinton, Leahy, Casey, Kerry, Murray, Lautenberg, Obama, Mikulski, Feingold, Dodd