The PRESIDING OFFICER. Once the regular order has been called for, the Senator cannot reserve the right to object. The Senator must either object or not.

Mr. KENNEDY. For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. NICKLES. Mr. President, I regret that my colleague from Massachusetts has objected to our unanimous consent request to bring this bill up. Obviously, he has some concerns, but he does not have the votes.

We have offered to vote on his proposal. He can draft his proposal any way he wants. We have drafted our proposal. We want to vote on our proposal. We want to pass our proposal. We will give him an up-or-down vote on his proposal. We will offer and have offered that he can have two or three amendments, and we can have two or three amendments. We can finish this bill. He can draft those amendments in any way, shape or form he wants to and address any and all issues he has addressed today that might be in this letter or another letter. I hope he will do better work in the letter than the President did in his radio address. He was factually incorrect in that. I happen to be offended by that. I just make that comment.

To reiterate, we offered to bring this up in July. My colleague from Tennessee and I and others wanted to finish it in July because we know we have a difficult conference with the House. This is not the easiest legislation to consider. So it is important to move sooner rather than later, as I think I heard my colleague from South Dakota mention. So I hope we will bring it up. But we are going to have to have cooperation from our colleagues. If they continue to insist on unlimited amendments, to where they can debate this issue all month, that is not going to happen. They will be successful in killing this bill, not the Republicans.

I yield to my colleague from Tennessee.

Mr. FRIST. As I understand the unanimous consent request, there would be the opportunity for either side to put into the bill they brought to the floor anything they wanted to. Is it correct, then, that whatever documents have been put forward or requested by the President could be brought forward to the floor in the original bill that the Democratic leader or the Senator from Massachusetts brought forward?

Mr. NICKLES. They could have it in the original bill or they could offer it in the form of an amendment.

Mr. FRIST. The unanimous consent would allow consideration of a bill presented by the Democratic leader and a bill that is presented by the Republican leader?

Mr. NICKLES. The Senator is correct.

Mr. FRIST. In the unanimous consent, you gave the opportunity for amendments to come forward. How many amendments on either side?

Mr. NICKLES. Three.

Mr. FRIST. In saying there could be only three amendments, you did not restrict what was in the original underlying bill so that any issue could be put forward—a bill of rights, or a recommendation by the President—is that correct?

Mr. NICKLES. That's correct.

Mr. FRIST. That has been denied.

Mr. NICKLES. Yes. It is unfortunate because my Democratic colleagues are not able to take yes for an answer. I regret that.

Mr. FRIST. One final question. The issue of the Patients' Bill of Rights is very important to me. As my colleague from Oklahoma has pointed out, we have collectively, as the U.S. Senate, spent a lot of time on this particular issue. Given the fact that we do have a number of bills—and I know we are anxious to get to the underlying bill right now—isn't it reasonable, given the opportunity, that we can put into these bills a Patients' Bill of Rights, or anything we want to, based on the unanimous consent right now? Isn't it reasonable to limit that discussion so that we can conduct the Senate's business, since we can put as much as we want into these bills right now and also allow them to be subjected to the amendments of the unanimous consent?

Mr. NICKLES. I agree. Particularly, if you want to see something become law, it is going to have to be this kind of structure, or it will never happen. We would still be talking toward the end of September. We might have a good debate or a political issue, but we won't have any legislative change. I happen to be interested in trying to make a significant legislative improvement that becomes law.

Mr. FRIST. I just hope we can come to agreement and a time agreement on this important issue, and that we can address this Patients' Bill of Rights.

Mr. NICKLES. I appreciate the leadership the Senator has shown in putting this bill together.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

PRIVILEGE OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that the privilege of the floor be extended to Dan Groeschen, a fellow from the Air Force, during the consideration of this bill.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Robert Streurer and Tam Somerville of my office be given the privilege of the floor.

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

Mr. MCCONNELL. Mr. President, the pending business is the foreign operations appropriations bill. There are very few amendments left to be dealt with. I ask the Chair what amendment is pending.

The PRESIDING OFFICER. The current amendment pending is No. 3006 offered by the Senator from Pennsylvania.

Mr. MCCONNELL. The Senator from California has been waiting patiently to offer a couple of amendments, which I am cosponsoring. It looks to me, I say to my friend, as if we are now ready to deal with those. I ask unanimous consent that the pending amendment be temporarily set aside.

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

The Senator from California is recognized.

AMENDMENT NO. 3507

(Purpose: To state United States support for a peaceful economic and political transition in Indonesia)

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. MCCONNELL, PROPOSES AN AMENDMENT NUMBERED 3507.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in title V, insert the following:

SEC. ____. (a) FINDINGS.—Congress makes the following findings:

(1) Indonesia is the World's 4th most populous nation, with a population in excess of 200,000,000 people.

(2) Since 1997, political, economic, and social turmoil in Indonesia has escalated.

(3) Indonesia is comprised of more than 13,000 islands located between the mainland of Southeast Asia and Australia. Indonesia occupies an important strategic location, straddling vital sea lanes for communication and commercial transportation including all or part of every major sea route between the Pacific Ocean and the Indian Ocean, more than 50 percent of all international shipping trade, and sea lines of communication used by the United States Pacific Command to support operations in the Persian Gulf.

(4) Indonesia has been an important ally of the United States, has made vital contributions to the maintenance of regional peace and stability through its leading role in the Association of South East Asian Nations (ASEAN) and the Asia Pacific Economic Cooperation forum (APEC), and has promoted United States economic, political, and security interests in Asia.

(5) In the 25 years before the onset of the recent financial crisis in Asia, the economy of Indonesia grew at an average rate of 7 percent per year.

(6) Since July 1997, the Indonesian rupiah has lost 70 percent of its value, and the Indonesian economy is now at a near standstill characterized by inflation, tight liquidity, and rising unemployment.

(7) Indonesia has also faced a severe drought and massive fires in the past year which have adversely affected its ability to produce sufficient food to meet its needs.

(8) As a consequence of this economic instability and the drought and fires, as many as 100,000,000 people in Indonesia may experience food shortages, malnutrition, and possible starvation as a result of being unable to purchase food. These conditions increase the potential for widespread social unrest in Indonesia.

(9) Following the abdication of Indonesia President Suharto in May 1998, Indonesia is in the midst of a profound political transition. The current president of Indonesia, B.J. Habibie, has called for new parliamentary elections in mid-1999, allowed the formation of new political parties, and pledged to resolve the role of the military in Indonesian society.

(10) The Government of Indonesia has taken several important steps toward political reform and support of democratic institutions, including support for freedom of expression, release of political prisoners, formation of political parties and trade unions, preparations for new elections, removal of ethnic designations from identity cards, and commitments to legal and civil service reforms which will increase economic and legal transparency and reduce corruption.

(11) To address the food shortages in Indonesia, the United States Government has made more than 230,000 tons of food available to Indonesia this year through grants and so-called ''soft'' loans and has pledged support for additional wheat and food to meet emergency needs in Indonesia.

(12) United States national security interests are well-served by political stability in Indonesia and by friendly relations between the United States and Indonesia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the decision of the Clinton Administration to make available at least 1,500,000 tons of wheat, wheat products, and rice for distribution to the most needy and vulnerable Indonesians is vital to the well-being of all Indonesians;

(2) the Clinton Administration should work with the World Food Program and nongovernmental organizations to design programs to make the most effective use of food donations in Indonesia and to expedite delivery of food assistance in order to reach those in Indonesia most in need;

(3) the Clinton Administration should adopt a more active approach in support of democratic institutions and processes in Indonesia and provide assistance for continued economic and political development in Indonesia, including—

(A) support for humanitarian programs aimed at preventing famine, meeting the needs of the Indonesian people, and inculcating social stability;

(B) leading a multinational effort (including the active participation of Japan, the nations of Europe, and other nations) to assist the programs referred to in subparagraph (A);

(C) calling on donor nations and humanitarian and food aid programs to make additional efforts to meet the needs of Indonesia and its people while laying the groundwork for a more open and participatory society in Indonesia;

(D) working with international financial institutions to recapitalize and reform the banking system, restructure corporate debt, and introduce economic and legal transparency in Indonesia;

(E) urging the Government of Indonesia to remove, to the maximum extent possible, barriers to trade and investment which impede economic recovery in Indonesia, including tariffs, quotas, export taxes, nontariff barriers, and prohibitions against foreign ownership and investment;

(F) urging the Government of Indonesia to—

(i) recognize the importance of the participation of all Indonesians, including ethnic and religious minorities, in the political and economic life of Indonesia; and

(ii) take appropriate action to assure the support and protection of minority participation in the political, social, and economic life of Indonesia;

(iii) release individuals detained or imprisoned for their political views.

(G) support for efforts by the Government of Indonesia to cast a wide social safety net in order to provide relief to the neediest Indonesians and to restore hope to those Indonesians who have been harmed by the economic crisis in Indonesia;

(H) support for efforts to build democracy in Indonesia in order to strengthen political participation and the development of legitimate democratic processes and the rule of law in Indonesia, including support for organizations, such as the Asia Foundation and the National Endowment for Democracy, which can provide technical assistance in developing and strengthening democratic political institutions and processes in Indonesia;

(I) calling on the Government of Indonesia to repeal all laws and regulations that discriminate on the basis of religion or ethnicity and to ensure that all new laws are in keeping with international standards on human rights; and

(J) calling on the Government of Indonesia to establish, announce publicly, and adhere to a clear timeline for parliamentary elections in Indonesia.

(c) REPORT.—(1) Not later than 6 months after the date of enactment of this Act, the Secretary of State shall submit to Congress a report containing the following:

(A) A description and assessment of the actions taken by the Government of the United States to work with the Government of Indonesia to further the objectives referred to in subsection (b)(3).

(B) A description and assessment of the actions taken by the Government of Indonesia to further such objectives.

(C) An evaluation of the implications of the matters described and assessed under subparagraphs (A) and (B), and any other appropriate matters, for relations between the United States and Indonesia.

(2) The report under this subsection shall be submitted in unclassified form, but may include a classified annex.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that that amendment be temporarily set aside.

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

AMENDMENT NO. 3508

(Purpose: To condemn the rape of ethnic Chinese women in Indonesia and the May 1998 riots in Indonesia)

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. MCCONNELL, proposes an amendment numbered 3508.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in title V, insert the following:

SEC. ___. (a) FINDINGS.—Congress makes the following findings:

(1) In May 1998, more than 1,200 people died in Indonesia as a result of riots, targeted attacks, and violence in Indonesia. According to numerous reports by human rights groups, United Nations officials, and the press, ethnic Chinese in Indonesia were specifically targeted in the riots for attacks which included acts of brutality, looting, arson, and rape.

(2) Credible reports indicate that, between May 13 and May 15, 1998, at least 150 Chinese women and girls, some as young as 9 years of age, were systematically raped as part of a campaign of racial violence in Indonesia, and 20 of these women subsequently died from injuries incurred during these rapes.

(3) Credible evidence indicates that these rapes were the result of a systematic and organized operation and may well have continued to the present time.

(4) Indonesia President Habibie has stated that he believes the riots and rapes to be ''the most inhuman acts in the history of the nation'', that they were ''criminal'' acts, and that ''we will not accept it, we will not let it happen again.''.

(5) Indonesian human rights groups have asserted that the Indonesia Government failed to take action necessary to control the riots, violence, and rapes directed against ethnic Chinese in Indonesia and that some elements of the Indonesia military may have participated in such acts.

(6) The Executive Director of the United Nations Development Fund for Women has stated that the attacks were an ''organized reaction to a crisis and culprits must be brought to trial'' and that the systematic use of rape in the riots ''is totally unacceptable. . . and even more disturbing than rape war crimes, as Indonesia was not at war with another country but caught in its own internal crisis''.

(7) The Indonesia Government has established the Joint National Fact Finding Team to investigate the violence and allegations of gang rapes, but there are allegations that the investigation is moving slowly and that the Team lacks the authority necessary to carry out an appropriate investigation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the mistreatment of ethnic Chinese in Indonesia and the criminal acts carried out against them during the May 1998 riots in Indonesia is deplorable and condemned;

(2) a complete, full, and fair investigation of such criminal acts should be completed by the earliest possible date, and those identified as responsible for perpetrating such criminal acts should be brought to justice;

(3) the investigation by the Government of Indonesia, through its Military Honor Council, of those members of the armed forces of Indonesia suspected of possible involvement in the May 1998 riots, and of any member of the armed forces of Indonesia who may have participated in criminal acts against the people of Indonesia during the riots, is commended and should be supported;

(4) the Government of Indonesia should take action to assure—

(A) the full observance of the human rights of the ethnic Chinese in Indonesia and of all other minority groups in Indonesia;

(B) the implementation of appropriate measures to prevent ethnic-related violence and rapes in Indonesia and to safeguard the physical safety of the ethnic Chinese community in Indonesia;

(C) prompt follow through on its announced intention to provide damage loans to help rebuild businesses and homes for those who suffered losses in the riots; and

(D) the provision of just compensation for victims of the rape and violence that occurred during the May 1998 riots in Indonesia, including medical care;

(5) the Clinton Administration and the United Nations should provide support and assistance to the Government of Indonesia, and to nongovernmental organizations, in the investigations into the May 1998 riots in Indonesia in order to expedite such investigations; and

(6) Indonesia should ratify the United Nations Convention on Racial Discrimination, Torture, and Human Rights.

(c) SUPPORT FOR INVESTIGATIONS.—Of the amounts appropriated by this Act for Indonesia, the Secretary of State, after consultation with Congress, shall make available such funds as the Secretary considers appropriate in order to provide support and technical assistance to the Government of Indonesia, and to independent nongovernmental organizations, for purposes of conducting full, fair, and impartial investigations into the allegations surrounding the riots, violence, and rape of ethnic Chinese in Indonesia in May 1998.

(d) REPORT.—(1) Not later than 6 months after the date of enactment of this Act, the Secretary of State shall submit to Congress a report containing the following:

(A) An assessment of—

(i) whether or not there was a systematic and organized campaign of violence, including the use of rape, against the ethnic Chinese community in Indonesia during the May 1998 riots in Indonesia; and

(ii) the level and degree of participation, if any, of members of the Government or armed forces of Indonesia in the riots.

(B) An assessment of the adequacy of the actions taken by the Government of Indonesia to investigate the May 1998 riots in Indonesia, bring the perpetrators of the riots to justice, and ensure that similar riots do not recur.

(C) An evaluation of the implications of the matters assessed under subparagraphs (A) and (B) for relations between the United States and Indonesia.

(2) The report under this subsection shall be submitted in unclassified form, but may include a classified annex.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of the distinguished chairman of the subcommittee and myself to address the two amendments that I have just sent to the desk. The first amendment addresses the political, economic, and social turmoil now facing Indonesia, one of our most important allies, and calls for a more active U.S. role in supporting a peaceful economic and political transition in Indonesia.

The second amendment expresses my concern and condemnation over the allegations regarding the brutal treatment and rape of ethnic Chinese women in Indonesia during the riots that occurred this past May, a situation that, if left unaddressed, threatens to undermine the other progress that Indonesia is making.

Taken together, I believe that these two amendments provide a solid framework for U.S. policy towards this vital country.

Indonesia is a country of great significance for the United States, and we have a great deal riding on the outcome of the current period of economic and political transition.

Indonesia is the world's fourth-most populous nation, and its ethnic and religious diversity boasts the world's largest Muslim population;

Indonesia is comprised of over 13,000 islands which span important sea lanes, including 50 percent of volume of all international shipping and every major route between the Indian and Pacific Oceans;

Indonesia has served as a vital engine of East Asian economic growth. It possesses vast natural resources, including oil and gas. Before the disruption caused by the current global financial crisis, the World Bank in 1997 estimated that Indonesia would possess the world's 6th largest economy by early in the new century, and Indonesia has been an active proponent of more liberal trade measures in the Asia-Pacific region;

As the largest member of ASEAN, and a founder of the Asian Regional Forum, Indonesia has been a linchpin of regional security, and has worked with the United States on many key regional security concerns;

In short, the United States has a profound national interest in the emergence of a stable, prosperous and democratic Indonesia from its current period of instability.

Let me briefly recap some of the issues currently facing Indonesia and the developments which underscore, I believe, the need for these two Amendments.

First, in response to public pressure to step down, earlier this year President Suharto resigned after thirty-two years in office. Following an orderly transfer of power, the new President, B.J. Habibie, assembled a cabinet, took some initial steps towards political reform, and pledged new elections.

Several dangers still lie ahead. Indonesia lacks a system with strong and capable democratic institutions and has a long history of regional, religious and ethnic tensions. The road to a more open and democratic political system will be long and hazardous.

Second, at the same time as Indonesia must make progress in this political transition, it is imperative that the Habibie government also take action to address the economic crisis that continues to buffet Indonesia.

In other words, it is in the national interest of the United States that there be a stable, prosperous and democratic Indonesia and that it come out of its current period of instability.

The first amendment before this body addresses the political, economic, and the social turmoil now facing Indonesia, and it calls for a more active U.S. role in supporting a peaceful economic and political transition and for America to lead a major humanitarian effort. Mr. President, today, at least 7½ million people are facing starvation in that country.

The second amendment is a sense of the Senate that expresses the concern and condemnation regarding allegations for the brutal mistreatment of the ethnic Chinese community within that country. That community totals about 6 percent of Indonesia's population. It is an entrepreneurial mercantile class. Once before, in the 1960s, during a pro-Communist revolution, the Chinese ethnic community was made a scapegoat, and literally tens of thousands of people were killed. This time, once again, there was a brutal outbreak against this community, and this resolution condemns it in no uncertain terms.

Mr. President, I believe that Indonesia is extraordinarily important economically. As I said, the rupiah has fallen by over 70 percent in value in the past year. The country is saddled with about $80 billion in private debt and the prospect of a fall of 10 percent in its gross domestic product and a drop of over 25 percent of its manufacturing output. The economy is at a standstill. Inflation is threatening to reach triple digits and unemployment is rising rapidly.

While I believe that Indonesia has the long-term capacity to work its way back to prosperity, in the short term the pain will likely get worse as the full effect of the financial crisis works its way through the economy.

Finally, Indonesia is on the brink of a profound humanitarian crisis.

In the past year Indonesia has faced severe droughts and massive fires, with the end result being that Indonesia is now unable to produce sufficient food to meet the needs of its people—food shortages which have been exacerbated by the current economic crisis.

In a somewhat limited assessment earlier this year, the World Food Program estimated that more than 7.5 million Indonesians in the Eastern areas faced severe food shortages, malnutrition, and starvation as a result of the drought and fires. Others have estimated that with the effects of the economic crisis compounding the natural disasters, upwards of 100 million people across all of Indonesia may soon face acute food shortages.

The Administration, I believe, is to be commended for its handling of the situation thus far. President Clinton's meeting with Suharto at APEC last fall, Special Presidential Envoy Mondale's session with Suharto in March, Secretary Albright's numerous discussions with Foreign Minister Alatas, and Assistant Secretary Roth's many trips to Jakarta have provided the United States an opportunity to encourage and support Indonesian political and economic reform.

The Administration has also made important pledges of food aid—more than 230,000 tons this year through grants and ''soft'' loans, with much more promised if and as the crisis deepens.

In assessing the challenges facing Indonesia, however, I believe that the United States must do more to assist the people of Indonesia to take advantage of the challenges and opportunities of a post-Suharto era.

Indeed, beyond the ''macro'' questions of political and economic reform,

hard-won gains made over the past thirty years in such areas as nutrition, sanitation and public health are all under threat, while, crime, child labor, and poverty are on the rise. Ordinary Indonesians are suffering as a result of this crisis.

First, in recognition of the need to help alleviate that suffering, this Amendment supports the Administration's pledges of humanitarian food assistance. Moreover, it calls on the United States to take a leading role in the international community in developing and implementing efforts to meet Indonesia's humanitarian and food needs, with the goal of assuring that programs are put in place which will prevent famine and which will meet the basic needs of Indonesia's people.

I believe it is extraordinarily important that the United States lead a major international effort at humanitarian relief to see that the people of Indonesia avoid starvation. And this sense of the Senate, the first resolution, puts this body in support of the administration's actions and urges the administration to go a step further and lead a major international humanitarian relief effort.

Second, this amendment supports Indonesia's efforts to move forward with economic reforms. As I have already said, while I am encouraged by some of the positive signs we have seen thus far, the key question is whether the Habibie government will be more successful than its predecessor in carrying through on its economic reform commitments.

To that end this amendment calls on the United States to adopt a more aggressive approach to working with Indonesia to implement serious and far reaching economic and fiscal reform: To restructure corporate debt, reform bankrupt and corrupt economic structures, implement transparent legal and banking systems, and open its economy to greater international trade.

At the same time, this amendment recognizes that such economic reform can not come without considerable disruption to the lives of many Indonesians, and it thus supports efforts by the Government of Indonesia to cast a wide social safety net to provide relief to those in need.

Finally, given President Habibie's public affirmation of the importance of moving on political reform and economic recovery in tandem—an approach I agree with—this amendment also calls on the Administration to take a more activist approach to working to develop democratic institutions and processes in Indonesia, to see that the human rights of all Indonesians are respected and protected, and for the Government of Indonesia to adhere to its commitment to hold elections.

In sum, this amendment seeks to encourage the development of more active and engaged U.S. approach to Indonesia, and a U.S. policy which will work the Indonesian government to develop and lead a reform process that is deep and wide, reaches out to all Indonesians, and lays the groundwork for restored confidence in Indonesia's political and economic future.

The second amendment which I have offered today speaks to a specific situation in Indonesia which I fear, if left unaddressed, runs the risk of undermining the progress which Indonesia has made and the goals articulated by my first amendment: The question is the treatment of its ethnic Chinese minority during the riots of this May, and specifically what appears to be systematic rape against the female population as an instrument of terror.

Mr. President, in all too many places and in all too many conflicts in recent years we have witnessed the use of rape and sexual torture as an instrument of war and ethnic cleansing. Although, I am sad to say, some incidents of rape have always accompanied war and turmoil in human history, the record of the past few years, with the use of organized, systematic campaigns of rape as a tool of terror, is almost as though a new chapter in the barbarity of human history has been opened.

I was therefore deeply troubled when I learned that there are serious and credible allegations that rape was used as an instrument of terror in targeted attacks on the ethnic Chinese community in Indonesia during the riots this past May.

According to credible reports, at least 168 cases of rape occurred in Jakarta alone during the riots of May 13–15, 1998 as part of a pattern of political violence targeted against ethnic Chinese in Indonesia.

An investigative report published in Asiaweek on July 24, 1998 describes incidents documented by Rosita Noer, an Indonesian physician and human rights activist. For example, ''In three Chinese areas of west Jakarta, between 5 and 8 pm, dozens of men dragged a hundred or so girls on to the streets, stripped them and forced them to dance before a crowd. Twenty were raped, then some burned alive, says Noer. She examined six other victims attacked in their homes in different areas of Jakarta. The girls were between the ages of 14 and 20; four of them had been raped by seven men.''

In light of such reports, I was encouraged by President Habibie's decision two months ago to set up a national committee of inquiry to investigate the rapes, and his branding these rapes as criminal, inhumane actions.

I have been troubled, however, by the lack of clear and decisive action taken by the Government of Indonesia over the past three months to investigate these rapes and bring the perpetrators to justice.

Just this past weekend, for example, Indonesian Women's Affairs Minister Tutty Alawiah, one of the leaders of the government investigation, was reported in the press to have stated that ''The team has been conducting an investigation for 1½ months now but has found no women who fell victim to gang rape or who claimed to have been raped during the May riots.''

Minister Tutty Alawiah's statement, and those of other leading Indonesian political figures have also been quoted in the press as doubting the veracity of the rapes, fly in the face of the voluminous credible findings of independent groups, such as the Indonesian Human Rights Commission, as well as numerous reports in the media, which have found considerable evidence of the these criminal, inhuman, rapes.

For example, in an August 3, 1998 story Business Week reported that ''On May 14, trucks loaded with muscular men raced to shopping centers and housing projects owned by ethnic Chinese. The men doused the shops and houses with gasoline and set off devastating fires. At least 182 women were raped or sexually tortured, some of them repeatedly, by men with crewcuts whom the victims believed to be soldiers. At least 20 women are confirmed to have died as a result.''

''Confirmed to have died.'' I do not want to cast aspersions on the government's official investigation, but I can not help but find it curious that a journalist can find evidence of the rapes and the aftermath yet one of the leaders of the government's investigation can not.

I find this particularly troubling in light of an August 1, 1998 Agence France-Presse news story which reported that ''At least 22 victims and witnesses of rapes during the widespread rioting in Indonesia in May have talked to a team set up by the government to probe violence during the unrest.''

What has become of the evidence provided by these 22 victims and witnesses, that Minister Tutty Alawiah claims that no evidence of the rapes can be found and that no victims have come forward?

The Chicago Tribune, on July 29, 1998, carried a story featuring ''Aileen'', a still-hospitalized 24 year old ethnic Chinese women raped by a group of men and left in a pool of blood.

Are the government investigators unwilling or unable to find this women, and the many others like her, so easily found and interviewed by an American journalist?

Perhaps most telling, a July 13, 1998 report by the Volunteers Team for Humanity, headed by Father Sandyawan, a respected Indonesian human rights activist, found ample documentation of systematic and organized rapes targeted at Indonesia's ethnic Chinese community.

The report contains locations of rapes, the modus operandi of the perpetrators, dates of the rapes, and quotes from victims and witnesses, among other documentary evidence.

Indeed, it is ironic to note that the authors of this July 13 report undertook their documentary efforts precisely because they feared that there

would be efforts to ''cover the case up as if it never happened.''

What has become of this credible volume of documentation gathered by a respected independent group in the context of the government investigation?

In short, there appears to be ample evidence that these rapes occurred, and that the director of the United Nations Development Fund for Women was well-founded in her belief when she stated that these rapes occurred as part of an ''organized reaction to crisis.''

I realize that the Indonesian government investigation is not yet complete. But I find it deeply troubling that there are signs that the official government investigation of these incidents may be guided more by political considerations then by a commitment to the truth and to justice.

We all know that there are numerous problems that arise with efforts to investigate and document rape. Many women are afraid to speak to investigators. There is embarrassment and great social stigma.

And, in a case like Indonesia, where there are allegations that members of the armed forces may have been involved in the riots and rapes, there is a special need to assure that any victims who cooperate with the investigation receive protection.

But given the ability of others—independent groups and the media—to compile significant and credible evidence of the rapes which appeared to have occurred during the May riots, it is unsettling, to say the least, to be faced with the prospect that the government may try to deny that the rapes occurred at all, let alone to bring to justice those responsible.

Thus, the second Amendment which I have offered here today condemns in no uncertain terms the rapes and mistreatment of the ethnic Chinese community during the May riots.

Moreover, it urges a full, fair, and complete investigation of the rape allegations and calls for those responsible to be brought to justice.

It calls on the Government of Indonesia to assure that the human rights of the ethnic Chinese community—indeed of all Indonesians—should be respected and protected; that the reparations the government has pledged to those who lost property in the May riots should be expedited, and that rape victims should receive just compensation as well, including medical care where still-needed.

The Amendment also calls on the Administration to provide support and assistance to the Indonesian government and the independent human rights groups investigating these allegations, in the interest of assuring full, fair, and complete investigations.

Lastly, it calls for the administration to provide Congress with a report evaluating the allegations surrounding these rapes, the actions taken by the Government of Indonesia, and the implications for U.S.-Indonesian relations.

Essentially what the resolution does is condemn these acts, calls on the administration to work with the Indonesian government committee investigating these acts in hopes that the investigation will be forthcoming and straightforward and will take adequate measures to bring to justice those responsible for these riots and these rapes.

To those in Indonesia who may misinterpret my intent with this Amendment let me be clear: I do not offer this Amendment as an attack on the Government of Indonesia. Just the opposite. I offer it because I understand how difficult it can be to face up to misdeeds and take necessary and responsible action to rectify the situation, and I want the people of Indonesia to know that as they move forward and deal with this difficult issue that if they do the right thing their friends will be there to offer support and assistance.

It is my belief that if Indonesia does not take adequate measures to bring to justice those responsible for the May riots and rapes, it may well set itself down a course in which political and economic reform, democratization, respect for human rights—in short, many of the measures which Indonesia so desperately needs to undertake to work itself out of the present crisis—become all but impossible. That would be a great tragedy for the people of Indonesia, and a great disappointment to those of us here in the Senate who consider ourselves friends of the Indonesian people.

Mr. President, Indonesia is undergoing a dramatic transformation. The transition to a more pluralistic system will likely be lengthy and difficult. The United States has long sought to promote a more open and tolerant Indonesia. I believe that the United States must continue to work closely with Indonesia during this critical transition period, while acknowledging that only the Indonesian people can determine their future. It is my hope that the two amendments which I have offered today can contribute to this process.

I thank the chairman of the committee, the distinguished Senator from Kentucky, for his support of these two amendments to the bill.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. I commend my friend and colleague from California for these two amendments, and I am proud to be a principal cosponsor of them.

I think the amendments both define the core problems which afflict Indonesia, as well as offer clear support for the organizations and initiatives which will return Indonesia to a path of economic growth as Jakarta launches on a new democratic political course.

The road ahead for Indonesia will not be easy, but I am confident of two things—first, what happens in Jakarta is of enormous strategic importance to the United States. Second, we should take note that the political changes underway are a direct result of the efforts of the Indonesian people. As they suffer an acute economic crisis causing dislocation, devastation and pain, they have managed to drive and direct political transition which I am hopeful will lead to an elected and truly democratic government.

This course has not been without its horror stories. Let me speak to one of the two amendments which focuses on the ethnic violence which exploded in the Spring. For decades, the Indonesian Chinese community has played an important role in generating the exceptional economic growth which improved the quality of life for a majority of Indonesians. Although only six million strong, most have deep roots reaching back many generations and consider Indonesia their home.

Tragically, for many Indonesian Chinese their place in Indonesia's rich life came to a shocking and sudden end in the violence which erupted in May. Indonesian Chinese homes, shops, and businesses were clearly targeted, burned, looted and destroyed in the riots which broke out. While it was difficult for the police to restore stability any where, it seemed to many no effort was made to protect Indonesian Chinese communities and their citizens. Most shocking of all were allegations of rape and attacks on women and young girls. Unfortunately, there are even allegations that police officers and army troops may have engaged in these atrocities. Non-government organizations have estimated that more than 160 women and girls were victims of these awful crimes, many of them Indonesian Chinese.

While this violence has a very human face and toll, a number of news accounts have called attention to the crippling economic impact of this ethnic violence. Not only did Indonesian Chinese withdraw their capital, Southeast Asian Chinese in Hong Kong, Taiwan and elsewhere have pulled out and are reluctant to return. One expert has estimated it will be at least five years before the community is confident enough to resume investment—a fact that contributes to Indonesia's already grave economic woes. And, who could blame them?

This amendment condemns the violence against ethnic Indonesian Chinese, encourages prompt full action by the government and provides for U.S. support for the effort to investigate and bring to justice those responsible for these outrageous acts. As Indonesia proceeds on its path to build a democratic and free nation, it is essential that the rights of minorities are respected and protected. I believe the government must take steps to fully investigate the violence suffered by the Indonesian Chinese community over the past several months and clearly support efforts to rebuild homes, businesses and lives. I was encouraged by

President Habibe's decision to turn responsibility for the investigation over to the National Human Rights Commission which has pledged to conduct a prompt, complete investigation of all allegations of attacks and crimes.

I welcomed the Commission Vice Chairman's response to suggestions that foreign media were generating false accounts of events. He said,

> These crimes are so serious they need no exaggeration and we must not lose sight of that. We want to work carefully and methodically and I can tell you that the evidence we are obtaining so far is very strong, and, yes, it is apparent there were gang rapes, and yes, some were very violent.

The Vice Chairman has also confirmed that 20 victims of rape have since died, most by suicide and some within hours of the offenses.

Since these preliminary positive signs, there was a report that the Commission was not able to reach any conclusions on the scale or pattern of attacks. I hope that Commission and our embassy will work hard to make sure all of the concerns raised by the Indonesian Chinese community are addressed before declaring their work done.

Some observers seem to have an impression that this ethnic community is so wealthy they can and should leave Indonesia, but, that is simply not the case. As Jusef Wannadi, a prominent member of the community, noted, ''The majority of Indonesia Chinese—poor laborers, farmers, fishermen and small shop owners—have no option but to try to survive in Indonesia.''

His sentiments were echoed by a father of three:

> The worst thing is that you can't really stay but there is nowhere else to live. They tell me I am an Indonesian national, yet I am starting to feel homeless as well as stateless. Tell me, why should I have to leave my home?

It is going to take a great deal of effort by a credible, elected government to heal these deep rifts dividing Indonesia which makes the process and prospects of political reform all the more urgent. The second amendment focuses on how the United States can expand and accelerate our support for this reconciliation and recovery. As I made clear in my opening statement, the Administration has been consistently behind the curve in supporting such an effort.

Although AID's Administrator has pledged an expansion of food, medical and humanitarian relief very little has actually been made available, in part because the real needs are still a matter of guess work. Altough I have pressed since March, AID still hasn't conducted a nation-wide estimate of food shortages or other social safety net requirements. I am also disappointed by the slow pace of AID efforts to work and build upon Indonesia's vast Muslim community organizational networks. Two national organizations have clinics, schools, and community centers which already reach out to a majority of the population. Although they have expressed interest in working with AID, cooperation has been slow to materialize.

AID must also expand support for political reforms. Media training and technical support, political party building and legal reforms are all urgently needed to secure the foundation for democratic institutions to constructively shape Indonesia's future. The bill, report and this amendment encourage improvements, and require a report on the conditions and status of our efforts in meeting national needs.

The bill's commitment of $100 million along with these amendments sets a course for improving our relations and support for the important transition underway in a nation of criticial importance to the United States. Instability in Indonesia continues to be the undertow dragging down regional economic recovery. And, the Secretary of Defense has been very persuasive in making the case that a further decline into chaos in a country of more than 200 million people, a nation which staddles vital global shipping lanes, in a scenario he believes we should make every effort to prevent.

Our support and Indonesian effort are the key to what lies ahead—to success—to building investor confidence—to recoverying capital which has fled—to protecting minorities—to restarting the engines of economic growth—to rebuilding American markets—to helping a key ally set a democratic course.

Again, I commend the Senator from California for her interest and hard work to restore the vital partnership we share with Indonesia.

As far as I know, Mr. President, there are no objections to these amendments on either side of the aisle, and I recommend that we proceed to passage.

The PRESIDING OFFICER. Is there further debate on the amendments?

If not, the question is on agreeing to the two amendments offered by the Senator from California. Without objection, they will be considered en bloc.

The amendments (Nos. 3507 and 3508) were agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCONNELL. Mr. President, the Senator from Washington has an amendment which we have cleared on both sides of the aisle, and I would like to give him an opportunity to send that amendment to the desk at this time.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

AMENDMENT NO. 3509

(Purpose: To express the sense of the Congress regarding IMF response to the economic crisis in Russia)

Mr. GORTON. Mr. President, I have sent an amendment to the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON] proposes an amendment numbered 3509.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF CONGRESS REGARDING THE IMF RESPONSE TO THE ECONOMIC CRISIS IN RUSSIA.

(a) Congress finds that—

(1) Russia is currently facing a severe economic crisis that threatens President Boris Yeltsin's ability to maintain power;

(2) the Russian Communist Party may well soon be a part of the government of the Russian Republic and may be given real influence over Russian economic policies;

(3) the International Monetary Fund has continued to provide funding to Russia despite Russia's refusal to implement reforms tied to the funding;

(4) the Russian economic crisis follows a similar crisis in Asia;

(5) the International Monetary Fund imposed strict requirements on Republic of Korea and other democratic and free market nations in Asia;

(6) the International Monetary Fund has not imposed the same requirements on Russia; and

(7) Russia has not made the same commitment to free market economic principles as Republic of Korea and other Asian nations receiving assistance from the International Monetary Fund.

(b) It is the sense of Congress that the International Monetary Fund should not provide funding to a Russian government whose economic policies are significantly affected by the Russian Communist Party, or under significantly less free market conditions than those imposed on the Republic of Korea and other democratic, free market nations in Southeast Asia.

Mr. GORTON. Mr. President, at an earlier date, on the bill similar to this relating to foreign policy, I discussed some of the policies of the International Monetary Fund in that connection with respect to Indonesia while Indonesia was still ruled by the Suhartos. That amendment, or a modification of that amendment, was included in the original passage of the International Monetary Fund refurbishment and, in fact, is included in this bill, although it is close to irrelevant now that the Government of Indonesia is in different hands and in considerable need of aid, as was indicated by some of the debate on the previous amendment.

This amendment deals with my deep concern, a concern I believe widely shared, with respect to the way in which the International Monetary Fund is handling the problems in Russia. The amendment—a sense of the Senate directed at the International Monetary Fund—makes two points in that connection. The first cautions the International Monetary Fund against funding any Russian Government in which the Communist Party of Russia plays a significant role with respect to economic policy. We know that the

Russian Government is in chaos at the present time after the firing of one Prime Minister by President Yeltsin and the substitution for him, at least at the behest of the President, of Mr. Chernomyrdin, a previous Prime Minister of Russia. His nomination was just rejected yesterday by the Russian Duma. We don't know where it will go. What we do know is that the Government of Russia was very close to an agreement with the Russian Communist Party, under which the Communist Party would play a major role in the Government and a major role in its economic policies, that major role being to reverse free market reforms and return to state control of the economy. It would be foolishness exemplified, were we to fund such a change in the Russian Government through the International Monetary Fund, and this amendment cautions against it.

It also deals with another subject, the subject of all of the billions of dollars that the International Monetary Fund has granted to Russia already on condition that it move more decisively toward a free market economy. While the International Monetary Fund has dealt very firmly with respect to free market conditions in dealing with the crisis in Southeast Asia—with the Republic of Korea, with Thailand, with Malaysia, with Indonesia and the like—it has consistently operated with a double standard with respect to Russia. The double standard has not only wasted money, the double standard has created justified unhappiness, justified bitterness in the Southeast Asian countries that see the International Monetary Fund imposing a double standard: One very tough standard on them and far more lax standards or, rather, standards that are consistently ignored with respect to Russia.

So this amendment, the sense-of-the-Senate amendment, also calls for a single standard with respect to International Monetary Fund funding of Russia, even in a noncommunist government, and the similarly situated countries in Southeast Asia. As the chairman of the subcommittee said, I think this represents a broadly held point of view. I am not sure that it should not be a part of the bill as a mandate on the way in which we deal with the International Monetary Fund, but because I cannot see the future, it is merely a sense of the Senate at this point.

I ask unanimous consent to have printed in the RECORD an article about this double standard called ''The IMF's $22.6 billion failure in Russia,'' from the Heritage Foundation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Heritage Foundation Executive Memorandum, August 24, 1998]

THE IMF'S $22.6 BILLION FAILURE IN RUSSIA

(By Ariel Cohen, Ph.D., and Brett D. Schaefer)

On August 17, just three days after President Boris Yeltin unequivocally stated that the ruble would not be devalued, Russia's Prime Minister announced that the government would allow the ruble to be devalued by 34 percent by the end of this year. He also declared a 90-day foreign debt moratorium. It is now painfully clear that the $22.6 billion bailout package orchestrated by the International Monetary Fund (IMF) has not rescued Russia.

Commenting on the Russian devaluation and debt moratorium on August 17, Michel Camdessus, the Fund's Managing Director, concluded that ''Implementation of [Russia's economic] program has been satisfactory.'' Camdessus, however, never explains how something as disastrous as a currency devaluation of this scope can be deemed ''satisfactory.'' Even he admits that, despite the IMF bailout, ''confidence in financial markets has not been reestablished and as a result Russia has continued to lose reserves, and asset prices have fallen sharply.'' If this is ''satisfactory,'' Camdessus must have a very high tolerance for failure.

What was the purpose of the July IMF bailout of Russia, and who is responsible for its failure?

THE PURPOSE OF THE IMF BAILOUT

On July 20, the IMF Executive Board approved its portion ($11.2 billion) of a $22.6 billion international bailout. This emergency package was intended to help Russia maintain the value of the ruble while the government implemented reforms necessary to create long-term stability. IMF First Deputy Managing Director Stanley Fischer outlined this strategy on July 13:

The underlying problem [in Russia] is the budget and the financing needs. So if you devalue, you sort of relieve the pressure on the markets for a while, causing difficulties, but unless you got the budget in shape, and the devaluation wasn't going to do anything for the budget, you would be back in this situation.

Indeed, the IMF plan specifically stated that ''exchange rate policy should remain broadly unchanged during the remainder of 1998.'' After only four weeks, however, it is clear that the massive bailout failed in both of its missions: The ruble was devalued, and reforms are not likely to be implemented.

On August 17, Prime Minister Sergei Kiriyenko announced that the government would allow the ruble to fall from the former official rate of 6.3 to the U.S. dollar to 9.5 to the dollar. This devaluation and a 90-day foreign debt moratorium amount to an expensive policy debacle for Russia. The devaluation will make it much more expensive to repay foreign currency-denominated debt. The moratorium has frightened already leery investors and likely will dampen foreign investment for years to come.

The Russian Duma, moreover, is not likely to adopt the bulk of the IMF-sanctioned reform agenda. In fact, the Duma's communist majority already is urging the Russian government to backpedal on budgetary cuts, increase domestic spending instead of paying foreign debt, or nationalize the dollar-denominated debt of Russian banks.

WHO IS RESPONSIBLE?

Both Russia and the IMF are responsible for the Russian debacle. Russia's fault lies in the government's chronic refusal to reform. The Russian government has been aware of the problems in its economy and what is needed to fix them for at least five years. Because of mismanagement, inertia, and outright corruption, such vital changes as trimming the budget, overhauling the tax code and tax collection, land reform, and otherwise providing conditions to step capital flight and attract foreign investment have not been implemented.

The fault of the IMF lies in its willingness to provide successive bailouts regardless of whether they achieve the desired results. When asked at a July 13 press conference whether the IMF would refrain from new lending because of reduced liquidity, IMF Treasurer David Williams responded, ''[W]e never say no.''

Russia is a prime example of how this can lead to disastrous results. Since 1992 (and before the most recent $22.6 billion bailout), the IMF lent Russia over $18 billion. With each loan, the IMF required Russia to adopt economic reforms. Even though Moscow rarely fulfilled its promises, the IMF continued to disperse tranche after tranche. In other words, the cheap credits allowed Russia to delay reforms, while the IMF rewarded Moscow for not reforming.

This pattern is being repeated in the current bailout. Despite the devaluation of the ruble and the Duma's refusal to pass the majority of IMF-mandated reforms, Michel Camdessus' August 17 statement merely remarked that [Russia's] measures and their potential impact will immediately be analyzed by the staff and management of the IMF . . . I hope that the government's economic program will continue to be implemented in full, so that the economic and financial situation will improve and the IMF can be in a position to disburse the second tranche . . .

CONCLUSION

Russia is now in an economic morass. The achievements of the Yeltsin administration—a stable currency and low inflation—have gone down the drain. The political cost to the Yeltsin government will be tremendous, as millions of workers and pensioners have not been paid for months and the price inflation will escalate. Before August 17, Russia had asked whether the international community were prepared to provide some additional financial support beyond the $22.6 billion finalized on July 20. Thus far, the G–7 leading industrial countries have prudently declined.

Both the IMF and Russia share the blame for the country's current crisis. Despite ample advice on how to shore up its economy, Russia has refused to implement the changes necessary to resolve the current crisis and create long-term economic health. The IMF has consistently permitted Russia to borrow despite Russia's refusal to reform its economy.

Congress should send a message to Russia that the United States will no longer send good money after bad. It can do so by refusing to approve additional funding for the IMF. An organization that cannot say ''no'' should not be given additional money to waste.

Mr. GORTON. With that, Mr. President, and with a view that I believe this amendment is agreed to, I yield the floor.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3509) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 3510 THROUGH 3518, EN BLOC

Mr. MCCONNELL. Mr. President, there are eight amendments. My friend from Vermont is in the vicinity. There are eight amendments that he and I have cleared, two amendments by Senator ASHCROFT on the Congo and Palestinian Broadcast Corporation, a Lott

amendment on the Iraqi opposition, a Wellstone amendment on international sex trafficking, a Leahy amendment on information disclosure, a Dodd amendment on reporting requirements, a Kennedy amendment on Pan Am 103, and a Feingold amendment on Nigeria. I send those amendments to the desk and ask they be considered en bloc.

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

Mr. MCCONNELL. I would add one more amendment to this group, an amendment by Senator FEINSTEIN, added to this group currently being considered at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes amendments numbers 3510 through 3518, en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments (Nos. 3510 through 3518), en bloc, are as follows:

AMENDMENT NO. 3510

On page 109, strike lines 15–23, and insert in lieu thereof the following:

SEC. . PROHIBITION ON ASSISTANCE TO THE DEMOCRATIC REPUBLIC OF CONGO.

None of the funds appropriated or otherwise made available by this Act may be provided to the central Government of the Democratic Republic of Congo until such time as the President reports in writing to the Speaker of the House of Representatives, the Majority Leader of the Senate, the International Relations Committee of the House, the Foreign Relations Committee of the Senate, the Appropriations Committee of the Senate, and the Appropriations Committee of the House that the central Government of the Democratic Republic of Congo is—

(1) investigating and prosecuting those responsible for civilian massacres, serious human rights violations, or other atrocities committed in the Congo; and

(2) implementing a credible democratic transition program, which includes

(A) the establishment of an independent electoral commission;

(B) the release of individuals detained or imprisoned for their political views;

(C) the maintenance of a conducive environment for the free exchange of political views, including the freedoms of association, speech, and press; and

(D) the conduct of free and fair national elections for both the legislative and executive branches of government.

Notwithstanding the aforementioned restrictions, the President may provide electoral assistance to the central Government of the Democratic Republic of Congo for any fiscal year if the President certifies to the International Relations Committee of the House, the Foreign Relations Committee of the Senate, the Appropriations Committee of the Senate, and the Appropriations Committee of the House that the central Government of the Democratic Republic of Congo has taken steps to ensure that conditions in subsection 2 (A), (B), and (C) have been met.

Mr. FEINGOLD. Mr. President, I would like to explain an amendment related to U.S. development assistance to the Democratic Republic of the Congo (DROC) that the managers of this bill have agreed to accept. As the ranking Democrat on the Subcommittee on Africa, I am pleased to have been joined in this effort with the Chairman of that Subcommittee, my colleague from Missouri [Mr. ASHCROFT] as well as the junior Senator from North Carolina [Mr. FAIRCLOTH].

This amendment revises Section 574 of the foreign operations appropriations bill for fiscal year 1999 to define restrictions on aid to DROC. It mandates that no aid may be granted to the Democratic Republic of the Congo until the President certifies that the DROC government is investigating and prosecuting those responsible for human rights violations or atrocities and is taking specific steps to implement a credible democratic transition program.

When I originally began thinking about an amendment of this nature, I was concerned about the inability of the DROC government to follow up on what were really gross abuses of human rights committed during the takeover of the former Zaire by the rebel movement that became known as the Alliance of Democratic Forces for the Liberation of Congo (AFDL). During the takeover, which took place from late 1996 through the Spring of 1997, thousands of civilians, mostly Hutu refugees, were slaughtered reportedly by rebel troops, some of them possibly Rwandan or under Rwandan command. The facts have never been clear on these massacres, but credible information from human rights groups clearly indicate that massacres were carried out throughout the country—in Mbandaka, in the west; in Kisangani, in the middle of the country, and in the Kivu region in the east—leading even a casual observer to surmise it was a well planned military operation.

In July 1997, U.N. Secretary General Kofi Annan named an investigative team to investigate gross violations of human rights and international humanitarian law in Congo since March 1993. Not only was the team mandated to look into the general question of the massacres themselves, but also to establish responsibility for the massacres.

Unfortunately, the government of Laurent Kabila continually obstructed the work of the U.N. team—imposing various conditions, delaying meetings, harassing potential witnesses, refusing permission to deploy to certain sites, and apparently organizing demonstrations against the U.N. teams, to name a few. Eventually, in April 1998, Mr. Annan felt compelled to withdraw his teams since it became impossible for the team to conduct its work.

Nevertheless, it remains important that these atrocities be fully investigated and that those responsible be brought to justice. Our amendment calls for the investigation and prosecution of these abuses. This could mean that the government conduct its own transparent and credible investigation. It could mean that the DROC government cooperates with a future UN mission, if the UN decides to launch a new commission of inquiry. Or it could mean that the government cooperates fully with an appropriate judicial body, possibly an international tribunal, which would be charged with investigating the massacres. We have left the desired method intentionally vague so that all options might be considered.

The amendment also calls for the implementation of a credible democratic transition program, which includes the establishment of an independent electrical commission, the release of individuals detained or imprisoned for their political views, the establishment of an environment conducive to the free exchange of political views, and free and fair elections.

The discussion of both the investigation of past abuses and of the implementation of political reform may seem academic at a moment when we are watching Congo disintegrate into civil war for the second time in less than two years. A slightly different rebel movement is trying to recreate the ''success'' of the AFDL in 1996 by taking control of large portions of Eastern and Central Congo. However, the latest events only underscore the critical need for U.S. policy to focus on the protection of human rights, an end to impunity for gross abuses, and democratization in DROC. It has been precisely the lack of attention to these issues that fueled the conflicts throughout central Africa, and which now threaten the entire region.

Mr. President, let me take this opportunity to say unequivocally that I condemn actions by all the governments and other movements in the region to become involved in violent conflict in DROC. I am sorely disappointed that despite repeated efforts to discourage them, the governments of both Rwanda and Uganda sought early on to support the rebel movement. Now, the involvement of Zimbabwe, Angola and Namibia on the other side is no less constructive. In fact, we are now seeing an almost total regionalization of this conflict that risks bringing more and more African countries into it.

Clearly, this is no way to further the African ''renaissance'' that we had reason to believe was underway.

I hope the parties will quickly move to declare a cease-fire, and to try to negotiate an end to this terrible situation.

In the meantime, I thank the managers for the consideration of this amendment.

AMENDMENT NO. 3511

(Purpose: To prohibit assistance to the Palestinian Broadcasting Corporation)

At the appropriate place in the bill, insert the following:

SEC. . PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION.

None of the funds appropriated or otherwise made available by this Act may be used

to provide equipment, technical support, training, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation or any similar organization.

Mr. MCCONNELL. Mr. President, I ask unanimous consent a letter to Secretary Albright on the Palestinian Broadcasting Corporation be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, May 19, 1998.

Hon. MADELEINE K. ALBRIGHT,
Secretary of State, Department of State, Washington, DC.

DEAR SECRETARY ALBRIGHT: We are writing to bring to your attention the very troubling issue of the United States assisting foreign entities which promote an agenda hostile to the interests of our country. We cite the example of the Palestinian Broadcasting Corporation (PBC), which has been benefitting from U.S. assistance while engaging in a campaign in support of violence and hatred against the United States, our ally Israel, and the goal of peace in the Middle East.

As you well known, U.S. foreign assistance programs are designed to promote democratic ideals and respect for human rights. U.S. agencies which have distributed U.S. assistance, however, have failed at times to determine beforehand if the organizations they are funding promote these basic ideals. In the specific case of the PBC, it is apparent that neither USAID, which has provided hundreds of thousands of dollars via interagency agreements to engage in programs with the PBC and other media outlets, nor USIA/USIS Jerusalem, which has been the recipient of much of the funding, has assessed the value of these programs for U.S. interests in the Middle East.

Despite its awareness of the PBC's activities and the resulting harm to U.S. interests, USIA committed the U.S. to pay for two TVRO satellite dishes for the PBC's use in exchange for their commitment to use seven hours of Worldnet broadcasting a week. Although we commend efforts to further the reach of Worldnet, we are concerned that the PBC's letter of acceptance for the equipment does not stipulate which programming will be shown and during what time periods. In essennce, we provided the PBC with equipment that could be used to import broadcasts from Iraq, Iran, Libya and other nations hostile to the United States in exchange for a commitment to show a sporting event at 3:00 a.m.

It is our belief that the U.S. should support a free and independent media around the world. As USIA/USIS has recognized, however, the PBC is the official broadcasting arm of the Palestinian Authority, which is engaged in a campaign to restrict a free press and promote violent progaganda. The PBC consistently broadcasts programming that attempts to undermine all the United States seeks to achieve in the Middle East.

Madame Secretary, we ask you to formulate a clear U.S. policy to terminate U.S. taxpayer support for the PBC, while encouraging programs that promote genuine press freedoms by supporting independent journalists. We will be working in the Senate to implement such a policy and feel that a unified response on this important issue is warranted.

We thank you for your consideration of this issue and look forward to working with you to advance U.S. interests in the Middle East more effectively.

Sincerely,

Representative Michael P. Forbes, Representative Jon D. Fox, Representative Jim Saxton, Representative Vince Snowbarger, Representative John Shimkus, Representative Kay Granger, Representative Tom A. Coburn, Representative Todd Tiahrt, Representative Tom DeLay, Representative Frank R. Wolf, Representative Bob Franks, Representative Frank A. LoBiondo, Representative Dave Weldon, Representative Steve Chabot, Representative Michael Pappas, Representative Richard W. Pombo, Representative Kevin Brady.

Representative Brad Sherman, Representative Pete Sessions, Representative J.C. Watts, Jr., Representative Sue W. Kelly, Representative Bob Barr, Representative Ken Calvert, Representative Robert B. Aderholt, Representative Charles E. Schumer, Representative Martin Frost, Representative Michael R. McNulty, Representative Henry Hyde, Representative Charles T. Canady, Representative Roy Blunt, Representative Asa Hutchinson, Representative Phil English, Representative Richard K. Armey.

Senator John Ashcroft, Senator Arlen Specter, Senator Ben Nighthorse Campbell, Senator Jesse Helms, Senator Don Nickles, Senator Dan Coats, Senator Thad Cochran, Senator Ernest F. Hollings, Senator Wayne Allard, Senator James M. Inhofe, Senator Jeff Sessions, Senator Jon Kyl, Senator Alfonse M. D'Amato, Senator Sam Brownback, Senator Charles E. Grassley, Senator Dirk Kempthorne, Senator Olympia J. Snowe.

Senator Christopher S. Bond, Senator Susan M. Collins, Senator Mike DeWine, Senator Bob Smith, Senator Ron Wyden, Senator Harry Reid, Senator Larry E. Craig, Representative Jerry Weller, Representative Ileana Ros-Lehtinen, Representative Dan Burton, Senator Tim Hutchinson, Senator Paul Coverdell.

AMENDMENT NO. 3512

(Purpose: To support the Iraqi democratic opposition)

At the appropriate place in the bill insert the following:

''Notwithstanding any other provision of law, of the amounts made available under Title II of this Act, not less than $10,000,000 shall be made available only for assistance to the Iraqi democratic opposition for such activities as organization, training, communication and dissemination of information, and developing and implementing agreements among opposition groups; *Provided*, that any agreement reached regarding the obligation of funds under the previous proviso shall include provisions to ensure appropriate monitoring on the use of such funds; *Provided further* that of this amount not less than $3,000,000 shall be made available as a grant to Iraqi National Congress, to be administered by its Executive Committee for the benefit of all constituent groups of the Iraqi National Congress; provided further that of the amounts previously appropriated under section 10008 of Public Law 105–174 not less than $2,000,000 shall be made available as a grant to INDICT, the International Campaign to Indict Iraqi War Criminals, for the purpose of compiling information to support the indictment of Iraqi officials for war crimes; *Provided further* that of the amounts made available under this section, not less than $1,000,000 shall be made available as a grant to INDICT, the International Campaign to Indict Iraqi War Criminals, for the purpose of compiling information to support the indictment of Iraqi officials for war crimes; *Provided further* that of the amounts made available under this section, not less than $3,000,000 shall be made available only for the conduct of activities by the Iraqi democratic opposition inside Iraq; *Provided further* that within 30 days of enactment of this Act the Secretary of State shall submit a detailed report to the appropriate committees of Congress on implementation of this section.''

AMENDMENT NO. 3513

(Purpose: Relating to the trafficking in women and children)

At the appropriate place in the bill, insert the following:

SEC. . TRAFFICKING IN WOMEN AND CHILDREN.

The Secretary of State, in consultation with the Attorney General and appropriate nongovernmental organizations, shall—

(1) develop curricula and conduct training for United States consular officers on the prevalence and risks of trafficking in women and children, and the rights of victims of such trafficking; and

(2) develop and disseminate to aliens seeking to obtain visas written materials describing the potential risks of trafficking, including—

(A) information as to the rights of victims in the United States of trafficking in women and children, including legal and civil rights in labor, marriage, and for crime victims under the Violence Against Women Act; and

(B) the names of support and advocacy organizations in the United States.

AMENDMENT NO. 3514

(Purpose: To express the sense of Congress that information relevant to the December 2, 1980 assault and murder of four American churchwomen in El Salvador should be made public to the fullest extent possible and that circumstances under which any individuals involved in either the murders or the cover-up of the murders obtained residence in the United States be reviewed by the Attorney General)

At the appropriate place in the bill, insert the following:

SEC. ____. (a) FINDINGS.—Congress makes the following findings:

(1) The December 2, 1980 brutal assault and murder of four American churchwomen by members of the Salvadoran National Guard was covered up and never fully investigated;

(2) On July 22 and July 23, 1998, Salvadoran authorities granted three of the National Guardsmen convicted of the crimes early release from prison;

(3) The United Nations Truth Commission for El Salvador determined in 1993 that there was sufficient evidence that the Guardsmen were acting on orders from their superiors;

(4) In March 1998, four of the convicted Guardsmen confessed that they acted after receiving orders from their superiors;

(5) Recently declassified documents from the State Department show that United States Government officials were aware of information suggesting the involvement of superior officers in the murders;

(6) United States officials granted permanent residence to a former Salvadoran military official involved in the cover-up of the murders, enabling him to remain in Florida; and

(7) Despite the fact that the murders occurred over 17 years ago, the families of the four victims continue to seek the disclosure of information relevant to the murders.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) information relevant to the murders should be made public to the fullest extent possible;

(2) the Secretary of State and the Department of State are to be commended for fully releasing information regarding the murders to the victims' families and to the American public, in prompt response to Congressional requests;

(3) the President should order all other Federal agencies and departments that possess relevant information to make every effort to declassify and release to the victims'

families relevant information as expeditiously as possible;

(4) in making determinations concerning the declassification and release of relevant information, the Federal agencies and department should presume in favor of releasing, rather than of withholding, such information; and

(5) the President should direct the Attorney General to review the circumstances under which individuals involved in either the murders or the cover-up of the murders obtained residence in the United States, and the Attorney General should submit a report to the Congress on the results of such review not later than January 1, 1999.

Mr. LEAHY. Mr. President, this amendment expresses the sense of Congress that information relevant to the murders of four American churchwomen in El Salvador be made public to the fullest extent possible. My understanding is that it is acceptable to both sides.

It was 18 years ago, but the 1980 brutal murders of four American churchwomen by members of the Salvadoran National Guard is seared in our memory. Since that time the victims' families have sought answers to questions about the nuns' untimely deaths. Some have been answered, many have not. It is unfortunate that after so many years, it is still necessary to offer an amendment to urge the administration to release any information that would shed light on what happened in this case. It should have been done years ago.

To its credit, the State Department did promptly respond to Congressional requests and fully release information about these horrific crimes. Other agencies have not. Far too often in this case and others like it, the response to requests for information has come grudgingly, and then only in the form of heavily redacted documents with a few lines of practically meaningless text.

I appreciate the need to protect intelligence sources and methods, but these American citizens were murdered almost two decades ago.

For years there have been allegations and evidence to indicate that the National Guardsmen convicted of these crimes acted after receiving orders from their superiors.

In March 1998, after 14 years of silence, four of the convicted men confessed that this was the case. Recently, it has become known that even though U.S. officials had reason to believe these crimes were ordered and covered up by higher authorities, at least one of those Salvadoran officers was granted permanent residence and is reportedly living in Florida.

In addition to calling for the release of information, this amendment also directs the Attorney General to review the circumstances under which individuals connected with these crimes obtained residence in the United States. It is a tragic irony that with so many people legitimately seeking asylum upon our shores, we may have opened our doors to individuals who belong behind bars.

AMENDMENT NO. 3515

(Purpose: To require a consolidated report on all U.S. military training provided to foreign military personnel)

At the appropriate place in the bill add the following new section:

SEC. . (a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by January 31, 1999, a report on all overseas military training provided to foreign military personnel under programs administered by the Department of Defense and the Department of State during fiscal years 1998 and 1999, including those proposed for fiscal year 1999. This report shall include, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House.

Mr. DODD. Mr. President, as we consider the Foreign Operations Appropriations bill today, many of my colleagues may think that by reviewing the provisions of the bill with respect to funding for International Military Education and Training (IMET) they will have a full picture of the total U.S. spending for the training of foreign military personnel that is proposed for fiscal year 1999. Based on that review, they might conclude that the Administration will spend approximately $50 million for training of military personnel from some 113 countries, or roughly the same as has been spent on IMET during the current fiscal year. However, that conclusion would not be accurate.

While it is true that the Congress gets a very detailed accounting of the nature and level of IMET spending annually, a recent series of articles that appeared in the Washington Post revealed that a great deal more training of foreign military personnel was ongoing totally outside the framework of IMET programs.

The fact of the matter is that training of foreign military personnel is now being undertaken using funds from a variety of other accounts under the control of the State Department or the Defense Department. Some of these accounts have no reporting requirements associated with them and therefore little or no Congressional oversight is possible.

What is even more significant, is that more foreign military personnel may be being trained outside of the traditional framework of IMET programs than is within such programs. I do know for example that during Fiscal Year 1997 IMET funds were used to train approximately 192 Mexican Military Personnel—a modest number. During that same time period, so called Section 1004 authorized funds, paid for out of the Fiscal 1997 Defense Appropriations Act, were used to train some 829 Mexican military personnel—roughly four times as many individuals as were trained under the auspices of IMET.

Mr. President, I am one who believes that United States National interests can be served by U.S. training foreign military personnel on the appropriate roles for national militaries in civil society. However, I also believe that certain kinds of training are inappropriate for military institutions that may have poor track records with respect to respecting the human rights of their own citizens. It is imperative that the Department of Defense and State work closely together to ensure that the United States is conveying a consistent message with respect to United States policy as it undertakes various programs with foreign military leaders. I do not believe that currently enough consultation takes place in this regard.

At the moment, there is no single office or report that one can turn to obtain a comprehensive overview of the training that is ongoing abroad. It is for that reason that I have offered the pending amendment, which requires a detailed report on this issue. The amendment requires the Secretary of Defense and the Secretary of State to jointly provide to the Congress by January 31, 1999, a report on all overseas military training of foreign military personnel under programs administered by the Department of Defense and the Department of State during fiscal years 1998 and 1999, including those proposed for fiscal year 1999.

Specifically, the report would include the following for each such military training activity: a foreign policy justification and purpose for the activity; location and cost; the number of foreign students trained and their units of operation. The report would also identify the United States military units involved in the activities and an explanation of the benefits to United States personnel derived from each such training activity. If deemed necessary and appropriate, the report may include a classified annex.

If Congress is going to be able to carry out responsible oversight to taxpayer funded programs, such a report is vital. I also believe that such a report will be beneficial to Executive Branch officials and civilian government authorities in the countries where training is ongoing.

It is my understanding that the Administration has no opposition to this amendment. I urge its adoption.

AMENDMENT NO. 3516

(Purpose: To express the sense of Congress on the trial in the Netherlands of the suspects indicted in the bombing of Pan Am Flight 103)

At the appropriate place in the bill, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING THE TRIAL IN THE NETHERLANDS OF THE SUSPECTS INDICTED IN THE BOMBING OF PAN AM FLIGHT 103.

(a) FINDINGS.—Congress makes the following findings:

(1) On December 21, 1988, 270 people, including 189 United States citizens, were killed in a terrorist bombing on Pan Am Flight 103 over Lockerbie, Scotland.

(2) Britain and the United States indicted 2 Libyan intelligence agents—Abdel Basset Al-Megrahi and Lamen Khalifa Fhimah—in 1991 and sought their extradition from Libya to the United States or the United Kingdom to stand trial for this heinous terrorist act.

(3) The United Nations Security Council called for the extradition of the suspects in Security Council Resolution 731 and imposed sanctions on Libya in Security Council Resolutions 748 and 883 because Libyan leader, Colonel Muammar Qadaffi, refused to transfer the suspects to either the United States or the United Kingdom to stand trial.

(4) The sanctions in Security Council Resolutions 748 and 883 include a worldwide ban on Libya's national airline, a ban on flights into and out of Libya by other nations' airlines, a prohibition on supplying arms, airplane parts, and certain oil equipment to Libya, and a freeze on Libyan government funds in other countries.

(5) Colonel Qaddafi has continually refused to extradite the suspects to either the United States or the United Kingdom and has insisted that he will only transfer the suspects to a third and neutral country to stand trial.

(6) On August 24, 1998, the United States and the United Kingdom proposed that Colonel Qadaffi transfer the suspects to the Netherlands, where they would stand trial before a Scottish court, under Scottish law, and with a panel of Scottish judges.

(7) The United States-United Kingdom proposal is consistent with those previously endorsed by the Organization of African Unity, the League of Arab States, the Non-Aligned Movement, and the Islamic Conference.

(8) The United Nations Security Council endorsed the United States-United Kingdom proposal on August 27, 1998, in United Nations Security Council Resolution 1192.

(9) The United States Government has stated that this proposal is nonnegotiable and has called on Colonel Qadaffi to respond promptly, positively, and unequivocally to this proposal by ensuring the timely appearance of the two accused individuals in the Netherlands for trial before the Scottish court.

(10) The United States Government has called on Libya to ensure the production of evidence, including the presence of witnesses before the court, and to comply fully with all the requirements of the United Nations Security Council resolutions.

(11) Secretary of State Albright has said that the United States will urge a multilateral oil embargo against Libya in the United Nations Security Council if Colonel Muammar Qadaffi does not transfer the suspects to the Netherlands to stand trial.

(12) The United Nations Security Council will convene on October 30, 1998, to review sanctions imposed on Libya.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Colonel Qadaffi should promptly transfer the indicted suspects Abdel Basset Al-Megrahi and Lamen Khalifa Fhimah to the Netherlands to stand trial before the Scottish court;

(2) the United States Government should remain firm in its commitment not to negotiate with Colonel Qadaffi on any of the details of the proposal approved by the United Nations in United Nations Security Council Resolution 1192; and

(3) if Colonel Qadaffi does not transfer the indicted suspects Abdel Basset Al-Megrahi and Lamen Khalifa Fhimah to the Netherlands by October 29, 1998, the United States Permanent Representative to the United Nations should—

(A) introduce a resolution in the United Nations Security Council to impose a multilateral oil embargo against Libya;

(B) actively promote adoption of the resolution by the United Nations Security Council; and

(C) assure that a vote will occur in the United Nations Security Council on such a resolution.

Mr. LAUTENBERG. Mr. President, today, Senator KENNEDY and I join together, as we have in the past, in a ceaseless effort to provide some degree of justice for the families of the victims of the terrorist attack on Pan Am 103. This flight was brought down over Lockerbie, Scotland on December 21, 1988. 259 people on the plane and 11 others on the ground were killed. Most of the victims were Americans, making it the most fatal terrorist atrocity in American history.

Two Libyan security agents have been charged with this heinous crime. They must be held accountable before a United States or United Kingdom court. The United Nations Security Council has imposed sanctions in an effort to make this happen, but for years this has brought no results.

Recently, Secretary of State Albright proposed that the two suspects in the bombing of Pan Am 103 be tried in a Scottish court, under Scottish law, with a panel of Scottish judges, but physically located in the Netherlands. Libyan authorities have publicly accepted this proposal while calling for negotiations.

I remain skeptical of Libya's willingness to cooperate with the international community in bringing terrorists to justice. But I also remain hopeful that the families of the victims will soon be able to end their painful wait for justice. I therefore believe we should give this potential solution an opportunity to work, while remaining determined to see the indicted terrorists brought to trial.

The amendment we are introducing today therefore sets a reasonable time limit for action. It also calls for the imposition of additional multilateral sanctions measures, even including an embargo on oil exports, if Libya fails to turn over the bombing suspects for trial.

The families of the victims of the Pan Am 103 bombing understand that nothing will bring back their loved ones. Nothing we do here can change that. But by adopting this resolution today we send the clear message that we are determined to see justice served and we will continue to increase international pressure on Libya until that happens.

Mr. KENNEDY. Mr. President, I sent this amendment to the desk on behalf of myself and Senators LAUTENBERG, D'AMATO, and TORRICELLI.

Mr. President, ten years ago, in December 1988, 270 people, including 189 Americans were killed in the terrorist bombing of Pan Am Flight 103 over Lockerbie, Scotland. As a result of the intense and skillful investigation that followed, Britain and the United States indicted 2 Libyan intelligence agents.

The leader of Libya, Colonel Muammar Qadafi, refused to extradite the suspects to either the United States or the United Kingdom to stand trial. As a result, the international community, acting through the United Nations Security Council, imposed economic sanctions on Libya. The sanctions include a worldwide ban on Libya's national airline and a ban on flights into and out of Libya by the airlines of other nations. They also include a prohibition on supplying arms, airplane parts, and certain oil equipment to Libya, and a freeze on Libyan Government funds in other countries.

Despite these sanctions, Colonel Qadafi has refused to turn over the suspects to either the United States or the United Kingdom. He has said, however, that he will transfer them to a third country to stand trial.

A week ago, in a major development in this case, the United States and the United Kingdom proposed that Colonel Qadafi transfer the suspects to the Netherlands to stand trial before a Scottish court, under Scottish law, and with a panel of Scottish judges. Last Thursday, the United Nations Security Council endorsed this proposal and called on Colonel Qadafi to transfer the suspects promptly.

The Administration has told Colonel Qadafi that this is a take-it-or-leave-it proposal and that it is non-negotiable. Secretary of State Albright has said that the United States will urge a worldwide oil embargo against Libya in the United Nations Security Council if Colonel Qadafi rejects this offer and refuses to transfer the suspects to the Netherlands to stand trial. The Security Council is scheduled to conduct the next periodic review of Libyan sanctions on October 30. All of us hope that Colonel Qadafi will accept this plan before that date.

To send a clear message to Colonel Qadafi, this resolution calls on him to transfer the indicted suspects to the Netherlands promptly, so that they can stand trial before the Scottish court in the Netherlands. The resolution supports the commitment by the United States Government not to negotiate with Colonel Qadafi on the details of the proposal. If Colonel Qadafi fails to transfer the suspects to the Netherlands before the end of October, the resolution calls on the United States Permanent Representative to the United Nations to introduce a resolution in the Security Council to impose a worldwide embargo against Libya and actively seeks its enactment.

The families of the victims of Pan Am 103 have waited too long for justice. The Administration's plan is a reasonable opportunity to end the long

impasse over these suspects, and achieve a significant victory in the ongoing battle against international terrorism.

I urge my colleagues to approve this resolution.

AMENDMENT NO. 3517

(Purpose: Relating to the development of a new strategy for United States bilateral assistance for Nigeria)

At the appropriate place in the bill, insert the following:

SEC. ___. DEVELOPMENT ASSISTANCE IN NIGERIA.

(a) FINDINGS.—Congress makes the following findings:

(1) The bilateral development assistance program in Nigeria has been insufficiently funded and staffed, and the United States has missed opportunities to promote democracy and good governance as a result.

(2) The recent political upheaval in Nigeria necessitates a new strategy for United States bilateral assistance program in that country that is focused on promoting a transition to democracy.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President, acting through the United States Agency for International Development, should—

(1) develop a new strategy for United States bilateral assistance for Nigeria that is focused on the development of civil society and the rule of law and that involves a broad cross-section of Nigerian society but does not provide for any direct assistance to the Government of Nigeria, other than humanitarian assistance, unless and until that country successfully completes a transition to civilian, democratic rule;

(2) increase the number of United States personnel at such Agency's office in Lagos, Nigeria, from within the current, overall staff resources of such Agency in order for such office to be sufficiently staffed to carry out paragraph (1); and

(3) consider the placement of such Agency's personnel elsewhere in Nigeria.

(c) REPORT.—Not later than 90 days after the date of enactment of this Act, the President, acting through the United States Agency for International Development, shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report on the strategy developed under subsection (b)(1).

Mr. FEINGOLD. Mr. President, I am pleased that the managers of the foreign operations appropriations bill have agreed to accept my amendment regarding development assistance to Nigeria.

My amendment expresses the sense of the Senate that the assistance program in Nigeria has not been sufficient and should be expanded, and that the recent political upheaval in the country requires a new strategy for development assistance. The amendment specifies that no direct aid shall be provided to the government ''unless and until that country successfully completes a transition to civilian, democratic rule.'' It also encourages the development of a more robust presence in Nigeria, including placing development personnel outside of Lagos, the capital. Finally, it requires the President to submit a report to Congress on the new strategy.

This amendment reiterates part of the basic policy expressed in a bill I introduced earlier this year, S. 2102, the Nigeria Democracy and Civil Society Empowerment Act of 1998. That bill declares that the United States should encourage the political, economic and legal reforms necessary to ensure the rule of law and respect for human rights in Nigeria and should aggressively support a timely and effective transition to democratic, civilian government for the people of Nigeria. The bill codifies many existing sanctions, authorizes the President to impose new sanctions if conditions sour in Nigeria, and would provide for $37 million in development assistance over three years to support democracy and governance programs and the activities of the U.S. Information Agency.

My amendment would pick up on the development assistance provisions of S. 2102 without specifying an amount. Like S. 2102, this amendment authorizes no new money. All spending in Nigeria would come out of existing USAID appropriations.

The United States Agency for International Development has already, correctly, noted that its program in Nigeria needs considerable re-thinking. It recently submitted a notification to certain congressional committees for some $5 million to support an immediate and effective transition to democracy. But activities under this notification were not fully defined, and approval would have granted USAID broad leeway in its budgeting for this project, so the Congress has asked USAID to provide additional details.

My amendment would require the administration to submit a report with a more defined strategy for its Nigeria program within 90 days of enactment of the Foreign Operations bill. I would hope that the preparation of this report will help the administration focus its development efforts in Nigeria, so that we do not receive such vague notifications in the future.

With the replacement of longtime ruler General Abacha by the current military leader, Gen. Abdulsalam Abubakar, there has been reason to be optimistic about Nigeria's future. Although General Abubakar has not yet moved to repeal the repressive decrees that place severe restrictions on the basic freedoms of Nigerians, he has taken some positive steps, including the release of several prominent political prisoners, and has indicated a willingness to move his country once and for all in the direction of democracy. But he had yet to deal with some of the more vexing issues related to such a transition, which were further complicated by the untimely death last May of Chief Moshood Abiola, the presumed winner of the 1993 elections.

These are not easy times in Nigeria, nor for U.S.-Nigeria relations. As the Ranking Member of the Senate Subcommittee on Africa, and as someone who has watched Nigeria over the past several years, I look forward to working with the administration on the development of a coherent Nigeria policy, beginning with a more robust development assistance presence.

AMENDMENT NO. 3518

(Purpose: To improve the prohibition on United States arms export transactions to foreign governments that do not cooperate fully with United States antiterrorism efforts)

At the appropriate place in the bill, insert the following:

SEC. ___. Section 40A of the Arms Export Control Act (22 U.S.C. 2781) is amended—

(1) in subsection (a), by striking ''that the President'' and all that follows and inserting ''unless the President determines and certifies to Congress for purposes of that fiscal year that the government of the country is cooperating fully with the United States, or is taking adequate actions on its own, to help achieve United States antiterrorism objectives.'';

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after subsection (a), as so amended, the following new subsections (b), (c), and (d):

''(b) REQUIREMENT FOR CONTINUING COOPERATION.—(1) Notwithstanding the submittal of a certification with respect to a country for purposes of a fiscal year under subsection (a), the prohibition in that subsection shall apply to the country for the remainder of that fiscal year if the President determines and certifies to Congress that the government of the country has not continued to cooperate fully with United States, or to take adequate actions on its own, to help achieve United States antiterrorism objectives.

''(2) A certification under paragraph (1) shall take effect on the date of its submittal to Congress.

''(c) SCHEDULE FOR CERTIFICATIONS.—(1) The President shall, to the maximum extent practicable, submit a certification with respect to a country for purposes of a fiscal year under subsection (a) not later than September 1 of the year in which that fiscal year begins.

''(2) The President may submit a certification with respect to a county under subsection (a) at any time after the date otherwise specified in paragraph (1) if the President determines that circumstances warrant the submittal of the certification at such later date.

''(d) CONSIDERATIONS FOR CERTIFICATIONS.—In making a determination with respect to the government of a country under subsection (a) or subsection (b), the President shall consider—

''(1) the government's record of—

''(A) apprehending, bringing to trial, convicting, and punishing terrorists in areas under its jurisdiction;

''(B) taking actions to dismantle terrorist organizations in areas under its jurisdiction and to cut off their sources of funds;

''(C) condemning terrorist actions and the groups that conduct and sponsor them;

''(D) refusing to bargain with or make concessions to terrorist organizations;

''(E) isolating and applying pressure on states that sponsor and support terrorism to force such states to terminate their support for terrorism;

''(F) assisting the United States in efforts to apprehend terrorists who have targeted United States nationals and interests;

''(G) sharing information and evidence with United States law enforcement agencies during the investigation of terrorist attacks against United States nationals and interests;

''(H) extraditing to the United States individuals in its custody who are suspected of participating in the planning, funding, or

conduct of terrorist attacks against United States nationals and interests; and

''(I) sharing intelligence with the United States about terrorist activity, in general, and terrorist activity directed against United States nationals and interests, in particular; and

''(2) any other matters that the President considers appropriate.''; and

(4) in subsection (e), as so redesignated, by striking ''national interests'' and inserting ''national security interests''.

Mr. MCCONNELL. Mr. President, Senator LEAHY and I have cleared this block of amendments.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendments.

The amendments (Nos. 3510 through 3518), en bloc, were agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. TORRICELLI. Mr. LEAHY, I know that you join me in welcoming the progress that the citizens of Northern Ireland and the Republic have made toward implementing a peace agreement. I would like to thank you and the members of the Appropriations Committee for the tremendous work you have done this year, including funding the International Fund for Ireland (IFI) at the full amount President Clinton requested in FY 1999. At this critical point in time, this Senate, and the United States as a whole, must begin to study our relationship with Northern Ireland and do our best to ensure that peace takes hold in the region. Dramatic cuts in the budget, particularly foreign aid, have made this task more challenging. Understanding both the need to support peace in Northern Ireland and dealing with budget cuts, I would like to request your support for consideration of adding any additional funding to the IFI, should it become available at a later time. It is important that we consider ways to meet the needs of the people of Northern Ireland and the Republic, and I hope you will join me in this effort.

Mr. LEAHY. As a fellow supporter of the peace process in Northern Ireland, I want to assure you that, should additional funds become available at a later date, we will consider increasing the amount available to the IFI.

Mr. D'AMATO. Mr. Chairman, I would like to join my colleague in expressing my support for the work the Appropriations Committee has done this year. It is important that we maintain our strong support for Northern Ireland and the Republic, and the funds made available to the IFI in the upcoming fiscal year are a critical step. In the wake of the passage of the Good Friday Accords, I have been working with Senator TORRICELLI over the past several months to determine a method that will best express the United States' support for peace in Northern Ireland. At this point in time, I would like to request your support for consideration of additional funding to the IFI, should it become available in the future.

Mr. MCCONNELL. I join Mr. LEAHY in assuring you that we will consider adding funds to the IFI, should they become available at a later date, so that we may bolster peace in the region.

Mr. BINGAMAN. Mr. President, I am very concerned about a provision in the FY 1999 Foreign Operations, Export Financing, and Related Programs Appropriation bill regarding military assistance for the Baltic nations that, according to the Committee report, is intended to accelerate the integration of the Baltic States into NATO. Although the Administration has assured the Congress that consideration of the Baltic nations for membership in NATO would proceed in a deliberate fashion in consultation with our NATO allies subject to the procedures already established, designating military assistance to the Baltic nations in accordance with the language contained in the Committee report would circumvent those assurances. I wish to advise my colleagues that the allocation of any military assistance provided in this bill to the Baltic nations will not assure their admission into NATO.

Mr. President, I recall that during the recent debate on enlarging NATO last April, many senators expressed their concern about extending our military commitments beyond the limits which are already straining our ability to meet worldwide contingencies. I believe that providing military assistance to the Baltic nations in order to accelerate their membership into NATO could lead us into a de facto security commitment to that region that might strain our resources even further, and therefore, be harmful to our national security interests as well as those of our NATO allies. Many of my colleagues here in the Senate as well as the distinguished Dr. Henry Kissinger who testified last spring before the Armed Services Committee question our ability to respond effectively to military contingencies in the Baltic region.

In addition, Mr. President, I am very concerned about the state of relations between the United States and Russia at this vulnerable time in international relations. Providing military assistance to the Baltic nations for the express reason of accelerating their membership in NATO is likely to exacerbate the uneasy state of our relations with the current Russian government as well as many influential Russian leaders who oppose that nation's current leadership. I do not believe it is in our interest to create unnecessarily greater difficulties with Russia than we already have. I believe this provision of the bill as discussed in the Committee report could cause significant problems with Russia and unfounded expectations among the Baltic nations for whom there is no assured membership in NATO.

I have spoken with Senators LEAHY, HUTCHISON, and ROBERTS about my concerns and they share these sentiments.

Mr. LEAHY. Thank you, Senator BINGAMAN. I too am concerned that providing military assistance to the Baltic nations with the expressed intent to accelerate their membership into NATO is premature and should not prejudice consideration for their membership into NATO when a decision to do so might occur.

Mrs. HUTCHISON. Mr. President, I agree with my colleagues on this very important national security issue. In particular, I agree that the words in the Committee report for this bill should not be taken to mean that membership in NATO by the Baltic states is going to be considered until there is a complete debate on the matter, that the Senate's responsibility for advice and consent on treaties is in any way predetermined in the case of the Baltic countries.

Mr. ROBERTS. Thank you, Mr. President. I would like to add my reservations to those of my colleagues. I am very concerned about overextending our military commitments without sufficient resources to handle the additional tasks we might assume. Enlarging NATO should be a step by step deliberate process that should not be circumvented in any way.

Mr. BINGAMAN. I appreciate the supportive words of my colleagues on this important matter of national security.

PRIVILEGE OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent Joan Wadelton, a State Department fellow on the staff of the Committee on Foreign Relations, be accorded the privilege of the floor during the pendency of S. 2334.

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

The Senator from Kentucky.

Mr. MCCONNELL. I know both Senators from New Jersey are anxious to make a statement on another matter, but Senator LEAHY and I now have a finite list of amendments which we believe will bring us to final passage.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

CONGRATULATING THE TOMS RIVER EAST AMERICAN LITTLE LEAGUE TEAM

Mr. LAUTENBERG. Mr. President, I thank the manager and ranking member on the Foreign Operations Subcommittee for giving us these few minutes of time. This is kind of a happy moment in New Jersey. One of our communities, Toms River, has produced a special group of young people who have won the Little League World Series. I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.