

106TH CONGRESS  
1ST SESSION

# H. R. 2895

To impose an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have been implemented, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 1999

Mr. KENNEDY of Rhode Island (for himself, Mrs. LOWEY, Mr. BROWN of Ohio, Mr. DELAHUNT, Mr. FARR of California, Ms. ESHOO, Mr. MCGOVERN, Mr. FALEOMAVAEGA, Ms. PELOSI, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To impose an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have been implemented, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “East Timor Self-Deter-  
5 mination Act of 1999”.

1 **SEC. 2. FINDING; PURPOSE.**

2 (a) CONGRESSIONAL FINDING.—Congress recognizes  
3 that the Government of Indonesia took a positive and con-  
4 structive step by agreeing on September 12, 1999, to the  
5 deployment of an international peacekeeping force to East  
6 Timor.

7 (b) PURPOSE.—The purpose of this Act is to encour-  
8 age the Government of Indonesia to take such additional  
9 steps as are necessary to create a peaceful environment  
10 in which the United Nations Assistance Mission in East  
11 Timor (UNAMET) can fulfill its mandate and implement  
12 the results of the August 30, 1999, vote on East Timor’s  
13 political status.

14 **SEC. 3. SUSPENSION OF ECONOMIC ASSISTANCE.**

15 (a) MULTILATERAL ECONOMIC ASSISTANCE.—

16 (1) IN GENERAL.—Except as provided in sub-  
17 section (c), the Secretary of the Treasury shall in-  
18 struct the United States executive directors to the  
19 international financial institutions to oppose, and  
20 vote against, any extension by those institutions of  
21 any financial assistance (including any technical as-  
22 sistance or grant) of any kind to the Government of  
23 Indonesia.

24 (2) SENSE OF CONGRESS.—It is the sense of  
25 Congress that the international financial institutions  
26 should withhold the balance of any undisbursed ap-

1       proved loans or other assistance to the Government  
2       of Indonesia.

3           (3) INTERNATIONAL FINANCIAL INSTITUTIONS  
4       DEFINED.—In this subsection, the term “inter-  
5       national financial institution” includes the Inter-  
6       national Monetary Fund, the International Bank for  
7       Reconstruction and Development, the International  
8       Development Association, the International Finance  
9       Corporation, the Multilateral Investment Guaranty  
10      Agency, and the Asian Development Bank.

11      (b) RESTRICTION ON BILATERAL ECONOMIC ASSIST-  
12      ANCE.—Except as provided in subsection (c), none of the  
13      funds appropriated or otherwise made available to carry  
14      out chapter 1 of part I (relating to development assist-  
15      ance) or chapter 4 of part II (relating to economic support  
16      fund assistance) of the Foreign Assistance Act of 1961  
17      may be available for Indonesia, except subject to the pro-  
18      cedures applicable to reprogramming notifications under  
19      section 634A of that Act.

20      (c) EXCEPTION.—Subsections (a) and (b) shall not  
21      apply to the provision of humanitarian assistance (such  
22      as food or medical assistance) to Indonesia or East Timor.

23      (d) CONDITIONS FOR TERMINATION.—The measures  
24      described in subsections (a) and (b) shall apply until the  
25      President determines and certifies to the appropriate con-

gressional committees that the Government of Indonesia is cooperating with efforts by the international community to establish a safe and secure environment in East Timor and is taking significant steps to—

(1) end the violence perpetrated by units of the Indonesian armed forces and by armed militias opposed to the independence of East Timor;

(2) enable displaced persons and refugees to return home;

(3) ensure freedom of movement within East Timor, including access by humanitarian organizations to all areas of East Timor; and

(4) enable UNAMET to resume its mandate, without threat or intimidation to its personnel.

#### **SEC. 4. SUSPENSION OF SECURITY ASSISTANCE.**

(a) PROHIBITIONS ON COOPERATION AND SUPPORT.—

(1) ASSISTANCE.—None of the funds appropriated or otherwise made available under the following provisions of law (including unexpended balances of prior year appropriations) may be available for Indonesia:

(A) The Foreign Military Financing Program under section 23 of the Arms Export Control Act.

1 (B) Chapter 2 of part II of the Foreign  
2 Assistance Act of 1961 (relating to military as-  
3 sistance).

4 (C) Chapter 5 of part II of the Foreign  
5 Assistance Act of 1961 (relating to inter-  
6 national military education and training assist-  
7 ance).

8 (2) LICENSING.—None of the funds appro-  
9 priated or otherwise made available under the fol-  
10 lowing provisions of law (including unexpended bal-  
11 ances of prior year appropriations) may be available  
12 for licensing exports of defense articles or defense  
13 services to Indonesia under section 38 of the Arms  
14 Export Control Act.

15 (3) DELIVERIES.—No defense article or defense  
16 service may be exported or delivered to Indonesia or  
17 East Timor by any United States person (as defined  
18 in section 16 of the Export Administration Act of  
19 1979 (50 U.S.C. app. 2415) or any other person  
20 subject to the jurisdiction of the United States ex-  
21 cept as may be necessary to support the operations  
22 of an international peacekeeping force in East Timor  
23 or in connection with the provision of humanitarian  
24 assistance.

1 (b) CONDITIONS FOR TERMINATION.—The measures  
2 described in subsection (a) shall apply with respect to the  
3 Government of Indonesia until the President determines  
4 and certifies to the appropriate congressional committees  
5 that—

6 (1) a generally safe and secure environment ex-  
7 ists in East Timor, including—

8 (A) an end to the violence perpetrated by  
9 units of the Indonesian armed forces and by  
10 armed militias opposed to the independence of  
11 East Timor;

12 (B) the ability of displaced persons and  
13 refugees to return home;

14 (C) freedom of movement within East  
15 Timor, including access by humanitarian orga-  
16 nizations to all areas of East Timor; and

17 (D) the ability of UNAMET to resume its  
18 mandate, without threat or intimidation to its  
19 personnel;

20 (2) the armed forces of Indonesia clearly—

21 (A) have ceased engaging in violence in  
22 East Timor;

23 (B) have ceased their support and training  
24 of armed militias opposed to the independence  
25 of East Timor; and

1 (C) are withdrawing their forces from East  
2 Timor in cooperation with a United Nations-su-  
3 pervised process of transferring sovereignty  
4 from Indonesia to an independent East Timor;  
5 and

6 (3) significant steps have been taken to imple-  
7 ment the results of the August 30, 1999, vote on  
8 East Timor’s political status, which expressed the  
9 will of a majority of the Timorese people.

10 **SEC. 5. MULTILATERAL EFFORTS.**

11 The President should continue to coordinate with  
12 other countries, particularly member states of the Asia-  
13 Pacific Economic Cooperation (APEC) Forum, to develop  
14 a comprehensive, multilateral strategy to further the pur-  
15 poses of this Act, including urging other countries to take  
16 measures similar to those described in this Act.

17 **SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
18 **FINED.**

19 In this Act, the term “appropriate congressional com-  
20 mittees” means the Committee on Foreign Relations and  
21 the Committee on Appropriations of the Senate and the  
22 Committee on International Relations and the Committee  
23 on Appropriations of the House of Representatives.

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