

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived and passed, the Senate is in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:46 p.m., recessed; whereupon, at 2:15 p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

BANKRUPTCY REFORM ACT OF 1999—Continued

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Wellstone amendment No. 2537 to S. 625. Under the previous agreement, there will be 5 minutes equally divided.

Who yields time?

Mr. WELLSTONE. Mr. President, I wonder whether I could ask unanimous consent that the vote be first on the payday amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WELLSTONE. I thank my colleagues. I thank Senator GRASSLEY from Iowa.

AMENDMENT NO. 2538

The PRESIDING OFFICER. If the Senator will yield for a moment, the question is on agreeing to the motion to table amendment No. 2538 by Senator WELLSTONE.

Mr. WELLSTONE. I thank the Chair.

Mr. President and colleagues, I was on the floor earlier talking about this whole problem of payday amendments, payday loans, and car title pawns. To make a long story short, it is a very unscrupulous practice. You have targets of low-income, you have targets of women, you have targets of seniors who basically get a loan because of something that happened in the family—medical emergency, you name it, for \$100, \$200. It is rolled over and over again. They can end up being charged 300, 400, or 500 percent a year—or a lien can be put on their car. The car can be repossessed and sold. There isn't a requirement in many States that these families at least get back what they no longer owe to these creditors. I don't know why, when it comes to bankruptcy, those lenders who in good faith have provided loan money to people should be crowded out.

This amendment simply says if you are charging over 100 percent in annual interest on a loan and the borrower goes bankrupt, you cannot make a claim on that loan or the fees from that loan.

This is all about whether we are on the side of a lot of vulnerable citizens—on the side of single parents, families, women, on the side of moderate-income citizens—or on the side of these loan sharks.

This amendment, I believe, should get a huge vote. Every consumer organization is for this amendment, and many other organizations representing

women and labor and low- and moderate-income people are for this amendment. I certainly hope the Senate will vote for this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Senator from Minnesota is asking the Senate to put these provisions in law in the bankruptcy code for loans that are legal under State law.

He would have this done in two ways: No. 1, he would say that the State judges could not enforce these debt collections; and, No. 2, he would say that in bankruptcy it could not be recovered in bankruptcy.

First of all, these are legal contractual relations. They are legal under State law. So it ought to be questioned whether or not the Senate of the United States or the legislatures of Minnesota and Iowa ought to be making these determinations. It is my judgment that we should not use the bankruptcy code to upset the legal bankruptcy laws of the respective States.

I ask my colleagues to vote this amendment down.

Mr. WELLSTONE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 18 seconds remaining.

Mr. WELLSTONE. Mr. President, I want to point out to my colleagues that a lot of these unscrupulous credit companies get around State regulations and protections through Federal law. A lot of them are chartered by Federal law.

So it is certainly appropriate to take this action if we want to protect consumers and not be on the side of these loan sharks.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. I yield my time.

The PRESIDING OFFICER. All time is yielded. The vote will now occur on the tabling motion.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table amendment No. 2538. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FITZGERALD (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from New Hampshire (Mr. GREGG) and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 1 Leg.]

YEAS—53

Abraham	Bennett	Bunning
Allard	Bond	Burns
Ashcroft	Brownback	Campbell

Chafee	Hatch	Roth
Cochran	Helms	Santorum
Collins	Hutchinson	Sessions
Coverdell	Hutchison	Shelby
Craig	Inhofe	Smith (NH)
Crapo	Johnson	Smith (OR)
DeWine	Kyl	Snowe
Domenici	Lincoln	Specter
Enzi	Lott	Stevens
Frist	Lugar	Thomas
Gorton	Mack	Thompson
Gramm	McConnell	Thurmond
Grams	Murkowski	Voinovich
Grassley	Nickles	Warner
Hagel	Roberts	

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Jeffords	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

ANSWERED "PRESENT"—1

Fitzgerald

NOT VOTING—2

Gregg McCain

The motion was agreed to.

AMENDMENT NO. 2537, WITHDRAWN

Mr. WELLSTONE. Mr. President, I ask unanimous consent to withdraw amendment No. 2537.

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

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2667

(Purpose: To encourage the democratically elected government of Indonesia and the armed forces of Indonesia to take such additional steps as are necessary to create a peaceful environment in which the results of the August 30, 1999, vote on East Timor's political status can be implemented)

Mr. FEINGOLD. Mr. President, I call up amendment No. 2667.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 2667.

Mr. FEINGOLD. 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:

TITLE —EAST TIMOR SELF-DETERMINATION ACT OF 1999

SEC. 01. SHORT TITLE.

This title may be cited as the "East Timor Self-Determination Act of 1999".

SEC. 02. FINDINGS; PURPOSE; SENSE OF SENATE.

(a) CONGRESSIONAL FINDINGS.—

(1) On August 30, 1999, in accordance with the May 5, 1999, agreement between Indonesia and Portugal brokered by the United Nations, and subsequent agreements between the United Nations and the governments of Indonesia and Portugal, a popular consultation took place, in which 78.5 percent of East Timorese rejected integration with Indonesia, setting the stage for a transition to independence pursuant to the terms of the May 5, 1999, agreement.

(2) On October 19, 1999, the Indonesian People's Consultative Assembly agreed to ratify the August 30, 1999, vote results, leading the United Nations Security Council, on October 25, 1999, to authorize a United Nations Transitional Administration in East Timor (UNTAET), which was to include deployment of an international police and military force with up to 1,640 officers and 8,950 troops.

(3) The United Nations Commission on Human Rights, in a special session meeting on September 27, 1999, called on the United Nations Secretary General to establish an international commission of inquiry to investigate violations of human rights in East Timor, and urged the cooperation of the Indonesian government and military.

(4) The Secretary General subsequently directed Mary Robinson, the United Nations High Commissioner on Human Rights, to appoint a United Nations commission on October 15, 1999, which is due to report its conclusion to the Secretary General by December 31, 1999.

(5) The Indonesian People's Consultative Assembly on October 20, 1999, chose Abdurrahman Wahid as President of the Republic of Indonesia and the next day also chose as Vice President, Megawati Soekarnoputri.

(6) President Wahid has invited Xanana Gusmao to meet and has written to the United Nations Secretary General officially informing him of the decision to end Indonesia's administration of East Timor, and of East Timor's independence, and expressing his hope "that East Timor will become an independent state".

(7) As of late October 1999, according to United Nations officials and other independent observers, more than 200,000 East Timorese remain displaced in camps in West Timor and elsewhere in Indonesia, under constant threat by civilian militia and in some cases denied access to assistance by the United Nations humanitarian agencies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should congratulate the people of Indonesia on its democratic transition and welcome the efforts of the new Indonesian government to bring a peaceful end to the crisis in East and West Timor;

(2) the results of the August 30, 1999, vote on East Timor's political status, which expressed the will of a majority of the Timorese people, should be fully implemented;

(3) economic recovery in Indonesia is essential to political and economic stability in the region; and

(4) the President, the Secretary of State, the Secretary of the Treasury, and Congress should work with the people of Indonesia to restore Indonesia's economic vitality.

(c) PURPOSE.—The purpose of this Act is to encourage the government of Indonesia and the armed forces of Indonesia to take such additional steps as are necessary to create a peaceful environment in which the United Nations Assistance Mission to East Timor (UNAMET), the International Force for East Timor (INTERFET), and the United Nations Transitional Administration in East Timor (UNTAET) can fulfill their mandates and implement the results of the August 30, 1999, vote on East Timor's political status.

SEC. 3. SUSPENSION OF SECURITY ASSISTANCE.

(a) SUSPENSION 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.

(B) Chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance).

(C) Chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training assistance).

(D) Section 2011 of title 10, United States Code.

(2) LICENSING.—None of the funds appropriated or otherwise made available under any provision of law (including unexpended balances of prior year appropriations) may be available for licensing exports of defense articles or defense services to Indonesia under section 38 of the Arms Export Control Act.

(3) EXPORTATION.—No defense article or defense service may be exported or delivered to Indonesia or East Timor by any United States person (as defined in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415)) or any other person subject to the jurisdiction of the United States except as may be necessary to support the operations of an international peacekeeping force in East Timor or in connection with the provision of humanitarian assistance.

(4) PROHIBITION ON PARTICIPATION IN ASIA-PACIFIC CENTER FOR SECURITY STUDIES.—Programs of the Asia-Pacific Center for Security Studies may not include participants who are members of the armed forces of Indonesia or any representatives of the armed forces of Indonesia.

(5) PROHIBITION ON ASSISTANCE THROUGH MILITARY-TO-MILITARY CONTACTS.—The authority for military-to-military contacts and comparable activities under section 168 of title 10, United States Code, may not be exercised in a manner that provides any assistance to the government or armed forces of Indonesia.

(b) INAPPLICABILITY TO CERTAIN ITEMS AND SERVICES ON THE UNITED STATES MUNITIONS LIST.—Paragraphs (2) and (3) of subsection (a) do not apply to the export, delivery, or servicing of any item or service that, while on the Commerce Control List of dual-use items in the Export Administration Regulations, was licensed by the Department of Commerce for export to Indonesia but is in a category of items or services that, within two years before the date of the enactment of this Act, was transferred by law to the United States Munitions List for control under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

(c) CONDITIONS FOR TERMINATION.—Subject to subsection (b), the measures described in subsection (a) shall apply with respect to the government and armed forces of Indonesia until the President determines and certifies to the appropriate congressional committees that the Indonesian government and the Indonesian armed forces are—

(1) taking effective measures to bring to justice members of the Indonesian armed forces and militia groups against whom there is credible evidence of human rights violations;

(2) demonstrating a commitment to accountability by cooperating with investigations and prosecutions of members of the Indonesian armed forces and militia groups responsible for human rights violations in Indonesia and East Timor;

(3) taking effective measures to bring to justice members of the Indonesian armed forces against whom there is credible evidence of aiding or abetting militia groups;

(4) allowing displaced persons and refugees to return home to East Timor, including providing safe passage for refugees returning from West Timor;

(5) not impeding the activities of the International Force in East Timor (INTERFET) or its successor, the United Nations Transitional Administration in East Timor (UNTAET);

(6) ensuring freedom of movement in West Timor, including by humanitarian organizations; and

(7) demonstrating a commitment to preventing incursions into East Timor by members of militia groups in West Timor.

SEC. 4. MULTILATERAL EFFORTS.

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

SEC. 5. REPORT.

Not later than 30 days after the date of enactment of this Act, and every 6 months thereafter until the end of the UNTAET mandate, the Secretary of State shall submit a report to the appropriate congressional committees on the progress of the Indonesian government toward the meeting the conditions contained in paragraphs (1) through (7) of section 3(c) and on the progress of East Timor toward becoming an independent nation.

SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

Mr. FEINGOLD. Mr. President, as I understand it, I have 30 minutes under my control for purposes of this amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. FEINGOLD. I thank the Chair. I intend to withdraw this amendment after I and other Senators interested in the amendment have had a chance to talk within the 30-minute period.

As I said late last year, this amendment is considerably different from my original bill, S. 1568, the East Timor Self-Determination Act. I made significant alterations to it in order to respond to changing events and the concerns of other Senators and the administration.

My amendment would have suspended all military and security assistance to Indonesia until clear steps had been taken to stop the harassment of East Timorese refugees, to end the collusion between violent militia groups and the Indonesian military, and to hold those responsible for recent atrocities accountable for their actions.

My amendment would have put this body on the record in recognition of the need to use United States military and security assistance responsibly in Indonesia.

My original bill, which passed the Foreign Relations Committee on September 27 by an overwhelming vote of 17-1, was introduced in the wake of the violence that erupted after the results of East Timor's historic referendum were announced on September 4. It was cosponsored by the chairman of the Foreign Relations Committee, the distinguished Senator from North Carolina, as well as many other Members of the Senate.

I took that action, in cooperation with my colleagues, because events in East and West Timor demanded it.

While I am very pleased to have the opportunity to finally call up my legislation on the Senate floor, it is unfortunate that this is being squeezed in to a debate on the bankruptcy bill rather than standing alone. It is unfortunate that we are here debating this amendment more than 4 months after the events in East Timor that gave rise to it. It is unfortunate and it is inappropriate, because the events in East Timor that originally cried out for this legislation are deadly serious. And the encouraging events that justified changes in the legislation are critically important. Both deserved thoughtful consideration from the Senate.

On August 30, well over 99 percent of registered voters in East Timor courageously came to the polls to express their will regarding the political status of that territory.

More than 78 percent of those voters marked their ballot in favor of independence.

But weeks of violence dampened the jubilation that immediately followed the vote, as the Indonesian military—a military that the United States has long supported—colluded with militia groups in waging a scorched earth campaign throughout the territory.

Thousands of people were forced to leave, and many were killed.

But for the East Timorese run out of their homes in the fray, the nightmare did not end there.

Just days ago, the Independent newspapers of London reported on the horrible conditions in the remaining refugee camps in West Timor. In one part of West Timor, UNICEF has found that 25 percent of refugee children are malnourished.

To this day, militia members harass and intimidate East Timorese in West Timor's refugee camps. According to the United Nations High Commissioner for Refugees, between 100,000 and 150,000 refugees remain, in many cases against their will, in the refugee camps.

But some will say that we should remain silent on these matters, and continue to let events in Timor and Indonesia unfold without comment. Some will say that the time for action has passed. They will point to the recent democratic elections in Indonesia, and to the Indonesian government's stated willingness to accept the results of the August 30 ballot. They will note the many encouraging steps that President

Wahid has taken in the direction of reform. And they will point to President Wahid's most recent, public commitment to holding military officers accountable for their actions—actions now described in both Indonesian and U.N. investigations.

They are right to emphasize the positive signals coming from the new government, and they are right to point out that the situation in Indonesia has changed significantly in the past four months. I recognize those changes, and I have tried to respond to them as my legislation has wended its way through this body.

Make no mistake—the Indonesians were aware of the original legislation. And over the last few months they have undoubtedly taken note of the changes that were made in this amendment—changes that sent a clear signal that the United States recognizes that the government of Indonesia is moving toward democracy and accountability, and we are very interested in partnership with that kind of Indonesia.

While I support the notion that now is an important time to reach out toward the new government in Jakarta, I reject the idea that we should no longer maintain intense pressure on the Indonesian military.

Whether or not the Indonesian military is committed to serving under the new, promising, democratically-elected regime remains to be seen. Recently, rumors of coup plots and a possible military takeover of this fledgling democracy circulated in Jakarta and abroad. In recent months, ethnic and religious violence erupted in Aceh, the Spice Islands, and elsewhere in Indonesia. Many reports indicate that elements of the Indonesian military continue to stand by and do nothing to help the people they are supposed to protect.

So as we extend a welcome to Indonesia's new government, we must send a strong message about the kind of behavior that we do not welcome, and about the kinds of abuses that we will not ignore. It remains as crucially important today as it ever was to pressure violent elements in Indonesia to do the right thing. And I serve notice to my colleagues and to the administration—I stand ready to do just that. If U.S. policy fails to send a strong message in favor of reform and accountability, I will seize any legislative opportunity necessary to fight for a responsible policy—one that serves United States and Indonesian interests in stability and justice.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. DEWINE). The Senator has used 6 minutes and 40 seconds.

Mr. FEINGOLD. I yield such time as he wishes to the distinguished Senator from Rhode Island, who has truly been a great leader on this issue, making not only an effort on the Senate floor but a personal effort to visit and see exactly what is happening in East

Timor itself. I yield the Senator from Rhode Island such time as he needs.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me commend the Senator from Wisconsin for his efforts. He has spoken out forcefully and clearly and correctly for so many months about our obligation to see that the people of East Timor have a chance to chart their own course, to reach their own destiny, to rule themselves. I thank him for his efforts.

Today this amendment is being withdrawn, but this withdrawal should not be a signal that we are turning away from East Timor. Indeed, it is once again an opportunity to speak out and demand that we do, in fact, attend to the needs of this emerging country.

As the Senator from Wisconsin pointed out, I traveled to East Timor twice last year. The first time was a week before the referendum. I traveled with Senator HARKIN and our colleague from the other body, Congressman JIM MCGOVERN of Massachusetts. We were there a few days before the election. What struck us was the incredible courage of the people of East Timor. It was an ominous and foreboding atmosphere. Armed militias were roaming the countryside threatening people and making it clear that their goal was to intimidate all of the East Timorese either not to vote or to vote for continued association with Jakarta, with Indonesia. Despite this, we saw countless East Timorese who were willing to risk their lives, declaring to us that they would vote, they would risk their lives.

I had occasion in Suai to be speaking at a church where there were thousands of displaced persons gathered around this church in the protection of three priests. I told them that the vote is more powerful than the army. Not only did they believe that, but they risked their lives to prove it. Sadly, with the conclusion of the referendum, the militias went wild, conducting a rampage throughout East Timor. In fact, the three priests in Suai who were leading their congregations were slaughtered by the militias because they chose to talk about democracy and independence and self-determination.

I returned back to East Timor in the first week of December. Since the election had taken place, the United Nations had authorized the intervention of international forces, and we owe a great deal to the armed forces and the Government and the people of Australia because they launched thousands of Australian soldiers to enter that country, to stabilize that country, and literally to give a chance to the people of East Timor to build a democratic society.

The United States also contributed roughly 200 troops. The troops were led by our U.S. Marine Corps. The bulk of the troops were U.S. Army forces. These troops, once again, displayed magnificently the ability of American

forces to respond to a crisis and to bring to bear not only our technology, but our values, as they supported that struggling democracy, struggling to emerge in East Timor. Now, the Indonesian Government has formally renounced the claims of East Timor. It is being administered in the interim by the United Nations.

We had the chance in our last visit at the end of November, beginning of December, to meet with the leadership of the United Nations. They are led by a very accomplished diplomat, Sergio DeMello. But I have to say that their efforts to date are quite feeble when it comes to the difficult challenges they face. So I think the whole international community has to step up and assist this effort of reconstruction because one thing was painfully obvious to us as we traveled through East Timor—the country was deliberately, cynically destroyed. Every building that was worth habitation was burned. Ironically and interestingly—because I think the Indonesian military was calling all the shots—they didn't touch the churches because they knew that would probably make CNN. But a few feet away from every church, rows and rows of buildings were destroyed. We met the people of East Timor, people who are struggling for the basic subsistence now after all the mayhem and destruction. Once again, I commend the military forces—particularly ours—that are there today helping out.

We have a great deal to do to ensure that our words about independence, our words about the value of democracy, and our words about self-determination are transferred into palpable progress for the people of East Timor. We have an opportunity, I say an obligation, to give them resources to get the job done. I believe we should start with an appropriation of \$25 million for humanitarian assistance so they can reconstruct their schools and infrastructure. Literally, the militias and Indonesian Army destroyed all records—postal records, all identification records, all land records. This country has been totally devastated, deliberately and cynically destroyed. We have an obligation to help them rebuild. They are a people who want to rebuild, who want to make progress and go forward.

I also had the chance while I was in East Timor to travel to West Timor, which is still part of Indonesia. I went to these camps where there are thousands of East Timorese, many of whom were taken against their will from their homes and brought into these camps. These camps are not a place where a person can stay indefinitely. It is a transitory shelter. Many people are there because they are intimidated by the militias still lurking in the camps. Others are fearful and afraid of going home because they might run into retribution by those who stayed behind, the proliferation democracy forces. But in any case, they are creating a huge problem of assimilation and a huge drain on the resources of the villages of West Timor.

I had a chance to meet with the Catholic Relief Service, which is doing great work there, and representatives of the Catholic Church. We have a real obligation, also, to see that these displaced people in West Timor are allowed to go home safely and to reintegrate into their society, into the new country of East Timor. The work is substantial.

Today's effort by the Senator from Wisconsin, after many days to get this measure to the floor, should, as I say, not be a signal that the problem is solved and that we can withdraw—since no longer is East Timor capturing the front page headlines—it should be rather an opportunity for us to recommit ourselves to do the work of helping these people build a just, decent, and viable society and country.

Let me say a final word because we are all here today talking about an issue that has been on the minds of the world for the last year because of the publicity. But long before East Timor was a well-known word in the United States and around the capitals of the world, there was one Member of this Senate, Claiborne Pell, who strove mightily to point out the injustice and the need for freedom. In 1992, Senator Pell traveled to Indonesia, saw President Suharto, and asked him to hold a plebiscite on self-determination. That was a full 7 years, or more, before this referendum was held. He also wanted to visit East Timor but was denied permission to meet with Xanana Gusmao, then in a Jakarta prison. He held hearings and he kept this issue on the forefront of the consciences of many in the world. In a very particular way, the freedom of East Timor today is a tribute to his quiet, persistent efforts through many years. The fact that today Xanana Gusmao is back home in East Timor, is a leader in that community, a community that will decide its own fate, a free country, emerging in the world, is a tribute again to Senator Pell.

Let me conclude by thanking, once again, Senator FEINGOLD for his great effort, his clear voice, his dedication and commitment to principle. Let us all resolve today that we have just begun to help these people to rebuild their country, their society, and to create a society that will have our values, but will also definitely have their own perspective as East Timorese.

I yield back my time.

Mr. FEINGOLD. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 13 minutes remaining.

Mr. FEINGOLD. Mr. President, I thank the Senator from Rhode Island for his extremely dedicated work on this issue. It has been a pleasure working with him on it. I wish to reiterate what he said, which is that this is another opportunity for us to tell our colleagues, as well as Indonesia and the rest of the world, that we are watching this on a daily basis and we are prepared to act again. The legislation is

very viable and we are prepared to offer it as an amendment to another bill if the situation becomes difficult.

At this point, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, at this time I am delighted to yield the remaining time we have on the amendment to the distinguished Senator from Iowa who, along with the Senator from Rhode Island, has shown not only a tremendous interest and dedication on the issue of East Timor but took the time and risks associated with actually visiting East Timor at a very critical point and came back here to be key to the entire effort to lead the East Timorian independence. Senator HARKIN, Senator REED, I, and others are going to watch this every day to make sure this situation moves in the right direction and we don't go backwards.

I yield whatever time is necessary to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank the Chair. I thank my colleague and friend from Wisconsin for yielding time to me but, more importantly, for his strong and continued leadership on this issue of East Timor.

As we all know, East Timor is a small, new nation in a faraway place. A lot of times we tend to forget about it and push it off to the side. But we can't. We can't forget about what happened in East Timor. I think it is incumbent upon us, as the leader of the world's democracies and as the nation that holds out to oppressed peoples all over the world the ideals of self-determination and democratic institutions, because we are in that position, that we have to take a leadership position among world communities, focusing and keeping our attention focused on East Timor.

These brave people for almost 25 years have continued their struggle—peacefully, I might add—for their own right to self-determination. When the Portuguese left in 1975, of course, Indonesia annexed East Timor. The East Timorese people had no say in that whatsoever. Yet they continued a worldwide campaign for their right to self-determination.

What didn't they do? What didn't the East Timorese people do? They didn't plant any bombs. They didn't sabotage anything. They didn't blow up airliners. They didn't commit acts of terrorism against the Indonesia Government or the Indonesia people, but forcefully, day after day and year after year, they went to the world community and pricked our conscience. They went to the U.N. They came here. They

went to Europe. There was no accident that Bishop Belo and Jose Ramos-Horta both won the Nobel Peace Prize for their activities because they pursued their right to self-determination as Gandhi or Dr. Martin Luther King, Jr., would have done, in a peaceful, nonterrorist way. When they finally had this vote late last summer, they voted overwhelmingly for separation, to have their own nation.

Senator REED and I, along with Congressman MCGOVERN from Massachusetts, were there right before the vote about a week before. We traveled extensively around the country. You could already see the militias and what they were trying to do and the intimidation. It was after that trip that the three of us had conversations with our Secretary of State, with Kofi Annan, the Secretary General of the United Nations, Secretary Cohen, our Secretary of Defense, and people at the White House. We talked to everyone, saying: Look. We need to have things in place there. There is going to be a blood bath. We hope there isn't. But our sense is that everything we had ever seen before in our lives, in our history—you could almost smell it. You could almost sense what was going to happen in East Timor. A powder keg was ready to go.

We met with General Anwar. We went back to Indonesia, and we told President Habibie at the time: If your orders are right, there should be a peaceful transition and a peaceful election. This General Anwar is not carrying out your orders. He is either not carrying out your orders or you are not giving the right orders. But something is not adding up here. The same with General Wiranto, the head of the armed services.

I ask unanimous consent that an article and an editorial from the Washington Post be printed in the RECORD.

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

[From the Washington Post, Feb. 1, 2000]

E. TIMOR PANEL BLAMES ARMY FOR ATROCITIES

(By Keith B. Richburg)

JAKARTA, INDONESIA, JAN. 31.—A government commission charged today that the Indonesian military and its militia surrogates carried out an orchestrated campaign of mass killing, torture, forced deportation, rape and sexual slavery in East Timor. It named six top generals—including Gen. Wiranto, the former army chief—for possible criminal prosecution.

The findings of the government commission of inquiry were more sweeping and harder-hitting than had been expected, coming on top of a recommendation from a U.N. inquiry that the United Nations set up a special tribunal to try those accused of atrocities in East Timor. They brought to a head a confrontation between Indonesia's new democratic government, which has made human rights and accountability a major priority, and the powerful military establishment that has seen its traditional role undercut and its past abusive practices put under intense public scrutiny.

President Abdurrahman Wahid, who is in Davos, Switzerland, for the World Economic

Forum, said after the findings were made known that he will fire Wiranto from the cabinet. "I will ask him, to use a polite word, ask him to resign," Wahid told a television interviewer.

Wiranto stepped aside as armed forces commander in October, after the violence against East Timorese that broke out last September over their decision to secede from Indonesia. But he still wields considerable influence in the military as cabinet coordinating minister for political affairs and security.

The East Timorese resistance leader and Nobel laureate, Jose Ramos-Horta, said in Singapore that Wiranto should be tried and not just removed from the cabinet. "In this day and age, you cannot kill hundreds of people, destroy a whole country, and then just get fired," he said.

Among its findings, the commission also said the military actively tried to cover up evidence of its "crimes against humanity," including moving victims' bodies to remote locations.

"The mass killings claimed the lives mostly of civilians," said the commission chairman, Albert Hasibuan. "They were conducted in a systematic and cruel way. Many were committed in churches and police headquarters."

Australian-led peacekeeping troops in East Timor have unearthed hundreds of bodies in scattered grave sites, many in the East Timorese exclave of Oe-Cussi near the border with Indonesia. Villagers have said bodies were moved there before foreign troops arrived, but today's report provided the first confirmation of an effort to conceal the extent of the killings.

The commission forwarded to Attorney General Marzuki Darusman the names of 33 people, including Wiranto, who it said should be investigated for prosecution, and Marzuki promised to begin his own probe. Among those named are Maj. Gen. Adam Damiri, the regional commander in charge of East Timor in the months leading up to the Aug. 30 U.N.-backed independence referendum; Zacky Anwar Makarim, the army intelligence chief in East Timor; and Tono Suratman and Noer Muis, the two commanders based in Dili, the East Timorese capital.

Also named were the commanders of various militia groups, including Joao Tavares, who called himself the commander in chief of all the militias, and the flamboyant Eurico Guterres, head of the feared Aitarak, or "Thorn," militia, who in the days before the referendum vowed to turn Dili into a "sea of fire" if voters supported independence.

The bloodbath unleashed in East Timor sparked international outrage and turned Indonesia into something of a pariah state, criticized by friends and slapped with economic sanctions. Hundreds of thousands were forcibly deported to Indonesian-controlled western Timor, homes and buildings in Dili were looted and set ablaze and the few foreigners left in the capital huddled inside the U.N. compound, along with frightened Timorese, with little food or water.

The killing and destruction continued until former president B.J. Habibie bowed to international pressure and allowed in foreign troops to restore order. At the time, Wiranto conceded some Indonesian army troops, from two indigenous East Timorese battalions, were involved in the violence. But he repeatedly insisted the outbreak was spontaneous, that there was no evidence of widespread killings and that he was trying his best to bring the situation under control.

The report today found Wiranto "fully acknowledged and realized" the extent of the violence and destruction in East Timor but failed to take action. "Therefore, General

Wiranto, as the TNI [Indonesian army] commander, should be the one to take responsibility," the report reads.

While the Indonesian attorney general deals with this report, U.N. Secretary General Kofi Annan must decide whether to accept the recommendation of the separate U.N. investigation and ask for a human rights tribunal for East Timor. Indonesia vehemently objects to any U.N. tribunal, saying the country is capable of punishing those responsible. Analysts have said a credible report from the Indonesian commission was a crucial first step in dissuading the United Nations from setting up a tribunal.

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JUSTICE FOR TIMOR

Not long ago, the armed forces pretty much ran the show in Indonesia; now they are under investigation. A human rights commission formed by that nation's new democratic government yesterday issued a stinging indictment of the military, including its former leader and five other generals, for orchestrating, condoning and taking part in the destruction of East Timor last summer. The report, with its call for criminal prosecution, is an important step. Now comes the hard part for President Abdurrahman Wahid; he deserves the support and encouragement of other nations as he moves forward.

East Timor, a small half-island at the remote eastern end of Indonesia's archipelago, voted for independence from Indonesia in a United Nations-sponsored referendum Aug. 30. Indonesia's Gen. Wiranto promised security for the voters; they instead were subjected to a spasm of murder, rape, looting and other violence. At the time, Gen. Wiranto and Indonesia's government blamed the violence on rogue anti-independence militias. But the government's unflinching report, based on many interviews and on-site investigation, rejects that excuse and sees unquestioned official complicity.

President Wahid is under pressure from the military not to treat its generals too roughly. Ethnic violence is breaking out in many places; without unified armed forces, some say, Mr. Wahid cannot hold the country together. There have been rumors of a coup. But as much as it needs a strong military, Indonesia needs one subservient to new civilian powers; without progress in that direction, many restive regions will find it intolerable to remain inside the country. So Mr. Wahid is right to dismiss Mr. Wiranto from his cabinet and allow criminal prosecution of those named in the human rights report.

A United Nations inquiry released yesterday came to many similar conclusions about the violence in East Timor. Some U.N. officials now favor an international tribunal. Since the United Nations sponsored East Timor's referendum, the organization has a continuing role to play in seeking justice for the Timorese. Its investigation should continue.

But before a Bosnia-style tribunal is created, Indonesia should be given a chance to judge its own. Its new democratic government well understands the importance of that process.

Mr. HARKIN. I give the Indonesians credit.

The article says that this new government commission "... named six top generals—including Gen. Wiranto ... and General Anwar for possible criminal prosecution" and that the "militia" with their "surrogates carried out an orchestrated campaign of mass killing, torture, forced deportation, rape and sexual slavery in East Timor."

The East Timorese resistance leader and Nobel laureate, Jose Ramos-Horta, said in Singapore that Wiranto should be tried and not just removed from the cabinet. "In this day and age, you cannot kill hundreds of people, destroy a whole country, and then just get fired."

These are crimes against humanity.

I wholeheartedly commend the present Government of Indonesia and its human rights commission for their bravery in doing this investigation and coming up with this finding. I think it moves the democratic forces far ahead in Indonesia because they were able to come out with this finding.

I am very supportive of the sense-of-the-Senate resolution that is offered by the Senator from Wisconsin. We have to make some statements about East Timor. We have to be in the lead on this, and the fact that the human rights commission of the present Government in Indonesia made these findings ought to give us comfort that we are not undermining the Government of Indonesia in helping the East Timorese.

I was not privileged to go back with Senator REED when he went there in December. I talked to him. Senator REED said:

You would not believe the places we were, that we saw with our own eyes. They were leveled. Buildings were burnt. Some of the church houses were burned down and people just disappeared, all driven across the border. We were up in this one town on the border. He said it was like a ghost town. All of these people were forcefully deported into West Timor, and even yet today they are not letting these people come home.

I think the focus of world opinion and public opinion and attention has to be again on East Timor. What the Indonesian military did there is unconscionable. I don't blame the Indonesian people. I talked to too many Indonesians who were opposed to what their military was doing in East Timor, who thought it was a right of the East Timorese, because of their history and their past, to have self-determination.

I in no way cast any blame upon the Indonesian people themselves. But I do single out General Wiranto, General Anwar, and the people at the human rights commission who were in charge of aiding, abetting, and fostering the militia that did these terrible things to East Timor—as Senator REED said—vindictively burning down things, destroying telephone lines, destroying bridges, just crazy things such as that, just to leave the country in total waste.

Again, I thank the Senator from Wisconsin and the Senator from Rhode Island for their strong support of the brave people of East Timor.

I hope we in the Senate, if not today, at some point shortly can express our support on this sense-of-the-Senate resolution so the brave people of East Timor and the democratic forces in Indonesia know we will support this and we will do everything we can to help them rebuild this country again as a signal to the rest of the world that we

will support peaceful self-determination and the right of people to have their own democratic governments. This is as good a place as any to start.

Again, I thank the Senator from Wisconsin for his strong, continued leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I yield time to the distinguished Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the distinguished manager of the bill.

I rise today because I feel very strongly about what we are considering. Today we in the Congress are being asked to consider our first statement on Indonesia since the country's elections last fall. Everyone is familiar with it. Everyone has watched CNN and watched the bloodshed and horror that occurred in East Timor and other places in Indonesia. That was prior to the Indonesian elections, and it had taken place under a severely weakened and ineffective leader.

Last fall, the Parliament completed the first election cycle that was truly free in the country's history by electing a new President, President Abdurrahman Wahid. I just returned from Indonesia, where I not only met with President Wahid but the Vice President, the Foreign Minister, the Speaker, and the Head of Parliament. I met with Indonesian citizens, Americans living over there, and most important of all, I met with our very astute and very able Ambassador, Bob Gelbard, and the staff we have in Indonesia to help us formulate policy with respect to that country.

Unfortunately, our press, which gave us a lot of information about East Timor, has not paid much attention to the free elections. It has paid little attention to the work of the new Government and its efforts to lead a transition to democracy. This is truly a time of rapid change in Indonesia, and it is a time of great challenge for Indonesian leadership and others in the world who support democracy, freedom, human rights, civilian control of the military, and religious tolerance for all people.

Regretfully, some Members of this body seem determined to stay in the past. Things are moving in the right direction, and it is time, in my view, for the United States to support the new Government, to work to make sure that this Government succeeds, and that the noble objectives we support are carried out.

President Wahid's job in this situation could not be more difficult. He has to bring democracy and a better standard of living to people who were living under a totalitarian government in a situation that bordered on chaos. He has to bring under control the ethnic and religious conflicts that are breaking out all over the country. Perhaps

most difficult of all, he has to overcome the well-entrenched and powerful interests that want him to fail, that would be delighted to bring the country straight back into chaos.

From everything I saw, and from what our distinguished Ambassador and his staff tell us, President Wahid has not disappointed. He wakes up every day and makes bold and courageous decisions and he doesn't bother to take polls on what people want. He is simply concerned about moving his country in the right direction.

I hope we will have the opportunity to welcome President Wahid to Washington, DC, and to give him an opportunity to address the Congress to talk about the challenges he faces and his commitment to the American ideals of democracy, freedom, human rights, and cleaning up corruption in all areas of government and private sector activity.

In a very short time, the changes in Indonesia have been marked and profound. On the issues the sponsors of this amendment are concerned about, President Wahid has agreed to work with the U.N. Security Council to track down and bring to justice those who were responsible for the bloodshed in East Timor. The Indonesian Government, as has been noted already, has impeded their own commission to investigate what took place in East Timor and bring those to justice. The panel has identified six high-ranking military officers. The President has indicated they will all be removed from the military and has given every indication they will be brought to justice.

When the spokesman for the military said the military should not be subject to the control of the civilian-elected Government, the President moved and cut him off. We in Congress cannot continue to put our heads in the sand with these monumental changes going forward. Even the European Union recognizes the tremendous progress President Wahid and his Government are making. The E.U. has lifted the ban on certain arms sales. They pledged to begin military training.

I regret to tell you the situation in Indonesia and East Timor is not as simple as some of my colleagues would have you believe. Secretary Cohen traveled there and laid out what we expect of the new Government. The Government has complied, but in the interim we have cut off our ability to have any positive influence by ending military to military contact. I say let's listen to our former colleague, now Defense Secretary Bill Cohen, who is well informed about what is going on in that area. I suggest we listen to the people in our State Department—a State Department run by the party of my colleagues who have introduced this resolution—and ask them what we can do to help move the Government, move the cause of democracy and freedom, in the right direction. At a time such as this, we should be sending to the people of Indonesia a loud message,

and a clear message, that we support their efforts to achieve democracy and we will support the new Government in its efforts to bring democracy to its 210 million people.

The resolution, as I have just seen it, as I quickly calculate, dedicates 14 lines to congratulating the people of Indonesia and encouraging the Government of this country to work with the struggling democracy and then dedicates several pages to those things we as a government should be denying the Indonesian Government. Here is a country emerging from all the problems of the past. They need a hand up, not another bucket of water dumped on their heads.

Secretary Cohen delivered a clear message during his trip to the country that it was time for military reform. The Indonesian people responded. Today, the Indonesian military is under civilian control. In a clear move to curb the power of the army, the position of commander in chief has been given to an admiral in the Indonesian Navy, considered to be the most progressive and professional of the military branches. Under pressure from Secretary Cohen, the military vacated East Timor. There have been positive reports coming in that the military has been cooperating with the international community. Some members are working actively to frustrate the efforts of pro-Jakarta militias to conduct any further raids on refugees or East Timor towns.

On the human rights front, a new attorney general has been selected. Our State Department has great confidence in his commitment to the rule of law and protection of human rights. The Indonesian Government has also created a new position within the Government, the State Commission on Human Rights, a position that has been filled by a former political prisoner from Aceh.

These are not insignificant steps. In fact, they are enormous steps that show the tremendous effort on the part of the new Government and the people of Indonesia.

The outcome of the election could have been very different. It was not. There was no mass violence in the streets, and there was no military coup. The result was democracy in action.

The bottom line is the Indonesians have been doing everything we asked them to do. Now, with this proposed resolution, we are being urged not to offer congratulations, not to extend a helping hand but, rather, to poke a sharp stick in their eye.

This resolution endorses a cutoff of military-to-military contact, education, and military assistance. But the administration promptly cut off assistance and contact after the violence broke out. The Department of Defense and our Department of State can be a very positive force for reform, but this amendment would propose to limit their ability to do so. The violence hap-

pened under a different government with a weak president.

Make no mistake about it, this resolution will be looked upon by the Indonesian people as a repudiation of the direction they have chosen and of the work of their democratically elected President and Vice President. It will be taken as a clear sign that the United States is not interested in being a positive force for change.

I urge—I beg my colleagues to stay involved and to pay attention because this is a vitally important part of the world. When I was in Southeast Asia 9 months ago, when I asked in one country or another how things were going, everybody would say: We are doing well, but we are worried about Indonesia.

We ought to be worried about Indonesia because they are the fourth largest country in the world. They have an opportunity to join the list of countries that are democracies, that are committed to human rights and freedom. They deserve to be part of the enlightened leadership of the world.

It is time we provided support to that effort. It is vital the United States continue to support the development of democracy and of civilian control of the military. We need to begin the process of engagement, to provide their military with the assistance and training they need to ensure that the functions of security are carried out effectively and properly. Our government has pressured the Indonesian government to restrain the military and make reforms. Now the situation is getting out of control. The military has lost its ability to respond to regional outbreaks of violence. Rather than being an impediment to progress, we ought to be in there helping them to reestablish the rule of law and order and peace and security for all people and all religious groups in Indonesia.

We have a tough battle ahead. There have been atrocities that are mind boggling. I join with the sponsors of the resolution who understand how terrible these depredations were. But times are changing. We need to be a positive force, to encourage those changes, to keep them on the right track, and not punish a government that is trying to move in the direction we laid out for them.

Mr. President, I am sure we will visit this issue again. In the meantime, I urge all my colleagues to seek counsel from our own State Department, our own Department of Defense. This Democratic administration has excellent people who are well aware of what is going on there. Let's find out from them what is happening and what we can do to be a positive force.

I hope my colleagues on both sides of the aisle will listen to them so we can be positive in our efforts and in our results.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent for an additional 5 minutes on this issue.

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

Mr. FEINGOLD. Mr. President, we would like an opportunity to briefly respond to the comments of the Senator from Missouri. I could have sworn the Senator had not heard my remarks earlier because his remarks suggest an analysis that has something to do with their original legislation. I took great pains throughout my comments to indicate exactly what the Senator from Missouri was indicating, that there are some very positive developments in Indonesia, and in particular that Government there, the democratically elected Government, is struggling to keep that nation strong, to keep that nation together, and to get control over the military.

So I find it very ironic that the Senator would come down here and say we need to be fair to that Government when you look at the comments in the last 48 hours. What has happened in the last 48 hours? President Wahid of Indonesia said, I say to the Senator from Missouri, that it may be necessary for Mr. Wiranto to resign. That is what the democratically elected President of Indonesia said when he heard about the investigations and reports of the United Nations.

What did Mr. Wiranto say with regard to that suggestion of the President of Indonesia? He said he was going to brush aside calls to resign from government and stand trial for his alleged role in human rights abuses in East Timor last year. "Like a good soldier, I am going to continue to fight for the truth."

In other words, the Senator from Missouri asks us to support the President and the nation of Indonesia. But instead what he is really doing is giving support and sanction to the attitude of Mr. Wiranto, the person who many believe had a great deal to do with the atrocities in East Timor.

I did not come today to actually seek a vote on this amendment. I did indicate I would withdraw the amendment from this bankruptcy bill. We wanted to serve notice that we will continue to monitor this situation, and we are doing it in a balanced way that indicates our support for the positive developments in Indonesia.

The Senator from Missouri complains that our resolution is mostly negative with regard to things that happened in East Timor and with regard to Indonesia. This resolution is not about Indonesia in general. If the Senator wants to promote a resolution praising Indonesia and the positive things that have happened in Indonesia in the last couple of months, I may well join him. But this is about what happened in East Timor.

The Senator apparently took a trip recently to Indonesia, but the people who were on the floor to talk today—Senator REED and Senator HARKIN—

have actually been to East Timor. You can add to that a key person of the Clinton administration he kept mentioning, our distinguished Ambassador to the United Nations, Richard Holbrooke, who also went to East Timor in late November and came back and told me and others that the conditions and circumstances with regard to the refugees in West Timor, many of whom want to get home to East Timor, are not good. He has a long and distinguished record of seeing these kinds of situations throughout the world in the over 30 or 40 years he has been in diplomacy. He was deeply troubled by the fact the job was not done.

The people of East Timor and the people of East Timor who are in West Timor and want to come home have not had their rights fully protected. That is why we are trying to put pressure on the military in Indonesia. That is not an unfriendly act to the Government of Indonesia. That is a friendly act because that is the toughest challenge the President of Indonesia has right now—making sure the military accepts democratic rule of that country. We are in an effort to support democracy in Indonesia, and it cannot go forward as the kind of democracy we support unless this situation in East Timor is properly resolved. That is the spirit of our amendment, and that is the spirit of our bill. I appreciate the additional time.

Let me add, Senator LEAHY is another who has done an enormous amount on this issue of East Timor and can certainly tell you the job is not done with regard to using our leverage and our ability to persuade and make sure the people of East Timor have full independence and that the people who want to return to East Timor have the opportunity to do that.

AMENDMENT NO. 2667, WITHDRAWN

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. FEINGOLD. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I commend Senator FEINGOLD, Senator REED of Rhode Island, and Senator HARKIN for the leadership they have shown on the East Timor issue. They have all been to East Timor and have consistently spoken out in support of independence for East Timor and human rights for its people.

Senator FEINGOLD's resolution would end all U.S. military cooperation with Indonesia on account of the Indonesian military's appalling abuses in East Timor. This would send an unequivocal

message, not only there but throughout the world, that the United States will not resume any relationship with the Indonesian military until it is thoroughly reformed, and not only reformed, but the members who are responsible for the abuses are punished.

Some of these abuses, well documented by independent news media and eyewitness accounts, are so horrible they are reminiscent of the Dark Ages.

I understand the resolution is going to be withdrawn on account of the progress being made by the Indonesian Government in asserting control of the military. However, Senator FEINGOLD's determination to keep the Senate's attention on this important issue is well worthwhile.

Last September we watched in horror as a systematic campaign of terror and destruction waged in East Timor: Hundreds of innocent people were killed, hundreds of thousands more were forcibly uprooted from their homes, villages and towns were ransacked and family members were killed in front of other family members. Even today, U.N. investigators are unearthing what we are seeing too often in modern times: bodies in mass graves.

In the past two days, an Indonesian Government commission and a United Nations commission independently concluded that the Indonesian military bears ultimate responsibility for the bloodbath, and must be held accountable for its abuses in East Timor. This is an extremely important and encouraging step.

Under tremendous pressure—tremendous pressure to turn a blind eye to what happened in East Timor—and at great personal risk, Indonesian investigators have done a commendable job in determining the extent of the violence and identifying the individuals responsible, including not only those who gave the orders but those who had the power to stop the mayhem and instead simply stood by and let it happen.

There are sins of commission and there are sins of omission. If you are a military officer with the power to stop something from happening—an atrocity, a murder—and you stand by and allow it to go on, in my mind you are as equally guilty as those who commit the act.

As the leader of Indonesia's new democratic government, President Wahid has courageously voiced his willingness to confront the powerful Indonesian military establishment. He has called for the prosecutions of army leaders, including General Wiranto, former commander of the Armed Forces, who, until recently, was lauded by officials of our own Pentagon.

The United Nations commission called for the establishment of an independent national tribunal to bring those responsible for the violence in East Timor to justice. It is a proposal which the Indonesian Government has rejected, insisting it is capable of punishing the perpetrators itself.

While it is too early to say whether an Indonesian tribunal would have sufficient resources or authority to conduct what are likely to be long and expensive trials of military leaders, one thing is clear: now is not the time for the United States to follow the European Union's recent example of renewed military assistance or sales of military equipment to Indonesia. With all due respect to our European friends, sometimes I think they have a terribly short memory.

Indonesia is at a critical juncture in its transition to democracy. The commission's findings will heighten the already tense relationship between the Indonesian Government and the Indonesian military. As pressure on the military increases, it is likely that rumors of a coup will become louder and more threatening. I believe the United States has to continue to show strong support for President Wahid and for an end to the long history of impunity and immunity enjoyed by members of the Indonesian military.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NORTHERN IRELAND

Mr. LEAHY. Mr. President, I don't pretend to know all the history or intricacies of the effort to bring about peace in Northern Ireland, notwithstanding the number of visits I have made there, notwithstanding the historic ties to that island that I have through my father's family, or even with the work I have done with our distinguished former colleague, George Mitchell, a man who deserves the highest credit for his tireless efforts towards peace in Northern Ireland. But I have met with those who are key figures in Ireland: David Trimble from the loyalists side; Seamus Mallon, Gerry Adams, and another key figure, John Hume. Mr. Trimble and Mr. Hume shared the Nobel Peace Prize for the work they did, and deservedly so.

I was one of those in the Senate who urged, near the beginning of President Clinton's term in office, to give a visa to Gerry Adams, the head of Sinn Féin and the one most visibly connected in this country with the IRA. I recall the State Department and the Justice Department being opposed to that visa, and the President courageously saying we are going to give him a visa. I think most people now accept the fact that because the President overrode the qualms of his own State Department and Justice Department in giving that visa, that we moved forward on peace for the first time.