Attorney Reform and Integrity Act. The Judiciary Committee has now reported this legislation to the floor. I wanted to say just a few words about why I believe this legislation is needed and why I hope the Senate will act quickly.

Last September, President Clinton decided to grant clemency to 11 members of the Puerto Rican terrorist groups FALN and Los Macheteros. When this decision became known, it was greeted with virtually universal shock and disbelief, followed by calls for the President to reconsider and ultimately by near universal condemnation. The FALN had been involved in numerous terrorist acts. The most heinous of these acts was the bombing of Fraunces Tavern in New York City. In the middle of the lunch time rush at this Wall Street tavern, FALN members planted a bomb. The explosion killed four people and left 55 people wounded. In addition, FALN has taken credit for more than 130 bombings, attempted bombings, bomb threats and kidnapings. They took credit for the bombing of office buildings in New York and Chicago where at least one other person was killed and several more injured.

Although it has been suggested that the individuals the President pardoned were not convicted of direct involvement in these acts, the conduct that they were convicted of made clear that they all played important roles in facilitating the activities of the organization, fully aware that the entity in question engaged in just this kind of conduct. Despite this, there is no evidence that any of them are seriously remorseful about their serious wrongdoing. Singling them out for the extraordinary favor of Presidential clemency is, under these circumstances, frankly inexplicable.

Both this body and the House of Representatives passed resolutions stating our disapproval of the President's action. Following these events, the Committee on the Judiciary held two hearings on how the President had made his decision. In the first of these hearings, it was discovered that Reverend Ikuta, a supporter of clemency for the terrorists, had several meetings with the Department of Justice concerning the potential grant of clemency. At the same time, law enforcement officials, who attempted to contact the President and the Department of Justice concerning the clemency, received no response from the administration. Nor were the victims consulted in any way. The son of one of the victims of the Fraunces Tavern bombing was told in 1998 by the FBI that they were still searching for the FALN member thought to have planted the bomb. Meanwhile, the President was considering granting clemency to individuals who not only were members of the group responsible for the bomb in the first place, but also who may have had information about the whereabouts of this primary suspect. The victims of the terrorists' acts were never even informed of the President's grant of clemency. They had to read it in the newspaper. Perhaps the gravest oversight of all is that the terrorists were never asked to provide any information about other FALN members who are still on the FBI most wanted list.

The goal of this bill is to try to do what Congress can to prevent this situation from recurring. The bill would require the Department of Justice, if asked to investigate a pardon request, to make all reasonable efforts to inform the victims that a pardon request is being reviewed and give the victims an opportunity to present their views. The Department is also required to notify the victims of a decision to grant clemency as soon as practical after it is made and, if it will result in the release of someone, before release of that person if practicable. The bill also requires that the Department of Justice make all reasonable efforts to determine the views of law enforcement on whether the person has accepted responsibility for his or her actions and whether the person is a danger to any person or society. Finally the Department must determine from federal, state and local law enforcement whether the person may have information relevant to any ongoing investigation, prosecution, or effort to apprehend a fugitive, and to determine the effect of a grant of clemency on the threat of terrorism or future criminal activity.

Opponents of this bill argue that it is an unconstitutional infringement on the Presidential pardon power. This is not so. This bill dictates a process to be used when the President delegates investigatory power to the Department of Justice. Accordingly, this bill is not a usurpation of the President's pardon power, but within the legitimate exercise of Congress's power, in establishing the Department of Justice, to ''make all laws which are necessary and proper for carrying into Execution'' not only the powers vested in Congress but also ''all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'' The President's own freedom to exercise the pardon power however he sees fit is in no way infringed by this bill. In fact, this bill only acts to ensure that the President has the information before him to make a well rounded and informed decision. The President can ignore the information provided by the victims and the law enforcement officers if he chooses to do so. I would hope that he would not. But while requirements that would force him to give particular weight to their views would most likely be unconstitutional, requiring the Department to make this information available to him, for whatever use he chooses to make of it, surely is not. Indeed, the President and the Department of Justice should be supportive of this bill as it should help return to the American people confidence in the clemency process that may have been lost following the release of the FALN and Los Macheteros terrorists.

It is unconscionable that in this instance, the views of the victims and law enforcement officers, the parties most affected by both the criminal act and the clemency, were ignored in the decision making process. This bill goes a long way in helping to prevent a recurrence of the defects in process in President Clinton's grant of clemency last September to the 11 terrorists. It will enhance the quality of information available so as to ensure a more balanced basis for the President's decisions regarding clemency. I am, therefore, pleased the committee has reported this legislation to the floor of the Senate, and I urge its prompt enactment.

## ACTS OF BRUTALITY

Mr. FRIST. Mr. President, for the second time in one week, I come to the floor of the Senate to bring attention to an atrocious and despicable act of brutality against innocent men, women, and children.

Just 8 days ago, the Government of Sudan bombed nine towns, hospitals and feeding centers in the areas of the vast country outside of their control. As I said a week ago, they did not hit key rebel facilities or strongholds. However, they did bomb the town of Lui and the only rudimentary hospital and a TB clinic for a hundred mile radius.

They killed, maimed, and injured dozens of innocent and infirmed civilians.

As I said last week, I know this ''target'' well. It is the very hospital where I served as a volunteer surgeon and medical missionary just two years ago.

One of the worst aspects of the bombings is that the Government of Sudan knew exactly what these targets were. There was no mistaking it. Rebel forces had even caught government army agents attempting to mine the airstrip earlier in the year.

Last Sunday, 4 days after the bombing, the old Soviet cargo planes, which have been converted into bombers, returned. They dropped no bombs, but inspected the damage of the earlier raid and, we suspect, continued selecting targets.

On Tuesday morning, just past 10 a.m. local time, the bomber returned. It dropped 15 more bombs on the Samaritan's Purse hospital it targeted last week.

The sad part of the story is that it is not surprising. For years the Government of Sudan has targeted the relief facilities of organizations it deems

friendly toward the rebels. That is, those who operate exclusively in areas outside of government control or those who criticize the regime in Khartoum.

In the town of Yei, the hospital has been bombed so many times, bombings of the facility no longer necessary even makes it to wire reports.

On February 8 of this year, one of those routine bombings of civilian targets was especially horrific, when school children in the Nuba Mountains region—an isolated area especially devastated by government bombings and offensive—were killed as they took their lessons under a tree. At least a dozen students and two adults were killed by antipersonnel bombs pushed out the cargo doors of the converted cargo planes. These were schoolchildren. They were not rebels nor child soldiers, but children learning to read.

In that case, we have good reason to believe that the strike was retribution for the local Roman Catholic Bishop, who has been charged with treason for coming to the United States in an effort to publicize the atrocities of his government against its own people. It was a school run by his church and a location that he was known to frequent.

In general, the United States policy is pointed in the right direction with respect to Sudan: its primary focus is on ending the war through multilateral negotiations, and on aiding the areas of greatest food insecurity.

But the United States policy is not without serious flaws, the greatest of which is failing to use our full diplomatic and economic weight to change the political environment where the Government of Sudan can repeatedly and intentionally bomb civilian targets, including schools and hospitals, and not face a single substantial objection from any member of the United Nations Security Council—nor any member of the United Nations.

That includes the United States. We do not sufficiently use the international body to promote peace to even raise objections about the murder of innocent civilians.

This failure of the international community to forcefully act or to raise even routine objections in international fora in an effort to stop the most brutal and devastating war since the Second World War is as inexplicable as it is tragic.

It is also hypocritical when compared to any number of United Nations sponsored peace missions.

Why is the United Nations so unwilling or unable to act? Because it lacks the necessary leadership among its members. It lacks the type public exposure to the truth of the horrors in Sudan to cause sufficient shame and embarrassment to change inaction into action.

The United Nations and its members do not suffer from a lack of information about the war I have described as lurking on the edge of the world's conscience. The United Nations own Special Rapporteur for Sudan has submitted an extensive report detailing the atrocities and some common sense recommendations for the body to act upon. But nothing has happened.

It is behind this veil of obscurity that some of our closest allies' inaction has somehow instead become the United States ''isolation'' on the issue. It is behind this veil of obscurity and sense of this being an esoteric American issue that inaction has hidden and thrived.

That failure, that veil of obscurity, is the greatest tragedy of them all. The United Nations was formed to stop or prevent injustice such as what is happening in Sudan. But it has instead become a vehicle for obfuscation of responsibility. it has become the chosen forum for denial and the Sudanese government's charm offensive: a concerted and effective public relations effort which portrays them as simply ''misunderstood'' and the victim of undeserved American vilification.

The United Nations should be the forum to pull the war in Sudan from the edge of the world's consciousness, to the center of the world's attention. To fail to take every reasonable opportunity to use the United Nations to generate the necessary embarrassment and shame to drive our complicity and compel nations to act to end the war would be the greatest failure of our policy and a tragic loss of potential for good. It is our failure to fully use the United Nations as an effective instrument to end the war in Sudan which must become a major focus of the United States policy.

If the United Nations is not used as a forum for resolution of a conflict like this, and if we are not willing to assert American leadership within that forum, the unavoidable question becomes what, then, is the purpose of United Nations and our membership therein?

## CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Mr. BIDEN. Mr. President, nearly two decades ago, President Carter submitted to the Senate the Convention on the Elimination of All Forms of Discrimination Against Women, known in shorthand as the ''Womens' Convention.''

In the two decades since then, the Committee on Foreign Relations has acted on the Convention only once. In 1994, the Committee voted to report the treaty by a strong majority of 13 to 5. Unfortunately, the 103rd Congress ended before the full Senate could act on the Convention.

Since then, not one hearing has been held in the Committee on Foreign Relations. Not one.

It is a great mystery to me that a treaty that calls for the international promotion of civil and human rights for women would not be considered by the Senate.

Over 160 nations have become party to this treaty, which entered into force in 1981. To its great discredit, the United States stands outside this treaty with a just handful of other nations.

There is hardly anything revolutionary about this treaty. It contains a specific set of obligations calling on member states to enact legal prohibitions on discrimination against women—prohibitions which, in large part, the United States has already enacted.

In fact, if the United States becomes a party to the treaty, we would not need to make any changes to U.S. law in order to comply with the treaty.

So what are the opponents of this treaty supposedly concerned about?

In 1994, the five Senators who voted against the Convention in the Committee filed ''minority views.'' In it they expressed two concerns.

First, the dissenting Senators expressed concern that, in ratifying the Convention, several nations had taken reservations to the treaty, and thereby ''cheapened the coin'' of the treaty and the human rights norms that it embodies.

To this objection there are two answers. First, no treaty signed by dozens of nations will ever be perfect. It will be the product of numerous compromises, some of which will not always be acceptable.

That's why the Senate thinks it so important that we retain the right, whenever possible, to offer reservations to treaties—to attempt to remedy, or if necessary, opt-out, of any bad deals agreed to by our negotiators.

Second, this Senate has frequently entered reservations in ratifying human rights treaties in the 1980s and 1990s—such as the Convention on Torture, the Convention on Racial Discrimination, and the International Covenant on Civil and Political Rights.

In unanimously approving each of these treaties, the Senate imposed numerous reservations and understandings on U.S. ratification. In approving the Race Convention, for example, the Senate added three reservations, one understanding, and one condition.

Did we ''cheapen the coin'' of the Race Convention in doing so? The answer is no, because in entering these reservations we did not undermine the central purpose of the treaty—to require nations to outlaw racial discrimination.

The second objection registered by the five senators who voted against the Convention in 1994 is that joining the treaty was not the ''best use'' of our government's ''energies'' in promoting the human rights of women around the world.