

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 kidnappings. 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 what-

ever 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