

106TH CONGRESS
1ST SESSION

H. R. 3157

To prohibit all United States assistance to Indonesia until the President certifies to the Congress that the Government of Indonesia has provided full compensation for the material damage in East Timor.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 1999

Mr. LANTOS (for himself, Mr. FALEOMAVAEGA, Mr. MCGOVERN, Mrs. MORELLA, Mr. OBERSTAR, Mr. ROHRABACHER, Mr. ROTHMAN, Ms. BALDWIN, Mr. POMBO, Mr. ABERCROMBIE, Mr. STUPAK, Mr. HINCHEY, Mr. NADLER, Ms. ESHOO, and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Banking and Financial Services, and in addition to the Committee on International Relations, 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

A BILL

To prohibit all United States assistance to Indonesia until the President certifies to the Congress that the Government of Indonesia has provided full compensation for the material damage in East Timor.

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. FINDINGS.**

4 The Congress finds the following:

1 (1) On August 30, 1999, 98.5 percent of reg-
2 istered voters of East Timor participated in a pop-
3 ular consultation under the terms of an agreement
4 between the Governments of Indonesia and Portugal
5 and the United Nations to resolve the status of East
6 Timor, and in that referendum over 78 percent of
7 those participating voted for independence.

8 (2) After the voting was completed, East Timor
9 militias carried out intensified violence against the
10 civilian population and engaged in the wholesale de-
11 struction of property, and they conducted a system-
12 atic campaign of political assassinations against reli-
13 gious, student, and political leaders and inter-
14 national officials in the territory.

15 (3)(A) The Government of Indonesia declared
16 martial law in East Timor and sent additional reg-
17 ular military forces to the island, but failed to rees-
18 tablish order.

19 (B) Observers reported that Indonesian military
20 forces in fact participated in the violence and
21 looting.

22 (C) The United States and the international
23 community called upon the Government of Indonesia
24 either to take immediate and concrete steps to end
25 the violence in East Timor or to allow a United Na-

1 tions Security Council-endorsed multinational force
2 to enter East Timor and restore order.

3 (D) The Government of Indonesia initially re-
4 jected these requests by the international community
5 and only agreed after violence and destruction in
6 East Timor continued to spiral out of control.

7 (4) The Indonesian armed forces and the Gov-
8 ernment of Indonesia bear primary responsibility for
9 the loss of life and the destruction of property in
10 East Timor.

11 **SEC. 2. OPPOSITION TO ASSISTANCE FOR INDONESIA BY**
12 **UNITED STATES REPRESENTATIVES TO**
13 **INTERNATIONAL FINANCIAL INSTITUTIONS.**

14 The Secretary of the Treasury shall direct the United
15 States Executive Director at the International Monetary
16 Fund, the International Bank for Reconstruction and De-
17 velopment, the Asian Development Bank, the Inter-
18 national Development Association, the International Fi-
19 nance Corporation, and the Multilateral Investment Guar-
20 antee Agency to use the voice and vote of the United
21 States at each institution to oppose the provision of assist-
22 ance in any form for any project in Indonesia until the
23 President transmits to the Congress the report described
24 in section 5.

1 **SEC. 3. PROHIBITION OF UNITED STATES ASSISTANCE.**

2 (a) PROHIBITION.—Notwithstanding any other provi-
3 sion of law, United States assistance may not be provided
4 for the Government of Indonesia or for projects in Indo-
5 nesia until the President transmits to the Congress the
6 report described in section 5.

7 (b) DEFINITION.—In this section, the term “United
8 States assistance” means assistance of any kind which is
9 provided by grant, sale, loan, lease, credit, guaranty, or
10 insurance, or by any other means, by any agency or instru-
11 mentality of the United States Government.

12 **SEC. 4. WAIVER FOR HUMANITARIAN ASSISTANCE.**

13 The requirement to vote against any project for Indo-
14 nesia under section 2 or the prohibition on United States
15 assistance for Indonesia under section 3 may be waived
16 by the President with respect to the provision humani-
17 tarian assistance for the Indonesian people. A waiver
18 under the preceding sentence shall be effective only if the
19 President first transmits to the Congress a notification
20 with respect to the waiver.

21 **SEC. 5. REPORT.**

22 The report described in this section is a report that
23 contains the following:

24 (1) A determination by the President of a best
25 estimate of the amount of material damage done to

1 public and private property in East Timor by militia
2 forces and the Indonesian armed forces.

3 (2) A certification by the President that the In-
4 donesian Government has contributed to the rebuild-
5 ing and reconstruction of East Timor in an amount
6 equal to the total estimated material damages in
7 East Timor.

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