Thank you very much, Mr. Chairman. This is

the first Africa Subcommittee hearing we are holding together, and

I am pleased to have the opportunity to work with you and to continue

into my fifth year of service on this subcommittee, which I

consider to be an important part of the Foreign Relations Committee,

and an important subcommittee in the Senate.

As the chair notes, you and I share two subcommittee jurisdictions.

He is also chair of the Judiciary Subcommittee on the Constitution,

of which I am also the ranking member, so I know we

will be working together, having, in effect, quality time together in

the Senate throughout the 105th Congress, and I look forward to

it.

Mr. Chairman, I also want to thank you for holding a hearing

on the subject before us today, terrorism in the Sudan. This is a

vitally important topic for two reasons. One, as the chairman has

indicated, is terrorism itself, and the other is the Sudan.

Terrorism is clearly one of the most vexing threats to our national

security today. Terrorist groups, by seeking to destabilize or

overthrow governments, serve to erode international stability. By

its very nature, terrorism goes against everything we understand

to be part of the international system, challenging us with methods

we do not necessarily comprehend.

People, and all too often they are innocent bystanders, die as a

result of terrorism. Buildings are destroyed, and all of us feel less

safe after the fact.

According to the State Department’s most recent Patterns of

Global Terrorism report, although the number of international terrorist

incidents in 1996 actually fell to 296, the lowest annual total

in 25 years, the death toll from these acts rose from 163 in 1995

to 311 last year.

Approximately one-fourth of these acts were aimed intentionally

against the United States. In 1996, 24 U.S. citizens were killed as

a result of terrorism, a number that unfortunately was twice as

high as the previous year. So yes, indeed, this is a vitally important

subject for the Congress to look at very carefully.

Mr. Chairman, I would also like to note the tremendous importance,

or at least the potential importance of the Sudan in Africa.

It is the largest country on the continent, and has a population of

29 million people, with cultural and geographic ties to both Arab

North Africa and to black Sub-Saharan Africa.

The Sudan has the potential to play a significant role in East Africa

and the Gulf region, but unfortunately during its 41 years of

independence, Sudan has only seen about 11 years of peace. Instead,

a brutal civil war between the largely Christian and animist

south and the Muslim-Arab north continues to rage on.

This seemingly endless conflict has taken the lives of more than

1.5 million and resulted in well over 2 million displaced persons or

refugees. Perhaps the saddest consequence of the war is that there

are thousands of teenagers who do not remember a peaceful period,

and who know better the barrel of a gun than the inside of a classroom.

The international community has done the best that it can with

this situation. There are approximately 40 national and international

humanitarian organizations providing millions of dollars

annually in food and development assistance. For its part, the U.S.

Government has provided more than $600 million in food assistance

and nonfood disaster assistance since the mid-1980’s.

The United Nations’ Operation Lifeline Sudan (OLS), which

maintains a unique agreement with the parties to the conflict, has

been instrumental in allowing humanitarian access to displaced

persons in the southern Sudan.

I want to just take a moment to commend the humanitarian organizations

operating in the region, who daily face not only enormous

technical and logistical challenges in serving the Sudanese

population, but obviously the all-too-frequent threat of another offensive

nearby.

Unfortunately, throughout this conflict both sides have been engaged

in all-too-frequent human rights violations. According to the

most recent State Department human rights report, the Khartoum

Government maintains not only regular police and army units but

also internal and external security organs, a militia unit, and a

parallel police called the Popular Police, whose mission includes enforcing

‘‘proper’’ social behavior.

In 1996, according to the report, Government forces were responsible

for extrajudicial killings, disappearance, forced labor, slavery,

and forced conscription of children. Basic freedoms—of assembly, of

association, of privacy—are routinely restricted by the Government.

Worse, imposition of Islamic law on non-Muslims is far too common.

Perhaps the Government’s most egregious behavior, though, is

its involvement in terrorism, as the Chairman has well pointed out.

The State Department’s 1996 Pattern of Global Terrorism report

noted that Sudan continued to serve as a refuge, nexus, and training

hub in 1995 for a number of international terrorism organizations.

As the Chairman has already described, the Government

continues to harbor members of several international terrorist and

radical Islamic groups.

Mr. Chairman, this is not a regime that should be included in

the community of nations. As Assistant Secretary Moose will recall,

I first became interested in this particular subject in May 1993,

during an Africa Subcommittee hearing chaired by then chairman

of the subcommittee Senator Paul Simon.

During that hearing, I questioned Secretary Moose regarding

Khartoum’s relationship specifically with Hamas, an all-too-wellknown

terrorist organization. Since much of that information could

not be disclosed in a public forum, I asked him to brief me on these

connections in private, and I later encouraged the administration

to take a hard line in its efforts to curtail Sudan’s involvement and

support for terrorist activity.

Shortly thereafter, in August, the President placed Sudan on the

official list of nations supporting terrorism, and I just have to say

for myself, Mr. Chairman, that when I asked for the administration’s

response, it was not only adequate it was swift, and considering

I was the least senior member of the entire committee, I was

impressed that there was that kind of response, and I fully supported

this decision, and of course continue to support Sudan’s inclusion

on the list.

The United States should not tolerate repugnant acts by groups

or governments, which is why, Mr. Chairman, the Congress mandated

the so-called terrorist list in the first place.

So again, I really do commend the Chairman for having a significant

hearing on this subject, and I look forward to listening to the

testimony.

I have no questions. I just want to join the

chairman in welcoming the Representative. I appreciate his interest,

and I hope we can work together between the two Houses to

further our concern about Sudan itself and in particular Sudan’s

activities with regard to supporting or abetting terrorism.

Thank you.

I have no questions. I just want to express

my appreciation for that very vivid account of this horror that was

perpetrated in our country, and my sympathies to you and all the

people that were affected by it, and obviously we recognize the connection

by this hearing between what we do internationally and

what happens within this country. Thank you.

Thank you, Mr. Chairman.

I have a number of questions, and let me begin with a few for

Mr. Moose. Do you think the regulations developed for section 321

accurately reflected United States policy toward Sudan at the time

they were promulgated?

Let me just follow on that and just ask more

generally if the United States considers Sudan to be a rogue State,

why should commercial transactions be allowed to take place at

all?

Thank you. I will have a question near the

end of my questioning, again, on 321. But let me ask you a few

questions about the situation in Sudan itself for a minute for background.

I understand on April 21, a so-called peace agreement was signed

between Khartoum and some of the smaller rebel groups. The

Sudan People’s Liberation Army did not participate in the agreement.

What do you make of this agreement, first? Is there anything

new or significant here?

Is there anything in that agreement, whether

it be lip service or not, that reflects an intention to allow non-Muslims

to be able to be free to practice their own religion?

But you cannot point to any particular actions

following up on that?

Could you speculate for a minute, Mr. Moose,

about what would happen if the NIF-led Government were to fall

sometime soon? What would be your analysis about what would

happen in Sudan?

One more question for you at this moment

just having to do with our diplomatic relationships there. The United States pulled its embassy staff out of Khartoum early in 1996

and moved some of its embassy’s operation to Nairobi because of

security concerns. What is the current status of the embassy, and

under what circumstances would we reopen the embassy?

Thank you, Mr. Moose. I will come back to

you in a moment.

Now, just briefly, Mr. McKune, to review, there are currently

seven countries on the terrorist list: Cuba, Iran, Iraq, Libya, North

Korea, Sudan, and Syria. Can you review with us again which

sanctions are immediately applied upon designation of these countries

on that list, and in the context of that designation, are all

seven countries treated the same? I think we know the answer

pretty well, but I would like to just make that clear on the record.

Prior to the passage of the Anti-Terrorism

Act, what other laws imposed sanctions on these groups of countries?

And, in particular, was there a distinction made with regard

to Sudan and Syria from the rest of the group in any of those circumstances?

All right. Just a question in terms of the way

in which the designation as a terrorist country is used, Mr.

McKune. Has the administration ever used the possibility of getting

taken off the list as a diplomatic carrot?

Let me just confirm with Mr. Moose; that is

the case that this is used sometimes as a potential carrot?

Prior to the designation?

I am beginning to wind up, Mr. Chairman.

Thank you for your generous time on this.

Let me just ask Mr. Newcomb, in the process of developing the

regulations for section 321, what type of contact did your office

have with congressional offices?

So substantial contacts?

Did any of the congressional offices contact

you after the regulations were printed in the Federal Register?

I would appreciate that.

Mr. Moose, is there evidence of Sudanese involvement

in the current conflict in Zaire?

Are you concerned at all about the role Khartoum

may play with respect to whatever post-Mobutu government

emerges from the current conflict in Zaire?

Finally, Mr. Chairman, for Mr. Moose.

One of the concerns about the exemption in the section 321 regulations

is that one of the potential beneficiaries of the exemption

was an oil company. Mr. Moose, are you comfortable with an American

company conducting business in the oil industry in the Sudan?

Won’t that type of activity provide the regime with additional revenue

with which to pursue its war in the south?

Thank you, Mr. Chairman. I think it is fair

enough for the Chair to try to inquire into legislative intent. Sometimes

all of us are frustrated by a discrepancy between what we

intended and what was done by the administration. Other times

the intent is so unclear that it is impossible for you to know. But

in any event, apart from that issue, I guess we need to think a little

bit about the future and whether or not this can be resolved at

this point.

So, Mr. Chairman, I would just like to ask the administration

their view on Representative McCollum’s proposed legislation. Does

the administration support legislation that would sort of clarify

this issue and resolve this issue?

I have not yet completed my review, either,

and that is the kind of guidance I am looking for. I would very

much like to support his sort of effort, but I want to be sure I am

asking the right questions with regard to the State Department’s

flexibility.

And also one other question: If the legislation had the effect of

treating Sudan and Syria in the same way as the other five countries,

could you speculate at all with regard to what impact it

might have in our relations with Syria and with regard to the Middle

East peace process? This is one of the things I would like to

know what aspects of it could have an impact there.

Thank you again, Mr. Chairman.

I just want to thank the panel very much for

their time.

Mr. Chairman, if I could interrupt, I am

about 20 minutes late already for a caucus, and certainly want to

stay and hear the testimony. I will be unable to stay and ask questions,

and I am wondering if I would be able to submit some questions

in writing.

I just want to apologize to the panel. This is

a very helpful hearing, and it is very important to me that we have

this hearing.

So I again want to thank the Chairman, since I will have to

leave, for the tremendous amount of time he has put into this and

for his willingness to have the hearing. I do appreciate it.