

before, were showing anywhere on the tote board. There was literally a village of counters behind computers and thousands of international press with big screen up there but no figures coming in.

It was apparent that the governmental registrars who had to collect the NAMFREL ballot counts simply were unavailable to do so.

In my judgment, and I stated at the time, someone wants to delay the count, someone wants to know how many votes he needed at that state. In terms of the provinces, I was blithely assured the telex machine were simply shut down at an early hour and would not open until the morning, whether there people there ready to punch in the figures or not. There were barely any returns from Manila, none from the provinces, in essence, a dead count.

Our committee had indicated to the acting Foreign Minister if there was delay in the count, we thought that would be trouble with a capital T.

It was not only a delay, but almost a total breakdown, and it appeared deliberate on the part of the Government.

Ultimately, things were to get worse. Unido people checked out canvassing. The canvass results, as an article dealing with the NAMFREL report in the Washington Post this morning indicates, there were vastly different results in specific provinces between votes already recorded by NAMFREL that we witnessed as valid and the final results on the canvassing.

In short, there was no check and balance in the canvassing, and I indicated to the President of the United States, and these are words I used, "Given this situation, you can cook the results any way you want to." No check and balance there, no stoppers. You can elect anybody President, anybody Vice President; as a matter of fact, at this point, nobody knows any way to determine the vote since many of the votes have been destroyed. Almost all of the tally sheets that came to the Parliament had irregularities. With but two exceptions, all were challenged for lack of signatures, lack of seals, no validity whatever, in a count which was presented to the world with a declaration almost immediately of Mr. Marcos as the winner.

Under those circumstances, Mr. President, the President of the United States declared on Saturday and the resolution before us quotes our President as saying, "The elections were marred by widespread fraud and violence, perpetrated largely by the ruling party." That is absolutely correct, and the President could have added chapter and verse and may do so as the report of the commission he sent to observe comes in.

For these reasons, Mr. President, we have difficult foreign policy problems. We will not try to solve those in the resolution offered by the distinguished Senators today and I am proud to be a part of that list. We, I think, must

take some care in our responses and many Members will offer them. But I would hope all Members could agree with the draft resolution that we have today because it simply expresses the sense of the Senate that the recent elections in the Philippines were marked by such widespread fraud that they cannot be considered a fair reflection of the will of the people of the Philippines.

I believe that to be true and I commend this resolution to my colleagues.

I yield the floor.

Mr. PELL. Mr. President, over recent years, and then more intensively over recent months as the crisis in the Philippines deepened, the administration has sought to place increasing pressure on the Marcos government to bring about needed reform—in the military, in the economy, and most importantly in the political process. Above all, the Philippine people need democracy—for in the democratic process lies the only real hope for an end to military and economic corruption and a dissipation of the violent insurrection that is rapidly leading to full-scale civil war.

In this push for democratization, Congress joined in full accord with the administration. Responding, and apparently in the belief that he could deflate American pressure with a quick referendum he could dominate through traditional techniques of fraud, President Marcos called an election. What he had not anticipated was the ability of his countrymen to overcome their own differences, and their own well-founded fears, and to muster an overwhelming demonstration of support for Mrs. Aquino.

For an American who has long lamented the evils of the Marcos regime, this national political uprising by the Philippine people was an inspiration. And for an American who has long feared that the Philippine people would someday hold the United States accountable for complicity with Mr. Marcos, the constructive role played by the administration and Congress in supporting the push for democracy was a source of gratification and reassurance.

But now the election has been held, and against high odds the Philippine people have clearly expressed their demand for an end to the Marcos regime. The challenge now—Mr. Marcos having stolen the election through blatant fraud—is to shape an American response.

Here an argument could conceivably be made that the United States faces the dilemma of choosing between its strategic interests, which would mean accepting the outcome and retaining access to American bases, and its interests in promoting justice and democracy, would mean dissociating ourselves from Mr. Marcos and pushing for his immediate retirement. But in fact no such dilemma exists. For a dramatic, historic change has occurred in the Philippines—an upheaval of public ex-

pression which we can proudly claim to have supported—and the surest path to damaging American strategic interests would be to accept the Marcos fraud and resume business as usual.

In supporting the democratic process in the Philippines, the United States made a wise and fateful decision. And in using that process—against forces of brutal intimidation—to express their will, the Philippine people also made a decision of fateful consequence. Mr. President, by both the American Government and the people of the Philippines, the choice has been made. And the task for American policy now is to act accordingly—with a clear determination that matches the courage of the Philippine people.

The resolution before us is bipartisan in origin, and is what we might call an interim response. We hope it has an effect. If it has no effect, there will have to be discussions about the withholding of military aid or the sending of civilian aid through non-governmental channels and questions of that sort. But for the moment, this is an excellent interim response, and one that I hope our colleagues can support universally as a very significant message to the Philippine people, and more importantly still, to the Marcos regime.

I would be incorrect in not mentioning the debt we owe to our observers headed up by our colleague, Chairman LUGAR, and the work they did in watching the election and confirming the fact that it was a fraudulent election.

Mr. President, I now yield the floor to the Senator from Massachusetts for 7 minutes.

Mr. KENNEDY. Mr. President, I know we have a time limitation and this came through last night. The majority leader asked for an hour evenly divided. I ask my colleague for 7 minutes of that time if that is all right and agreeable with him.

Mr. President, I rise in strong support of the resolution before us, and it is my hope that the Senate will adopt this resolution unanimously.

No one, except perhaps Mr. Marcos himself, can dispute the fact that the Presidential elections held in the Philippines were a complete and audacious fraud, a mockery of the democratic process which once again demonstrated Mr. Marcos' contempt for justice and the rule of law.

Cory Aquino won that election lock, stock, and barrel. It is time that the United States called a spade a spade. It is time for the Senate to say it, the House of Representatives to say it, and the President of the United States to say it. She is entitled to be inaugurated President of the Philippines.

Last November, when President Marcos announced these "snap" elections, the world hoped the Filipino people would at last have the opportu-

nity to decide for themselves who should lead them through what is fastly becoming some of the most critical years in the history of the Philippines. We held out the hope that a corrupt leader who, for 20 years, amassed a great wealth for himself and his family and close circle of friends while devastating his country's economy, whose corrupt friends in the military have demoralized the lower ranks, who invested hundreds of thousands of dollars in real estate abroad and insured the acquittal of the murderer of his leading political opponent, we thought Mr. Marcos at least saw the need to change his ways and return the control of his country to the people of the Philippines. But the so-called elections on February 7 once again proved that Mr. Marcos refuses to submit to the will of the people. He and his cronies so flagrantly violated the most basic rules of a free and fair election that no advocate of justice and democracy can possibly accept the rigged outcome.

The American people are outraged and dismayed by the rampant fraud and manipulation that pervaded the Presidential election in the Philippines on February 7. The National Assembly, a Marcos organ, has now declared President Marcos the winner of the election, but by all other accounts, the official tally was a fabrication designed to cheat the people of their right freely to choose their leader. The losers in this charade are many—including opposition candidate Corazon Aquino, the Philippine people, and the future of democracy in the Philippines.

I spoke with Cory Aquino this morning, and we discussed the resolution before the Senate today. Despite the exercise in deceit she has just undergone, that champion of freedom has not forsaken hope for her country. She has vowed to continue to fight for democracy in her country, the cause for which her husband, and my friend, Ninoy Aquino gave his life.

Cory thanked me and my colleagues for acting on the resolution before us. She said it will be regarded by the Filipino people as a major statement of American sentiment. This resolution sends a signal to Marcos, and to the Filipino people, that America will not stand idly by in a time of crisis. This resolution shows the people of the Philippines that the American people join with them in their struggle for justice and freedom.

The United States cannot assure fair elections in the Philippines, but we must not wink at an election that is so infected with violence, intimidation, and fraud as to make a mockery of the electoral process. The people of the Philippines want and deserve democracy in their country. None of us will ever forget the pictures of the Philippine people struggling to protect their ballots; their courage as they worked to make their elections fair and honest. And it is the responsibility of

the United States to make it clear it cannot continue to support an illegitimate regime that attempts to legitimize itself by stealing the election.

The Catholic Bishops' Conference of the Philippines has declared that "the polls were unparalleled in the fraudulence of their conduct." Specifically, the bishops have condemned the systematic disenfranchisement of voters through scrambling of voter lists and other improprieties; the exploitation of poor Filipinos through massive vote-buying schemes; ballot tampering; and the use of intimidation and brute force to influence voters to refrain from voting or change their votes.

The official United States congressional observers returned from the Philippines to report significant irregularities in an election some termed fatally flawed. And President Reagan has acknowledged that the election was "marred by widespread fraud and violence perpetrated largely by the ruling party."

As Americans, we have special reasons to denounce the rigged election in the Philippines. First, we share a special relationship with the Filipino people, many of whom fought and died side-by-side with Americans during the Second World War in the cause of freedom and democracy. We must stand with and support those individuals inside the Philippine nation who are working to translate those values and principles into reality and distance ourselves from those who refuse to allow democracy to return to the Philippines.

Second, the nation of the Philippines is at a moment of real crisis in its history. The economy is in shambles, and there have been widespread and increasingly credible reports of corruption at the highest levels of the Filipino Government as well as of a transfer of enormous quantities of the country's wealth abroad on behalf of President Marcos and his cronies.

Third, a Communist guerrilla insurgency seems to be gaining strength with each passing day and Mr. Marcos' continued hold on power appears to be its best recruiter. Unless the Philippines have an honest, fair, and legitimate government in place, conditions in the Philippines will continue to slip toward disaster.

Finally, the United States provides hundreds of millions of dollars in economic and military assistance to the Philippines each year, and we rely upon Clark Air Field and Subic Bay Naval Station as integral parts of our national defense. Yet, we cannot maintain those strategically important facilities without the support of the Filipino people. The surest way to lose those bases is to continue to prop up a corrupt regime that so flagrantly rejects the will of the people. Distancing ourselves from President Marcos and making clear our allegiance to the Filipino people is the best way to ensure we can keep those bases.

We all know the nature of the recent elections in the Philippines. We have all heard the reports by our party institutes, the official U.S. delegation and our own President on the massive fraud that occurred. We are all aware of the repudiation of democracy that has just taken place and we all know that we can no longer support Mr. Marcos. We must begin, and begin today, to distance ourselves publicly from the illegitimate regime that continues to cling to power in the Philippines.

Mr. President, all Americans have been following the events in the Philippines with close interest. We have read the reports of intimidation, repression, fraud, and violence with trepidation and uneasiness but rarely do such reports of events affect us personally. A recent brutal murder in the Philippines, however, has brought home to me the terror associated with political life in the Philippines—that of Evelio B. Javier.

Evi was a courageous opposition leader in the Philippines whom I had met while he was earning a master's degree at the John F. Kennedy School of Government at Harvard University. A former Governor of Antique Province, Evi had left the Philippines in 1980 when he realized he could no longer cooperate in good conscience with the Marcos regime and forfeited a promising political career in the Philippines. He returned to his country in 1984 after the assassination of Benigno Aquino to fight for the cause for which Ninoy had given his life. Since his return Evi has undergone political and physical intimidation by the members of the Marcos ruling party. Last Tuesday, February 11, six gunmen tracked him down and shot him dead in San Jose de Buenavista.

My son, Teddy, Jr., who was in the Philippines for the elections, visited Evi 3 days before he was killed. Evi knew his life was in danger, never going anywhere alone and never staying too long in one place. Evi even told my son that he did not expect to live out the week. His commitment to democracy, despite the extreme risk to his life, his dedication, and commitment to democracy in the Philippines never wavered as he courageously continued to campaign vigorously on behalf of the opposition Presidential candidate, Corozan Aquino throughout his home Province of Antique. That commitment cost him his life, but Cory won in Antique Province.

The Government of the Philippines has begun to investigate this ruthless act of terrorism. It is my fervent hope that those responsible will be brought to justice. I would like to put the Filipino Government on notice that the world will be watching those judicial proceedings and we will not rest until the murderers of this brave man are duly prosecuted.

I would like to call the attention of my colleagues to a recent article by

Elliot Richardson regarding Evelio Javier for whom we both shared a great admiration. Mr. Richardson also knew Evi while he was at Harvard and recognized the strong convictions and faith in the people and in the future of this young Filipino leader. As he writes, Evelio Javier's "death will inspire with his vision countless countrymen who might otherwise never have heard his name. They will remember his decency, honesty, compassion and love of liberty. The directed energy and tenacity that were so much a part of him have not died, and they will not. His assassins have given him immortality."

Mr. President, I urge my colleagues to read Mr. Richardson's eloquent words and ask unanimous consent that his article be printed in the RECORD following my remarks.

This resolution puts the Senate clearly on record against the fraudulent elections that occurred last February 7 in the Philippines. Its text is simple:

The February 7, 1986 Presidential elections and Vice-Presidential elections in the Philippines were marked by such widespread fraud that they cannot be considered a fair reflection of the will of the people of the Philippines.

No one in the Senate can dispute such a statement and I urge a quick and unanimous adoption of this resolution. Democracy will return to the Philippines—we are not sure how soon, or how many lives will be lost in the process, but we all know President Marcos cannot maintain his facade of popularity much longer. And this resolution takes the first step in saying to the Filipino people "we are with you and will not abandon you in this critical moment."

I hope that the Senate will act favorably on this resolution and urge its immediate adoption.

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

[From the Washington Post, Feb. 16, 1986]

A CAUSE WORTH DYING FOR

(By Elliot L. Richardson)

It happens from time to time that the promise of a life is fulfilled in death.

Let it be so with Evelio B. Javier. Born in Antique Province in the Philippines on Oct. 31, 1942, he was murdered there scant days ago—brutally, callously and deliberately gunned down. It was a mindless murder. His assassins could not have calculated the power of the force that they would thereby set in motion. Someday, somehow, it will overwhelm them.

I know this because I knew Evelio Javier. I know the qualities that made him admired and loved and that will now make him a legend.

We met in June of 1981. He had just received a master's degree from the Kennedy School of Government at Harvard. He was looking for a job. Listening to him talk about his 10 years of service as governor of Antique Province—elected in 1971 at the age of 29, he became the youngest governor in the Philippines—I was as much impressed by the way he spoke as by what he said.

His description of the upland development program he started and his pride in its sup-

port by the U.S. Agency for International Development and the Ford Foundation were expressed with modesty, charm and humor. He had faith in people and faith in the future; he had faith in his own ability to make a difference. His genuineness was unmistakable. During the next several days I was moved to write or telephone a dozen people on his behalf.

After the assassination of Benigno Aquino, Evi Javier decided that he must go back to the Philippines and join the forces of democracy. Talking to him shortly before he left, I could sense his exhilaration. His eyes shone. He embraced the task ahead with joy and courage. Going back would be better than trying to help from a distance. Here was a cause worthy of total dedication. For him it went without saying that it was worth giving his life for. He exuded the kind of gallantry that I associate with Lee's Lieutenants and with Winston Churchill's generation of British subalterns. I had known officers like that in Normandy.

He did go back. He joined a law firm. He made plans to start a counterpart of the Kennedy School in the Philippines. He ran for parliament in Antique Province, lost narrowly, and brought proceedings in the Supreme Court of the Philippines charging fraud in the vote count. Seven of his supporters were ambushed and killed on election eve, and he filed multiple murder charges against his opponent, Arturo Pacificador. The charges were still pending when he himself was killed.

The last time I saw Evi was in April 1985. He had come to the United States with Sen. Eva Kalaw of Manila, the president of the Liberal Party. Evi was her deputy. He was also chairman of the party's platform committee. He was full of his plans to hold meetings on the platform in all parts of the Philippines. It would, he told me, be "a platform that we can truly call the people's platform."

At the close of a speech in Manila a month earlier he had said:

"Let politics then be the concern not only of the politicians but also of the citizens. Let us no longer leave politics to the corrupt and the abusive."

"My hope is that out of this partnership will merge leaders of the country who, like Cincinnatus and Garibaldi, after leading the call of their country, shall not be tempted to perpetuate themselves in power. My hope is that we shall see more leaders who shall not be afraid to go back to the farm, plow the land and milk the goats again. Then more and more citizens can take their turns at the reigns of political leadership."

"My friends, our democratic processes and institutions, our liberties have long been hanging in peril. And time is running out on us if we are still to save whatever is left of our liberties."

Evelio Javier is now a symbol of the things he stood for. A hero in his lifetime, he is now a martyr. His death will inspire with his vision countless countrymen who might otherwise never have heard his name. They will remember his decency, honesty, compassion and love of liberty. The directed energy and tenacity that were so much a part of him have not died, and they will not. His assassins have given him immortality.

Mr. DOLE. Mr. President, I wish to thank the managers of the bill for the resolution and all others who participated in putting it together.

I joined with the minority leader and a large number of other Senators to introduce the resolution which we will vote on at 12 o'clock, which will express the Senate's deep concern

about the reported widespread fraud which marred the recent Philippine Presidential elections.

Declarations and certifications of electoral victory mean little if they are not accepted or believed by the people of the Philippines. In such a situation, there are no winners.

The United States has had a special relationship with the Philippines, based on a long history, a common desire for democracy and shared strategic interests. It is a relationship that has very much served our own national interest. We are determined to maintain it.

But let me stress: We do not seek to interfere in the internal affairs of the Philippines. It is not our right, and not in our interest, to tell the Philippine people or the people of the world who won or who lost the Philippine election or who should be their leader. That is not the intent of the resolution.

But, as the resolution noted, our interests in the Philippines are best served if there is in place in Manila a stable, democratic government. The resolution seeks to encourage the process by which such a government can emerge.

Mr. President, the stakes in the Philippines are high, for us and for the people of that troubled country. We have critical military installations there, which are the subject of a bill which I will introduce in just a moment or two. It is vitally important for all of us that the Philippines return soon to its tradition of stable, democratic government. I am convinced that passage of this resolution by a large majority will be a step in that direction, and I urge all of my colleagues to support it.

S. 2078—EXAMINING THE FEASIBILITY OF RELOCATION OF MILITARY FACILITIES IN THE PACIFIC REGION

Mr. DOLE. Mr. President, I am introducing at this time legislation dealing with two of the most important military facilities we maintain overseas, the installations located at Clark Air Base and Subic Bay Naval Base in the Philippines.

ELEMENTS OF BILL AND COSPONSORS

This legislation is brief and to the point. First, it reaffirms our desire and our intention to maintain the facilities at Clark and Subic, as long as safe and stable access to them can be guaranteed under the terms of our bases agreement with the Philippines.

Second, in light of the currently unsettled situation in the Philippines, it directs the Defense Department to undertake, on a priority basis, a study of the feasibility and cost of relocating the facilities to other sites in the Pacific, should that be necessary. The results of that study are to be transmitted to Congress no later than June 30 of this year.

I am pleased that a number of distinguished Senators with special expertise on defense and foreign policy