

backing of other ECOWAS states. Other nations who are already rushing troops to Sierra Leone include India, Jordan and Bangladesh. Most potential troop contributors from the region are likely to require better equipment and training if they are to contribute meaningfully. Pentagon and EUCOM assessment teams are studying the issue urgently. If our objectives are to be accomplished, the U.S. will need to be ready, with congressional support and funding, to provide our share of an international effort to provide equipment and training to those who are willing to do the military job—including the governments of Sierra Leone and other countries in the region. Any direct training of contributing country troops by U.S. military personnel would be done outside Sierra Leone and no U.S. combat troops would be deployed to Sierra Leone. We will have to work out the relationship between such an operation and the UN, recognizing that for many countries a UN role is preferable—but we must ensure that the mandate is robust. Fourth, since there is virtually no real government structure left in Sierra Leone, if the security situation can be stabilized a longer term international effort will be needed to help build viable institutions in Sierra Leone. It will take time, but in the long run, the rest of the effort will be unsuccessful if it is not accompanied by this component. However, this cannot start until the situation is stabilized, and there is no present funding request for this function. Fifth (this is a point I failed to mention in our meeting) we must develop a corresponding political strategy for dealing appropriately with Liberia's President, Charles Taylor, and with the illicit diamond trade that fuels conflict and criminality in the region.

On the Congo, the problems are still daunting, but there has been some real movement since I first discussed this issue with you in late February:

(A) On May 4, in my presence, the Kabila Government signed the Status of Forces Agreement with the UN—an essential precondition for any UN deployment;

(B) Kabila has said he would accept South African troops;

(C) The Lusaka parties signed a new cease-fire agreement effective April 14, calming the situation on the ground considerably;

(D) The UN Security Council Mission negotiated on May 8 a cease-fire between the Ugandans and Rwandans who were fighting in Kisangani (Congo's third largest, and perhaps most strategic, city); Regional leaders subsequently secured agreement between Rwanda and Uganda on a detailed disengagement plan;

(E) The Presidents of Rwanda and Uganda asked for immediate UN assistance in support of demilitarizing Kisangani;

(F) All the parties to the war in the Congo have asked for the UN observer mission as soon as possible to implement the Lusaka Ceasefire Agreement;

(G) The South Africans sent a high-level military mission in New York to discuss their role in Congo, and the Pakistanis (among others) are about to send troops. The South Africans met with a joint State Pentagon-NSC team to discuss close coordination.

Of course, not all the news from Congo is positive. While progressing, the political dialogue called for by Lusaka is off to a slow start; the UN and the OAU military observer missions have not meshed sufficiently; some of the rebels still violate the cease-fire on occasion; and there are many other lesser problems. Still there is a real desire for some resolution to these issues by most parties. What is required next is a step-by-step test of their commitments to implement their own "African agreement for an African problem." This is one of our highest priorities.

As we both said to you, neither the Secretary nor I are certain that Lusaka will succeed. But we are certain that Lusaka will fail if the UN does not take the next series of steps to support it, as called for by all parties. The recent progress supports this view, I believe.

For the United States, this will require the unblocking of \$41 million of reprogrammed peacekeeping funds for the current fiscal year for Congo. We believe that this request does not put our national prestige on the line; it is a UN operation (with no U.S. troops in the UN operation). However, if we do not pay our share, we are concerned that the UN will be unable to bring in adequate and properly equipped troops, and the resulting failure of the mission will be attributed, however unfairly, to the United States.

Our arrears on the current operation in Sierra Leone limit our ability to promote effectively the critical policy objectives outlined in this letter. More broadly, failure to pay our share of these missions risks seriously undermining our all-out effort to carry the Helms-Biden reform package, on which we are making real progress. You will note several recent news articles regarding our forward movement on a wide range of issues, including the admission of Israel to a UN regional grouping (after 40 years!), the new GAO report that shows UN progress, and the first debate in 27 years on revising the UN peacekeeping scale. All this forward movement will greatly benefit from your support and I thank you for your thoughtful involvement in this process.

I hope this letter is responsive to your request. If I can be of any further assistance, please do not hesitate to contact me or my colleagues in the State Department.

Sincerely,

RICHARD C. HOLBROOKE.

Mr. GREGG. Mr. President, this letter obviously, in my opinion, is a very positive step in the redirection of American policy in Sierra Leone. I congratulate Ambassador Holbrooke for organizing the letter.

Whereas the Article V and IX of the Lome Accord granted Foday Sankoh the Vice Presidency of Sierra Leone and an "absolute and free pardon," Ambassador Holbrooke's plan makes it clear that Foday Sankoh can play no role in the politics or government of Sierra Leone and that "he must be held accountable for his actions." This when as late as a month ago State Department officials were still being quoted as saying that Sankoh's "voice was positive" and that he "has a chance to play a positive role." Now, we will recognize him for what he is, a war criminal, and treat him as such.

Whereas Annex 1 and Articles V and VII of the Lome Accord left Foday Sankoh and the RUF in control of Sierra Leone's diamonds, Ambassador Holbrooke's plan rightly strips Sankoh of his chairmanship of the diamond control board and insists that "allied" forces "have the capacity to disrupt RUF control of Sierra Leone's diamond producing areas, the main source of RUF income." Under Lome, peacekeepers did no more than oversee the looting of Sierra Leone. Now, international troops will fight alongside local forces to expel the RUF from the diamond fields.

Whereas the Lome Accord was silent on root causes of violence in Sierra

Leone and the region, Ambassador Holbrooke's plan seeks a "political strategy for dealing appropriately with Liberia's President, Charles Taylor, and with the illicit diamond trade that fuels conflict and criminality in the region." The RUF is in large part Taylor's proxy. Under Lome, Taylor's success in seizing the riches of Sierra Leone could invite a similar attack on Guinea.

Lome is dead. The U.S. will not turn a blind eye to the rape of a people and a land. We will demand that brutal thugs are held accountable for their atrocities, and regional trouble-makers.

Why the change? I do not flatter myself that my "hold" did all of this, but it did give those of us who opposed the Lome Accord a chance to right a terrible wrong. And to his credit, Ambassador Holbrooke has crafted a forceful plan, and vetted it through the inter-agency process in record time. It is a plan that I believe Americans can and should support, and can be proud of.

Therefore, I am releasing my hold on the \$50,000,000 owed the U.N. for peacekeeping in Sierra Leone. I will also press ahead to ensure that my provision blocking the illicit sale of diamonds from Sierra Leone and other war-torn countries is included in the final version of the fiscal year 2001 military construction appropriations bill. Finally, I look forward to working with Ambassador Holbrooke and his staff to ensure that the strategy laid out in his letter is supported by Congress.

I thank the Chair. I thank the Senator from Idaho for his courtesy.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

Mr. CRAIG. Mr. President, thank you very much.

THE SECOND AMENDMENT

Mr. CRAIG. Mr. President, I appear on the floor to speak about a provision of the Constitution of our country that has been under nearly constant attack for 8 years. In fact, we heard on the floor this morning two Senators speak about provisions in law that would alter a constitutional right.

The provision I am talking about is part of our Bill of Rights—the first 10 amendments to our Constitution—which protect our most basic rights from being stripped away by an overly zealous government, including rights that all Americans hold dear:

The freedom to worship according to one's conscience;

The freedom to speak or to write whatever we might think;

The freedom to criticize our Government;

And, the freedom to assemble peacefully.

Among the safeguards of these fundamental rights, we find the Second Amendment. Let me read it clearly:

A well regulated Militia, being necessary to the security of a free State, the right of

the people to keep and bear Arms, shall not be infringed.

I want to repeat that.

The second amendment of our Constitution says very clearly that "A well regulated Militia" is "necessary" for the "security of a free State," and that "the right of the people to keep and bear Arms, shall not be infringed."

What we heard this morning was an effort to infringe upon that right.

Some—even of my colleagues—will read what I have just quoted from our Constitution quite differently. They might read "A well regulated Militia," and stop there and declare that "the right of the people to keep and bear Arms" actually means that it is a right of our Government to keep and bear arms because they associate the militia with the government. Yet, under this standard, the Bill of Rights would protect only the right of a government to speak, or the right of a government to criticize itself, if you were taking that same argument and transposing it over the first amendment. In fact, the Bill of Rights protects the rights of people from being infringed upon by Government—not the other way around.

Of course, we know that our Founding Fathers in their effort to ratify the Constitution could not convince the citizens to accept it until the Bill of Rights was established to assure the citizenry that we were protecting the citizens from Government instead of government from the citizens.

Others say that the Second Amendment merely protects hunting and sport shooting. They see shooting competitions and hunting for food as the only legitimate uses of guns, and, therefore, conclude that the Second Amendment is no impediment to restricting gun use to those purposes.

You can hear it in the way President Clinton assures hunters that his gun control proposals that will not trample on recreation—though his proposals certainly walk all over their rights.

In fact, the Second Amendment does not merely protect sport shooting and hunting, though it certainly does that.

Nor does the second amendment exist to protect the government's right to bear arms.

The framers of our Constitution wrote the Second Amendment with a greater purpose.

They made the Second Amendment the law of the land because it has something very particular to say about the rights of every man and every woman, and about the relationship of every man and every woman to his or her Government. That is: The first right of every human being, the right of self-defense.

Let me repeat that: The first right of every human being is the right of self-defense. Without that right, all other rights are meaningless. The right of self-defense is not something the government bestows upon its citizens. It is an inalienable right, older than the Constitution itself. It existed prior to

government and prior to the social contract of our Constitution. It is the right that government did not create and therefore it is a right that under our Constitution the government simply cannot take away. The framers of our Constitution understood this clearly. Therefore, they did not merely acknowledge that the right exists. They denied Congress the power to infringe upon that right.

Under the social contract that is the Constitution of the United States, the American people have told Congress explicitly that we do not have the authority to abolish the American people's right to defend themselves. Further, the framers said not only does the Congress not have the power to abolish that right, but Congress may not even infringe upon that right. That is what our Constitution says. That is what the Second Amendment clearly lays out. Our Founding Fathers wrote the Second Amendment to tell us that a free state cannot exist if the people are denied the right or the means to defend themselves.

Let me repeat that because it is so fundamental to our freedom. A free state cannot exist, our free state of the United States collectively, cannot exist without the right of the people to defend themselves. This is the meaning of the Second Amendment. Over the years a lot of our citizens and many politicians have tried to nudge that definition around. But contrary to what the media and the President say, the right to keep and bear arms is as important today as it was 200 years ago.

Every day in this country thousands of peaceful, law-abiding Americans use guns to defend themselves, their families, and their property. Oftentimes, complete strangers are protected by that citizen who steps up and stops the thief or the stalker or the rapist or the murderer from going at that citizen.

According to the FBI, criminals used guns in 1998 380,000 times across America. Yet research indicates that peaceful, law-abiding Americans, using their constitutional right, used a gun to prevent 2.5 million crimes in America that year and nearly every year. In fact, I believe the benefits of protecting the people's right to keep and bear arms far outweighs the destruction wrought by criminals and firearms accidents. The Centers for Disease Control report 32,000 Americans died from firearm injuries in 1997; under any estimate, that is a tragedy. Unfortunately, the Centers for Disease Control do not keep data on the number of lives that were saved when guns were used in a defensive manner.

Yet if we were to survey the public every year, we would find 400,000 Americans report they used a gun in a way that almost certainly saved either their life or someone else's. Is that estimate too high? Perhaps. I hope it is, because every time a life is saved from violence, that means that someone was threatening a life with violence. But

that number would have to be over 13 times too high for our opponents to be correct when they say that guns are used to kill more often than they are used to protect. What they have been saying here and across America simply isn't true and the facts bear that out.

We are not debating the tragedy. We are debating facts at this moment. They cannot come up with 2.5 million gun crimes. But clearly, through surveys, we can come up with 2.5 million crimes thwarted every year when someone used a gun in defense of themselves or their property. In many cases, armed citizens not only thwarted crime, but they held the suspect until the authorities arrived and placed that person in custody.

Stories of people defending themselves with guns do not make the nightly news. It just simply isn't news in America. It isn't hot. It isn't exciting. It is American. Sometimes when people act in an American way, it simply isn't reportable in our country anymore. So the national news media doesn't follow it.

Yet two of the school shootings that have brought gun issues to the forefront in the last year, in Pearl, MS, and Edinboro, PA, were stopped by peaceful gun owners using their weapons to subdue the killer until the police arrived. How did that get missed in the story? It was mentioned once, in passing, and then ignored as people ran to the floor of the Senate to talk about the tragedy of the killing. Of course the killing was a tragedy, but it was also heroic that someone used their constitutional right to save lives in the process.

A third school shooting in Springfield, OR, was stopped because some parents took time to teach their child the wise use of guns. So when that young man heard a particular sound coming from the gun, he was able to rush the shooter, because he knew that gun had run out of ammunition. He was used to guns. He was around them. He subdued the shooter and saved potentially many other lives. We have recognized him nationally for that heroic act, that young high school student of Springfield, OR.

For some reason, my colleagues on the other side of the aisle never want to tell these stories. They only want to say, after a crisis such as this, "Pass a new gun control law and call 9-1-1." Yet these stories are essential to our understanding of the right of people to keep and bear arms.

I will share a few of these stories right now. Shawnra Pence, a 29-year-old mother from Sequim, WA, home alone with one of her children, heard an intruder break into the house. She took her .9 mm, took her child to the bedroom, and when the 18-year-old criminal broke into the bedroom, she said, "Get out of my house, I have a gun, get out now." He left and the police caught him. She saved her life and her child's life. It made one brief story in the Peninsula Daily news in Sequim, WA.

We have to talk about these stories because it is time America heard the other side of this debate. There are 2.5 million Americans out there defending themselves and their property by the use of their constitutional right.

In Cumberland, TN, a 28-year-old Jason McCulley broke into the home of Stanley Horn and his wife, tied up the couple at knife-point, and demanded to know where the couple kept some cash. While Mrs. Horn was directing the robber, Mr. Horn wriggled free from his restraints, retrieved his handgun, shot the intruder, and then called the police. The intruder, Jason McCulley, subsequently died. If some Senators on the other side of the aisle had their way, perhaps the Horns would have been killed and Jason McCulley would have walked away.

Earlier today, we heard the Senator from Illinois and the Senator from California read the names people killed by guns in America. Some day they may read the name Jason McCulley. I doubt they will tell you how he died, however, because it doesn't advance their goal of destroying the Second Amendment. But As Paul Harvey might say: Now you know the rest of the story.

Every 13 seconds this story is repeated across America. Every 13 seconds in America someone uses a gun to stop a crime. Why do our opponents never tell these stories? Why do the enemies of the right to keep and bear arms ignore this reality that is relived by 2.5 million Americans every year? Why is it that all we hear from them is, "Pass a new gun control law, and, by the way, call 9-1-1."

I encourage all listening today, if you have heard of someone using their Second Amendment rights to prevent a crime, to save a life, to protect another life, then send us your story. There are people here who desperately need to hear this in Washington, right here on Capitol Hill. This is a story that should be played out every day in the press but isn't. So let's play it out, right here on the floor of the Senate. Send me those stories from your local newspapers about that law-abiding citizen who used his constitutional right of self-defense. Send that story to me, Senator LARRY CRAIG, Washington, DC, 20510, or send it to your own Senator. Let him or her know the rest of the story of America's constitutional rights.

I ask unanimous consent to proceed for one more moment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Having said all of this, let there be no mistake. Guns are not for everyone. We restrict children's access to guns and we restrict criminals' access to guns, but we must not tolerate politicians who tell us that the Second Amendment only protects the right to hunt. We must not tolerate politicians who infringe upon our right to defend ourselves from thieves and stalkers and rapists and murderers.

And we must not tolerate the politician who simply says: "Pass another gun control law and call 9-1-1."

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent I be recognized for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, with great respect to my colleague from Idaho, and I did not come to the floor of the Senate to talk about this, let me say when any of my colleagues stand up and talk about gun control issues that the minority wishes to pursue—let me explain in a sentence or so what we are trying to do. It is not to restrict the opportunity of anyone in this country who has the right to own a gun. We are trying to close the gun show loophole to prevent convicted felons from getting a gun.

Go to a gun store to buy a gun in this country and you must run your name through an instant check because we do not want convicted felons to have weapons. They cannot, by law, possess weapons. Go to a gun store and you have to run your name through an instant check. If it comes up that you are a convicted felon, you do not get the gun. But go to a gun show on a Saturday morning as a convicted felon and buy a gun and you do not have to have your name checked against anything. Go get your gun at a gun show, if you are a convicted felon and want a weapon. We are trying to close that loophole.

Every American should support closing that loophole and should support it now. That does not affect any law-abiding citizen's right to own a gun. All it does is says let's keep guns out of the hands of felons. No one in this Chamber should believe convicted felons ought to be able to go into a gun show and gain access to a weapon they are not by law entitled to have.

I did not come to the floor to speak about that, but I did want to respond to the pejorative suggestion that people on this side of the aisle want to injure the rights of law-abiding citizens to possess weapons. That is just wrong. We are trying to close a loophole that every American ought to support closing—to keep felons from getting guns.

INTERSTATE PRISONER TRANSFERS

Mr. DORGAN. Mr. President, this is a picture of a man named Kyle Bell. This brutal criminal killed Jeanna North, an 11-year-old girl from Fargo, ND.

After being convicted and imprisoned, Kyle Bell escaped. How did he escape? When North Dakota authorities were going to transport him to a prison out of State for safekeeping, a prison in the State of Oregon, they contracted with a private company called TransCor to haul him there. As he was

being transported across the country by bus with a dozen or more other prisoners, this child killer escaped. While stopped at a gas station, two guards with this private company were sleeping; another was apparently buying a cheeseburger. Kyle Bell went out through the top of the bus and this child killer walked away.

When I discovered what had happened, I thought to myself, that cannot be. We are turning child killers over to private companies to be transported across the country? But it is true. Then I discovered the record of these companies. You can be a retired sheriff and call your brother-in-law and say: Let's buy a mini van and let's go into the business of transporting criminals. In fact, in one state, a man and his wife showed up with a little mini van to pick up five convicted murderers. The warden of the penitentiary said: You have to be kidding me. They weren't kidding. That is who the State hired to transport these murderers. And of course the murderers escaped in short order.

What I have discovered is we have private companies being hired by State and local governments to transport violent criminals around the country, and those companies have no requirement to meet any standards at all. That doesn't make any sense.

I have introduced a piece of legislation I call Jeanna's Bill that says if any local or State government is going to contract with a private company to haul a violent criminal, they must meet some basic standards. They must meet some regulations. If you haul toxic waste, you must meet regulations. Haul cattle, you must meet regulations. Haul circus animals, you must meet regulations. But some of our States and local governments are willing to turn killers over to private companies who have no such standards to meet at all.

I received a letter in the last few days from the Governor of Nevada. I want to say I pass him my compliments. The Governor of Nevada was sending a convicted murderer named James Prestridge to North Dakota for safekeeping under the Prisoners Exchange Agreement. Mr. Prestridge, along with another fellow convicted of armed robbery, was being hauled to North Dakota by a company that is called Extraditions International.

Mr. Prestridge, this convicted murderer, escaped, as did John Doran, an armed robber. Mr. Doran was found just south of the Mexican border with a bullet through his brain, and Mr. Prestridge was recently apprehended. I wrote to the Governor of Nevada and said: I hope if you still intend to send this convicted murderer to North Dakota you will do it through the U.S. Marshals Service. They will haul violent offenders anywhere across this country for a flat fee and they don't lose them.

I got a letter back from the Governor of Nevada. He said: