

very important to our country. Last week, I rose in defense of the second amendment to our Constitution. Why? Because it is under relentless attack at this moment by our colleagues on the other side of the aisle. It is under relentless attack by the White House and has been now for nearly 8 solid years. They want to deny that there is a second amendment, or that there are legitimate rights under that amendment, and they simply want to control or shape what many Americans believe to be their constitutional right under the second amendment, and that is the right to own a firearm in this Nation.

The second amendment reads:

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.

It is a simple amendment, but, oh, what a powerful force it brings; and, oh, what important emotions it engenders in our country.

The enemies of the right to keep and bear arms tell us that because the word "militia" is present, the second amendment only protects the right of the Government to keep and bear arms.

If anyone in this body is a student of American history and understands the thinking of our Founding Fathers, they recognize their hostility toward a central government and their willingness to control a central government and give the citizens the greater expression of freedom but, most importantly, power over that central government.

Somehow, our colleague would like to ignore those thoughts and the mind set and the belief of the framers of our Constitution. But let me tell you that our framers knew what they were talking about. They said, "A well regulated Militia" means, in the words of George Mason, "the whole people"—"the whole people" was the regulation militia—"except a few public officers."

So never mind their restrictive reading of the Constitution. I think our scholars of history have widely recognized and rejected the idea that there is a narrow interpretation.

They tell us the second amendment only protects hunting and sport shooting. Read the Constitution. It is so very clear. It doesn't even mention the words "hunting and sport shooting." I don't believe the term "sport shooting" was something used in those days. Hunting certainly was perceived to be a right, and even a responsibility, and a necessary tool of many families to put food on the table.

They cite Supreme Court cases—such as *United States v. Miller*—that state the second amendment protects private ownership of military-style weapons; then they try to ban private ownership of military-style weapons. How can you use the argument to argue its purpose and then turn and try to do quite the opposite?

I will simply point out for a few brief moments this afternoon the real inconsistencies in the argument that is presented by my colleagues on the other

side and the blatant ignoring of our Constitution by the White House. But then those of us who are observers of the White House are not terribly surprised by that.

Am I being harsh? I don't think so, Mr. President. I think I am being very clear in what I say.

Senate gun controllers have said they do not want to confiscate the guns of Americans. But then other leaders in other countries—including Great Britain, Nazi Germany, Cambodia, Australia, Cuba, and Soviet Georgia—have said the same, and they would only license and register, and not confiscate. And, of course, they did license, they did register, and then they confiscated.

With my time remaining, let me point to a few examples as to why our Government said there was a right and why our Founding Fathers said under our Constitution there is a right.

Every 13 seconds, the stories I am about to tell you are repeated across this Nation. Every 13 seconds in America, someone uses a gun—not to kill someone else, but to stop a crime, to protect their property, to protect their life. Every 13 seconds across America, our citizens do what our Founding Fathers knew they must do as a free citizen; that is, protect themselves in the right of self-defense. That is so much what our second amendment is about.

Let me tell you about this lady, whom I show here on the chart, from Spring Hill, FL, May 24 of this year. It says: "A pistol-packing grandmother with a license to carry calmly approached a man with a knife who was scuffling with employees at a Wal-Mart and ordered him to drop" the knife. He dropped the knife. She held him at bay. They called the cops, and the cops arrested him.

Thank you, grandma, for being willing to defend your rights and the integrity of others.

Let me talk about someone who invaded the home of one of our citizens in Benton Harbor in Berrien County.

Prosecutor Jim Cherry announced Thursday he will not file homicide charges against a man who shot and killed Rodney Lee Moore last month at a Benton Harbor housing complex.

Why? Because this man was defending his life and defending the life of his family. He had been attacked. He had been injured. And yet, he struggled, he found his gun, and he protected his person by taking the intruder's life.

That is the right of a free citizen in a free society—to defend oneself and one's property.

One more example. I know there are other colleagues on the floor who wish to speak on other issues. But it is an important example.

It was the night of January 31 of this year in Apache Junction, AR, 25 miles from Phoenix. It began when a woman was getting into her SUV in a Wal-Mart parking lot in nearby Chandler. She was approached by a man riding a bicycle. He pulled out a gun, forced her into her SUV, and made her drive to an

isolated area 15 miles away. He raped her. Then he abandoned her in the desert.

According to the Chandler Police Department sergeant, Ken Phillips, "He left her in a desert area and starts to drive away, but turns around, comes back, and he shoots her twice." The woman, suffering from bullet wounds in her face, her chest, and her arm, was miraculously able to walk a quarter of a mile for help.

This dangerous criminal then drove his victim's SUV to the home of his former boss, Jeff Tribble. In that home, Mr. Tribble, his 28-year-old wife Bricie, and their 9-year-old nephew resided. The criminal broke into their house. What happened? Sergeant Phillips said that this gentleman's wife, Mr. Tribble's wife, got her gun and shot the criminal twice—once in the face and once in the chest—and he dropped dead. Then she called 911 to report the shooting of an intruder who had just hours before raped and shot another person.

Those are the stories that are not being told to America today. And they happen every 13 seconds across our Nation. Two and one-half million Americans annually use the second amendment right to protect themselves, their property, their children, and their spouses. That is the right of a free citizen. That is why the second amendment is in the Constitution.

I do not in any way by these statements fail to recognize the tragedies that occur when a gun is misused in our society. It is misused much too often. But it is time we speak out.

I have said several times to those who may be listening or who might read my statement to call me or write me. Tell me about your story. Tell me about what happened in your community. Literally, citizens are now doing that. Tell me about the right of the free citizen to protect themselves and their property.

It is very simple. It is, LARRY CRAIG, U.S. Senator, Washington, DC, 20510.

I would like to hear from you. I think it is time America is heard, about how other Americans use their sacred right of the second amendment to protect themselves and their loved ones.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### UNITED STATES NONMILITARY ARSENALS

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

I take this opportunity to thank my colleagues on the Armed Services Committee, Chairman WARNER, and also the ranking member, Senator LEVIN, for the amendment I offered, that they have accepted, I am told. My amendment addresses the situation with our Nation's military arsenals.

We have the Rock Island arsenal in Rock Island, IL. It lies on an island in the Mississippi River between the border of Illinois and Iowa. The Rock Island Arsenal dates back to just about

the time of the Civil War. It has been producing outstanding equipment, with outstanding personnel, to our Nation's military for well over 100 years.

A few years ago, the military changed its procurement rules to require our Nation's arsenals, when they were bidding on a contract, to provide military hardware to our Army or Defense Department. It requires them to submit bids that not only include their marginal cost for producing the product but, in fact, requires them to add into their bid the entire overhead.

This new policy which the Defense Department established a few years ago has actually been harming taxpayers. Why, someone might ask, has that been harming taxpayers? What has been happening, as our Nation's arsenals—and there are three in this country; in addition to one in Illinois, there is one in New York and also one in Arkansas—go to bid on projects to provide supplies to the military, and they have to not only state their cost of building those supplies, they also have to add in the cost of their overhead. That means in analyzing those bids, the military is always going to prefer the bid of the private contractor.

In fact, our arsenals have been losing business from the U.S. Government. This has been harming taxpayers. The reason it has been harming the taxpayers is because once we pay the private contractor to build the weapon or perform on the contract, we are still paying to keep the arsenals open. So the taxpayers wind up paying twice for the project.

For example, a few years ago the military requested a new Light Towed Howitzer. They wound up giving the bid to a British defense firm. The Rock Island Arsenal lost out on the bid. The Government paid the British defense firm to start on the contract, but meanwhile, the Government and the taxpayers are still paying to keep the arsenals open.

My amendment is designed to correct this flaw which is wasting taxpayers' money. From now on, under this amendment, when domestic organic arsenals in this country bid on a military project, they will be able to state their incremental cost for building the product, if it is a Howitzer or other weapon for the military. This way, it will be more fair to the arsenals. They will be able to bid their actual cost and the playing field won't be tilted in favor of the private contractors.

Actually, the Department of Defense convened a defense working capital fund task force a couple of years ago that noted that the taxpayers were being billed twice for these military contractors; that it didn't make any sense. In fact, that issue paper which came out on February 25, 1999, and was issued by the defense working capital fund task force, concluded that

[T]he Department of Defense will ultimately pay twice for maintaining the essential organic capabilities as well as contracting out for the goods or services.

It went on to say that these rules cause an artificial, a fictitious book-keeping entry that overprices the arsenal services and not only encourages behavior that is not optimal for the military as a whole, but also leads to an increasing disparity between military and private suppliers that "results in an increasing abandonment of arsenal services."

Mr. President, I compliment the members of the Armed Services Committee and Chairman WARNER and also the ranking member for accepting my amendment. We should be able to help our Nation's arsenals and particularly the Rock Island Arsenal in Rock Island, IL, as well as save the taxpayers of this Nation some of their hard-earned money.

The PRESIDING OFFICER. The Senator from Nebraska.

#### HAPPY BIRTHDAY, UNITED STATES ARMY

Mr. HAGEL. Mr. President, I rise today to wish the United States Army happy birthday. It was 225 years ago today, in 1775, that the Continental Army of the United States was formed. That Continental Army of the United States has had a rich, important impact on our country.

Millions of men and women over the last 225 years have served in the senior branch of services of our military forces of the U.S. Army. The Army is interwoven into the culture of America. Those who have had the great privilege of serving in this country in the U.S. Army understand that. It may have been a little difficult during basic training for some, but as we progressed through basic training and became Army men and women, formed, shaped, and molded from raw recruiting into something that America could be proud of, and we could be proud of ourselves, that touch, that impact, that molding, that shape, has defined our country, has defined our culture, and has, in fact, defined the world. The U.S. Army has had an incredible effect on our country and the world for the better.

"Duty, honor, country" is the motto of the U.S. Army. It is America. It is who we are. Not one generation of Americans who have served in the U.S. Army have gone untouched by not only what America is about but what the Army is about. It is a shaping and molding that has touched lives in ways that are hard to explain, just as the Army has touched our national life and made the world more secure, more prosperous, and a better world for all mankind.

On this 225th birthday of the U.S. Army, as an old infantryman who served in the U.S. Army, I say happy birthday to the veterans of this country. We recognize and acknowledge and pay tribute to those generations who have served before some of us had the opportunity to serve a newer Army.

It is the Army that has laid the foundation for our services today and for a

stronger America. To that, we say, again, happy birthday and thank you, in the great rich tradition of the U.S. Army.

Mr. President, we say "hoo-ha."

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. I take a few moments to commend the Senator from Nebraska for his remarks. I think he speaks for most of us, if not all of us. He speaks eloquently in congratulating the Army. That is something we shouldn't forget: The role of the Army, what the Army stands for, what the Army has done, often at a tremendous price, as we know. We shouldn't forget that.

I commend the Senator from Nebraska for his remarks.

#### DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 7475) making appropriations for the Department of Transportation and related agencies for the fiscal year September 30, 2001, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER (Mr. GREGG). Under the previous order, the language of S. 2720 is before the Senate as amendment No. 3426.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, the pending business before the Senate is the House bill, is that right, or the Senate bill?

The PRESIDING OFFICER. The House bill, with the Senate language as an amendment.

Mr. SHELBY. We have some procedural obstacles to clear, is my understanding here. In the meantime, what I will do is go ahead and make my opening statement.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, chairman STEVENS and the leader asked us to move quickly on this year's Transportation appropriations bill, and I'm happy to say that with the assistance of the senior Senator from New Jersey, we have reported a bill for the Senate's consideration. I am speaking of the Senate bill now. Considering that the Senate approved the Transportation appropriations bill in September last year, I suppose that presenting this bill during the second full week in June would qualify as moving more quickly this year.

I commend Senator STEVENS and Majority Leader LOTT for pushing this agenda.

Both Senator LAUTENBERG and I strongly support this package, though