

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

Mr. GREGG. Mr. President, I thank the Senator from Idaho for his courtesy. I ask unanimous consent that he be allowed to proceed after I have completed my statement.

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

SIERRA LEONE

Mr. GREGG. Mr. President, I want to speak about the issue of what is happening in Africa, specifically in Sierra Leone. Recently, I have become involved in this issue because, as chairman of the Commerce, Justice, State, and the Judiciary Subcommittee, we have jurisdiction over the funds that flow to the U.N. for peacekeeping activity. In order to adequately do the job as chairman of that subcommittee, our job involves oversight of those funds, to make sure they are being used effectively. After all, they are American tax dollars; Congress has control of the purse strings; and we have a major role in how those dollars are spent.

I recognize fully, as all Members of Congress do, that the key individual who sets foreign policy is our President. Even though we may disagree with our President, he does have that priority position. But there are, obviously, issues on which the Congress has a role in foreign policy—very significant issues. One of them happens to be the funding of peacekeeping activities and the role the United States should play in that. So I have had very serious concerns about our policies in Sierra Leone specifically—on a number of peacekeeping activities, but specifically our policies in Sierra Leone. This is because of a number of issues that have been raised there.

Last year, the United States, regrettably, played a key role in imposing the Lome Accord on a brutalized Sierra Leone. The accord granted a total amnesty to the Revolutionary United Front, RUF, which is basically a gang of thugs that murders, rapes, and mutilates people. Just about everybody in their path has come under their severe act of violence. In fact, they actually empower their soldiers—and they are not really soldiers; many are very young boys—to cut off the arms of women and children in order to make a point. This is a very common practice with this alleged military group called RUF, this gang of thugs. They have been terrorizing the country of Sierra Leone. There is no question about that. Their leader, Foday Sankoh, and his lieutenants, as part of the Lome agreement, as part of the understanding of the Lome agreement—and this is why it was such a horrendous agreement—were given top spots in the “transition” government and guaranteed RUF control over the Sierra Leone diamond

mines, which is basically the core of the element of how they generate their revenues.

It is inexcusable that we were party to the Lome agreement and that we therefore empowered these war criminals to take office and to have control over basically the only significant economic resource of the country of Sierra Leone. So I was more than upset about this. I believed it was essentially a surrender in the face of criminal violence. As a result, I did put a hold—not technically a hold, but I actually refused to approve a transfer of peacekeeping funds for the Sierra Leone initiative. I began exploring alternatives to this, what I believed was an extraordinarily unjust accord. In response to my concerns, U.S. Ambassador to the U.N. Holbrooke and his staff took on the difficult task of crafting a better approach to this issue.

Since my “hold” became news, I have been sharply criticized by some, including some in the U.N. and the State Department, and even—not even, but not surprisingly, really—the Washington Post, which recently accused me of “playing at foreign policy,” implying that serious students of world affairs would not question U.S. support for the Lome Accord. I simply point out that I think a lot of serious students of foreign policy question the decision to support that accord.

Meanwhile, in Sierra Leone itself, the RUF, as a result of Lome in large part, continued to terrorize civilians and even challenge the U.N. peacekeepers. By last month, the RUF was marching on Freetown in complete violation of the Lome Accord. In fact, of course, they have humiliated the U.N. mission in Sierra Leone, which was supposed to disarm them. It actually ended up being disarmed by them, and much of the military equipment that is being used there by the RUF is U.N. equipment taken from U.N. advisers. Thus, the mission of the U.N., as a result of being an outgrowth of the Lome Accords, which were so disgraceful, is in disarray. Today, all that stands between the RUF and total control of Sierra Leone is the British and Nigerian troops who have come in to try to stabilize the situation.

And what of the U.S. policy? Following our most recent meeting 2 weeks ago, Ambassador Holbrooke has sent me a letter laying out a new strategy for a more just and lasting approach to peace in Sierra Leone that gives me some reason for hope. I would like to read from what his letter says because I think it is an important adjustment in American policy in Sierra Leone. I congratulate him for it.

First, he notes in his opening paragraph that he has taken this issue and walked it through the administration and that he has support for his letter from Secretary Albright, National Security Adviser Berger, and the head of

the OMB, Jack Lew. Reading paragraphs from his letter:

You asked for a letter encapsulating our discussion on Sierra Leone and Congo. After close consultation with Secretary Albright, let me review where we stand on each issue:

First, Sierra Leone. Let me posit five principles that we will use to govern our policy. First, the United States does not believe that Foday Sankoh should play any role whatsoever in the future political process in Sierra Leone, and we will continue to press this point. He must be held accountable for his actions.

This is a significant change in policy, in my opinion, and it is a positive one.

Second, we strongly support the British military presence in Sierra Leone, which has played a key role in restoring a measure of stability to Freetown. We are discussing with the British their continuing role, and on May 23 London announced an important training program for Sierra Leone army, something that they will undertake at their own expense outside the U.N. system.

This, again, is positive news that the British will be a stabilizing force there, which will be armed and know how to defend itself.

Third, the objective should be to ensure that regional and international forces in Sierra Leone, together with the armed forces of the government of Sierra Leone, have the capacity to disrupt RUF control of Sierra Leone’s diamond producing areas, the main source of RUF income. Completely eliminating them as a military force is not likely to be possible as an acceptable cost, but sharply reducing their sources of financial support and restricting their capability to threaten the people or government of Sierra Leone is within reach of sufficient numbers of properly trained, equipped, and well-led troops and is vitally important.

That is to paraphrase a much more robust mission directive and portfolio and is exactly what needs to be done.

The most likely nations to carry the burden would be Nigeria and Ghana, with the 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 EUCCOM 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 international effort to provide equipment and training to those who are willing to do the military job—including the government 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 relationships 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.

That is a reading of two of the major paragraphs in this letter.

Mr. President, I ask unanimous consent the letter be printed in the RECORD.

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

THE REPRESENTATIVE OF THE
UNITED STATES OF AMERICA TO
THE UNITED NATIONS,

May 30, 2000.

Hon. JUDD GREGG,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: Allow me to thank you again for your courtesy and for our exchange of views on peacekeeping issues. I know the Secretary also appreciates your discussion with her on May 20, and I would like to follow up on both conversations. I have shared our discussions with Secretary Albright, Sandy Berger, and Jack Lew, all of whom expressed their appreciation of your decision to release the funds for Kosovo and for your readiness to meet with the Australian Ambassador to resolve the East Timor peacekeeping "hold."

You asked for a letter encapsulating our discussion on Sierra Leone and Congo. After close consultation with Secretary Albright, let me review where we stand on each issue:

First, Sierra Leone. Let me posit five principles that we will use to govern our policy. First, the United States does not believe that Foday Sankoh should play any role whatsoever in the future political process in Sierra Leone, and we will continue to press this point. He must be held accountable for his actions. Second, we strongly support the British military presence in Sierra Leone, which has played a key role in restoring a measure of stability to Freetown. We are discussing with the British their continuing role, and on May 23 London announced an important training program for the Sierra Leone army, something that they will undertake at their own expense outside the UN system. Third, the objective should be to ensure that regional and international forces in Sierra Leone, together with the armed forces of the Government of Sierra Leone, have the capacity to disrupt RUF control of Sierra Leone's diamond producing areas, the main source of RUF income. Completely eliminating them as a military force is not likely to be possible at an acceptable cost, but sharply reducing their sources of financial support and restricting their capability to threaten the people or Government of Sierra Leone is within reach of sufficient numbers of properly trained, equipped, and well-led troops and is vitally important.

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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 ceasefire 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 peace-keeping 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.