

September 2005, "When this great institution's member states choose notorious abusers of human rights to sit on the U.N. Human Rights Commission, they discredit a noble effort, and undermine the credibility of the whole organization. If member countries want the United Nations to be respected—respected and effective, they should begin by making sure it is worthy of respect."

Mr. President, I am proud that the United States stood firm and opposed the creation of this fatally flawed Human Rights Council. Our country understood that to affirm this new council with our vote would have granted it legitimacy. The United States should be consistent. We should decline to participate on the council and fund the council for the very same reason we voted against it. Our country should not support a U.N. Human Rights Council which permits countries found complicit in sustained human rights abuses to be eligible for membership.

Mr. President, I am embarrassed to say that some in the State Department are suggesting that even though we voted against the creation of the council we should take a wait-and-see approach and support it in the interim. That makes no sense. If this council had a chance to work, then the U.S. should have voted for it.

Mr. President, other nations may not like what we stand for—but they know where we stand. U.S. human rights policy needs to be consistent and clear. We need to take a different wait-and-see approach. No participation and no funding until the U.N. proves that member states will not elect human rights violators.

THE PROBLEM WITH KITCHEN-TABLE GUN DEALERS

Mr. LEVIN. Mr. President, last week, the Violence Policy Center, VPC, released a report which analyzes statistics related to basic Federal Firearms License, FFL, holders in the United States since 1992. The report warns of a large group of current FFL holders it calls "kitchen-table dealers." The VPC defines this group as "individuals who conduct business out of their homes and offices and do not operate actual gun or sporting goods stores" and estimates that more than half of current FFL holders fit into this group. Disturbingly, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, ATF, found in 2000 that 23 percent of its illegal gun trafficking investigations involved "kitchen-table dealers" who were responsible for the illegal trafficking of more than 40,000 guns.

According to the VPC, many "kitchen-table dealers" have no interest in actually selling firearms, but they obtain an FFL because of the exemptions it provides from Federal requirements including background checks, waiting periods, and limits on the number of guns that can be purchased. Under cur-

rent law, an FFL holder must be a person who "devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms." However, a February 2000 ATF report found that 31 percent of FFL holders had not reported selling a single firearm in the previous year. Unfortunately, rather than allowing the ATF to work within the law to revoke illegitimate FFLs and help to eliminate a source of illegally trafficked firearms, opponents of commonsense gun safety laws inserted a provision in the fiscal year 2006 Department of Justice Appropriations bill which prevents the ATF from denying the application or renewal of a FFL due to a lack of business activity.

In its report, the VPC calls on Congress to rescind this provision and proposes a number of other ideas to help eliminate the abuse of FFLs. Among other things, the VPC proposes that all FFL holders be required to operate from a storefront business devoted primarily to the sale of firearms, rather than a residence, and securely store inventories of firearms. Additionally, the VPC suggests an expansion of ATF's ability to inspect FFL businesses for compliance with record keeping and safety requirements.

We must do more to eliminate the abuse of FFLs in order to reduce the number of guns that are illegally bought and sold in our communities.

KENYA

Mr. FEINGOLD. Mr. President, I wish to bring attention to troubling political developments in Kenya. Earlier this week, Kenyans witnessed the most aggressive assault on media since the country's independence in 1963, when elite police and paramilitary commandos armed with AK-47s stormed the offices of the Standard Group's TV station, Kenya Television Network and the Standard newspaper. Internal Security Minister John Michuki ordered the event in an apparent attempt to prevent the newspaper from publishing a story on a sensitive political matter. Saying little more than "when you rattle a snake you must prepare to be bitten," President Kibaki has failed to take swift and sufficient action to condemn this event.

Unfortunately, this event, while deeply troubling in itself, is but the latest manifestation of a larger problem in Kenya today. Over the last year, President Kibaki and senior members of his government have presided over a growing level of turmoil concerning corruption charges, mismanagement of public funds, insufficient anti-corruption efforts, and political favoritism. Particularly troubling are allegations that senior members of Kibaki's government have been involved in a number of large, illegal business dealings with public money. The most visible of these allegations—which Mr. Kibaki

apparently knew about more than a year ago—came to light in a report written by the man who was appointed by the president himself to help expose corruption. He is now in London in exile after receiving death threats.

I am concerned that Kenya may be backsliding. Just 4 years ago, the Kenyan people went to the polls and marked an historic event in the country's political history. Kenyans unambiguously rejected years of mismanagement, corruption, and declining economic growth experienced under previous regimes. The opposition National Rainbow Coalition, NARC, was overwhelmingly elected to power, ending more than 40 years of rule by the Kenya African National Union, KANU. Now, only 4 years after these elections, President Kibaki's government is beginning to revert to strong-man tactics as evidenced in this week's raid. It also apparently unwilling to take seriously the significant corruption present throughout senior levels of Kenya's government and in the president's own cabinet.

While these are discouraging developments, I am heartened that the Kenyan people have responded with such passion. Kenyans are rightfully outraged. Thousands of demonstrators filled the streets of Nairobi on Tuesday, and a range of media sources denounced the raid as "thuggish" and "corrupt." Radio programs, TV shows, and newspapers are devoting significant attention to the government's inept management of corruption charges and the recent raid. Resignations of key ministers, new court cases, and active opposition parties are all testaments to the positive political developments Kenya has made. It is essential that Kenyans do not lose this progress.

We have an opportunity to send a firm message to President Kibaki that this type of behavior does not benefit his government or the Kenyan people. Kenya is a critical partner in a particularly important region. It has served as a leader in the region and in Africa, and will continue to be a friend to the United States. But if Kenya's government wants to maintain its credibility as a government representative of the Kenyan people and a leader in the region, it must take immediate actions to address recent developments and renew its pledge to fight corruption.

In conclusion, the international community must condemn in the strongest manner possible the Kenyan government's use of security forces to limit political discussion and the freedom of the press. The international community must also support efforts of Kenyan citizens to hold their government accountable for weeding out corruption and political favoritism. As the country turns its attention toward the 2007 general elections, the international community must help Kenyans strengthen democratic processes, advance political freedoms, and fight corruption—and perhaps most importantly, signal to President Kibaki that