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United States Senate

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September 12, 2002

Ms. Patricia Cutting
4500 West 3650 South
Salt Lake City, UT 84120

Dear Ms. Cutting:

Thank you for your letter regarding the International Criminal Court (ICC) and the American Service Members' Protection Act (S. 857). I appreciate knowing your views on this matter.

As you know, Senator Jesse Helms (R-NC) introduced S. 857 on May 9, 2001. This bill would protect United States military personnel and other officials of the United States government against criminal prosecution by an international criminal court. On June 6, 2002, the American Service Members' Protection Act (ASPA) was offered as an amendment (S.Amdt. 3597) to H.R. 4775, the fiscal 2002 Supplemental Appropriations bill. I voted for the amendment, which was adopted by the Senate on June 6, 2002 by a vote of 75 to 19. The House approved similar provisions. The ASPA was included in H.R. 4774 and was signed into law on August 2, 2002. I believe American military personnel should not have to be held accountable to the ICC. In light of America's prominent role in world politics and the thousands of deployed military personnel across the globe, there are those that resent our presence and would make false and politicized accusations against our citizens.

While I have serious concerns about the lack of constitutional protections currently afforded to United States citizens in the International Criminal Court, I believe it is important to communicate these concerns to our friends in Europe, Asia, and around the world. The United States has always been a leader in bringing to justice those around the world who have been guilty of heinous crimes against humanity and genocide. I believe the United States should not step off the world stage. I have attached a speech I recently delivered to the full Senate that more fully explains my position on the ICC.

Again, thank you for writing.

Sincerely,



Robert F. Bennett
United States Senator

RFB:ca

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