

complex, in order to view the Republic of China's state of the art processing and research facilities. This equipment, purchased from the United States, is used to conduct research, analysis, chemical testing, and identification processing for use in criminal investigations and law enforcement R&D. After an extensive tour of the laboratory and discussions concerning similar approaches by the Republic of China and the United States, the delegation was then escorted to the narcotics depository and storage facilities where confiscated drugs are kept under strict control. This storage facility is held under tight security arrangements, where narcotics are kept for use as evidence in prosecuting drug-related crimes. After their use in trials, the narcotics are then held for public destruction and anti-drug education purposes. The delegation was very impressed with the laboratory and storage facilities at the MJIB, and in the progress made in developing enforcement capabilities.

TAIPEI CITY PSYCHIATRIC CENTER

The delegation was next received by Dr. Wei-Heng Hu, Director of the Taipei City Psychiatric Center (TCPC) to learn more about the RoC's treatment and rehabilitation efforts. TCPC is the major municipal psychiatric hospital in Taipei city, and plays a key role in the treatment of heroin addicts. The hour long discussion with Dr. Hu included issues such as drug abuse prevention, treatment methods, and educational efforts aimed at stopping narcotics before it starts. The delegation also toured the center's patient wards, where medical personnel briefed the delegation on rehabilitation efforts for recovering addicts. TCPC has conducted extensive research in the treatment of heroin addiction, including: the use of tramadol in heroin detoxification, the relationship between substance abuse and criminal activity, pharmacokinetics of heroin use in Chinese drug abusers, group psychotherapy, drug abuse screening, naltrexone maintenance trials on parole patients, and outpatient drug free program management.

MINISTRY OF JUSTICE

Following the tour and discussions at the Investigation Bureau and the TCPC, the delegation continued its conference program with extensive discussions with the highest ranking law enforcement official from the Republic of China, Dr. Ying-jeou Ma, Minister of Justice. Dr. Ma, a Harvard educated S.J.D., enjoys wide popularity among the citizens of Taiwan and is widely respected among his colleagues for his efforts in tackling narcotics and corruption issues during his tenure. Dr. Ma outlined various developments within Taiwan concerning the narcotics situation, including an account of the largest narcotics seizure ever to take place in Taiwan's history. "On May 12, 1993, while conferring medals and awards on meritorious officials taking part in the seizure, Premier Lien Chan formally declared war on drugs. The RoC's anti-drug campaign thus entered a brand new era."

As Dr. Ma reported, in the later half of the 1980's, a double-digit economic growth, low inflation, and minimal unemployment steadily pushed economic prosperity in Taiwan towards new heights. The process of political democratization further loosened the social discipline. Since 1990, methamphetamine suddenly replaced soft drugs as the most popular drug in Taiwan, and its abuse spread at an astonishing rate. Meanwhile, heroin consumption also started to jump during 1990-93. Since 1994, however, both the volume of drugs seized and the offenders convicted have declined at an increasing speed.

TAIWAN'S ANTI-DRUG STRATEGY

Dr. Ma related, in sum, that narcotic drugs from Southeast Asia and mainland China

had invaded Taiwan in an unprecedented fashion. As late as seven years ago, drug abuse was still unknown to the majority of people in Taiwan. It is no wonder that the legal and medical communities were caught off guard initially. But since the RoC Government declared war on drugs in May, 1993, government agencies have beefed up their efforts to tackle the problem. Dr. Ma compared some of the measures being taken in various countries throughout the region, having just returned from a fact-finding tour throughout Southeast Asia and Golden Triangle area. Dr. Ma's extensive knowledge and dedication was considered by the delegation to be a great asset to the Republic of China in their anti-narcotic efforts.

A discussion was also held during this phase of the conference with AIT Director Lynn Pascoe, who confirmed the RoC's efforts in international cooperation.

Dr. Ma, however, expressed strong dissatisfaction with the fact that the Republic of China had been singled out as one of the transit countries in the INCSR report over the last few years, and stated his view that the transit allegation was being applied without concrete evidence. In fact, Dr. Ma stated, since 1990 there had only been one case where it was proven that Taiwan had served as a transit point for narcotics, and that given the huge volume of international shipping that goes through Taiwan, these incidents would be a great deal higher if Taiwan was being used as a transit country. He stated that the Republic of China had given its utmost effort in handling this issue, and stated his hope that the delegation would note his concerns and relay this information to the U.S. government. The delegation noted Dr. Ma's concerns and stated that all views would be presented in their report of this conference.

Dr. Ma went on to outline the RoC's anti-drug strategy. The overall strategy is simple: supply and demand reduction. And implementation takes a three-prong approach: law enforcement, public education and drug treatment (including rehabilitation). In the RoC, law enforcement agencies include the National Police Administration (NPA), the Ministry of Justice Investigation Bureau, the Military Police Command and the Customs Service. International cooperation is also important. In the last three years, the MJIB has called three international conferences to discuss drug enforcement problems with participants coming from more than 24 countries. The Drug Enforcement Administration (DEA) of the U.S. Department of Justice has shown interest in setting up an office in Taiwan to coordinate intelligence cooperation with NPA and MJIB. The NPA and MJIB are also building up ties with Southeast Asian countries near the Golden Triangle. Finally, Dr. Ma pointed out that, while the RoC is not a party to the United Nations Convention against illegal narcotics trafficking due to the PRC's deliberate obstruction, the RoC has taken steps to start regulating the importation and use of precursors, chemicals, and solvents in conformity with the U.N. convention.

CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL AND OTHER ACTIVITIES

On Thursday, February 15, the Congressional delegation visited the China External Trade and Development Council and the Taipei World Trade Center to discuss trade matters between the United States and the Republic of China. The delegation was briefed on the current balance of trade between the two countries, in addition to various other trade related matters.

The delegation was next received by the Hon. Frederick F. Chien, Minister of Foreign Affairs where current issues facing the U.S.-

RoC, RoC-PRC, and U.S.-PRC relationship were discussed. The delegation also paid a visit to Vice Foreign Minister Stephen S.F. Chen, who hosted a dinner in honor of the delegation the following evening. Also on Thursday, Representative Rangel and Representative Towns were joined by Representative Bill Brewster (D-OK) and Representative Maurice Hinchey (D-NY) in meeting with President Lee Teng-hui. Bi-lateral issues including trade, narcotics and recent political developments were discussed, and President Lee commented on the importance of keeping the pressure on narcotics traffickers and on the efforts of the RoC government in halting the transit of illegal narcotics through Taiwan.

As reported in the United States International Narcotics Control Strategy Report, recent efforts by the RoC government has led to "a major effort by the Taiwan authorities to stop the flow of heroin and reduce domestic usage. Taiwan continues to implement an aggressive domestic counternarcotics program which has led to a decline in drug trafficking, demonstrated by lower seizure rates, and consumption in Taiwan." The delegation pledged its continued support for Taiwan's counternarcotics program, and a continuation of the close bi-lateral relationship the two countries have enjoyed.

OATH OF UNCERTAINTY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

Mr. DUNCAN. Mr. Speaker, American soldiers and sailors should not be sent to foreign battlefields except under the command of American generals and admirals. Even then, they should not be sent unless there is a very clear vital U.S. interest or threat to our national security. Neither of these is present in Bosnia, Haiti, or some other recent foreign social work projects undertaken by our military. I would like to place in the RECORD the following article from the American Legion magazine pointing out U.S. military men and women take an oath to defend the U.S. Constitution not the United Nations.

[From the American Legion, July 1996]

OATH OF UNCERTAINTY

(By Cliff Kincaid)

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States Against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice, So help me God.—The oath of enlistment

The future looked bright for 22-year-old Army Specialist Michael G. New. He had been decorated for his service in the Persian Gulf War and seemed to have a promising military career ahead of him. But that was before he was ordered to serve in a United Nations military unit, wearing a U.N. insignia on his shoulder and a U.N. cap on his head.

When New refused—citing his oath as a soldier to the U.S. Constitution—he rekindled a firestorm of controversy about the meaning of the soldier's oath as well as the soldier's right to refuse orders he deems ethically or procedurally objectionable. It is a debate whose overtones take us back a half-century to arguments raised in the aftermath of Nazi atrocities.

New himself was willing to accept a different assignment (under U.S. command in his own Army uniform) or even an honorable discharge. The Army chose to court-martial him. In a complex legal case that will continue to be argued in Congress and the courts, New received a bad-conduct discharge as well as a stigma that will follow him the rest of his life.

From the beginning, the military oath has been considered a soldier's sacred connection to America's Founding Fathers and the Constitution. "When taking the oath," says one Army pamphlet, "you accept the same demands now that American soldiers and Army civilians have embodied since the Revolutionary war."

The first Officer's oath was in fact established in 1776 by the Articles of War under the Continental Congress. It required the officer to "renounce, refuse and abjure any allegiance or obedience" to King George the Third of Great Britain. The U.S. Constitution carried this patriotic impulse one step further, declaring in Article I, Section 9 that no U.S. official or officer "shall, without the consent of Congress, accept any present, Emolument, Office, or Title, of any kind whatsoever, from any King, Prince or foreign state."

In a filing in the new court case, the Army conceded that the U.N. insignia and caps had not been approved by the Army and that a U.N. identification card "is the only identity document required in the area of operation."

Nonetheless, the Army's designated spokesperson on the New affair, Lt. Col. Bill Harkey, says this would not have amounted to serving under foreign command. "The president [of the U.S.] never surrenders command of U.S. troops," maintains Harkey. He adds that "nobody was asking [New] to shift his allegiance. Over his left breast pocket it still says, 'U.S. Army.'"

Unconvinced, New continues to insist that serving the U.N. and wearing its symbols was a blatant violation of his oath. "As an American soldier," he says, "I was taught and believe that the Constitution is the fundamental law of America, and if there is any ambiguity or conflict with the U.N. or any treaty or international agreement or organization, that the U.S. Constitution would always prevail. My Army enlistment oath is to the Constitution. I cannot find any reference to the United Nations in that oath."

As for the argument that New's disobeying of orders had the potential to disrupt military order and discipline, his lawyers, led by Marine Colonel Ron Ray (retired), point out that the oath says the orders have to be "according to regulations and the Uniform Code of Military Justice." The orders, in other words, must be lawful. This raises issues about the individual responsibility to choose between right and wrong that hark back to Nuremberg and the infamous "I was just following orders" defense.

New's superiors suggested that he study the U.N. Charter, the governing document of the international organization. New did so—and concluded that it was "incompatible" with not only the U.S. Constitution but also the Declaration of Independence.

The military judge in New's case elected to sidestep the matter of the Constitution and the deeper meaning of the oath, focusing instead on his the relatively simple issue of his refusal to live up to an agreement he had signed. As Army spokesperson Harkey puts it, "The oath says, 'I will obey the orders of the officers appointed above me. . . .'"

"However, the military panel refused to send New to jail, a possible indication of sympathy for his plight.

In the past, mostly in times of war, U.S. soldiers have temporarily served under foreign commanders or in U.N.-authorized oper-

ations; indeed, the Persian Gulf War was backed by the U.N. Security Council. The Congress has passed a U.N. Participation Act, authorizing military involvement with the U.N. under limited circumstances.

The Clinton Administration has gone even further by issuing a secret pro-U.N. Presidential Decision Directive 25 (PDD 25) that has been withheld from Congress. In the public version of this document, entitled "The Clinton Administration's Policy on Reforming Multilateral Peace Operations," the president pledges that he "will never relinquish command of U.S. forces"—but he also reserves for himself the authority to place troops under "operational control" of a foreign or U.N. commander within the approval of Congress.

Harkey emphasizes that operational control is not the same as being under foreign command—and he uses the Bosnia peace-keeping mission as a case in point. He says the U.S. Task Force commander reserves the right to act in the best interest of our troops and may in fact oppose a foreign commander's orders by going up the U.S. chain of command.

In any case, it wasn't until the Clinton administration that U.S. soldiers started receiving orders to wear U.N. symbols on their uniforms. Part of the fallout from the New case has been the introduction of legislation in Congress to prohibit this practice.

Aside from being ordered to wear the U.N. "uniform"—the insignia on the sleeve and the blue cap—New was told to report to Brig. Gen. Juha Engstrom of the Finnish Army, the Commander of the U.N. Preventive Deployment forces in the former Yugoslavia Republic of Macedonia. Engstrom had said of his position, "This is a very unique and historic opportunity. Before Macedonia, a non-American or non-NATO officer has never before had command of an American battalion abroad. . . ."

As of Jan. 11, 1996, official Department of Defense figures showed that a total of 69,847 U.S. forces were participating in, or acting in support of, U.N. operation or U.N. Security Council resolutions. This includes 37,000 troops in Korea.

Though much effort is expended in official Washington circles to down-play the implications of such situations, there are times when the reality blares forth in dramatic fashion. When a U.S. helicopter was shot down by Korean communists in December 1994, the body of the American pilot, Chief Warrant Officer David Hilemon, was returned in a coffin draped with a blue U.N. flag, and was handed over to a U.N. honor guard. And in April 1994, after American personnel participating in a U.N. mission were downed over Iraq, Vice President Albert Gore stated that the casualties "died in the service of the United Nations."

That ideology has inspired a good deal of discomfort in the ranks. Navy Lt. Cmdr. Ernest G. "Guy" Cunningham has undertaken a controversial study of U.S. involvement in U.N. operations titled "Peacekeeping and U.N. Operational Control: A Study of Their Effect on Unit Cohesion." Cunningham asked a group of 300 Marines if they agreed or disagreed with the statement that, "I feel there is no conflict between my oath of office and serving as a U.N. soldier." Fifty-seven percent disagreed.

DOLLAR FOR DOLLAR, CRIME PREVENTION EFFORT PAYS

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

Mr. VENTO. Mr. Speaker, I rise today to share with my colleagues an important article published in the St. Paul Pioneer Press on June 6, 1996.

The article highlights a new crime prevention study released by the Rand Institute and features a prevention program in my district called Teens Networking Together [TNT]. The study found that, dollar for dollar, programs like TNT that encourage high-risk youth to finish school and stay out of trouble prevent five times as many crimes as stiff penalties imposed on repeat offenders. This also, according to the study, holds true for programs that teach better parenting skills to the families of aggressive children.

Nearly 2 years ago, this House debated the prevention programs included in the 1994 crime law. Many of my Republican colleagues at the time maligned these prevention provisions and mislabeled them as Government waste, insisting that they would do nothing to reduce crime. Now, however, these programs, which included the Community Schools Initiative, Youth Employment Skills [Y.E.S.] Program, midnight sports programs and the Vento/Miller at-risk youth recreation grant, are being vindicated by the facts and findings like Rand's. It seem that the old adage an ounce of prevention equals a pound of cure once again holds true.

According to the Justice Department, crimes committed by young people are growing at the fastest rate in this country. It is obvious to me if we are truly going to address our country's crime problem we must focus on prevention; we must give our young people hope and opportunity; we must give them a haven from the street where they can develop positive values such as responsibility, teamwork, leadership, and self-esteem.

I hope my colleagues will take the time to read this article and learn more about these youth crime prevention programs across the country that not only reduce future crime, but also save American tax dollars.

DOLLAR FOR DOLLAR CRIME PREVENTION
EFFORT PAYS

(By Lori Montgomery)

It turns out that often-scorned crime prevention efforts aimed at disadvantaged kids may be far more effective than tough prison terms at keeping you safe.

In a new study released Wednesday, researchers with the highly respected RAND institute found that, dollar for dollar, programs that encourage high-risk youth to finish school and stay out of trouble prevent five times as many crimes as stiff penalties imposed on repeat offenders with so-called three-strikes-and-out laws.

And programs that teach better parenting skills to the families of aggressive children prevent almost three times as many serious crimes for every dollar spent.

The study—a two-year effort by researchers at RAND, a nonprofit, nonpartisan research institute in Santa Monica, Calif.—is the first to compare crime prevention programs to incarceration on the basis of cost and effectiveness at preventing future crimes.