

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 seems 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.

"There has always been a 'disconnect' between everybody's agreement that prevention is a good thing and some estimate of that benefit. That's what's new here," said Peter Greenwood, RAND's director of criminal justice programs and the study's primary author.

"In one sense, it's surprising how effective some of these things are," Greenwood said. "But on the other hand, it shouldn't be surprising at all.

We all know the two institutions that socialize kids and keep them on the right track are the family and school. And our study shows that incentives for graduation and parent training are the two things that work."

A program on St. Paul's West Side called Teens Networking Together provides a good example of how kids can be kept on the right track.

The West Side youth program is concentrated on building self esteem of high-risk youth, mostly minorities, through mentoring and anti-gang programs.

"The program showed me that there were two paths for me: One, the life of a gang member, and the other something that involves giving back to my community," said Roberto Galaviz Jr.

One year away from getting a degree in management from Concordia College, Galaviz is the program director of Teens Networking Together, a program he joined seven years ago to keep himself out of trouble. He still has gang members as friends, he said, but the program has made his life different from theirs.

Galaviz said critics of youth programs for high-risk kids should visit the Teens Networking Together center to see the progress it has made in the West Side community.

"The people who are doing the criticism don't know the hardships and obstacles of being minority and living in the inner city. This program gives people like me a goal and direction in life."

The RAND study of crime prevention programs comes at a time when congressional Republicans are proposing yet again to increase penalties for juvenile offenders, and to eliminate the Office of Juvenile Justice in the Justice Department,—the primary source of leadership and funding for crime prevention.

It also comes at a time when juvenile jails are dangerously overcrowded.

The RAND study does not suggest "that incarceration is the wrong approach" to this rising tide of juvenile crime, the authors said in a statement. Nor that the three-strikes laws, which affect primarily adults, are not worth their high cost.

However, the current obsession with longer and tougher sentences has produced a "lopsided allocation of resources," they said, that gives short shrift to preventing crime among kids who can still be saved.

#### HONORING THE 20TH ANNIVERSARY OF THE LONG'S PEAK SCOTTISH HIGHLAND FESTIVAL

HON. WAYNE ALLARD

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

Mr. ALLARD. Mr. Speaker, I would like to take this opportunity to recognize the 20th anniversary of the Long's Peak Scottish Highland Festival which will be celebrated September 5-8 in Estes Park, CO. In the past, I have had the honor of participating in this event which

highlights the contributions and ethnic cultural roots of the Celtic people of the United States.

I would like to commend the festival committee on its ability to orchestrate one of the largest and most diversified events in North America. Not only does the Long's Peak Scottish Highland Festival celebrate the long-term alliance of the United States, Canada, and Great Britain, it exemplifies the attributes of hard work and perseverance.

Mr. Speaker, it is my pleasure to congratulate the Long's Peak Scottish Highland Festival on 20 very fine years, and to honor one of the largest events of its kind in North America by recognizing September 5-8, 1996, as "20 Years of Celtic Tradition Week."

#### TRIBUTE TO ESTHER LEAH RITZ

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

Mr. KLECZKA. Mr. Speaker, I rise today to pay tribute to my friend, Esther Leah Ritz, who is being honored by the Jewish Community Centers Association of North America with the 1996 Community Builder's Award.

In honoring Esther Leah, the JCCA is paying tribute to an individual who has done so much for the Jewish community. Esther Leah has played a major role in several local and nationwide organizations, including serving as president of the JCCA. In addition, she has provided leadership for Americans for Peace Now, the Council of Jewish Federations, and the World Confederation of Jewish Community Centers.

Throughout her career, Esther Leah has also been a strong advocate for promoting Jewish education, both formal and informal. As president of the JCCA, she implemented the Commission on Maximizing the Effectiveness of Jewish Education. Her leadership on this issue has served as an example for all within the Jewish community to follow.

Over the years, Esther Leah has become a good friend and a trusted adviser. I have called on her for advice throughout my career on various topics, especially for her input on Israeli issues that are debated by this body. She always provides me with an honest, well thought out view of issues important to the Jewish community and to all Americans.

The Jewish Community Centers Association has made an excellent choice in bestowing upon Esther Leah the Community Builder's Award. I share in her family's pride for her receiving this recognition.

Congratulations, Esther Leah, that is an honor that is well deserved.

#### IN MEMORIAM—BRIAN WILLIAM McVEIGH

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

Mr. MICA. Mr. Speaker, Brian William McVeigh, Airman First Class, U.S. Air Force, was born in Sanford, FL and a resident of Debary, FL. Airman McVeigh was killed in a terrorist attack in Dhahran, Saudi Arabia

June 25, 1996. The following are remarks by U.S. Congressman JOHN L. MICA at his memorial service at the Trinity Assembly of God Church in Deltona, FL on July 3, 1996:

We come together as loved ones, neighbors and Christians to recall the life of Brian McVeigh. We come together today to honor the service of Brian McVeigh to his country. How honored am I as Brian's Congressman to be asked to help pay tribute to his memory. However, as my first responsibility I must on behalf of the entire Florida congressional delegation and on behalf of all the citizens of our community and State extend my deepest sympathy to Brian's family and loved ones.

To Brian's parents and especially his mother Sandy Wetmore, I cannot think of any greater sacrifice than for a mother to lose a son in service to his country. To Brian's loved ones and his fiancé—we as a community share your grief. To Brian's friends we as a community mourn your loss. To the terrorist who cowardly took Brian and 18 other Americans from us we will not rest until justice is served. Today we gather as a family, friends, and a community to remember Brian's sacrifice and death in service to our country. Tomorrow, ironically we celebrate the anniversary of the birth of our Nation.

Without the service and sacrifice of patriots and heroes like Brian McVeigh there would be no Independence Day. There would be no America as we know it. So today we recall as we have for 220 years that freedom has never been free. Today we honor a modern patriot, Brian McVeigh for his life, his service, and his love.

Brian's life should be a reminder of a comment he was said to have made, that "He wanted to give something back to this country." Brian's service to his country should be remembered by us all, for he placed it before his own life and he sacrificed his life in service to all Americans. Brian's love we celebrate together today, his love for his mother, his love for his fiancé and family and his love for his God and his country. The sad part about today is that we cannot have one brief moment as loved ones to tell Brian how much we cared. The sad part about today is that we cannot have one moment as friends and a community to tell Brian how much his service to our Nation meant to each of us.

The wonderful thing about today is we have Brian's life to remember as an example to all of us. So as we gather this week to celebrate our Nation's birth and everyday and every holiday, let us remember Brian and all the other patriots whose memory we must always cradle in our hearts. Let us remember our hero, Brian McVeigh.

May God bless Brian and God bless America.

#### ARTISTIC DISCOVERY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

Mr. KING. Mr. Speaker, it gives me great pleasure to take this opportunity to honor some very special and talented young people from my district. The students who participated in the "Artistic Discovery" Congressional Art Competition are all deserving of praise for their efforts.

These students each demonstrated remarkable enthusiasm, boundless creativity and outstanding artistic talent. I was awed by the remarkable display of artwork at the Third Congressional District's local competition.