

the U.N. have its own army, and I know that there are those and some of them from our country in the past and at present who genuinely feel that the world would be a safer place if the U.N. had the largest army in the world and, therefore, could keep the peace. I am frightened by that prospect, and I know a number of our people are.

I am not going to talk about U.N. resolutions which once they are made have the effect of law, which have the effect of setting our laws aside and actually sometimes have the effect of setting our Constitution aside. Of course, that should be unthinkable but it has happened and we need to talk about that, but I am not going to talk about that because I am sure that others will this evening.

I am also not going to talk about whether the U.N. is effective or not, whether it really meets the promise that we held for the U.N. when it was established a number of years ago. I am not going to talk about whether the U.N. should be expanded or not. I understand they want 10 new floors on their building. They are already a monstrous bureaucracy. I am not sure being a bigger one would make them more effective.

I am not going to talk either about whether it is in our vital national security interests to continue to be a part of the U.N. That needs to be debated. I hope it will be debated across the countries; and others, this evening, I am sure will cover that subject. I am also not going to talk about whether 25 percent dues and 31.5 percent for peacekeeping is a fair share for the United States. I do not think we have 25 percent of the vote or 31.5 percent of the vote. As a matter of fact, when one looks at our vote, the U.N. has threatened to remove our vote because we have not paid our dues; that is, our vote in the General Assembly.

Let us just look at that vote for a moment and what it would mean if we did not have a vote in the General Assembly. We have less than 1 percent of the vote cast in the General Assembly, and there are a number of countries, we could easily name 15 or 20 countries, that if we vote yes they vote no and some of those countries have less citizens than the District of Columbia, and so they can cancel our vote in the U.N. What does our vote mean in the General Assembly?

It means very little, obviously, if it can be cancelled by a half dozen countries that have no more population than the District of Columbia.

The only vote in the U.N. that has any importance for us is our vote on the Security Council of the U.N. and they cannot remove that vote for not paying dues.

What I do want to talk about is a lonely fight that I waged here for several years to keep us from paying dues that we had already paid a number of times over. What I am talking about is the enormous cost of peacekeeping operations which we have borne. Three

agencies of the government have looked at these costs, the CRS, Congressional Research Service; GAO, the Government Accounting Office; and the Pentagon.

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They have all reached essentially the same conclusions, that we have spent about \$19 billion on peacekeeping activities since 1992. Now, we have been credited with \$1.8 billion of that against U.N. dues, so a precedent has already been made, that if we spend money on an authorized U.N. peacekeeping activity that those monies that we have spent there are in lieu of dues; that is, they could replace dues. They only did that, though, with \$1.8 billion. There is about another \$17 billion that is still out there that we have received no credit for.

All I wanted was a very simple thing, which was an accounting of the dues that we owe. I was not arguing whether 25 percent was too much or 31 percent of peacekeeping was too much; my only argument was that we needed to get credit for what we have spent on legitimate peacekeeping activities. I think that most Americans when they hear that argument say, well, of course, it makes sense, that if we are sending our military there, if we are using our resources there in the pursuit of a U.N. resolution, an authorized U.N. activity, that we should be given credit for the monies that we spend doing that. We have been given credit for \$1.8 billion, but what about the other roughly \$17 billion?

Mr. Speaker, that needs to be accounted for before we pay another dime in U.N. dues.

#### RACIAL PROFILING IN MODERN AMERICA

The SPEAKER pro tempore (Mr. HULSHOF). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, the Congressional Black Caucus held its annual meeting and events this past week. I rise this evening to speak about an issue that has unusual resonance, as one can see everywhere one goes where there are significant numbers of African Americans.

Vice President GORE spoke at Howard University and again Saturday evening to the Congressional Black Caucus dinner participants. At both places he briefly mentioned racial profiling. No issue, animated the mostly African American audience more than the mention of racial profiling. At Howard University, the Vice President had a moment of silence for Prince Jones, a student at Howard University who was followed by police from Maryland into Virginia, apparently stopped; he backed his car into the police car and was shot many times in the back.

The Vice President was careful to say that it was a case still under investiga-

tion; none of us had any way to know whether there was provocation for this. The students, of course, were up in arms that this model student at Howard University, a young man whose reputation was impeccable, was shot down this way.

The point I want to make here is not that the police were wrong, but that we have come to a point in the African American community where racial profiling is so widespread that nobody believes that anyone who was shot was doing anything, because there have been so many instances of black people in every class of every kind and of every profession being followed simply because they were black.

Mr. Speaker, what this amounts to is a loss of confidence in a vital part of the criminal justice system, and this at a time when African Americans have embraced the police because of crime rates in the African American community.

But look at what they see. Wholesale of police brutality incidents reported. Sentencing rules for small time drug offenses with a disproportionate racial impact so severe that in the Federal system, sentencing guidelines have been repudiated by much of the Federal judiciary. The use of the death penalty, whose racial consequences have shaken the American public, led to a moratorium in some of the States; and now we have the Justice Department reporting that even in the Federal system on death row, there are disproportionate numbers of African Americans.

Mr. Speaker, nobody wants to see the criminal justice system held up to anything but the highest praise from us all, particularly at a time when our crime rates, though going down; there was a 10 percent reduction in crime in this country since last year, are still far too high and the highest in the western world. But if we wanted to begin somewhere to restore confidence in the criminal justice system, surely we would begin with the notion that when a black person goes out on the street and walks down the street, there ought to be more than that to have him picked up or followed. That is what we have come to. There has been so much concern about the way crime escalated in the early 1990s, that though we have brought it down, we have this terrible residue.

We recognize that there are disproportionate numbers of African Americans who, in fact, have been picked up and put in jail. All the more reason to be careful about branding folks who have abided by the rules and done what they should do. Imagine how mothers of young African Americans in their 20s, I am one who has a son, finished college in 4 years, now works at ABC Sports, is doing what he is supposed to do, I do not know in New York City where he works, when he will get stopped, because, in fact, the stops there and elsewhere have been so frequent.

Frankly, I love the cops. I love the Capitol Police, I love the D.C. police

and I do not know what I would do without them; I am struggling to get more of them on the streets. We have coordinated police so that Federal police and D.C. police work together. I think it is most unfair that we have not found a way to go at this so that we can restore confidence in the police, not lose that confidence right when we need to all gather in a circle around the police, thank them for what they do and ask them to do more of what they do. They put their lives on the line.

Mr. Speaker, States and cities need to do more to arrest racial profiling and police brutality. In the next session of Congress we need bills to help the States and cities do more. I promise to be a part of that effort.

#### AMERICA'S ROLE IN THE UNITED NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, over a half a century has transpired since the United States of America became a member of the United Nations. Purporting to act pursuant to the treaty powers of the Constitution, the President of the United States signed, and the United States Senate ratified, the charter of the United Nations. Yet, the debate in government circles over the United Nations' charter scarcely has touched on the question of the constitutional power of the United States to enter such an agreement. Instead, the only questions addressed concerned the respective roles that the President and Congress would assume upon the implementation of that charter.

On the one hand, some proposed that once the charter of the United States was ratified, the President of the United States would act independently of Congress pursuant to his executive prerogatives to conduct the foreign affairs of the Nation. Others insisted, however, that the Congress played a major role of defining foreign policy, especially because that policy implicated the power to declare war, a subject reserved strictly to Congress by Article I, Section 8 of the U.S. Constitution.

At first, it appeared that Congress would take control of America's participation in the United Nations. But in the enactment of the United Nations' participation act on December 20, 1945, Congress laid down several rules by which America's participation would be governed. Among those rules was the requirement that before the President of the United States could deploy United States Armed Forces in service of the United Nations, he was required to submit to Congress for its specific approval the numbers and types of Armed Forces, their degree of readiness and general location, and the nature of the facilities and assistance including rights of passage to be made

available to the United Nations Security Council on its call for the purpose of maintaining international peace and security.

Since the passage of the United Nations Participation Act, however, congressional control of presidential foreign policy initiatives, in cooperation with the United Nations, has been more theoretical than real. Presidents from Truman to the current President have again and again presented Congress with already-begun military actions, thus forcing Congress's hand to support United States troops or risk the accusation of having put the Nation's servicemen and service women in unnecessary danger. Instead of seeking congressional approval of the use of the United States Armed Forces in service of the United Nations, presidents from Truman to Clinton have used the United Nations Security Council as a substitute for congressional authorization of the deployment of United States Armed Forces in that service.

This transfer of power from Congress to the United Nations has not, however, been limited to the power to make war. Increasingly, Presidents are using the U.N. not only to implement foreign policy in pursuit of international peace, but also domestic policy in pursuit of international, environmental, economic, education, social welfare and human rights policy, both in derogation of the legislative prerogatives of Congress and of the 50 State legislatures, and further in derogation of the rights of the American people to constitute their own civil order.

As Cornell University government professor Jeremy Rabkin has observed, although the U.N. charter specifies that none of its provisions "shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State," nothing has ever been found so "essentially domestic" as to exclude U.N. intrusions.

The release in July 2000 of the U.N. Human Development Report provides unmistakable evidence of the universality of the United Nations' jurisdictional claims. Boldly proclaiming that global integration is eroding national borders, the report calls for the implementation and, if necessary, the imposition of global standards of economic and social justice by international agencies and tribunals. In a special contribution endorsing this call for the globalization of domestic policymaking, United Nations Secretary General Kofi Annan wrote, "Above all, we have committed ourselves to the idea that no individual shall have his or her human rights abused or ignored. The idea is enshrined in the charter of the United Nations. The United Nations' achievements in the area of human rights over the last 50 years are rooted in the universal acceptance of those rights enumerated in the Universal Declaration of Rights. Emerging slowly, but I believe, surely, is an international norm," and this is

Annan's words, "that must and will take precedence over concerns of State sovereignty."

Although such a wholesale transfer of United States sovereignty to the United Nations as envisioned by Secretary General Annan has not yet come to pass, it will, unless Congress takes action.

Mr. Speaker, H.R. 1146, the American Sovereignty Restoration Act is my answer to this problem.

To date, Congress has attempted to curb the abuse of power of the United Nations by urging the United Nations to reform itself, threatening the nonpayment of assessments and dues allegedly owed by the United States and thereby cutting off the United Nations' major source of funds. America's problems with the United Nations will not, however, be solved by such reform measures. The threat posed by the United Nations to the sovereignty of the United States and independence is not that the United Nations is currently plagued by a bloated and irresponsible international bureaucracy. Rather, the threat arises from the United Nations' Charter which—from the beginning—was a threat to sovereignty protections in the U.S. Constitution. The American people have not, however, approved of the Charter of the United Nations which, by its nature, cannot be the supreme law of the land for it was never "made under the Authority of the U.S.," as required by Article VI.

H.R. 1146—The American Sovereignty Restoration Act of 1999 is my solution to the continued abuses of the United Nations. The U.S. Congress can remedy its earlier unconstitutional action of embracing the Charter of the United Nations by enacting H.R. 1146. The U.S. Congress, by passing H.R. 1146, and the U.S. president, by signing H.R. 1146, will heed the wise counsel of our first president, George Washington, when he advised his countrymen to "steer clear of permanent alliances with any portion of the foreign world," lest the nation's security and liberties be compromised by endless and overriding international commitments.

AN EXCERPT FROM HERBERT W. TITUS' CONSTITUTIONAL ANALYSIS OF THE UNITED NATIONS

In considering the recent United Nations meetings and the United States' relation to that organization and its affront to U.S. sovereignty, we would all do well to read carefully Professor Herbert W. Titus' paper on the United Nations of which I have provided this excerpt:

It is commonly assumed that the Charter of the United Nations is a treaty. It is not. Instead, the Charter of the United Nations is a constitution. As such, it is illegitimate, having created a supranational government, deriving its powers not from the consent of the governed (the people of the United States of America and peoples of other member nations) but from the consent of the peoples' government officials who have no authority to bind either the American people nor any other nation's people to any terms of the Charter of the United Nations.

By definition, a treaty is a contract between or among independent and sovereign nations, obligatory on the signatories only when made by competent governing authorities in accordance with the powers constitutionally conferred upon them. I Kent, Commentaries on American Law 163 (1826); Burdick, The Law of the American Constitution section 34 (1922) Even the United Nations Treaty Collection states that a treaty is (1)