

105TH CONGRESS
1ST SESSION

H. CON. RES. 158

Condemning the deployment of United States military personnel in the service of the United Nations in the former Yugoslav Republic of Macedonia.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1997

Mrs. CHENOWETH (for herself, Mr. BARTLETT of Maryland, and Mr. HALL of Texas) submitted the following concurrent resolution; which was referred to the Committee on International Relations, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

CONCURRENT RESOLUTION

Condemning the deployment of United States military personnel in the service of the United Nations in the former Yugoslav Republic of Macedonia.

Whereas Article I, section 9, clause 8 of the Constitution of the United States prohibits any person holding an office of profit or trust under the United States from accepting any office from a foreign government without the consent of Congress;

Whereas all Federal employees, including all military personnel, hold offices of profit or trust under the United States;

Whereas the United Nations has been construed to be a “foreign government” under section 7342 of title 5, United States Code, a provision of law that prohibits the acceptance of gifts or decorations by Federal employees from foreign governments;

Whereas the United Nations Participation Act of 1945 expressly prohibits the President from deploying United States military personnel in service of the United Nations for actions taken under Chapter VII of the United Nations Charter without the approval of Congress;

Whereas United Nations resolutions concerning all deployments in the former Yugoslavia, including the former Yugoslav Republic of Macedonia, have relied upon Chapter VII of the United Nations Charter for its authority for the deployment of troops;

Whereas President Clinton has deployed United States military personnel to this battle-torn region and such personnel have been ordered to assume the additional office of “U.N. soldier”;

Whereas all officers who command United Nations forces take the following oath of exclusive loyalty to the United Nations: “I solemnly affirm to exercise in all loyalty, discretion and conscience the functions entrusted to me as a member of the international service of the United Nations, to discharge those functions and regulate my conduct with the interest of the United Nations only in view, and not to seek or accept instructions in respect to the performance of my duties from any government or other authority external to the organization”;

Whereas Congress has not consented to the deployment of United States military personnel to the former Yugoslav

Republic of Macedonia as required by the United Nations Participation Act of 1945;

Whereas it is the inherent right of every United States citizen to maintain a singular loyalty to this Nation;

Whereas it has been the high privilege and honor of many of our bravest citizens to serve alongside the military of other nations, but it is a grave violation of the rights of a citizen-soldier to coerce that soldier to become a member of any military other than that of the United States;

Whereas any legislative mandate ordering the President to comply with the applicable law may place United States servicemen and servicewomen into unnecessary difficulties; and

Whereas the Congress believes the best interest of both our Nation and our military personnel necessitates a deliberate path in seeking voluntary compliance with the law by the President: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That the Congress—*

3 (1) condemns the deployment of United States
4 military personnel in the service of the United
5 Nations in the former Yugoslav Republic of Macedo-
6 nia as a violation of both the Constitution and the
7 laws of the United States;

8 (2) calls upon the President to perform his con-
9 stitutional duty as Commander-in-Chief by forthwith
10 taking total command of all United States military
11 personnel participating in United Nations oper-

1 ations, to take the appropriate steps to ensure that
2 United States military personnel wear only the uni-
3 form of the United States without any items from
4 the United Nations, and to carry military identity
5 cards issued by the United States only and not by
6 the United Nations; and

7 (3) calls upon the President to take expedi-
8 tiously all steps necessary to resolve all existing con-
9 flicts with United States military personnel who
10 have bravely stood for the right to be exclusively
11 loyal to this Nation and who have refused to serve
12 under foreign commanders in foreign uniforms con-
13 sistent with the constitutional and principles of this
14 resolution.

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