

past decades Taiwan has been transformed from an underdeveloped island to an economic powerhouse. The ROC is our sixth largest trading partner and trade between our two countries is growing.

Taiwan has exhibited its leadership and commitment to these principles earlier this year when President Lee became the first popularly elected political leader in Chinese history. This was an important milestone for the people of Taiwan. The ROC achieved this success despite the attempts of its neighbor, the People's Republic of China, to intimidate Taiwan's electorate by conducting war games in the Taiwan Strait shortly before the election.

While the past year has been one of great change in Taiwan, there have also been changes here in Washington. In July, Dr. Jason Hu, formerly head of the Government Information Office, assumed the position of Representative at the Taipei Cultural and Economic Office, the ROC's unofficial embassy in Washington. I look forward to working closely with Ambassador Hu to further strengthen ties between our two countries. At the same time Dr. Fred Chien has left his post as Foreign Minister and has been elected Speaker of the National Assembly. This is a well deserved honor for Dr. Chien, who has worked tirelessly here in Washington and in Taipei to make United States-Republic of China relations the success they are today. John Chang, who had been the Vice Foreign Minister, has become the new Foreign Minister. I am certain he will build on Dr. Chien's achievements at the Ministry of Foreign Affairs.

Finally, I want to note that two very able officials in the Taipei Representative office will be returning to Taiwan at the end of the month. Dr. Lyushen Shen and his associate James Huang, have served their country well during their tenure here in Washington.

Mr. Speaker, there are many issues concerning Taiwan and the United States which I hope Congress will address in the next session of Congress. Chief among those are membership in the WTO for Taiwan, and making certain that Taiwan's security needs are met. As important as these issues will be in the future, I hope my colleagues will take a moment to pause and join me now in congratulating the ROC for 85 years of progress and success.

DUE PROCESS IN INDIAN TRIBAL COURTS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1996

Mr. HYDE. Mr. Speaker, recently, I have received complaints from parties who have been involved in proceedings in Indian tribal courts. These complaints suggest that non-Indian civil litigants in these courts may face unfair treatment, but, yet, are unable to seek protection from violations of their Federal rights in any other judicial forum.

For example, earlier this year, a Crow Nation tribal court entered a judgment for \$250 million in compensatory damages against the Burlington Northern Railroad. This case deals with a railroad grade-crossing accident which occurred on the Crow Reservation in Montana in 1993. The accident involved the death of

three members of the Crow Tribe. However, the crossing was well-marked, and no accident had ever occurred there in the entire 50-year history of the crossing. A blood alcohol test revealed that the driver and one of the passengers were intoxicated at the time of the accident.

Burlington Northern alleges that various violations of basic due process occurred during the trial, including, the use of jurors who should have been struck for cause, improper prejudicial comments to the jury venire by a member of the appellate court, use of evidence that was barred by Federal law, and the barring of evidence relating to the proper amount of compensatory questions.

I have not had the opportunity to review the complete record of this case, and I do not know all of the details. Further, I do not seek to affect the outcome of this particular case and I believe it should continue in due course under existing law. However, these allegations do raise serious questions about the overall fairness of the Indian tribal court system, which calls for further review by the Congress.

I understand that there are now more than 200 of these types of courts across the Nation and that they process thousands of cases per year. Many of these cases involve persons who have no particular connection to the tribe other than that they have traveled across Indian country on an interstate highway or railroad. Although the Indian Civil Rights Act, 25 U.S.C. §1302, requires these courts to provide basic constitutional rights, it does not provide any means by which litigants may seek to vindicate these rights in a Federal court. In fact, litigants have no way to vindicate these rights except through the tribal court system.

This situation sharply contrasts with the situation in State courts. State court decisions regarding the protection of Federal rights may be reviewed on appeal to the U.S. Supreme Court and by actions under 42 U.S.C. §1983. Current law provides that Federal courts may review the decisions of tribal courts only to determine whether the case was within the jurisdiction of the court, and they may only conduct that review after all avenues of relief have been exhausted in the tribal court system.

I do want to stress that I believe in the Indian tribal court system. It is only right that Indians should be able to have their own courts to judge their own affairs. By the same token, I want to say emphatically that it is only right that those courts should provide all of the constitutional protections required by law, including basic due process. The consistent enforcement of constitutional norms is particularly important if the tribal courts are to have jurisdiction over nonmembers who have only tangential relationships with the tribes.

This is a subject that both the Judiciary Committee and the Resources Committee should review in the next Congress.

VALLEJO, CA, ANTIDRUG PROGRAM A SUCCESS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1996

Mr. MILLER of California. Mr. Speaker, with all the attention recently about increased drug

abuse, particularly among young people, I am happy to take this opportunity to report on a successful effort being undertaken by the Fighting Back Partnership in Vallejo, CA, which is in my congressional district.

The Fighting Back Partnership grew from the disgust of Vallejo community leaders about the effects of drug and alcohol abuse on their city. Representatives of the police, neighborhood groups, city hall, the school district, and the Greater Vallejo Recreational District joined forces in a multicultural coalition to fight back in a comprehensive communitywide substance abuse reduction strategy. This strategy involves a comprehensive program through public education, prevention, intervention, treatment, and aftercare.

The following article describes the tremendous difference the Fighting Back Partnership has made after 5 years. This community has very much to be proud of, and its efforts should provide a model for other cities hurt by the tragedy of substance abuse.

[From the Vallejo Times Herald, Sept. 15, 1996]

MAKING A DIFFERENCE—STATISTICS INDICATE FIGHTING BACK IS WINNING THE WAR ON DRUGS IN VALLEJO

(By David Jackson)

Fighting Back Partnership has produced a report that appears to offer some hard evidence that its five-year, multi-million dollar experiment aimed at reducing substance abuse in Vallejo is working.

Citing student surveys on substance abuse, crime statistics and other data, the report suggests that Vallejo is making modest gains in combating the use of illegal drugs, alcohol and tobacco.

Among the more encouraging findings is a survey suggesting that teen-age marijuana use may not be growing in Vallejo at the rapid pace seen elsewhere.

Between 1991 and 1994, the percentage of Vallejo juniors who said they had used marijuana within the last 12 months rose from 35 to 36. In Solano County as a whole, the percentage rose from 31 to 50.

The same survey also suggests that fewer Vallejo students are using tobacco and alcohol, despite steady or increased usage by students throughout Solano County.

"There appears to be something going on in Vallejo that is not reflected in the trends of the rest of the county," said Jane Callahan, project manager for Fighting Back. "Our kids are reporting less drug, alcohol and tobacco use than their peers in the rest of the county."

The survey information was taken from The American Drug and Alcohol Survey, which is not affiliated with Fighting Back.

Among the survey's other findings:

The percentage of Vallejo seventh-graders who reported smoking cigarettes dropped from 48 percent in 1991 to 28 percent in 1994. Throughout the county, however, the percentage rose from 39 to 41.

During the same period, smoking rose 1 percent among Vallejo ninth-graders and dropped 14 percent among Vallejo 11th-graders.

The percentage of Vallejo students who reported using alcohol within the last 30 days dropped 11 percent among seventh-graders, rose 6 percent among ninth-graders and dropped 5 percent among 11th-graders between 1991 and 1994.

For the county as a whole, the percentages rose for each grade level.

the percentage of 11th-grade students who reported using marijuana in the last 30 days dropped 3 percent in Vallejo between 1991 and 1994, but rose 12 percent across the county.