

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1748

To provide procedures for the contribution of volunteer United States military personnel to international peacekeeping or peacemaking operations.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Mr. JEFFORDS introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To provide procedures for the contribution of volunteer United States military personnel to international peacekeeping or peacemaking operations.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Peacekeeping Partici-  
5        pation Act of 1993”.

6        **SEC. 2. FINDINGS.**

7        The Congress finds that—

8                (1) with the end of the Cold War, the United  
9        States is clearly the undisputed world leader and as

1 such bears undiminished international responsibil-  
2 ities;

3 (2) an active and responsible United States role  
4 abroad, particularly in the Western Hemisphere, is  
5 critical to ensuring a world environment compatible  
6 with American security, hospitable to our democratic  
7 ideals, and open to the expanding commerce which  
8 is essential to our continued prosperity;

9 (3) threats to the long-term security and well-  
10 being of the United States no longer derive primarily  
11 from the risk of external military aggression against  
12 the United States or its closest treaty allies but in  
13 large measure rest on transnational problems, in-  
14 cluding international narcotics trafficking, massive  
15 population movements of refugees or illegal mi-  
16 grants, international terrorism, and the proliferation  
17 of weapons of mass destruction;

18 (4) such transnational problems have and will  
19 continue to be created or exacerbated by the threat  
20 or conduct of armed internal strife or regional mili-  
21 tary clashes, involving parties other than the United  
22 States and its principal treaty allies, which give rise  
23 to generalized insecurity, physical destruction, major  
24 loss of life, the displacement of populations, and the

1       weakening or collapse of legitimate political  
2       authority;

3           (5) in consequence, the United States has a  
4       major stake in the peaceful resolution of conflicts oc-  
5       curring in areas outside the traditional sphere of  
6       vital military interest of the United States;

7           (6) in the post Cold War environment, inter-  
8       national peacekeeping and peacemaking operations  
9       have emerged as viable instruments for addressing  
10      such conflicts in a manner which carries greater  
11      international acceptance and shares the burden of  
12      efforts more equitably than would be possible in the  
13      event of United States unilateral action;

14          (7) the Secretary-General of the United Nations  
15      has recommended strongly that member states iden-  
16      tify in advance units for contribution to United Na-  
17      tions-sponsored peacekeeping and peacemaking oper-  
18      ations as a condition for rapid and effective inter-  
19      national response to emerging crises;

20          (8) the personnel of the United States Armed  
21      Forces have volunteered to put their lives at risk for  
22      their country's defense but in many cases did not  
23      anticipate the likelihood of doing so in areas outside  
24      the traditional sphere of vital military interest of the  
25      United States or in operations whose contribution to

1 United States national security, though tangible, is  
2 realized only indirectly and over an extended period;

3 (9) the greater need for, and likely frequency  
4 of, international peacekeeping and peacemaking in-  
5 creases the risk to all military personnel of partici-  
6 pation in such operations;

7 (10) the informed acceptance of such risks by  
8 military personnel participating or likely to partici-  
9 pate in such operations is likely to contribute to the  
10 domestic political consensus necessary to sustain a  
11 United States leadership role in international peace-  
12 keeping and peacemaking; and

13 (11) provision of United States Armed Forces  
14 personnel for participation in international peace-  
15 keeping operations has proved to be a difficult and  
16 unwieldy process.

17 **SEC. 3. DEFINITIONS.**

18 For purposes of this Act—

19 (1) the term “appropriate congressional con-  
20 sultation” means consultation as described in section  
21 3 of the War Powers Resolution;

22 (2) the phrase “contribute United States  
23 Armed Forces” means making available United  
24 States Armed Forces, without regard to whether

1 such Forces are under international, foreign, or  
2 United States military command; and

3 (3) the term “international peacekeeping or  
4 peacemaking operations” means any such operation  
5 carried out under chapter VI or chapter VII of the  
6 United Nations Charter or under the auspices of the  
7 Organization of American States.

8 **TITLE I—CONTRIBUTION OF**  
9 **VOLUNTEER UNITED STATES**  
10 **MILITARY PERSONNEL TO**  
11 **INTERNATIONAL PEACEKEEP-**  
12 **ING OPERATIONS**

13 **SEC. 101. REPORT ON PLAN TO ORGANIZE VOLUNTEER**  
14 **UNITS.**

15 Not later than 90 days after the date of enactment  
16 of this Act, the President shall submit a report to the Con-  
17 gress setting forth—

18 (1) a plan for—

19 (A) organizing into units a contingency  
20 force of Armed Forces personnel who volunteer  
21 to serve in international peacekeeping or peace-  
22 making operations; and

23 (B) providing training to such personnel  
24 which is appropriate to such operations; and

1           (2) proposed procedures to implement such  
2       plan.

3 **SEC. 102. AUTHORIZATION.**

4       (a) IN GENERAL.—If the President determines, after  
5 appropriate congressional consultation, that it would be in  
6 the national interest of the United States to contribute  
7 United States Armed Forces to international peacekeeping  
8 or peacemaking operations, the President is authorized to  
9 make available for such operations those units of the  
10 United States Armed Forces which are designated under  
11 section 101.

12       (b) NOTIFICATION OF CONGRESS.—Within 48 hours  
13 of any deployment of United States Armed Forces in con-  
14 nection with international peacekeeping or peacemaking  
15 operations, the President shall submit a report to the  
16 Speaker of the House of Representatives and the Presi-  
17 dent pro tempore of the Senate setting forth the informa-  
18 tion required in reports under section 4(a) of the War  
19 Powers Resolution.

20       (c) TERMINATION OF AUTHORIZATION.—The Presi-  
21 dent shall remove within 90 days all units of the United  
22 States Armed Forces designated under section 101 from  
23 involvement in an international peacekeeping or peace-  
24 making operation if the Congress has enacted, within a  
25 period of 30 session days after the report of subsection

1 (b) is required to be submitted, a joint resolution stating  
2 in substance its disapproval of the continued participation  
3 of the designated units of the United States Armed Forces  
4 in such operation.

5 (d) EFFECTIVE DATE.—This section shall take effect  
6 90 days after the date of enactment of this Act.

7 **SEC. 103. WAR POWERS RESOLUTION REQUIREMENTS.**

8 (a) IN GENERAL.—Except as provided in subsection  
9 (b), nothing in this Act supersedes any requirement of the  
10 War Powers Resolution.

11 (b) SPECIFIC STATUTORY AUTHORIZATION NOT RE-  
12 QUIRED.—Section 5(b) of the War Powers Resolution  
13 shall not apply to the deployment of units of the Armed  
14 Forces designated under section 101.

15 **TITLE II—EXPEDITED**  
16 **PROCEDURES**

17 **SEC. 201. CONGRESSIONAL PRIORITY PROCEDURES.**

18 (a) DEFINITIONS.—For purposes of this section—

19 (1) the term “resolution” means any joint reso-  
20 lution described in section 102(c); and

21 (2) the term “session days” means days on  
22 which the respective House of Congress is in session.

23 (b) REFERRAL OF RESOLUTIONS.—A resolution in-  
24 troduced in the House of Representatives shall be referred  
25 to the Committee on Foreign Affairs of the House of Rep-

1 representatives. A resolution introduced in the Senate shall  
2 be referred to the Committee on Foreign Relations of the  
3 Senate.

4 (c) DISCHARGE OF COMMITTEE.—(1) If the commit-  
5 tee to which is referred a resolution has not reported such  
6 a resolution (or an identical resolution) at the end of 7  
7 calendar days after its introduction, such committee shall  
8 be discharged from further consideration of such resolu-  
9 tion, and such resolution shall be placed on the appro-  
10 priate calendar of the House of Congress involved.

11 (2) After a committee reports or is discharged from  
12 a resolution, no other resolution with respect to the same  
13 use of force may be reported by or be discharged from  
14 such committee while the first resolution is before the re-  
15 spective House of Congress (including remaining on the  
16 calendar), a committee of conference, or the President.

17 (d) CONSIDERATION OF RESOLUTIONS.—(1)(A)  
18 Whenever the committee to which a resolution is referred  
19 has reported, or has been discharged under subsection (c)  
20 from further consideration of such resolution, notwith-  
21 standing any rule or precedent of the Senate, including  
22 Rule 22, it is at any time thereafter in order (even though  
23 a previous motion to the same effect has been disagreed  
24 to) for any Member of the respective House of Congress  
25 to move to proceed to the consideration of the resolution

1 and, except as provided in subparagraph (B) of this para-  
2 graph or paragraph (2) of this subsection (insofar as it  
3 related to germaneness and relevancy of amendments), all  
4 points of order against the resolution and consideration  
5 of the resolution are waived. The motion is highly privi-  
6 leged in the House of Representatives and is privileged  
7 in the Senate and is not debatable. The motion is not sub-  
8 ject to a motion to postpone. A motion to reconsider the  
9 vote by which the motion is agreed to or disagreed to shall  
10 be in order, except that such motion may not be entered  
11 for future disposition. If a motion to proceed to the consid-  
12 eration of the resolution is agreed to, the resolution shall  
13 remain the unfinished business of the respective House of  
14 Congress, to the exclusion of all other business, until dis-  
15 posed of, except as otherwise provided in subsection (e)(1).

16 (B) Whenever a point of order is raised in the Senate  
17 against the privileged status of a resolution that has been  
18 laid before the Senate and been initially identified as privi-  
19 leged for consideration under this section upon its intro-  
20 duction pursuant to section 102(c), such point of order  
21 shall be submitted directly to the Senate. The point of  
22 order, “The resolution is not privileged under title \_\_\_\_  
23 of the \_\_\_\_\_ Act”, shall be decided by  
24 the yeas and the nays after four hours of debate, equally  
25 divided between, and controlled by, the Member raising

1 the point of order and the manager of the resolution, ex-  
2 cept that in the event the manager is in favor of such  
3 point of order, the time in opposition thereto shall be con-  
4 trolled by the Minority Leader or his designee. Such point  
5 of order shall not be considered to establish precedent for  
6 determination of future cases.

7 (2)(A)(i) Consideration in a House of Congress of the  
8 resolution, and all amendments and debatable motions in  
9 connection therewith, shall be limited to not more than  
10 12 hours, which, except as otherwise provided in this sec-  
11 tion, shall be equally divided between, and controlled by,  
12 the Majority Leader and the Minority Leader, or by their  
13 designees.

14 (ii) The Majority Leader or the Minority Leader or  
15 their designees may, from the time under their control on  
16 the resolution, allot additional time to any Senator during  
17 the consideration of any amendment, debatable motion, or  
18 appeal.

19 (B) Only amendments which are germane and rel-  
20 evant to the resolution are in order. Debate on any amend-  
21 ment to the resolution shall be limited to 2 hours, except  
22 that debate on any amendment to an amendment shall be  
23 limited to 1 hour. The time of debate for each amendment  
24 shall be equally divided between, and controlled by, the  
25 mover of the amendment and the manager of the resolu-

1 tion, except that in the event the manager is in favor of  
2 any such amendment, the time in opposition thereto shall  
3 be controlled by the Minority Leader or his designee.

4 (C) One amendment by the Minority Leader is in  
5 order to be offered under a one-hour time limitation imme-  
6 diately following the expiration of the 12-hour time limita-  
7 tion if the Minority Leader has had no opportunity to offer  
8 an amendment to the resolution thereto. One amendment  
9 may be offered to the amendment by the Minority Leader  
10 under the preceding sentence, and debate shall be limited  
11 on such amendment to one-half hour which shall be equal-  
12 ly divided between, and controlled by, the mover of the  
13 amendment and the manager of the resolution, except that  
14 in the event the manager is in favor of any such amend-  
15 ment, the time in opposition thereto shall be controlled  
16 by the Minority Leader or his designee.

17 (D) A motion to postpone or a motion to recommit  
18 the resolution is not in order. A motion to reconsider the  
19 vote by which the resolution is agreed to or disagreed to  
20 is in order, except that such motion may not be entered  
21 for future disposition, and debate on such motion shall  
22 be limited to 1 hour.

23 (3) Whenever all the time for debate on a resolution  
24 has been used or yielded back, no further amendments  
25 may be proposed, except as provided in paragraph (2)(C),

1 and the vote on the adoption of the resolution shall occur  
2 without any intervening motion or amendment, except that  
3 a single quorum call at the conclusion of the debate if re-  
4 quested in accordance with the rules of the appropriate  
5 House of Congress may occur immediately before such  
6 vote.

7 (4) Appeals from the decisions of the Chair relating  
8 to the application of the Rules of the Senate or the House  
9 of Representatives, as the case may be, to the procedure  
10 relating to a resolution shall be limited to one-half hour  
11 of debate, equally divided between, and controlled by, the  
12 Member making the appeal and the manager of the resolu-  
13 tion, except that in the event the manager is in favor of  
14 any such appeal, the time in opposition thereto shall be  
15 controlled by the Minority Leader or his designee.

16 (e) TREATMENT OF OTHER HOUSE'S RESOLU-  
17 TION.—(1) Except as provided in paragraph (2), if, before  
18 the passage by one House of a resolution of that House,  
19 that House receives from the other House a resolution,  
20 then the following procedures shall apply:

21 (A) The resolution of the sending House shall  
22 not be referred to a committee in the receiving  
23 House.

24 (B) With respect to a resolution of the House  
25 receiving the resolution, the procedure in that House

1 shall be the same as if no resolution had been re-  
2 ceived from the sending House, except that the reso-  
3 lution of the sending House shall be considered to  
4 have been read for the third time.

5 (C) If the resolutions of the sending and receiv-  
6 ing Houses are identical, the vote on final passage  
7 shall be on the resolution of the sending House.

8 (D) If such resolutions are not identical—

9 (i) the vote on final passage shall be on the  
10 resolution of the sending House, with the text  
11 of the resolution of the receiving House inserted  
12 in lieu of the text of the resolution of the send-  
13 ing House;

14 (ii) such vote on final passage shall occur  
15 without debate or any intervening action; and

16 (iii) the resolution shall be returned to the  
17 sending House for proceedings under subsection  
18 (g).

19 (E) Upon disposition of the resolution received  
20 from the other House, it shall no longer be in order  
21 to consider the resolution originated in the receiving  
22 House.

23 (2) If one House receives from the other House a res-  
24 olution before any such resolution is introduced in the first  
25 House, then the resolution received shall be referred, in

1 the case of the House of Representatives, to the Commit-  
2 tee on Foreign Affairs and, in the case of the Senate, to  
3 the Committee on Foreign Relations, and the procedures  
4 in that House with respect to that resolution shall be the  
5 same under this section as if the resolution received had  
6 been introduced in that House.

7 (f) TREATMENT OF IDENTICAL RESOLUTIONS.—If  
8 one House receives from the other House a resolution  
9 after the first House has disposed of an identical resolu-  
10 tion, it shall be in order to proceed by nondebatable mo-  
11 tion to consideration of the resolution received by the first  
12 House, and that received resolution shall be disposed of  
13 without debate and without amendment.

14 (g) PROCEDURES APPLICABLE TO AMENDMENTS  
15 BETWEEN THE HOUSES OF CONGRESS.—The following  
16 procedures shall apply to dispose of amendments between  
17 the Houses of Congress:

18 (1) Upon receipt by a House of Congress of a  
19 message from the other House with respect to a res-  
20 olution, it is in order for any Member of the House  
21 receiving the message to move to proceed to the con-  
22 sideration of the respective resolution. Such motion  
23 shall be disposed of in the same manner as a motion  
24 under subsection (d)(1)(A). Such a motion is not in  
25 order after conferees have been appointed.

1           (2)(A) The time for debate in a House of Con-  
2           gress on any motion required for the disposition of  
3           an amendment by the other House to the resolution  
4           shall not exceed 2 hours, equally divided between,  
5           and controlled by, the mover of the motion and man-  
6           ager of the resolution at each stage of the proceed-  
7           ings between the two Houses, except that in the  
8           event the manager is in favor of any such motion,  
9           the time in opposition thereto shall be controlled by  
10          the Minority Leader or his designee.

11          (B) The time for debate for each amendment to  
12          a motion shall be limited to one-half hour.

13          (C) Only motions proposing amendments which  
14          are germane and relevant are in order.

15          (h) PROCEDURES APPLICABLE TO CONFERENCE RE-  
16          PORTS AND PRESIDENTIAL ACTION.—(1) Either House of  
17          Congress may disagree to an amendment or amendments  
18          made by the other House to a resolution or may insist  
19          upon its amendment or amendments to a resolution, and  
20          request a conference with the other House at any time.  
21          In the case of any disagreement between the two Houses  
22          of Congress with respect to an amendment or amendments  
23          to a resolution which is not resolved within 2 session days  
24          after a House of Congress first amends the resolution  
25          originated by the other House, each House shall be

1 deemed to have requested and accepted a conference with  
2 the other House. Upon the request or acceptance of a con-  
3 ference, in the case of the Senate, the President pro tem-  
4 pore shall appoint conferees and, in the case of the House  
5 of Representatives, the Speaker of the House shall appoint  
6 conferees.

7 (2) In the event the conferees are unable to agree  
8 within 72 hours after the second House is notified that  
9 the first House has agreed to conference, or after each  
10 House is deemed to have agreed to conference, they shall  
11 report back to their respective House in disagreement.

12 (3) Notwithstanding any rule in either House of Con-  
13 gress concerning the printing of conference reports in the  
14 Congressional Record or concerning any delay in the con-  
15 sideration of such reports, such report, including a report  
16 filed or returned in disagreement, shall be acted on in the  
17 House of Representatives or the Senate not later than 2  
18 session days after the first House files the report or, in  
19 the case of the Senate acting first, the report is first made  
20 available on the desks of the Senators.

21 (4) Debate in a House of Congress on a conference  
22 report or a report filed or returned in disagreement in any  
23 such resolution shall be limited to 3 hours, equally divided  
24 between the Majority Leader and the Minority Leader,  
25 and their designees.

1           (5) In the case of a conference report returned to a  
2 House of Congress in disagreement, an amendment to the  
3 amendment in disagreement is only in order if it is ger-  
4 mane and relevant. The time for debate for such an  
5 amendment shall be limited to one-half hour, to be equally  
6 divided between, and controlled by, the mover of the  
7 amendment and the manager of the resolution, except that  
8 in the event the manager is in favor of any such amend-  
9 ment, the time in opposition thereto shall be controlled  
10 by the Minority Leader or his designee.

11           (6) If a resolution is vetoed by the President, the time  
12 for debate in consideration of the veto message on such  
13 measure shall be limited to 20 hours in each House of  
14 Congress, equally divided between, and controlled by, the  
15 Majority Leader and the Minority Leader, and their  
16 designees.

17           (i) RULES OF THE SENATE AND THE HOUSE.—This  
18 section is enacted by the Congress—

19           (1) as an exercise of the rulemaking power of  
20 the Senate and House of Representatives, respec-  
21 tively, and as such it is deemed a part of the rules  
22 of each House, respectively, but applicable only with  
23 respect to the procedure to be followed in that  
24 House in the case of a resolution, and it supersedes

1 other rules only to the extent that it is inconsistent  
2 with such rules; and

3 (2) with full recognition of the constitutional  
4 right of either House to change rules (so far as re-  
5 lating to the procedure of that House) at any time,  
6 in the same manner, and to the same extent as in  
7 the case of any other rule of that House.

8 **SEC. 202. INAPPLICABILITY OF OBSOLETE EXPEDITED PRO-**  
9 **CEDURES.**

10 Section 1013 of the Department of State Authoriza-  
11 tion Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a),  
12 shall not apply to joint resolutions introduced under this  
13 Act.

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