

Union Calendar No. 44

103D CONGRESS
1ST SESSION

S. J. RES. 45

[Report No. 103-89]

JOINT RESOLUTION

Authorizing the use of United States Armed Forces
in Somalia.

MAY 11, 1993

Reported with amendments, committed to the Committee
of the Whole House on the State of the Union, and or-
dered to be printed

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1993

Referred to the Committee on Foreign Affairs

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[Strike out the preamble and all after the resolving clause and insert the part printed in italic]

JOINT RESOLUTION

Authorizing the use of United States Armed Forces in
Somalia.

- 1 Whereas an estimated 300,000 Somalis reportedly have
- 2 died of hunger or as casualties of widespread violence
- 3 since the fall of Siad Barre in January 1991;
- 4 Whereas international relief agencies had been unable to
- 5 deliver adequate assistance to those most in need due
- 6 to increasingly difficult and dangerous security condi-
- 7 tions, including pervasive banditry and looting;

1 Whereas Congress has expressed its support for a greater
2 United Nations role in addressing the political and hu-
3 manitarian situation in Somalia through Senate Reso-
4 lutions 258 and 132 and House of Representatives
5 Resolution 370;

6 Whereas the United Nations Secretary General and Unit-
7 ed States officials had concluded that massive inter-
8 vention in Somalia would be necessary to avert further
9 starvation on this scale;

10 Whereas the United Nations Security Council on Decem-
11 ber 3, 1992, enacted Resolution 794, authorizing the
12 use of “all necessary means to establish as soon as
13 possible a secure environment for humanitarian relief
14 operations in Somalia”;

15 Whereas President Bush began deploying United States
16 armed forces on December 8, 1992, in response to
17 United Nations Resolution 794;

18 Whereas more than 20,000 American servicemen and
19 women are now in Somalia under Operation Restore
20 Hope and have been joined by troops from many other
21 nations;

22 Whereas President Bush has emphasized that United
23 States Armed Forces will be withdrawn and that the
24 security mission will be assumed by the United Na-
25 tions’ UNOSOM operation as soon as a “secure envi-

1 environment” for the delivery of food has been created;
2 and

3 Whereas, on December 10, 1992, President Bush formally
4 reported to Congress on the deployment of United
5 States Armed Forces in Somalia: Now, therefore, be
6 it

7 *Resolved by the Senate and House of Representatives*
8 *of the United States of America in Congress assembled,*

9 **SECTION 1. SHORT TITLE.**

10 This joint resolution may be cited as the “Authoriza-
11 tion for Use of United States Armed Forces in Somalia”.

12 **SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES**
13 **ARMED FORCES.**

14 (a) **AUTHORIZATION.**—The President is authorized to
15 use United States Armed Forces pursuant to United Na-
16 tions Security Council Resolution 794 in order to imple-
17 ment the Resolution, which authorizes the use of “all nec-
18 essary means to establish as soon as possible a secure en-
19 vironment for humanitarian relief operations in Somalia”.

20 (b) **WAR POWERS RESOLUTION REQUIREMENTS.**—
21 Consistent with section 8(a)(1) of the War Powers Resolu-
22 tion, the Congress declares that this section is intended
23 to constitute specific statutory authorization within the
24 meaning of section 5(b) of the War Powers Resolution.

1 **SEC. 3. SENSE OF CONGRESS.**

2 (a) UNITED NATIONS PEACEKEEPING FORCES.—It
3 is the sense of Congress that the President should consult
4 with the Secretary General of the United Nations and with
5 the other member countries of the United Nations Secu-
6 rity Council to ensure that peacekeeping forces from other
7 countries of the United Nations continue to be deployed
8 in Somalia to maintain a secure environment and to allow
9 United States Armed Forces to transfer the mission to
10 a United Nations-led force at the earliest possible date.

11 (b) MEASURES OF SELF-PROTECTION.—It is the
12 sense of Congress that the President should make every
13 effort to ensure that United States Armed Forces serving
14 in Somalia as part of a United Nations-led force are per-
15 mitted to take all reasonable measures to protect them-
16 selves.

17 (c) ASSESSMENT OF COSTS.—It is the sense of Con-
18 gress that the President should submit a report to Con-
19 gress providing an assessment of the costs of Operation
20 Restore Hope, indicating the costs assessed to the United
21 States, the United Nations, and other countries and relat-
22 ed organizations involved in the operation.

23 **SEC. 4. REPORTING REQUIREMENT.**

24 Not later than September 1, 1993, the Secretary of
25 State and the Secretary of Defense shall jointly submit
26 to Congress a report on the introduction and commitment

1 of United States Armed Forces into combat situations.

2 This report shall include—

3 (1) a specific review of the goals of United
4 States policy in Somalia and an outline of objective
5 criteria which will enable the United States to evalu-
6 ate when those goals are achieved;

7 (2) a review of all actions taken to ensure that
8 United States material contributions to United Na-
9 tions forces in Somalia are counted against United
10 States assessments in Somalia;

11 (3) a review of United States international in-
12 terests and their correlation to the commitment of
13 United States Armed Forces;

14 (4) a description of the factors to be used in
15 evaluating future commitments of United States
16 combat forces;

17 (5) specifically, a review of the many situations
18 in the world where there are intense humanitarian
19 needs and a means of evaluating what elements,
20 when present, would permit these situations to rise
21 to a level of importance necessary for the commit-
22 ment of United States combat forces; and

23 (6) considerations which will affect whether
24 United States Armed Forces will be permitted to be

1 engaged as a portion of an international peacekeep-
2 ing force, including—

3 (A) United States command of United
4 States troops;

5 (B) equitable financial contributions of na-
6 tions so engaged; and

7 (C) the right of United States combat
8 forces to defend themselves throughout all levels
9 of conflict.

10 **SECTION 1. SHORT TITLE.**

11 *This joint resolution may be cited as the “Resolution*
12 *Authorizing the Use of United States Armed Forces in So-*
13 *malia”.*

14 **SEC. 2. CONGRESSIONAL FINDINGS.**

15 *The Congress finds the following:*

16 (1) *An estimated 300,000 Somalis have died as*
17 *a result of hunger and widespread violence since the*
18 *fall of Siad Barre in January 1991.*

19 (2) *On December 3, 1992, the United Nations*
20 *Security Council adopted Resolution 794 in which the*
21 *Security Council—*

22 (A) *determined that “the magnitude of the*
23 *human tragedy caused by the conflict in Soma-*
24 *lia, further exacerbated by the obstacles being*
25 *created to the distribution of humanitarian as-*

1 *sistance, constitutes a threat to international*
2 *peace and security”*, and

3 *(B) acting under Chapter VII of the Charter*
4 *of the United Nations, authorized the use of “all*
5 *necessary means to establish as soon as possible*
6 *a secure environment for humanitarian relief op-*
7 *erations in Somalia”*.

8 *(3) United States Armed Forces entered Somalia*
9 *on December 9, 1992, in response to Security Council*
10 *Resolution 794.*

11 *(4) The United Nations Secretary General con-*
12 *cluded in his report of March 3, 1993, that without*
13 *improved security throughout Somalia “the political*
14 *process cannot prosper and humanitarian relief oper-*
15 *ations will remain vulnerable to disruption”*.

16 *(5) The Secretary General recommended in his*
17 *report that the United Nations Security Council*
18 *adopt a resolution effecting the transition from the*
19 *United States-led force in Somalia to a United Na-*
20 *tions-led force, with the formal date of transfer of*
21 *command to be May 1, 1993.*

22 *(6) The Secretary General’s report envisioned a*
23 *United Nations-led force having a multinational mili-*
24 *tary component of 20,000 personnel, plus an addi-*
25 *tional 8000 personnel to provide logistic support.*

1 (7) On March, 26, 1993, the United Nations Se-
2 curity Council, acting under Chapter VII of the Char-
3 ter of the United Nations, adopted Resolution 814 in
4 response to the Secretary General's report. This reso-
5 lution provides for the establishment of the United
6 Nations-led force in Somalia by expanding the size
7 and mandate of the original United Nations peace-
8 keeping force in Somalia (commonly referred to as
9 "UNOSOM") in accordance with the recommenda-
10 tions contained in the report of the Secretary General.

11 (8) United States Armed Forces will participate
12 in the United Nations-led force in Somalia as part of
13 the multinational logistic support contingent, provid-
14 ing logistical, communications, and intelligence sup-
15 port.

16 (9) In addition to logistic forces, the United
17 States will make available a battalion-sized tactical
18 quick reaction force to respond to requests for emer-
19 gency assistance from the United Nations Force Com-
20 mander in Somalia. This quick reaction force will be
21 under United States operational control.

22 (10) The transfer of operations in Somalia from
23 the United States-led force to the United Nations-led
24 force will result in a substantial reduction in the
25 number of members of the United Armed Forces that

1 *are deployed in Somalia and in the costs incurred by*
2 *the United States as a result of United Nations-au-*
3 *thorized operations in Somalia.*

4 *(11) The Congress should authorize any use of*
5 *United States Armed Forces to implement United Na-*
6 *tions Security Council Resolutions 794 and 814.*

7 *(12) By providing such an authorization, the*
8 *Congress will facilitate the transfer of operations in*
9 *Somalia from the United States-led force to the Unit-*
10 *ed Nations-led force.*

11 *(13)(A) The Congress does not anticipate that*
12 *United States Armed Forces will need to remain in*
13 *Somalia for more than 12 months after the date of*
14 *enactment of this joint resolution to implement Unit-*
15 *ed Nations Security Council Resolution 814.*

16 *(B) Given the importance of the mission of the*
17 *United Nations-led force in Somalia, however, the*
18 *Congress will give strong consideration to extending*
19 *the authorization for the use of United States Armed*
20 *Forces to implement Resolution 814 should such con-*
21 *tinued use be necessary to ensure the success of the*
22 *United Nations-led force in Somalia.*

1 **SEC. 3. SUPPORT FOR UNITED NATIONS EFFORTS IN SOMA-**
2 **LIA.**

3 *The Congress supports United Nations efforts in So-*
4 *malia—*

5 *(1) to help provide a secure environment for*
6 *famine relief efforts;*

7 *(2) to prevent a resumption of violence;*

8 *(3) to help restore peace, stability, and order*
9 *through reconciliation, rehabilitation, and reconstruc-*
10 *tion of Somali society; and*

11 *(4) to help the people of Somalia create and*
12 *maintain democratic institutions for their own gov-*
13 *ernance.*

14 **SEC. 4. AUTHORIZATION FOR USE OF ARMED FORCES.**

15 *(a) IMPLEMENTATION OF SECURITY COUNCIL RESOLU-*
16 *TIONS.—The President is authorized to use United States*
17 *Armed Forces to implement United Nations Security Coun-*
18 *cil Resolutions 794 (1992) and 814 (1993), including the*
19 *use of such Armed Forces—*

20 *(1) to carry out operations under the authoriza-*
21 *tion provided by United Nations Security Council*
22 *Resolution 794 (1992) until the transition to the*
23 *United Nations-led force in Somalia is completed;*

24 *(2) to provide logistic and related support for the*
25 *United Nations-led force in Somalia under the au-*

1 *thorization provided by United Nations Security*
2 *Council Resolution 814 (1993); and*

3 *(3) to serve as a tactical quick reaction force,*
4 *under United States operational control, to respond to*
5 *requests for emergency assistance from the United Na-*
6 *tions Force Commander in Somalia.*

7 *(b) STATEMENTS OF INTENT REQUIRED BY WAR POW-*
8 *ERS RESOLUTION.—Consistent with section 8(a)(1) of the*
9 *War Powers Resolution, the Congress declares that sub-*
10 *section (a) is intended to constitute specific statutory au-*
11 *thorization within the meaning of section 5(b) of the War*
12 *Powers Resolution to the extent that any United States*
13 *Armed Forces being used for the purposes described in sub-*
14 *section (a) are or become involved in hostilities or situations*
15 *where imminent involvement in hostilities is clearly indi-*
16 *cated by the circumstances.*

17 *(c) EXPIRATION OF AUTHORIZATIONS.—The author-*
18 *izations provided by subsection (a) shall expire at the ear-*
19 *lier of—*

20 *(1) the end of the 12-month period beginning on*
21 *the date of enactment of this joint resolution, unless*
22 *the Congress finds that continued participation by the*
23 *United States Armed Forces is necessary to ensure the*
24 *success of the United Nations-led force in Somalia*
25 *and extends the period of such authorizations; or*

1 (2) the expiration of the mandate of the United
2 Nations-led force in Somalia.

3 **SEC. 5. REPORTS REGARDING USE OF UNITED STATES**

4 **ARMED FORCES.**

5 (a) *PERIODIC REPORTS.*—

6 (1) *INFORMATION TO BE PROVIDED.*—The Presi-
7 dent shall submit periodic reports to the Congress
8 with respect to United States Armed Forces partici-
9 pation in and support for the United Nations-led
10 force in Somalia. Each such report shall—

11 (A) specify the number of members of the
12 United States Armed Forces participating in the
13 United Nations-led force in Somalia or operat-
14 ing in support of that force;

15 (B) specify where United States Armed
16 Forces are deployed as part of the United Na-
17 tions-led force in Somalia and where United
18 States Armed Forces are deployed that are oper-
19 ating in support of that force;

20 (C) specify the functions being performed by
21 United States Armed Forces participating in the
22 United Nations-led force in Somalia;

23 (D) specify the functions of United States
24 Armed Forces operating as a tactical quick reac-
25 tion force in support of the United Nations-led

1 *force in Somalia, and describe any use of United*
2 *States Armed Forces as a quick reaction force;*

3 *(E) specify the command arrangements ap-*
4 *plicable with respect to United States Armed*
5 *Forces participating in the United Nations-led*
6 *force in Somalia or operating in support of that*
7 *force; and*

8 *(F) specify the anticipated duration of the*
9 *deployment of United States Armed Forces as*
10 *part of the United Nations-led force in Somalia*
11 *or in support of that force.*

12 (2) *REPORTING DATES AND PERIOD COVERED BY*
13 *EACH REPORT.—A report pursuant to this subsection*
14 *shall be submitted—*

15 *(A) not later than July 1, 1993, covering*
16 *the period since March 3, 1993; and*

17 *(B) not later than July 1, 1994, covering*
18 *the period since the preceding report pursuant to*
19 *this subsection.*

20 (3) *WAR POWERS RESOLUTION REPORTING RE-*
21 *QUIREMENTS.—The requirements of this subsection do*
22 *not supersede the requirements of section 4 of the War*
23 *Powers Resolution.*

24 (b) *REPORT ON TRANSITION TO UN-LED FORCE.—The*
25 *first report submitted pursuant to subsection (a) shall speci-*

1 *fy the number of members of the United States Armed*
2 *Forces, if any, remaining in Somalia as part of the United*
3 *States-led force in Somalia.*

4 (c) *AGREEMENTS WITH UNITED NATIONS.*—*The Presi-*
5 *dent shall transmit promptly to the Congress a copy of any*
6 *memorandum of understanding or other written agreement*
7 *entered into by the United States with the United Nations*
8 *Security Council, the Secretary General of the United Na-*
9 *tions (or his Special Representative), or the United Nations*
10 *Force Commander in Somalia—*

11 (1) *regarding the participation of United States*
12 *Armed Forces in the United Nations-led force in So-*
13 *malia;*

14 (2) *regarding United States Armed Forces oper-*
15 *ating as a tactical quick reaction force in support of*
16 *that force or otherwise in support of that force; or*

17 (3) *otherwise regarding the availability to the*
18 *United Nations Security Council of United States*
19 *Armed Forces, assistance, or facilities to implement*
20 *Security Council Resolution 794 or 814.*

21 **SEC. 6. REPORTS ON COSTS OF UNITED NATIONS-AUTHOR-**
22 **IZED OPERATIONS IN SOMALIA.**

23 (a) *REQUIREMENT FOR PERIODIC REPORTS.*—*The*
24 *President shall submit to the Congress periodic reports re-*

1 *garding the costs of the United States-led force in Somalia*
2 *and the United Nations-led force in Somalia.*

3 *(b) INFORMATION ON COSTS AND OTHER CONTRIBU-*
4 *TIONS.—Each report pursuant to this section shall specify*
5 *(to the extent such information is available to the United*
6 *States)—*

7 *(1) the amount of the incremental costs incurred*
8 *by the United States as the result of its participation*
9 *in the United States-led force in Somalia or as the*
10 *result of its participation in or military operations*
11 *in support of the United Nations-led force in Soma-*
12 *lia;*

13 *(2) the amount of other in-kind or financial con-*
14 *tributions pledged, and the amount of such contribu-*
15 *tions made, by each participating country toward the*
16 *costs associated with the United States-led force in*
17 *Somalia and the United Nations-led force in Soma-*
18 *lia, including contributions to the United Nations*
19 *Trust Fund for Somalia and excluding amounts re-*
20 *ported pursuant to paragraph (3);*

21 *(3) the amount assessed by the United Nations to*
22 *the United States and each other country for its con-*
23 *tributions to the costs associated with the United Na-*
24 *tions-led force in Somalia;*

1 (4) *the amount received by the United States*
2 *and each other country as reimbursement from the*
3 *United Nations, including reimbursements from the*
4 *United Nations Trust Fund for Somalia, as the result*
5 *of its participation in the United States-led force in*
6 *Somalia; and*

7 (5) *the amount received by the United States*
8 *and each other country as credit against an assess-*
9 *ment described in paragraph (3) from the United Na-*
10 *tions for costs that it incurred as the result of its par-*
11 *ticipation in or military operations in support of the*
12 *United Nations-led force in Somalia.*

13 (c) *REIMBURSEMENT OF COSTS INCURRED BY THE*
14 *UNITED STATES IN SOMALIA.—It is the sense of the Con-*
15 *gress that the President should seek to ensure that incremen-*
16 *tal costs incurred by the United States in connection with*
17 *the United States-led force in Somalia and in connection*
18 *with the United Nations-led force in Somalia are reim-*
19 *bursed to the maximum extent possible by the United Na-*
20 *tions and other members of the international community.*
21 *Each report pursuant to this section shall review all actions*
22 *taken by the United States to achieve this objective.*

23 (d) *REPORTING DATES AND PERIOD COVERED BY*
24 *EACH REPORT.—A report pursuant to this section shall be*
25 *submitted—*

1 (1) *not later than 1 month after the date of en-*
2 *actment of this joint resolution, covering the period*
3 *ending on the last day of the penultimate month pre-*
4 *ceding the enactment of this joint resolution; and*

5 (2) *not later than 12 months and 24 months*
6 *after that date, covering the 12-month period follow-*
7 *ing the period covered by the preceding report pursu-*
8 *ant to this section and also providing cumulative in-*
9 *formation.*

10 **SEC. 7. DEFINITIONS.**

11 *As used in this joint resolution—*

12 (1) *the term “United Nations Force Commander*
13 *in Somalia” means the commander appointed by the*
14 *Secretary General of the United Nations to command*
15 *the United Nations-led force in Somalia;*

16 (2) *the term “United Nations-led force in Soma-*
17 *lia” means the expanded force (commonly referred to*
18 *as “UNOSOM II”) authorized by paragraph 5 of*
19 *United Nations Security Council Resolution 814*
20 *(1993);*

21 (3) *the term “United Nations Trust Fund for So-*
22 *malia” means the trust fund established and main-*
23 *tained pursuant to United Nations Security Council*
24 *Resolutions 794 and 814; and*

1 (4) the term “United States-led force in Soma-
2 lia” means the force (commonly referred to as the
3 “Unified Task Force” or “UNITAF”) authorized by
4 United Nations Security Council Resolution 794
5 (1992).

Amend the title to read as follows: “Joint Resolution to authorize the use of United States Armed Forces in Somalia to implement United Nations Security Council Resolutions 794 (1992) and 814 (1993).”.

Passed the Senate February 4 (legislative day, January 5), 1993.

Attest:

Secretary.

SJ 45 RH—2