

105TH CONGRESS
1ST SESSION

H. R. 1172

To prohibit the use of funds appropriated to the Department of Defense or any other Federal department or agency from being used for the deployment on the ground of United States Armed Forces in the territory of the Republic of Bosnia and Herzegovina after September 30, 1997, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 1997

Mr. KASICH (for himself, Mr. SPENCE, Mr. CONDIT, Mr. HILLEARY, Mr. JONES, Mr. BUYER, Mr. FRANK of Massachusetts, Mr. PARKER, and Mr. HEFLEY) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on National Security and Rules, 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

A BILL

To prohibit the use of funds appropriated to the Department of Defense or any other Federal department or agency from being used for the deployment on the ground of United States Armed Forces in the territory of the Republic of Bosnia and Herzegovina after September 30, 1997, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Armed
3 Forces in Bosnia Protection Act of 1997”.

4 **SEC. 2. FINDINGS AND DECLARATIONS OF POLICY.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1)(A) On November 27, 1995, the President
7 affirmed that United States participation in the mul-
8 tinational military Implementation Force in the Re-
9 public of Bosnia and Herzegovina would terminate
10 in one year.

11 (B) The President declared the expiration date
12 of the mandate for the Implementation Force to be
13 December 20, 1996.

14 (2) The Secretary of Defense and the Chairman
15 of the Joint Chiefs of Staff likewise expressed their
16 confidence that the Implementation Force would
17 complete its mission in one year.

18 (3) The exemplary performance of United
19 States Armed Forces personnel has significantly
20 contributed to the accomplishment of the military
21 mission of the Implementation Force. The courage,
22 dedication, and professionalism of such personnel
23 have permitted a separation of the belligerent parties
24 to the conflict in the Republic of Bosnia and
25 Herzegovina and have resulted in a significant miti-

1 gation of the violence and suffering in the Republic
2 of Bosnia and Herzegovina.

3 (4) On October 3, 1996, the Chairman of the
4 Joint Chiefs of Staff announced the intention of the
5 United States Administration to delay the removal
6 of United States Armed Forces personnel from the
7 Republic of Bosnia and Herzegovina until March
8 1997 due to operational reasons.

9 (5) Notwithstanding the fact that the Presi-
10 dent, the Secretary of Defense, and the Chairman of
11 the Joint Chiefs of Staff assured the Congress of
12 their resolve to end the mission of United States
13 Armed Forces in the Republic of Bosnia and
14 Herzegovina by December 20, 1996, in November
15 1996 the President announced his intention to fur-
16 ther extend the deployment of United States Armed
17 Forces in the Republic of Bosnia and Herzegovina
18 until June 1998.

19 (6) Before the announcement of the new policy
20 referred to in paragraph (5), the President did not
21 request authorization by the Congress of a policy
22 that would result in the further deployment of Unit-
23 ed States Armed Forces in the Republic of Bosnia
24 and Herzegovina until June 1998.

25 (b) DECLARATIONS OF POLICY.—The Congress—

1 (1) expresses its serious concerns and opposi-
2 tion to the policy of the President that has resulted
3 in the deployment after December 20, 1996, of Unit-
4 ed States Armed Forces on the ground in the Re-
5 public of Bosnia and Herzegovina without prior au-
6 thorization by the Congress; and

7 (2) urges the President to work with our Euro-
8 pean allies to begin an orderly transition of all
9 peacekeeping functions in the Republic of Bosnia
10 and Herzegovina from the United States to appro-
11 priate European countries in preparation for a com-
12 plete withdrawal of all United States Armed Forces
13 by September 30, 1997.

14 **SEC. 3. PROHIBITION OF USE OF DEPARTMENT OF DE-**
15 **FENSE FUNDS OR OTHER FEDERAL DEPART-**
16 **MENT OR AGENCY FUNDS FOR CONTINUED**
17 **DEPLOYMENT ON THE GROUND OF ARMED**
18 **FORCES IN THE TERRITORY OF THE REPUB-**
19 **LIC OF BOSNIA AND HERZEGOVINA.**

20 (a) PROHIBITION.—None of the funds appropriated
21 or otherwise available to the Department of Defense or
22 to any other Federal department or agency may be obli-
23 gated or expended for the deployment on the ground of
24 United States Armed Forces in the territory of the Repub-
25 lic of Bosnia and Herzegovina after September 30, 1997.

1 (b) EXCEPTIONS.—The prohibition contained in sub-
2 section (a) shall not apply—

3 (1) with respect to the deployment of United
4 States Armed Forces after September 30, 1997, but
5 not later than October 31, 1997, for the express
6 purpose of ensuring the safe and timely withdrawal
7 of such Armed Forces from the Republic of Bosnia
8 and Herzegovina; or

9 (2)(A) if the President transmits to the Con-
10 gress a report containing a request for an extension
11 of deployment of United States Armed Forces for an
12 additional 90 days after the date otherwise applica-
13 ble under subsection (a); and

14 (B) if a joint resolution is enacted, in accord-
15 ance with section 4, specifically approving such re-
16 quest.

17 **SEC. 4. CONGRESSIONAL CONSIDERATION OF REQUEST BY**
18 **PRESIDENT FOR 90-DAY EXTENSION OF DE-**
19 **PLOYMENT.**

20 (a) TERMS OF THE RESOLUTION.—For purposes of
21 section 3, the term “joint resolution” means only a joint
22 resolution that is introduced within the 10-day period be-
23 ginning on the date on which the President transmits the
24 report to the Congress under such section, and—

25 (1) which does not have a preamble;

1 (2) the matter after the resolving clause of
2 which is as follows: “That the Congress approves the
3 request by the President for the extension of the de-
4 ployment on the ground of United States Armed
5 Forces in the territory of the Republic of Bosnia and
6 Herzegovina for a period ending not later than De-
7 cember 31, 1997, as submitted by the President on
8 _____”, the blank space being filled in with
9 the appropriate date; and

10 (3) the title of which is as follows: “Joint reso-
11 lution approving the request by the President for an
12 extension of the deployment on the ground of United
13 States Armed Forces in the territory of the Republic
14 of Bosnia and Herzegovina for a period ending not
15 later than December 31, 1997.”.

16 (b) REFERRAL.—A resolution described in subsection
17 (a) that is introduced in the House of Representatives
18 shall be referred to the Committee on International Rela-
19 tions and the Committee on National Security of the
20 House of Representatives. A resolution described in sub-
21 section (a) introduced in the Senate shall be referred to
22 the Committee on Foreign Relations and the Committee
23 on Armed Services of the Senate.

24 (c) DISCHARGE.—If the committee to which a resolu-
25 tion described in subsection (a) is referred has not re-

1 ported such resolution (or an identical resolution) by the
2 end of the 20-day period beginning on the date on which
3 the President transmits the report to the Congress under
4 section 3, such committee shall be, at the end of such pe-
5 riod, discharged from further consideration of such resolu-
6 tion, and such resolution shall be placed on the appro-
7 priate calendar of the House involved.

8 (d) CONSIDERATION.—(1) On or after the third day
9 after the date on which the committee to which such a
10 resolution is referred has reported, or has been discharged
11 (under subsection (c)) from further consideration of, such
12 a resolution, it is in order (even though a previous motion
13 to the same effect has been disagreed to) for any Member
14 of the respective House to move to proceed to the consider-
15 ation of the resolution. A Member may make the motion
16 only on the day after the calendar day on which the Mem-
17 ber announces to the House concerned the Member's in-
18 tention to make the motion, except that, in the case of
19 the House of Representatives, the motion may be made
20 without such prior announcement if the motion is made
21 by direction of the committee to which the resolution was
22 referred. All points of order against the resolution (and
23 against consideration of the resolution) are waived. The
24 motion is highly privileged in the House of Representatives
25 and is privileged in the Senate and is not debatable. The

1 motion is not subject to amendment, or to a motion to
2 postpone, or to a motion to proceed to the consideration
3 of other business. A motion to reconsider the vote by
4 which the motion is agreed to or disagreed to shall not
5 be in order. If a motion to proceed to the consideration
6 of the resolution is agreed to, the respective House shall
7 immediately proceed to consideration of the joint resolu-
8 tion without intervening motion, order, or other business,
9 and the resolution shall remain the unfinished business of
10 the respective House until disposed of.

11 (2) Debate on the resolution, and on all debatable
12 motions and appeals in connection therewith, shall be lim-
13 ited to not more than 2 hours, which shall be divided
14 equally between those favoring and those opposing the res-
15 olution. An amendment to the resolution is not in order.
16 A motion further to limit debate is in order and not debat-
17 able. A motion to postpone, or a motion to proceed to the
18 consideration of other business, or a motion to recommit
19 the resolution is not in order. A motion to reconsider the
20 vote by which the resolution is agreed to or disagreed to
21 is not in order.

22 (3) Immediately following the conclusion of the de-
23 bate on a resolution described in subsection (a) and a sin-
24 gle quorum call at the conclusion of the debate if re-
25 quested in accordance with the rules of the appropriate

1 House, the vote on final passage of the resolution shall
2 occur.

3 (4) Appeals from the decisions of the Chair relating
4 to the application of the rules of the Senate or the House
5 of Representatives, as the case may be, to the procedure
6 relating to a resolution described in subsection (a) shall
7 be decided without debate.

8 (e) CONSIDERATION BY OTHER HOUSE.—(1) If, be-
9 fore the passage by one House of a resolution of that
10 House described in subsection (a), that House receives
11 from the other House a resolution described in subsection
12 (a), then the following procedures shall apply:

13 (A) The resolution of the other House shall not
14 be referred to a committee and may not be consid-
15 ered in the House receiving it except in the case of
16 final passage as provided in subparagraph (B)(ii).

17 (B) With respect to a resolution described in
18 subsection (a) of the House receiving the resolu-
19 tion—

20 (i) the procedure in that House shall be
21 the same as if no resolution had been received
22 from the other House; but

23 (ii) the vote on final passage shall be on
24 the resolution of the other House.

1 (2) Upon disposition of the resolution received from
2 the other House, it shall no longer be in order to consider
3 the resolution that originated in the receiving House.

4 (f) RULES OF THE SENATE AND HOUSE.—This sec-
5 tion is enacted by the Congress—

6 (1) as an exercise of the rulemaking power of
7 the Senate and House of Representatives, respec-
8 tively, and as such it is deemed a part of the rules
9 of each House, respectively, but applicable only with
10 respect to the procedure to be followed in that
11 House in the case of a resolution described in sub-
12 section (a), and it supersedes other rules only to the
13 extent that it is inconsistent with such rules; and

14 (2) with full recognition of the constitutional
15 right of either House to change the rules (so far as
16 relating to the procedure of that House) at any time,
17 in the same manner, and to the same extent as in
18 the case of any other rule of that House.

1 **SEC. 5. PROHIBITION OF USE OF DEPARTMENT OF DE-**
2 **FENSE FUNDS OR OTHER FEDERAL DEPART-**
3 **MENT OR AGENCY FUNDS FOR LAW EN-**
4 **FORCEMENT OR RELATED ACTIVITIES IN THE**
5 **TERRITORY OF THE REPUBLIC OF BOSNIA**
6 **AND HERZEGOVINA.**

7 None of the funds appropriated or otherwise available
8 to the Department of Defense or to any other Federal de-
9 partment or agency may be obligated or expended after
10 the date of the enactment of this Act for the following:

11 (1) Conduct of, or direct support for, law en-
12 forcement activities in the Republic of Bosnia and
13 Herzegovina, except for the training of law enforce-
14 ment personnel or to prevent imminent loss of life.

15 (2) Conduct of, or support for, any activity in
16 the Republic of Bosnia and Herzegovina that may
17 have the effect of jeopardizing the primary mission
18 of the United Nations-led Stabilization Force in pre-
19 venting armed conflict between the Federation of
20 Bosnia and Herzegovina and the Republika Srpska
21 (“Bosnian Entities”).

22 (3) Transfer of refugees within the Republic of
23 Bosnia and Herzegovina that, in the opinion of the
24 commander of the Stabilization Force involved in
25 such transfer—

1 (A) has as one of its purposes the acquisi-
2 tion of control by a Bosnian Entity of territory
3 allocated to the other Bosnian Entity under the
4 Dayton Peace Agreement; or

5 (B) may expose United States Armed
6 Forces to substantial risk to their personal
7 safety.

8 (4) Implementation of any decision to change
9 the legal status of any territory within the Republic
10 of Bosnia and Herzegovina unless expressly agreed
11 to by all signatories to the Dayton Peace Agreement.

12 **SEC. 6. REPORT.**

13 (a) IN GENERAL.—Not later than June 30, 1997, the
14 President shall prepare and transmit to the Congress a
15 report on the deployment on the ground of United States
16 Armed Forces in the territory of the Republic of Bosnia
17 and Herzegovina. The report shall contain the following:

18 (1) A description of the extent to which compli-
19 ance has been achieved with the requirements relat-
20 ing to United States activities in the Republic of
21 Bosnia and Herzegovina contained in Public Law
22 104–122 (110 Stat. 876).

23 (2)(A) An identification of the specific steps
24 taken, if any, by the United States Government to
25 transfer the United States portion of the peacekeep-

1 ing mission in the Republic of Bosnia and
2 Herzegovina to appropriate European organizations,
3 such as a combined joint task force of NATO, the
4 Western European Union, or the Conference on Se-
5 curity and Cooperation in Europe.

6 (B) A description of any deficiencies in the ca-
7 pabilities of such European organizations to conduct
8 peacekeeping activities in the Republic of Bosnia
9 and Herzegovina and a description of the actions, if
10 any, that the United States Government is taking in
11 cooperation with such organizations to remedy such
12 deficiencies.

13 (3) An identification of the following:

14 (A) The goals of the Stabilization Force
15 and the criteria for achieving those goals.

16 (B) The measures that are being taken to
17 protect United States Armed Forces personnel
18 from conventional warfare, unconventional war-
19 fare, or terrorist attacks in the Republic of
20 Bosnia and Herzegovina.

21 (C) The exit strategy for the withdrawal of
22 United States Armed Forces from the Republic
23 of Bosnia and Herzegovina in the event of civil
24 disturbances or overt warfare.

1 (D) The exit strategy and timetable for the
2 withdrawal of United States Armed Forces
3 from the Republic of Bosnia and Herzegovina
4 in the event the Stabilization Force successfully
5 completes its mission, including whether or not
6 a follow-on force will succeed the Stabilization
7 Force after the proposed withdrawal date an-
8 nounced by the President of June 1998.

9 (b) FORM OF REPORT.—The report described in sub-
10 section (a) shall be transmitted in unclassified and classi-
11 fied versions.

12 **SEC. 7. DEFINITIONS.**

13 As used in this Act:

14 (1) BOSNIAN ENTITIES.—The term “Bosnian
15 Entities” means the Federation of Bosnia and
16 Herzegovina and the Republika Srpska.

17 (2) DAYTON PEACE AGREEMENT.—The term
18 “Dayton Peace Agreement” means the General
19 Framework Agreement for Peace in Bosnia and
20 Herzegovina, initialed by the parties in Dayton,
21 Ohio, on November 21, 1995, and signed in Paris on
22 December 14, 1995.

23 (3) IMPLEMENTATION FORCE.—The term “Im-
24 plementation Force” means the NATO-led multi-
25 national military force in the Republic of Bosnia and

1 Herzegovina (commonly referred to as “IFOR”), au-
2 thorized under the Dayton Peace Agreement.

3 (4) NATO.—The term “NATO” means the
4 North Atlantic Treaty Organization.

5 (5) STABILIZATION FORCE.—The term “Sta-
6 bilization Force” means the United Nations-led fol-
7 low-on force to the Implementation Force in the Re-
8 public of Bosnia and Herzegovina and other coun-
9 tries in the region (commonly referred to as
10 “SFOR”), authorized under United Nations Secu-
11 rity Council Resolution 1088 (December 12, 1996).

○