

105TH CONGRESS
2D SESSION

S. 2036

To condition the use of appropriated funds for the purpose of an orderly and honorable reduction of U.S. ground forces from the Republic of Bosnia and Herzegovina.

IN THE SENATE OF THE UNITED STATES

MAY 6, 1998

Mr. BYRD (for himself and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To condition the use of appropriated funds for the purpose of an orderly and honorable reduction of U.S. ground forces from the Republic of Bosnia and Herzegovina.

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 “Bosnia Force Realign-
5 ment Act”.

6 **SEC. 2. FINDINGS.**

7 (a) The Congress finds the following:

8 (1) United States Armed Forces in the Repub-
9 lic of Bosnia and Herzegovina have accomplished the

1 military mission assigned to them as a component of
2 the Implementation and Stabilization Forces.

3 (2) The continuing and open-ended commitment
4 of U.S. ground forces in the Republic of Bosnia and
5 Herzegovina is subject to the oversight authority of
6 the Congress.

7 (3) Congress may limit the use of appropriated
8 funds to create the conditions for an orderly and
9 honorable withdrawal of U.S. troops from the Re-
10 public of Bosnia and Herzegovina.

11 (4) On November 27, 1995, the President af-
12 firmed that United States participation in the multi-
13 national military Implementation Force in the Re-
14 public of Bosnia and Herzegovina would terminate
15 in about one year.

16 (5) The President declared the expiration date
17 of the mandate for the Implementation Force to be
18 December 20, 1996.

19 (6) The Secretary of Defense and the Chairman
20 of the Joint Chiefs of Staff expressed confidence
21 that the Implementation Force would complete its
22 mission in about one year.

23 (7) The Secretary of Defense and the Chairman
24 of the Joint Chiefs of Staff expressed the critical im-
25 portance of establishing a firm deadline, in the ab-

1 sence of which there is a potential for expansion of
2 the mission of U.S. forces.

3 (8) 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.

9 (9) In November 1996 the President announced
10 his intention to further extend the deployment of
11 United States Armed Forces in the Republic of Bos-
12 nia and Herzegovina until June 1998.

13 (10) The President did not request authoriza-
14 tion by the Congress of a policy that would result in
15 the further deployment of United States Armed
16 Forces in the Republic of Bosnia and Herzegovina
17 until June 1998.

18 (11) Notwithstanding the passage of two pre-
19 viously established deadlines, the reaffirmation of
20 those deadlines by senior national security officials,
21 and the endorsement by those same national security
22 officials of the importance of having a deadline as a
23 hedge against an expanded mission, the President
24 announced on December 17, 1997 that establishing
25 a deadline had been a mistake and that U.S. ground

1 combat forces were committed to the NATO-led mis-
2 sion in Bosnia for the indefinite future.

3 (12) NATO military forces have increased their
4 participation in law enforcement, particularly police
5 activities.

6 (13) U.S. Commanders of NATO have stated
7 on several occasions that, in accordance with the
8 Dayton Peace Accords, the principal responsibility
9 for such law enforcement and police activities lies
10 with the Bosnian parties themselves.

11 **SEC. 3. LIMITATIONS ON THE USE OF FUNDS.**

12 (a) Funds appropriated or otherwise made available
13 for the Department of Defense for any fiscal year may
14 not be obligated for the ground elements of the United
15 States Armed Forces in the Republic of Bosnia and
16 Herzegovina except as conditioned below.

17 (1) The President shall continue the ongoing
18 withdrawal of American forces from the NATO Sta-
19 bilization Force in the Republic of Bosnia and
20 Herzegovina such that U.S. ground forces in that
21 force or the planned multi-national successor force
22 shall not exceed:

23 (A) 6900, by June 30, 1998;

24 (B) 5000, by February 2, 1999;

25 (C) 3500, by June 30, 1999, and;

1 (D) 2500, by February 2, 2000.

2 (b) EXCEPTIONS.—The limitation in subsection (a)
3 shall not apply—

4 (1) to the extent necessary for U.S. ground
5 forces to protect themselves as the drawdowns out-
6 lined in sub-paragraph (a)(1) proceeds;

7 (2) to the extent necessary to support a limited
8 number of United States military personnel suffi-
9 cient only to protect United States diplomatic facili-
10 ties in existence on the date of the enactment of this
11 Act; or

12 (3) to the extent necessary to support non-com-
13 bat military personnel sufficient only to advise the
14 commanders North Atlantic Treaty Organization
15 peacekeeping operations in the Republic of Bosnia
16 and Herzegovina; and

17 (4) to U.S. ground forces that may be deployed
18 as part of NATO containment operations in regions
19 surrounding the Republic of Bosnia and
20 Herzegovina.

21 (c) CONSTRUCTION OF SECTION.—Nothing in this
22 section shall be deemed to restrict the authority of the
23 President under the Constitution to protect the lives of
24 United States citizens.

1 (d) LIMITATION ON SUPPORT FOR LAW ENFORCE-
2 MENT ACTIVITIES IN BOSNIA.—None of the funds appro-
3 priated or otherwise made available to the Department of
4 Defense for any fiscal year may be obligated or expended
5 after the date of the enactment of this Act for the—

6 (1) conduct of, or direct support for, law en-
7 forcement and police activities in the Republic of
8 Bosnia and Herzegovina, except for the training of
9 law enforcement personnel or to prevent imminent
10 loss of life;

11 (2) conduct of, or support for, any activity in
12 the Republic of Bosnia and Herzegovina that may
13 have the effect of jeopardizing the primary mission
14 of the NATO-led force in preventing armed conflict
15 between the Federation of Bosnia and Herzegovina
16 and the Republika Srpska (“Bosnian Entities”);

17 (3) transfer of refugees within the Republic of
18 Bosnia and Herzegovina that, in the opinion of the
19 commander of NATO Forces involved in such trans-
20 fer—

21 (A) has as one of its purposes the acquisi-
22 tion of control by a Bosnian Entity of territory
23 allocated to the other Bosnian Entity under the
24 Dayton Peace Agreement; or

1 (B) may expose United States Armed
2 Forces to substantial risk to their personal
3 safety; and

4 (4) implementation of any decision to change
5 the legal status of any territory within the Republic
6 of Bosnia and Herzegovina unless expressly agreed
7 to by all signatories to the Dayton Peace Agreement.

8 **SEC. 4. PRESIDENTIAL REPORT.**

9 (a) Not later than December 1, 1998, the President
10 shall submit to Congress a report on the progress towards
11 meeting the drawdown limit established in section 2(a).

12 (b) The report under paragraph (a) shall include an
13 identification of the specific steps taken by the United
14 States Government to transfer the United States portion
15 of the peacekeeping mission in the Republic of Bosnia and
16 Herzegovina to European allied nations or organizations.

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