

106TH CONGRESS  
2D SESSION

# S. 2851

To require certain information from the President before certain deployments of the Armed Forces, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 12, 2000

Mr. CLELAND (for himself and 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 require certain information from the President before certain deployments of the Armed Forces, 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,*

3 **SECTION 1. REPORT ON CERTAIN INFORMATION BEFORE**  
4 **CERTAIN DEPLOYMENTS OF ARMED FORCES.**

5 (a) PROHIBITION ON USE OF APPROPRIATED FUNDS  
6 FOR DEPLOYMENT BEFORE REPORT.—Except as pro-  
7 vided in subsection (d), the President may not obligate  
8 or expend any appropriated funds for a deployment of the  
9 Armed Forces referred to in subsection (b) until the Presi-  
10 dent submits to the appropriate officials and committees

1 of Congress a report on the deployment meeting the re-  
2 quirements of subsection (c).

3 (b) COVERED DEPLOYMENTS.—A deployment of the  
4 Armed Forces referred to in this subsection is a deploy-  
5 ment of the Armed Forces—

6 (1) into hostilities;

7 (2) into situations where imminent involvement  
8 in hostilities is clearly indicated by the cir-  
9 cumstances;

10 (3) in a contingency operation; or

11 (4) to or with a multilateral organization.

12 (c) REPORT.—The report on a deployment under this  
13 section shall—

14 (1) specify the vital national interests at stake  
15 which require the deployment, the likely con-  
16 sequences of the deployment on such interests and  
17 on any other national interests, and the adverse con-  
18 sequences to such interests of the absence of such  
19 deployment;

20 (2) specify why diplomatic and other means  
21 (other than the deployment) are unable to secure the  
22 interests specified under paragraph (1);

23 (3) identify concrete policy objectives which are  
24 to be achieved by the deployment, the specific mili-  
25 tary missions which are designed to achieve each

1 such policy objective, and the anticipated date, or  
2 the set of conditions, that defines the endpoint of  
3 the deployment; and

4 (4) specify the authority for the deployment  
5 under the Constitution and under international law.

6 (d) EXCEPTION.—(1) Subsection (a) shall not apply  
7 in the case of a deployment in response to a war or na-  
8 tional emergency declared by the President or Congress  
9 that is caused by an attack on the United States, or its  
10 territories or possessions, or on the Armed Forces abroad.

11 (2) If subsection (a) does not apply with respect to  
12 a deployment by reason of paragraph (1), the President  
13 shall submit to the appropriate officials and committees  
14 of Congress a report on the deployment that meets the  
15 requirements of subsection (c) as soon as practicable after  
16 the date of the deployment.

17 (e) CONSTRUCTION WITH WAR POWERS RESOLU-  
18 TION.—(1) Compliance with the provisions of this section  
19 with respect to a deployment shall satisfy the requirements  
20 of section 4(a) of the War Powers Resolution (50 U.S.C.  
21 1543(a)) with respect to the deployment.

22 (2) Nothing in this section shall affect the applica-  
23 bility of section 5 of the War Powers Resolution (50  
24 U.S.C. 1544) to any deployment referred to in subsection  
25 (b).

1 (f) DEFINITIONS.—In this section:

2 (1) The term “appropriate officials and com-  
3 mittees of Congress” means the following:

4 (A) The President pro tempore of the Sen-  
5 ate.

6 (B) The Speaker of the House of Rep-  
7 resentatives.

8 (C) The Committees on Armed Services  
9 and Foreign Relations of the Senate.

10 (D) The Committees on Armed Services  
11 and International Relations of the House of  
12 Representatives.

13 (2) The term “contingency operation” has the  
14 meaning given that term in section 101 of title 10,  
15 United States Code.

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