

1998 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS AND FOR OVERSEAS PEACEKEEPING EFFORTS

HUTCHISON AMENDMENT NO. 2083

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 1768, supra; as follows:

At the end of the bill, insert the following title:

TITLE —UNITED STATES ARMED FORCES IN BOSNIA WITHDRAWAL

SECTION 1. SHORT TITLE.

This title may be cited as the 'United States Armed Forces in Bosnia Withdrawal Act of 1998'.

SEC. 2. FINDINGS AND DECLARATIONS OF POLICY.

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

(1)(A) On November 27, 1995, the President affirmed that United States participation in the multinational military Implementation Force in the Republic of Bosnia and Herzegovina would terminate in one year.

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

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

(3) The Secretary of Defense and the Chairman of the Joint Chiefs of Staff further expressed the critical importance of establishing a firm deadline, in the absence of which there is a potential for expansion of the mission of U.S. forces;

(3) The exemplary performance of United States Armed Forces personnel has significantly contributed to the accomplishment of the military mission of the Implementation Force. The courage, dedication, and professionalism of such personnel have permitted a separation of the belligerent parties to the conflict in the Republic of Bosnia and Herzegovina and have resulted in a significant mitigation of the violence and suffering in the Republic of Bosnia and Herzegovina.

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

(5) Notwithstanding the fact that the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff assured the Congress of their resolve to end the mission of United States Armed Forces in the Republic of Bosnia and Herzegovina by December 20, 1996, in November 1996 the President announced his intention to further extend the deployment of United States Armed Forces in the Republic of Bosnia and Herzegovina until June 1998.

(6) Before the announcement of the new policy referred to in paragraph (5), the President did not request authorization by the Congress of a policy that would result in the further deployment of United States Armed Forces in the Republic of Bosnia and Herzegovina until June 1998.

(7) Notwithstanding the passage of two previously established deadlines, the reaffirmation of those deadlines by senior national security officials, and the endorsement by those same national security officials of the importance of having a deadline as a hedge

against an expanded mission, the President announced on December 19, 1997 that establishing a deadline had been a mistake and that U.S. ground combat forces were committed to the NATO-led mission in Bosnia for the indefinite future;

(8) NATO military forces have increased their participation in law enforcement activities in Bosnia aimed at capturing alleged war criminals.

(9) U.S. Commanders of NATO have stated on several occasions that, in accordance with the Dayton Peace Accords, the principal responsibility for apprehending war criminals lies with the Bosnian parties themselves.

(10) The Secretary of Defense has affirmed this understanding on several occasions, including on March 3, 1997, when he stated that "[t]he apprehension of war criminals is not a part of the mission . . . It is a police function . . . it is not a military-type mission.

(b) DECLARATIONS OF POLICY—The Congress—

(1) expresses its serious concerns and opposition to the policy of the President that has resulted in the open-ended deployment of United States Armed Forces on the ground in the Republic of Bosnia Herzegovina without prior authorization by the Congress; and

(2) urges the President to work with our European allies to begin an orderly transition of all peacekeeping functions in the Republic of Bosnia and Herzegovina from the United States to appropriate European countries in preparation for a withdrawal of United States Armed Forces ground combat troops by January 1, 1999.

(3) identifies the following conditions that should be satisfied as a minimum to create the environment in which such an orderly transition can take place:

(i) The original parties to the Dayton Accords should be reconvened so that progress towards full implementation can be ascertained and modifications as necessary be made;

(ii) The process of establishing defensible sectors in Bosnia and Herzegovina that was started in the Dayton Peace Accords should be accelerated;

(iii) Establishment of a Combined Joint Task Force (CJTF) in accordance with the President's Partnership for Peace initiative. The CJTF should be under American command but to be turned over to allied command within 90 days;

(iv) Establishment of a civilian led/operated police training task force, including the establishment of a police training academy capable of graduating 500 police every quarter. This force will have ultimate responsibility for maintaining peace and order, as envisioned by the Dayton Accords;

(v) The United States should advise its allies in the NATO-led peacekeeping force in Bosnia that no U.S. ground forces shall be deployed to the province of Kosovo should the conflict there escalate;

(vi) Cessation of U.S. military involvement in local broadcast and print media operations.

SEC. 3. SENSE OF THE CONGRESS REGARDING THE USE OF DEPARTMENT OF DEFENSE FUNDS OR OTHER FEDERAL DEPARTMENT OR AGENCY FUNDS FOR CONTINUED DEPLOYMENT ON THE GROUND OF ARMED FORCES IN THE TERRITORY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

(a) PROHIBITION—It is the Sense of the Congress that none of the funds appropriated or otherwise available to the Department of Defense or to any other Federal department or agency may be obligated or expended for the deployment on the ground of United States Armed Forces in the territory of the Republic of Bosnia and Herzegovina after January 1, 1999.

(b) EXCEPTIONS—The prohibition contained in subsection (a) shall not apply—

(1) with respect to the deployment of United States Armed Forces after January 1, 1999, but not later than May 1, 1999, for the express purpose of ensuring the safe and timely withdrawal of such Armed Forces from the Republic of Bosnia and Herzegovina; or

(2)(A) if the President transmits to the Congress a report containing a request for an extension of deployment of United States Armed Forces for an additional 180 days after the date otherwise applicable under subsection (a); and

(B) if a joint resolution is enacted, in accordance with section 4, specifically approving such request.

SEC. 5. SENSE OF THE CONGRESS REGARDING THE USE OF DEPARTMENT OF DEFENSE FUNDS OR OTHER FEDERAL DEPARTMENT OR AGENCY FUNDS FOR LAW ENFORCEMENT OR RELATED ACTIVITIES IN THE TERRITORY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

It is the sense of Congress that U.S. policy in Bosnia, as that relates to the use of our forces as a part of the NATO force, should not be changed to include a NATO military mission to hunt down and arrest alleged war criminals and that there should be no change to U.S. or NATO policy regarding alleged war criminals until the Congress has had the opportunity to review any proposed change in policy and authorize the expenditure of funds for this mission.

It is the Sense of the Congress that none of the funds appropriated or otherwise available to the Department of Defense or to any other Federal department or agency may be obligated or expended after the date of the enactment of this Act for the following:

(1) Conduct of, or direct support for, law enforcement activities in the Republic of Bosnia and Herzegovina, except for the training of law enforcement personnel or to prevent imminent loss of life.

(2) Conduct of, or support for, any activity in the Republic of Bosnia and Herzegovina that may have the effect of jeopardizing the primary mission of the NATO-led force in preventing armed conflict between the Federation of Bosnia and Herzegovina and the Republika Srpska ('Bosnian Entities').

(3) Transfer of refugees within the Republic of Bosnia and Herzegovina that, in the opinion of the commander of NATO Forces involved in such transfer—

(A) has as one of its purposes the acquisition of control by a Bosnian Entity of territory allocated to the other Bosnian Entity under the Dayton Peace Agreement; or

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

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

NOTICE OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES
Mr. JEFFORDS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Tuesday, March 24, 1998, 10:00 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Health Care Quality.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. president, I would like to announce for the information of