

Watkins	Weygand	Woolsey
Waxman	White	Wynn
Weldon (FL)	Whitfield	Young (AK)
Weldon (PA)	Wise	Young (FL)
Wexler	Wolf	

NOES—59

Abercrombie	Hastings (FL)	Poshard
Borski	Hefley	Ramstad
Brown (CA)	Hefner	Redmond
Brown (OH)	Hilliard	Rush
Clay	Hulshof	Sabo
Clayton	Johnson, E. B.	Schaffer, Bob
Costello	Kilpatrick	Sessions
Cummings	Kucinich	Stark
DeFazio	Lewis (GA)	Stupak
English	LoBiondo	Sununu
Ensign	Maloney (NY)	Taylor (MS)
Everett	McDermott	Thompson
Fazio	McNulty	Velazquez
Filner	Moran (KS)	Visclosky
Foglietta	Oberstar	Waters
Fox	Olver	Watt (NC)
Gephardt	Pallone	Watts (OK)
Gibbons	Pascrell	Weller
Green	Pickett	Wicker
Gutknecht	Pombo	

NOT VOTING—6

Bass	Leach	Strickland
Cox	Schiff	Yates

So the Journal was approved.

¶72.15 DOD AUTHORIZATION

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 169 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes.

Mr. YOUNG of Florida, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶72.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following substitute amendment submitted by Mr. HILLEARY for the amendment submitted by Mr. BUYER:

Substitute amendment submitted by Mr. HILLEARY:

Page 379, after line 19, add the following:

TITLE XIII—UNITED STATES ARMED FORCES IN BOSNIA AND HERZEGOVINA

SEC. 1301. SHORT TITLE.

This title may be cited as the "United States Armed Forces in Bosnia Protection Act of 1997".

SEC. 1302. 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 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 due to operational reasons.

(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.

(b) DECLARATIONS OF POLICY.—The Congress—

(1) expresses its serious concerns and opposition to the policy of the President that has resulted in the deployment after December 20, 1996, of United States Armed Forces on the ground in the Republic of Bosnia and 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 complete withdrawal of all United States Armed Forces by December 31, 1997.

SEC. 1303. PROHIBITION OF USE OF DEPARTMENT OF DEFENSE FUNDS FOR CONTINUED DEPLOYMENT ON THE GROUND OF ARMED FORCES IN THE TERRITORY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

(a) PROHIBITION.—None of the funds appropriated or otherwise available to the Department of Defense 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 December 31, 1997, in connection with peacekeeping operations conducted by the Implementation Force, the Stabilization Force, or any successor force.

(b) EXCEPTION TO ENSURE SAFE AND TIMELY WITHDRAWAL.—The prohibition contained in subsection (a) shall not apply with respect to the deployment of United States Armed Forces for the express purpose of ensuring the safe and timely withdrawal of such Armed Forces from the Republic of Bosnia and Herzegovina, but such a deployment may not extend for a period of more than 30 days beyond the date specified in subsection (a) (or the date otherwise applicable to the limitation under that subsection by reason of an extension of that date pursuant to subsection (c)).

(c) EXTENSION OF REQUIRED WITHDRAWAL DATE.—The date specified in subsection (a) for the applicability of the limitation under that subsection may be extended by the President for an additional 180 days if—

(1) the President transmits to the Congress a report containing a request for such an extension; and

(2) a joint resolution is enacted, in accordance with section 1304, specifically approving such request.

SEC. 1304. CONGRESSIONAL CONSIDERATION OF REQUEST BY PRESIDENT FOR 180-DAY EXTENSION OF DEPLOYMENT.

(a) TERMS OF THE RESOLUTION.—For purposes of section 1303, the term "joint resolution" means only a joint resolution that is introduced within the 10-day period beginning on the date on which the President transmits the report to the Congress under such section, and—

(1) which does not have a preamble;

(2) the matter after the resolving clause of which is as follows: "That the Congress approves the request by the President for the extension of the deployment on the ground of United States Armed Forces in the territory of the Republic of Bosnia and Herzegovina for a period ending not later than June 30, 1998, as submitted by the President on _____", the blank space being filled in with the appropriate date; and

(3) the title of which is as follows: "Joint resolution approving the request by the President for an extension of the deployment on the ground of United States Armed Forces in the territory of the Republic of Bosnia and Herzegovina for a period ending not later than June 30, 1998."

(b) REFERRAL.—A resolution described in subsection (a) that is introduced in the House of Representatives shall be referred to the Committee on International Relations and the Committee on National Security of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to the Congress under section 1303, such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) CONSIDERATION IN THE SENATE.—(1) On or after the third day after the date on which the committee to which such a resolution is referred in the Senate has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution in the Senate, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the Senate the Member's intention to make the motion. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the Senate shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the Senate until disposed of.

(2) Debate on the resolution in the Senate, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the

resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the resolution shall occur.

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

(e) CONSIDERATION IN THE SENATE AFTER CONSIDERATION BY THE HOUSE OF REPRESENTATIVES.—(1) If, before the passage by the Senate of a resolution of the Senate described in subsection (a), the Senate receives from the House of Representatives a resolution described in subsection (a), then the following procedures shall apply:

(A) The resolution of the House of Representatives shall not be referred to a committee and may not be considered in the Senate except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to a resolution described in subsection (a) of the Senate—

(i) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(ii) the vote on final passage shall be on the resolution of the House of Representatives.

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

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

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

SEC. 1305. PROHIBITION OF USE OF DEPARTMENT OF DEFENSE FUNDS FOR LAW ENFORCEMENT OR RELATED ACTIVITIES IN THE TERRITORY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

None of the funds appropriated or otherwise available to the Department of Defense for any fiscal year 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 United Nations-led Stabilization 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 the Stabilization Force 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.

SEC. 1306. REPORT.

(a) IN GENERAL.—Not later than October 31, 1997, the President shall prepare and transmit to the Congress a report on the deployment on the ground of United States Armed Forces in the territory of the Republic of Bosnia and Herzegovina. The report shall contain the following:

(1) A description of the extent to which compliance has been achieved with the requirements relating to United States activities in the Republic of Bosnia and Herzegovina contained in Public Law 104-122 (110 Stat. 876).

(2)(A) An identification of the specific steps taken, if any, by the United States Government to transfer the United States portion of the peacekeeping mission in the Republic of Bosnia and Herzegovina to appropriate European organizations, such as a combined joint task force of NATO, the Western European Union, or the Conference on Security and Cooperation in Europe.

(B) A description of any deficiencies in the capabilities of such European organizations to conduct peacekeeping activities in the Republic of Bosnia and Herzegovina and a description of the actions, if any, that the United States Government is taking in cooperation with such organizations to remedy such deficiencies.

(3) An identification of the following:

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

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

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

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

(b) FORM OF REPORT.—The report described in subsection (a) shall be transmitted in unclassified and classified versions.

SEC. 1307. DEFINITIONS.

As used in this title:

(1) BOSNIAN ENTITIES.—The term "Bosnian Entities" means the Federation of Bosnia and Herzegovina and the Republika Srpska.

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

(3) IMPLEMENTATION FORCE.—The term "Implementation Force" means the NATO-led multinational military force in the Republic of Bosnia and Herzegovina (commonly referred to as "IFOR"), authorized under the Dayton Peace Agreement.

(4) NATO.—The term "NATO" means the North Atlantic Treaty Organization.

(5) STABILIZATION FORCE.—The term "Stabilization Force" means the United Nations-

led follow-on force to the Implementation Force in the Republic of Bosnia and Herzegovina and other countries in the region (commonly referred to as "SFOR"), authorized under United Nations Security Council Resolution 1088 (December 12, 1996).

Amendment submitted by Mr. BUYER:

Strike out section 1201(b) (page 373, line 4, through page 375, line 15).

At the end of title XII (page 379, after line 19), insert the following new sections:

SEC. 1205. UNITED STATES ARMED FORCES IN BOSNIA.

(a) LIMITATION.—Funds appropriated or otherwise made available for the Department of Defense may not be obligated for the deployment of any ground elements of the United States Armed Forces in the Republic of Bosnia and Herzegovina after—

(1) June 30, 1998; or

(2) such later date as may be specifically prescribed by law after the date of the enactment of this Act, based upon a request from the President or otherwise as the Congress may determine.

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply to the extent necessary to support (1) a limited number of United States military personnel sufficient only to protect United States diplomatic facilities in existence on the date of the enactment of this Act, and (2) noncombat military personnel sufficient only to advise the commanders North Atlantic Treaty Organization peacekeeping operations in the Republic of Bosnia and Herzegovina.

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

SEC. 1206. LIMITATION ON SUPPORT FOR LAW ENFORCEMENT ACTIVITIES IN BOSNIA.

None of the funds appropriated or otherwise made available to the Department of Defense may be obligated or expended after the date of the enactment of this Act for the 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.

SEC. 1207. PRESIDENTIAL REPORT ON POLITICAL AND MILITARY CONDITIONS IN BOSNIA.

(a) REPORT.—Not later than December 15, 1997, the President shall submit to Congress a report on the political and military conditions in the Republic of Bosnia and Herzegovina (hereafter in this section referred to as Bosnia-Herzegovina). Of the funds available to the Secretary of Defense for fiscal year 1998 for the operation of United States ground forces in Bosnia-Herzegovina during that fiscal year, no more than 60 percent may be expended before the report is submitted.

(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall include a discussion of the following:

(1) An identification of the specific steps taken by the United States Government to transfer the United States portion of the peacekeeping mission in the Republic of Bosnia and Herzegovina to European allied nations or organizations.

(2) A detailed discussion of the proposed role and involvement of the United States in supporting peacekeeping activities in the Republic of Bosnia and Herzegovina following the withdrawal of United States ground forces from the Republic of Bosnia and Herzegovina pursuant to section 1205.

(3) A detailed explanation and timetable for carrying out the President's commitment to withdraw all United States ground forces

