

105TH CONGRESS
1ST SESSION

H. R. 2459

To restrict the use of funds for new deployments of anti-personnel landmines,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 1997

Mr. EVANS (for himself, Mr. QUINN, Mr. MORAN of Virginia, Mr. LEWIS of Georgia, Mr. DELAHUNT, Mr. MCGOVERN, Mr. HINCHEY, Mr. SANDERS, Mr. CAPPS, Mr. UNDERWOOD, Mr. ALLEN, Mr. FILNER, Ms. FURSE, Ms. LOFGREN, Mr. BARRETT of Wisconsin, Ms. SANCHEZ, Mrs. MORELLA, Mr. FALEOMAVAEGA, Ms. HARMAN, Mr. GUTIERREZ, Mr. WEXLER, Mr. BOEHLERT, Mr. UPTON, Mr. BONIOR, Ms. PELOSI, Mrs. KELLY, Mr. GEJDENSON, Mr. LAFALCE, Ms. STABENOW, Mr. OLVER, Mr. CLAY, Mr. ENGLISH of Pennsylvania, Mr. EHLERS, Mr. FAWELL, Mr. FOX of Pennsylvania, Mr. KLUG, Mr. PORTER, Mrs. ROUKEMA, Mr. GILCHREST, Mr. CASTLE, Mr. MATSUI, Mr. HASTINGS of Florida, Mr. PAXON, Mr. SHAYS, Mr. SMITH of New Jersey, Mr. COOKSEY, Mr. LAHOOD, Mr. MARKEY, Ms. WOOLSEY, Mr. WELLER, Mr. BROWN of California, Ms. ESHOO, Mr. GEPHARDT, Ms. SLAUGHTER, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. RUSH, Mr. MANTON, Mr. LOBIONDO, Mr. MALONEY of Connecticut, Mr. DOOLEY of California, Mr. TIERNEY, Mr. FLAKE, Ms. HOOLEY of Oregon, Mr. TOWNS, Ms. MCCARTHY of Missouri, Mr. YATES, Ms. KAPTUR, Mr. KANJORSKI, Ms. RIVERS, Mr. STRICKLAND, Mr. POMEROY, Mr. CONYERS, Mr. COSTELLO, Mr. BILBRAY, Mr. LEACH, Mr. PASTOR, Ms. KILPATRICK, Ms. CARSON, Mr. ADAM SMITH of Washington, Mr. KENNEDY of Rhode Island, Mr. KENNEDY of Massachusetts, Mr. STARK, Mr. MINGE, Mr. BENTSEN, Mr. DIXON, Mr. TORRES, Ms. DELAURO, Mr. JOHN, Ms. WATERS, Ms. DEGETTE, Mr. MOAKLEY, Mr. DAVIS of Illinois, Mr. FARR of California, Mr. ENGEL, Mr. VISCLOSKY, Mr. FRANK of Massachusetts, Mr. FRANKS of New Jersey, Mr. NADLER, Mr. CUMMINGS, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mrs. LOWEY, Mr. LAMPSON, Mr. BORSKI, Mr. DAVIS of Virginia, Mrs. JOHNSON of Connecticut, Mr. PASCRELL, Mr. SCHUMER, Mr. KLECZKA, Mr. CLEMENT, Mr. HAMILTON, Mr. SABO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. LANTOS, Mr. FOLEY, Mr. CAMP, Mr. KUCINICH, Mr. SKAGGS, Mr. SHERMAN, Mr. OBEY, Ms. MCKINNEY, Mr. FROST, Mrs. MCCARTHY of New York, Mr. POSHARD, Mr. SERRANO, Mr. WYNN, Mr. WALSH, Mr. DELLUMS, Mr. LIPINSKI, Ms. VELÁZQUEZ, Mr. LATOURETTE, Mr. ABERCROMBIE, Mr. HORN, Mr. KIND, Mr. WEYGAND,

Mr. BALDACCI, Ms. PRYCE of Ohio, and Mr. WOLF) introduced the following bill; which was referred to the Committee on National Security, and in addition to the Committee on International Relations, 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 restrict the use of funds for new deployments of anti-personnel landmines, 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. SHORT TITLE.**

4 This Act may be cited as the “Landmine Elimination
5 Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) On August 4, 1995, the Senate voted 67–
9 27 to impose a moratorium on United States use of
10 anti-personnel landmines beginning in February
11 1999.

12 (2) On April 3, 1996, 15 senior retired United
13 States military officers, including the former com-
14 manding officers of United States Armed Forces in
15 Korea, the North Atlantic Treaty Organization
16 (NATO), Vietnam, and Desert Storm, urged the

1 President to ban the production, stockpiling, sale,
2 and use of anti-personnel landmines.

3 (3) The generals stated that a ban would be
4 “humane and militarily responsible” and that it
5 “would not undermine the military effectiveness or
6 safety of our forces, nor those of other nations”.

7 (4) In Vietnam, 7,318 United States military
8 personnel were killed, and 56,783 were injured, from
9 landmines.

10 (5) In Bosnia, at least 204 soldiers under Unit-
11 ed Nations command have been injured, and 20
12 killed, and at least 55 soldiers under NATO com-
13 mand have been injured, and 9 killed, by landmines.

14 (6) The Department of State estimates that a
15 man, woman, or child is killed or injured by a land-
16 mine every 22 minutes.

17 (7) On May 16, 1996, President Clinton de-
18 clared that the United States would “aggressively
19 pursue” an international agreement to ban anti-per-
20 sonnel landmines.

21 (8) On June 7, 1996, the members of the Orga-
22 nization of American States, including the United
23 States, declared the goal of a Western Hemisphere
24 landmine free zone.

1 (9) On June 4, 1997, the members of the Orga-
2 nization of African Unity adopted the goal of the es-
3 tablishment of Africa as an anti-personnel landmine
4 free zone.

5 (10) On October 5, 1996, the Government of
6 Canada announced that it would pursue negotiations
7 on a treaty banning anti-personnel landmines to be
8 completed at Ottawa in December 1997.

9 (11) On December 10, 1996, the United Na-
10 tions General Assembly passed by a vote of 156–0
11 (with 10 abstentions), a United States-sponsored
12 resolution to “pursue vigorously” a treaty banning
13 the use, stockpiling, production, and transfer of anti-
14 personnel landmines, with a view to completing the
15 negotiation “as soon as possible”.

16 (12) Formal negotiations on the Ottawa treaty
17 began in Oslo, Norway on September 1, 1997, with
18 a moment of silence in memory of Diana, Princess
19 of Wales, who was a passionate advocate for a total
20 ban on anti-personnel landmines.

21 (13) By exerting its unmatched international
22 influence, the United States could secure broad sup-
23 port for a legally binding international treaty ban-
24 ning anti-personnel landmines.

1 (14) Such a treaty would further United States
2 security and humanitarian interests by deterring the
3 use of anti-personnel landmines against United
4 States Armed Forces and civilians.

5 **SEC. 3. RESTRICTION ON NEW DEPLOYMENTS OF ANTI-**
6 **PERSONNEL LANDMINES.**

7 (a) RESTRICTION.—Beginning on January 1, 2000,
8 no funds appropriated or otherwise available to any de-
9 partment or agency of the United States may be obligated
10 or expended for new deployments of anti-personnel land-
11 mines.

12 (b) REPORT.—Not later than 180 days after the date
13 of enactment of this Act, the Secretary of Defense shall
14 submit to Congress a report describing actions and pro-
15 posals to substitute for new deployments of such land-
16 mines on the Korean Peninsula.

17 (c) CONSULTATIONS.—The Secretary shall consult
18 with individuals having a variety of backgrounds and ex-
19 pertise in preparing the report required under subsection
20 (b).

21 (d) DELAY.—The President may delay application of
22 the restriction in subsection (a) with respect to the Korean
23 Peninsula if, not later than January 1, 2000 and each
24 year thereafter, he submits a report to Congress certifying
25 that new deployments of anti-personnel landmines on the

1 Korean Peninsula in the event of a war in Korea or a
2 period of emergency in Korea declared by the President
3 would be indispensable to the defense of the Republic of
4 Korea in such year.

5 (e) CERTIFICATION REQUIREMENTS.—The report
6 under subsection (d) shall include a description of efforts
7 made to implement the proposals described in the report
8 submitted under subsection (b) and any similar proposals
9 prepared subsequently by the Secretary of Defense and
10 the Chairman of the Joint Chiefs of Staff.

11 **SEC. 4. DEFINITIONS.**

12 (a) DEFINITIONS.—In this Act—

13 (1) The term “anti-personnel landmine” means
14 any munition placed under, on, or near the ground
15 or other surface area, or delivered by artillery, rock-
16 et, mortar, or similar means, or dropped from an
17 aircraft, and which is designed, constructed, or
18 adapted to be detonated or exploded by the presence,
19 proximity, or contact of a person and that will inca-
20 pacitate, injure, or kill one or more persons.

21 (2) The term “new deployments of anti-person-
22 nel landmines” means the emplacement or arming of
23 such landmines on or after January 1, 2000.

1 (b) EXCLUSIONS.—The term “anti-personnel land-
2 mine” does not include command-detonated Claymore mu-
3 nitions.

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