

106TH CONGRESS
1ST SESSION

H. J. RES. 51

Authorizing the use of United States Armed Forces against the regime in power in the Federal Republic of Yugoslavia to meet certain objectives.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1999

Mr. BATEMAN introduced the following joint resolution; which was referred to the Committee on International Relations

JOINT RESOLUTION

Authorizing the use of United States Armed Forces against the regime in power in the Federal Republic of Yugoslavia to meet certain objectives.

Whereas those who govern the Federal Republic of Yugoslavia have for most of this decade set upon a course of aggression and barbarism as an instrument to perpetuate themselves in power;

Whereas they initiated a conflict with Slovenia, Croatia, and Bosnia-Herzegovina in pursuit of policies of extreme nationalism, akin to the policies of the Nazi regime in Germany;

Whereas this regime by its conduct has made it clear that it accepted, condoned, and actively supported ethnic cleansing, rape, and terrorism as instruments of their policy;

Whereas after the lessons of Slovenia, Croatia, and Bosnia-Herzegovina were unheeded, the regime of the Federal Republic of Yugoslavia undertook an effort to brutalize and ultimately to destroy the Albanian ethnic majority of the formerly autonomous province of Kosovo;

Whereas the history of the Balkans region has been, and tragically continues to be, a cauldron wherein the security and stability of Europe is jeopardized and the possibility of worldwide conflict is induced;

Whereas many forcefully argue that the leadership of the United States and our North Atlantic Treaty Organization (NATO) allies have thus far performed miserably in their response to this crisis, and the United States is now confronted with certain realities that include the fact that the President as Commander-in-Chief has committed United States Armed Forces against the Federal Republic of Yugoslavia;

Whereas although there is an argument that the ongoing conflict with respect to Kosovo might have been avoided by better policies, this does not alter the fact that the conflict exists and the elected representatives of the people of the United States have a duty to address that reality;

Whereas the United States Congress may choose to declare war against the Federal Republic of Yugoslavia, suspend funding with respect to military action by United States Armed Forces against the Federal Republic of Yugoslavia, or authorize both the military action and the objectives in pursuit of which American lives and treasure are committed;

Whereas although the limited choices available are not attractive and whatever fault may be assigned for why the

United States is where it is and what should have been done, it would be unconscionable for the United States Congress not to express itself with respect to the matter;

Whereas for Congress to deny the reality of where we are and to deny funding for future military action against the Federal Republic of Yugoslavia is not a supportable policy decision, nor is it logical to resolve the issue by a congressional declaration of war against the Federal Republic of Yugoslavia, which includes not only the republics of Serbia and Montenegro but the former autonomous province of Kosovo; and

Whereas the United States and especially the members of the United States Armed Forces need and deserve a clear articulation of our national policies on this matter and it is vitally important that the Congress do so: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*

2 *of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This joint resolution may be cited as the “Authoriza-
5 tion for Use of Military Force Against the Federal Repub-
6 lic of Yugoslavia Resolution”.

7 **SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES**

8 **ARMED FORCES.**

9 (a) AUTHORIZATION.—The President is authorized to
10 use United States Armed Forces in conjunction with the
11 military forces of the member nations of the North Atlan-
12 tic Treaty Organization (NATO) in order to achieve the

1 objectives described in subsection (b). The authorization
2 described in the preceding sentence shall include the use
3 of those Armed Forces and weapons systems most likely
4 to achieve the objectives described in subsection (b), with
5 the least casualties to United States and allied forces, in-
6 nocent civilians, and noncombatants.

7 (b) OBJECTIVES.—The objectives described in this
8 subsection are the following:

9 (1) To end the ethnic cleansing and terror-
10 ization of the ethnic Albanian population of Kosovo
11 who have been forced into refugee status outside of
12 Kosovo or who have been displaced from their homes
13 by the intolerable actions of the present regime in
14 the Federal Republic of Yugoslavia.

15 (2) To establish a practical and enforceable
16 agreement for the return of the ethnic Albanian citi-
17 zens of Kosovo to their homes with assurances that
18 they can do so in safety, and with respect for basic
19 human rights, including the right to a freely elected
20 government in an autonomous province of Kosovo.

21 **SEC. 3. LIMITATIONS ON NUMBER OF GROUND FORCES DE-**
22 **PLOYED FOR PEACEKEEPING PURPOSES AND**
23 **THE COSTS THEREOF.**

24 (a) NUMBER OF GROUND FORCES.—The President
25 shall work to ensure that the United States contribution

1 to any peacekeeping operation relating to the conflict in
2 Kosovo does not exceed 4,000 ground troops or 14 percent
3 of the total number of ground troops in such peacekeeping
4 operation.

5 (b) COST SHARING.—The President shall work to en-
6 sure that the costs incurred by the United States in con-
7 nection with a peacekeeping operation described in sub-
8 section (a) shall not exceed the proportional amount con-
9 tributed by the United States to the NATO Security In-
10 vestment Program.

11 **SEC. 4. COST SHARING WITH RESPECT TO OPERATIONS RE-**
12 **LATING TO CONFLICT IN KOSOVO.**

13 The President shall work to establish an agreement
14 among the member nations of NATO under which the
15 costs incurred by each such member nation relating to the
16 conflict in Kosovo shall be proportional to the amount con-
17 tributed by each such member nation to the NATO Secu-
18 rity Investment Program.

19 **SEC. 5. REQUIREMENT THAT PEACE AGREEMENT NOT EX-**
20 **EMPT FROM PROSECUTION INDIVIDUALS IN-**
21 **FLICTED BY THE UNITED NATIONS INTER-**
22 **NATIONAL CRIMINAL TRIBUNAL FOR THE**
23 **FORMER YUGOSLAVIA.**

24 The President shall work with other member nations
25 of the North Atlantic Treaty Organization (NATO) to en-

1 sure that any agreement for cessation of military action
2 relating to the conflict in Kosovo does not exempt from
3 prosecution any individual who has been or who may be
4 indicted by the United Nations International Criminal Tri-
5 bunal for the Former Yugoslavia.

○