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Folder Title:

Stack:	Row:	Section:	Shelf:	Position:
V	50	4	2	2

TO: ITOH

FROM: PETERSON, R

DOC DATE: 19 MAY 93
SOURCE REF:

KEYWORDS: SOMALIA
LEGISLATIVE REFERRAL

DEFENSE POLICY

PERSONS:

SUBJECT: STATE VIEWS ON SJR-45 AUTHORIZATION FOR USE OF US FORCES IN SOMALIA

ACTION: ACTION COMPLETED BY PHONE

DUE DATE: 22 MAY 93 STATUS: C

STAFF OFFICER: CLARKE

LOGREF: 9303596

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

COMMENTS: NSC RECEIVED THE PACKAGE AFTER DEADLINE AT 2:00PM. MAY CALL IN
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DOC 1 OF 1

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9303595

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 JETT

Z 93051914 PREPARE MEMO FOR ITOH

001

Z 93051915 ACTION TRANSFERRED

001 CLARKE

Z 93051915 PREPARE MEMO FOR ITOH

001

X 93052411 ACTION COMPLETED BY PHONE

UNCLASSIFIED

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NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION
JETT

FOR CONCURRENCE

FOR INFO
GROSS

~~BELL~~
~~CLARKE~~ *for Gross*
GOTTEMUELLER *- defers*
~~HAHN~~
ROSNER
Keezko

Gross

5-20-93

OBE. Handled by phone per Don Gross. See #13596 for close out.

COMMENTS: NSC RECEIVED THE PACKAGE AFTER DEADLINE AT 2:00PM. MAY CALL IN
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DOC 1 OF 1

3959

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503

URGENT

May 19, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRN #I-481

TO: Legislative Liaison Officer -

NSC - William H. Itoh - (202)395-3723 - 249
JUSTICE - Faith Burton - (202)514-2141 - 217
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325

FROM: RONALD K. PETERSON (for) *Ronald K. Peterson*
Assistant Director for Legislative Reference

OMB CONTACT: Annette ROONEY (395-7300)
Secretary's line (for simple responses): 395-6194

SUBJECT: State Views RE: SJR 45, Authorization for Use
of United States Forces in Somalia

DEADLINE: 2:00, TODAY May 19, 1993

* COMMENTS: State has prepared the attached position papers on
amendments to be offered during floor debate tomorrow on
SJR 45. These will be passed out to key members by State
and are in addition to the cleared Statement of
Administration Policy. *

OMB requests the views of your agency on the above subject before
advising on its relationship to the program of the President, in
accordance with OMB Circular A-19.

Please advise us if this item will affect direct spending or
receipts for purposes of the the "Pay-As-You-Go" provisions of
Title XIII of the Omnibus Budget Reconciliation Act of 1990.

CC:

B. Sasser

L. Miller

A. Maldon

V. Foster

B. Damus

J. Rilmieri

URGENT

11082

05/19/93 12:55

202 385 7350

LEGISLATIVE AFF.

002/002

War Powers Resolution
and S.J. Res. 45 (Hyde Amendment)

The Administration opposes the Hyde amendment.

While the Administration believes that congressional authorization is not needed to deploy U.S. troops to Somalia, it welcomes the congressional support contained in S.J. Res. 45.

Since Congress has chosen to authorize U.S. activities in Somalia, the Administration would prefer that Congress provide authorization which is, in Congress's view, as broad as possible, including a specific authorization consistent with the War Powers Resolution. As reported from the Committee on Foreign Affairs, S.J. Res. 45 contains such broad authority.

The Administration recognizes that there are long-standing differences between Congress and the Executive branch on the question of constitutional authority and war powers.

The Administration has undertaken a review of the War Powers Resolution and related issues in consultation with the relevant Executive branch agencies and key members of Congress. Therefore, we believe that U.S. activities in Somalia is the proper context to engage in discussions concerning these legal differences.

08/19/93 12:54

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1 SLATIVE AFF.

001/002

**Time Limits on Congressional Authorization
of U.S. Activities in Somalia
(Gilman Substitute, Gilman Amendment and Roth Amendment)**

The Administration ~~opposes~~ the Gilman substitute, the Gilman amendment and the Roth amendment.

While the Administration would prefer that S.J. Res. 45 not contain any time limit on U.S. activities in Somalia, we are pleased that the resolution suggests that Congress would support the continued presence of U.S. troops in Somalia beyond the twelve month time limit to ensure the success of the UN operation.

The U.S.-led UNITAF successfully carried out its assigned humanitarian relief operation in Somalia by establishing a safe environment for the delivery of relief supplies and protection for relief workers.

The United Nations has assumed responsibility for the next phase of operations in Somalia (UNOSOM II): assisting the Somali people in, among other things, building effective political institutions and a civil society. We expect that international organizations and other donor countries will carry most of this burden.

Having already devoted a substantial effort to Somalia, the Administration believes that amendments that would require the United States to leave Somalia within six months (Gilman) or by June 15 (Roth) are premature and could lead to renewed calls for massive international intervention in Somalia if conditions deteriorate.

05/19/93

12:47

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1 (SLATI) AFF.

002/008

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H.L.C.

1

AMENDMENT OFFERED BY M
TO THE AMENDMENT TO THE TEXT OF S.J.RES. 45

(Page & line nos. refer to Subcommittee Print of 4/18/93)

Page 9, strike out line 15 and all that follows through line 2 on page 10 and insert in lieu thereof the following:

- 1 (13) Consistent with the objectives of promptly
- 2 restoring Somali self-government and withdrawing
- 3 foreign military forces from Somalia, all United
- 4 States Armed Forces should be withdrawn from So-
- 5 malia not later than 6 months after the date of en-
- 6 actment of this joint resolution and their functions
- 7 assumed by forces from other countries participating
- 8 in the United Nations-led force in Somalia to the ex-
- 9 tent required after that date.

Page 11, line 22, strike out "12-month" and insert in lieu thereof "6-month".

Beginning in line 24 on page 11, strike out "finds that continued participation by the United States Armed Forces is necessary to ensure the success of the United Nations-led force in Somalia and".

April 28, 1993 (1:20 p.m.)

05/19/93 12:47

0202 395 7350

ISLATIVE AFF.

0003/008

Page 11, strike out lines through 18 and insert in

lieu thereof the following:

1 (b) INVOLVEMENT IN HOSTILITIES.—Because United
2 States Armed Forces in Somalia are not now in a situation
3 of hostilities or a situation in which imminent involvement
4 in hostilities is clearly indicated by the circumstances with-
5 in the meaning of the War Powers Resolution, and it is
6 not contemplated that they will be in such a situation
7 while implementing United Nations Security Council Res-
8 olutions 794 and 814, the Congress declares that sub-
9 section (a) is not intended to constitute specific statutory
10 authorization within the meaning of section 5(b) of the
11 War Powers Resolution.

April 28, 1993 (2:10 p.m.)

05 13 13:30

ITX RX NO. 13971

T-11

#2

AMENDMENT OFFERED BY M
TO THE AMENDMENT TO THE TEXT OF S.J.RES. 48

(Page & line nos. refer to Subcommittee Print of 4/18/93)

Page 9, strike out line 15 and all that follows through line 2 on page 10 and insert in lieu thereof the following:

1 (13) Consistent with the objectives of promptly
2 restoring Somali self-government and withdrawing
3 foreign ~~army~~ military forces from Somalia, all United
4 States Armed Forces should be withdrawn from So-
5 malia not later than 6 months after the date of en-
6 actment of this joint resolution and their functions
7 assumed by forces from other countries participating
8 in the United Nations-led force in Somalia to the ex-
9 tent required after that date.

Page 11, line 22, strike out "12-month" and insert in lieu thereof "6-month".

Beginning in line 24 on page 11, strike out "finds that continued participation by the United States Armed Forces is necessary to ensure the success of the United Nations-led force in Somalia and".

April 26, 1993 (2:26 p.m.)

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H.L.C.

#3

**AMENDMENT TO S.J.RES. 45, AS REPORTED
OFFERED BY MR. ROTH OF WISCONSIN**

Page 8, strike out line 11 and all that follows through line 22 on page 9 and insert in lieu thereof the following:

1 (8) Upon completion of the transfer of oper-
2 ations from the United States-led force in Somalia
3 to the United Nations-led force in Somalia, all Unit-
4 ed States Armed Forces should be withdrawn from
5 Somalia. Thereafter United States Armed Forces
6 should not participate in or operate in support of the
7 United Nations-led force in Somalia and the United
8 States should not contribute to the costs of the
9 United Nations-led force in Somalia.

Page 10, line 8, strike out "Congress supports" and insert in lieu thereof "United States has provided more support than any other country for".

Page 10, strike out line 14 and all that follows through line 6 on page 11 and insert in lieu thereof the following:

10 SEC. 4. USE OF THE ARMED FORCES IN SOMALIA.

11 (a) AUTHORIZATION.—The President is authorized to
12 use United States Armed Forces to implement United Na-

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E.L.C.

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1 tions Security Council Resolutions 794 (1992) and 814
2 (1993) until June 30, 1993.

3 (b) WITHDRAWAL OF UNITED STATES ARMED
4 FORCES.—All United States Armed Forces shall be with-
5 drawn from Somalia not later than June 30, 1993. After
6 that date United States Armed Forces shall not partici-
7 pate in or operate in support of the United Nations-led
8 force in Somalia.

Page 11, line 7, strike out "(b)" and insert in lieu thereof "(c)"; and strike out line 17 and all that follows through line 2 on page 12.

Page 12, strike out line 3 and all that follows through line 20 on page 14 (section 5) and insert in lieu thereof the following:

9 **SEC. 5. TERMINATION OF UNITED STATES FINANCIAL CON-**
10 **TRIBUTIONS TO UNITED NATIONS PEACE-**
11 **KEEPING OPERATIONS IN SOMALIA.**

12 After June 30, 1993, the United States may not
13 make any payment to the United Nations (including the
14 United Nations Trust Fund for Somalia) as a contribution
15 (either assessed or voluntary) toward costs incurred after
16 that date for peacekeeping or other military operations in
17 Somalia authorized by the United Nations Security Coun-

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H.L.C.

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- 1 oil acting under Chapter VI or VII of the Charter of the
- 2 United Nations.

Page 15, line 22, after "States" insert "(subject to
the limitation provided in section 5)".

05/19/93 12:48

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LEGISLATIVE AFF.

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H.C.

4

AMENDMENT OFFERED BY M
TO THE AMENDMENT TO THE TEXT OF S.J.RES. 45

(Page & line nos. refer to Subcommittee Print of 4/18/93)

Page 11, strike out lines 9 through 18 and insert in lieu thereof the following:

1 (b) INVOLVEMENT IN HOSTILITIES.—Because United
2 States Armed Forces in Somalia are not now in a situation
3 of hostilities or a situation in which imminent involvement
4 in hostilities is clearly indicated by the circumstances with-
5 in the meaning of the War Powers Resolution, and it is
6 not contemplated that they will be in such a situation
7 while implementing United Nations Security Council Res-
8 olutions 794 and 814, the Congress declares that sub-
9 section (a) ^{now} is not intended to constitute specific statutory
10 authorization within the meaning of section 5(b) of the
11 War Powers Resolution.

Apr 20, 1993 (5:10 p.m.)

05-18 11-00

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