

105TH CONGRESS
1ST SESSION

S. 896

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

IN THE SENATE OF THE UNITED STATES

JUNE 12, 1997

Mr. LEAHY (for himself, Mr. HAGEL, Mr. KERREY, Mr. MCCAIN, Mr. CLELAND, Mr. KEMPTHORNE, Mr. INOUE, Mr. LUGAR, Mr. McCONNELL, Mr. LEVIN, Mr. HATCH, Mr. LIEBERMAN, Ms. SNOWE, Mr. KERRY, Mr. GRASSLEY, Mr. ROBB, Mr. CHAFEE, Mr. BREAUX, Mr. SMITH of Oregon, Mrs. FEINSTEIN, Mr. MOYNIHAN, Mr. SPECTER, Mr. BUMPERS, Ms. COLLINS, Mr. DURBIN, Mr. JEFFORDS, Mr. REID, Mr. DODD, Mr. D'AMATO, Mr. BYRD, Mr. CAMPBELL, Mr. CONRAD, Mr. ROCKEFELLER, Mr. JOHNSON, Mr. BINGAMAN, Mr. DORGAN, Mr. DASCHLE, Ms. MIKULSKI, Mr. TORRICELLI, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. REED, Mr. WELLSTONE, Mr. KENNEDY, Mr. BRYAN, Mr. FEINGOLD, Ms. MOSELEY-BRAUN, Mr. SARBANES, Mr. KOHL, Mrs. BOXER, Mr. HARKIN, Mrs. MURRAY, Mr. FORD, Mr. AKAKA, Mr. BAUCUS, Mr. BIDEN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Landmine Elimination
3 Act of 1997”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) On August 4, 1995, the Senate voted 67–
7 27 to impose a moratorium on United States use of
8 anti-personnel landmines beginning in February
9 1999;

10 (2) On April 3, 1996, 15 senior retired United
11 States military officers, including the former com-
12 manding officers of United States Armed Forces in
13 Korea, the North Atlantic Treaty Organization
14 (NATO), Vietnam, and Desert Storm, urged the
15 President to ban the production, stockpiling, sale,
16 and use of anti-personnel landmines;

17 (3) The generals stated that a ban would be
18 “humane and militarily responsible” and that it
19 “would not undermine the military effectiveness or
20 safety of our forces, nor those of other nations”;

21 (4) In Vietnam, 7,318 United States military
22 personnel were killed, and 56,783 were injured, from
23 landmines;

24 (5) In Bosnia, at least 204 soldiers under Unit-
25 ed Nations command have been injured, and 20

1 killed, and at least 55 soldiers under NATO com-
2 mand have been injured, and 9 killed, by landmines;

3 (6) The Department of State estimates that a
4 man, woman, or child is killed or injured by a land-
5 mine every 22 minutes;

6 (7) On May 16, 1996, President Clinton de-
7 clared that the United States would “aggressively
8 pursue” an international agreement to ban anti-per-
9 sonnel landmines;

10 (8) On June 7, 1996, the members of the Orga-
11 nization of American States, including the United
12 States, declared the goal of a Western Hemisphere
13 landmine free zone;

14 (9) On June 4, 1997, the members of the Orga-
15 nization of African Unity adopted the goal of the es-
16 tablishment of Africa as an anti-personnel landmine
17 free zone;

18 (10) On October 5, 1996, the Government of
19 Canada announced that it would pursue negotiations
20 on a treaty banning anti-personnel landmines to be
21 completed at Ottawa in December 1997;

22 (11) On December 10, 1996, the United Na-
23 tions General Assembly passed by a vote of 156–0
24 (with 10 abstentions), a United States-sponsored
25 resolution to “pursue vigorously” a treaty banning

1 the use, stockpiling, production, and transfer of anti-
2 personnel landmines, with a view to completing the
3 negotiation “as soon as possible”;

4 (12) Formal negotiations on the Ottawa treaty
5 are to begin in Oslo, Norway in September 1997;

6 (13) By exerting its unmatched international
7 influence, the United States could secure broad sup-
8 port for a legally binding international treaty ban-
9 ning anti-personnel landmines;

10 (14) Such a treaty would further United States
11 security and humanitarian interests by deterring the
12 use of anti-personnel landmines against United
13 States Armed Forces and civilians.

14 **SEC. 3. RESTRICTION ON NEW DEPLOYMENTS OF ANTI-**
15 **PERSONNEL LANDMINES.**

16 (a) RESTRICTION.—Beginning on January 1, 2000,
17 no funds appropriated or otherwise available to any de-
18 partment or agency of the United States may be obligated
19 or expended for new deployments of anti-personnel land-
20 mines.

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

1 (c) CONSULTATIONS.—The Secretary shall consult
2 with individuals having a variety of backgrounds and ex-
3 pertise in preparing the report required under subsection
4 (b).

5 (d) DELAY.—The President may delay application of
6 the restriction in subsection (a) with respect to the Korean
7 Peninsula if, not later than January 1, 2000 and each
8 year thereafter, he submits a report to Congress certifying
9 that new deployments of anti-personnel landmines on the
10 Korean Peninsula in the event of a war in Korea or a
11 period of emergency in Korea declared by the President
12 would be indispensable to the defense of the Republic of
13 Korea in such year.

14 (e) CERTIFICATION REQUIREMENTS.—The report
15 under subsection (d) shall include a description of efforts
16 made to implement the proposals described in the report
17 submitted under subsection (b) and any similar proposals
18 prepared subsequently by the Secretary of Defense and
19 the Chairman of the Joint Chiefs of Staff.

20 **SEC. 4. DEFINITIONS.**

21 (a) DEFINITIONS.—In this Act—

22 (1) The term “anti-personnel landmine” means
23 any munition placed under, on, or near the ground
24 or other surface area, or delivered by artillery, rock-
25 et, mortar, or similar means, or dropped from an

1 aircraft, and which is designed, constructed, or
2 adapted to be detonated or exploded by the presence,
3 proximity, or contact of a person and that will inca-
4 pacitate, injure, or kill one or more persons.

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

8 (b) EXCLUSIONS.—The term “anti-personnel land-
9 mine” does not include command-detonated Claymore mu-
10 nitions.

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