

103<sup>RD</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5030**

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**AMENDMENTS**

***In the Senate of the United States,***

*October 7 (legislative day, September 12), 1994.*

*Resolved*, That the bill from the House of Representatives (H.R. 5030) entitled “An Act to amend the Foreign Assistance Act of 1961 to make certain corrections relating to international narcotics control activities, and for other purposes”, do pass with the following

**AMENDMENTS:**

1 **(1)**Page 8, line 19, after “repealed” insert: *except for*  
2 *the title heading and section 4702 (a) through (f)*

3 **(2)**Page 12 after line 2, insert:

4 ***TITLE I—NATO PARTICIPATION***  
5 ***ACT OF 1994***

6 ***SEC. 101. SHORT TITLE.***

7 *This title may be cited as the “NATO Participation*  
8 *Act of 1994”.*

9 ***SEC. 102. SENSE OF THE CONGRESS.***

10 *It is the sense of the Congress that—*

11 *(1) the leaders of the NATO member nations are*  
12 *to be commended for reaffirming that NATO member-*  
13 *ship remains open to Partnership for Peace countries*  
14 *emerging from communist domination and for wel-*

1       *coming eventual expansion of NATO to include such*  
2       *countries;*

3               *(2) full and active participants in the Partner-*  
4       *ship for Peace in a position to further the principles*  
5       *of the North Atlantic Treaty and to contribute to the*  
6       *security of the North Atlantic area should be invited*  
7       *to become full NATO members in accordance with Ar-*  
8       *ticle 10 of such Treaty at an early date, if such par-*  
9       *ticipants—*

10               *(A) maintain their progress toward estab-*  
11       *lishing democratic institutions, free market*  
12       *economies, civilian control of their armed forces,*  
13       *and the rule of law; and*

14               *(B) remain committed to protecting the*  
15       *rights of all their citizens and respecting the ter-*  
16       *ritorial integrity of their neighbors;*

17               *(3) the United States, other NATO member na-*  
18       *tions, and NATO itself should furnish appropriate as-*  
19       *sistance to facilitate the transition to full NATO*  
20       *membership at an early date of full and active par-*  
21       *ticipants in the Partnership for Peace; and*

22               *(4) in particular, Poland, Hungary, the Czech*  
23       *Republic, and Slovakia have made significant*  
24       *progress toward establishing democratic institutions,*  
25       *free market economies, civilian control of their armed*

1        *forces, and the rule of law since the fall of their pre-*  
2        *vious communist governments.*

3        **SEC. 103. AUTHORITY FOR PROGRAM TO FACILITATE TRAN-**  
4        **SITION TO NATO MEMBERSHIP.**

5        (a) *IN GENERAL.*—*The President may establish a pro-*  
6        *gram to assist the transition to full NATO membership of*  
7        *Poland, Hungary, the Czech Republic, Slovakia, and other*  
8        *Partnership for Peace countries emerging from communist*  
9        *domination designated pursuant to subsection (d).*

10        (b) *CONDUCT OF PROGRAM.*—*The program established*  
11        *under subsection (a) shall facilitate the transition to full*  
12        *NATO membership of the countries described in such sub-*  
13        *section by supporting and encouraging, inter alia—*

14                (1) *joint planning, training, and military exer-*  
15                *cises with NATO forces;*

16                (2) *greater interoperability of military equip-*  
17                *ment, air defense systems, and command, control, and*  
18                *communications systems; and*

19                (3) *conformity of military doctrine.*

20        (c) *TYPE OF ASSISTANCE.*—*In carrying out the pro-*  
21        *gram established under subsection (a), the President may*  
22        *provide to the countries described in such subsection the fol-*  
23        *lowing types of security assistance:*

24                (1) *The transfer of excess defense articles under*  
25                *section 516 of the Foreign Assistance Act of 1961,*

1        *without regard to the restrictions in paragraphs (1)*  
2        *through (3) of subsection (a) of such section (relating*  
3        *to the eligibility of countries for such articles under*  
4        *such section).*

5                *(2) The transfer of nonlethal excess defense arti-*  
6        *cles under section 519 of the Foreign Assistance Act*  
7        *of 1961, without regard to the restriction in sub-*  
8        *section (a) of such section (relating to the justification*  
9        *of the foreign military financing program for the fis-*  
10        *cal year in which a transfer is authorized).*

11                *(3) Assistance under chapter 5 of part II of the*  
12        *Foreign Assistance Act of 1961 (relating to inter-*  
13        *national military education and training).*

14                *(4) Assistance under section 23 of the Arms Ex-*  
15        *port Control Act (relating to the “Foreign Military*  
16        *Financing Program”).*

17                *(d) DESIGNATION OF PARTNERSHIP FOR PEACE COUN-*  
18        *TRIES EMERGING FROM COMMUNIST DOMINATION.—The*  
19        *President may designate countries emerging from com-*  
20        *munism and participating in the Partnership for Peace,*  
21        *especially Poland, Hungary, the Czech Republic, and Slo-*  
22        *vakia, to receive assistance under the program established*  
23        *under subsection (a) if the President determines and reports*  
24        *to the Committee on Foreign Affairs of the House of Rep-*

1 *representatives and the Committee on Foreign Relations of the*  
2 *Senate that such countries—*

3 *(1) are full and active participants in the Part-*  
4 *nership for Peace;*

5 *(2) have made significant progress toward estab-*  
6 *lishing democratic institutions, a free market econ-*  
7 *omy, civilian control of their armed forces, and the*  
8 *rule of law;*

9 *(3) are likely (in the near future) to be in a po-*  
10 *sition to further the principles of the North Atlantic*  
11 *Treaty and to contribute to the security of the North*  
12 *Atlantic area; and*

13 *(4) are not selling or transferring defense articles*  
14 *to a state that has repeatedly provided support for*  
15 *acts of international terrorism, as determined by the*  
16 *Secretary of State under section 6(j) of the Export*  
17 *Administration Act of 1979.*

18 *(e) NOTIFICATION.—At least 15 days before designat-*  
19 *ing any country pursuant to subsection (d), the President*  
20 *shall notify the appropriate congressional committees in ac-*  
21 *cordance with the procedures applicable under section 634A*  
22 *of the Foreign Assistance Act of 1961.*

23 *(f) DETERMINATION.—It is hereby determined that Po-*  
24 *land, Hungary, the Czech Republic, and Slovakia meet the*

1 *criteria required in paragraphs (1), (2), and (3) of sub-*  
2 *section (d).*

3 **SEC. 104. ADDITIONAL AUTHORITIES.**

4 (a) *ARMS EXPORT CONTROL ACT.*—*The President is*  
5 *authorized to exercise the authority of sections 63 and 65*  
6 *of the Arms Export Control Act with respect to any country*  
7 *designated under section 103(d) of this title on the same*  
8 *basis authorized with respect to NATO countries.*

9 (b) *OTHER NATO AUTHORITIES.*—*The President*  
10 *should designate any country designated under section*  
11 *103(d) of this title as eligible under sections 2350c and*  
12 *2350f of title 10, United States Code.*

13 (c) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
14 *that, in the interest of maintaining stability and promoting*  
15 *democracy in Poland, Hungary, the Czech Republic, Slo-*  
16 *vakia, and any other Partnership for Peace country des-*  
17 *ignated under section 103(d) of this title, those countries*  
18 *should be included in all activities under section 2457 of*  
19 *title 10, United States Code, relate to the increased stand-*  
20 *ardization and enhance interoperability of equipment and*  
21 *weapons systems, through coordinated training and pro-*  
22 *curement activities, as well as other means, undertaken by*  
23 *the North Atlantic Treaty Organization members and other*  
24 *allied countries.*

1 **SEC. 105. REPORTING REQUIREMENT.**

2 *The President shall include in the report required by*  
3 *section 514(a) of Public Law 103–236 (22 U.S.C. 1928*  
4 *note) the following:*

5 *(1) A description of all assistance provided*  
6 *under the program established under section 103(a),*  
7 *or otherwise provided by the United States Govern-*  
8 *ment to facilitate the transition to full NATO mem-*  
9 *bership of Poland, Hungary, the Czech Republic, Slo-*  
10 *vakia, and other Partnership for Peace countries*  
11 *emerging from communist domination designated*  
12 *pursuant to section 103(d).*

13 *(2) A description, on the basis of information re-*  
14 *ceived from NATO, of all assistance provided by other*  
15 *NATO member nations or NATO itself to facilitate*  
16 *the transition to full NATO membership of Poland,*  
17 *Hungary, the Czech Republic, Slovakia, and other*  
18 *Partnership for Peace countries emerging from com-*  
19 *munist domination designated pursuant to section*  
20 *103(d).*

Attest:

*Secretary.*