

104TH CONGRESS
1ST SESSION

S. 602

To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of European countries emerging from Communist domination.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 1995

Mr. BROWN (for himself, Mr. SIMON, Mr. DOLE, Ms. MIKULSKI, Mr. ROTH, Mr. McCONNELL, and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of European countries emerging from Communist domination.

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 “NATO Participation
5 Act Amendments of 1995”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

1 (1) Since 1949, the North Atlantic Treaty Or-
2 ganization (NATO) has played an essential role in
3 guaranteeing the security, freedom, and prosperity
4 of the United States and its partners in the Alliance.

5 (2) NATO has expanded its membership on
6 three different occasions since 1949.

7 (3) The sustained commitment of the member
8 countries of NATO to mutual defense of their secu-
9 rity ultimately made possible the democratic trans-
10 formation in Central and Eastern Europe and the
11 demise of the Soviet Union.

12 (4) NATO was designed to be and remains a
13 defensive military organization whose members have
14 never contemplated the use of, or used, military
15 force to expand the borders of its member states.

16 (5) While the immediate threat to the security
17 of the United States and its allies has been reduced
18 with the collapse of the Iron Curtain, new security
19 threats, such as the situation in Bosnia and
20 Herzegovina, are emerging to the shared interests of
21 the member countries of NATO.

22 (6) NATO remains the only multilateral secu-
23 rity organization capable of conducting effective
24 military operations to protect Western security
25 interests.

1 (7) NATO has played a positive role in defusing
2 tensions between NATO members and, as a result,
3 no military action has occurred between two NATO
4 member states since the inception of NATO in 1949.

5 (8) NATO is also an important diplomatic
6 forum for the discussion of issues of concern to its
7 member states and for the peaceful resolution of
8 disputes.

9 (9) America's security, freedom, and prosperity
10 remain linked to the security of the countries of
11 Europe.

12 (10) Any threat to the security of the newly
13 emerging democracies in Central Europe would pose
14 a security threat to the United States and its Euro-
15 pean allies.

16 (11) The admission to NATO of Central and
17 East European countries that have been freed from
18 Communist domination and that meet specific cri-
19 teria for NATO membership would contribute to
20 international peace and enhance the security of the
21 region.

22 (12) A number of countries have expressed
23 varying degrees of interest in NATO membership,
24 and have taken concrete steps to demonstrate this
25 commitment.

1 (13) Full integration of Central and East Euro-
2 pean countries into the North Atlantic Alliance after
3 such countries meet essential criteria for admission
4 would enhance the security of the Alliance and,
5 thereby, contribute to the security of the United
6 States.

7 (14) The expansion of NATO can create the
8 stable environment needed to successfully complete
9 the political and economic transformation envisioned
10 by Eastern and Central European countries.

11 (15) In recognition that not all countries which
12 have requested membership in NATO will nec-
13 essarily qualify at the same pace, the date for mem-
14 bership of each country will vary.

15 (16) The provision of NATO transition assist-
16 ance should include those countries most ready for
17 closer ties with NATO, such as Poland, Hungary,
18 the Czech Republic and Slovakia and should be de-
19 signed to assist other countries meeting specified cri-
20 teria of eligibility to move toward eventual NATO
21 membership, including Lithuania, Latvia, Estonia,
22 Ukraine, Romania, Bulgaria, and Slovenia.

23 (17) Lithuania, Latvia, and Estonia have made
24 significant progress in preparing for NATO member-

1 ship and should be given every consideration for in-
2 clusion in programs for NATO transition assistance.

3 **SEC. 3. UNITED STATES POLICY.**

4 It should be the policy of the United States—

5 (1) to join with the NATO allies of the United
6 States to redefine the role of the NATO Alliance in
7 the post-Cold War world;

8 (2) to actively assist European countries emerg-
9 ing from communist domination in their transition
10 so that such countries may eventually qualify for
11 NATO membership;

12 (3) to use the voice and vote of the United
13 States to urge observer status in the North Atlantic
14 Council for countries designated under section
15 203(d) of the NATO Participation Act of 1994 (as
16 amended by this Act) as eligible for NATO transi-
17 tion assistance; and

18 (4) to work to define the political and security
19 relationship between an enlarged NATO and the
20 Russian Federation.

21 **SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSI-**
22 **TION TO NATO MEMBERSHIP.**

23 (a) ESTABLISHMENT OF PROGRAM.—Subsection (a)
24 of section 203 of the NATO Participation Act of 1994

1 (title II of Public Law 103–447; 22 U.S.C. 1928 note)
2 is amended to read as follows:

3 “(a) ESTABLISHMENT OF PROGRAM.—The President
4 shall establish a program to assist countries designated
5 under subsection (d) in the transition to full NATO mem-
6 bership.”.

7 (b) ELIGIBLE COUNTRIES.—

8 (1) ELIGIBILITY.—Subsection (d) of section
9 203 of such Act is amended to read as follows:

10 “(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

11 “(1) SPECIFIC COUNTRIES.—The following
12 countries are hereby designated for purposes of this
13 title: Poland, Hungary, the Czech Republic, and
14 Slovakia.

15 “(2) OTHER EUROPEAN COUNTRIES EMERGING
16 FROM COMMUNIST DOMINATION.—In addition to the
17 countries designated in paragraph (1), the President
18 may designate other European countries emerging
19 from Communist domination to receive assistance
20 under the program established under subsection (a).
21 The President may make such a designation in the
22 case of any such country only if the President deter-
23 mines, and reports to the designated congressional
24 committees, that such country—

1 “(A) has made significant progress toward
2 establishing—

3 “(i) shared values and interests;

4 “(ii) democratic governments;

5 “(iii) free market economies;

6 “(iv) civilian control of the military, of
7 the police, and of intelligence services;

8 “(v) adherence to the values, prin-
9 ciples, and political commitments embodied
10 in the Helsinki Final Act of the Organiza-
11 tion on Security and Cooperation in Eu-
12 rope; and

13 “(vi) more transparent defense budg-
14 ets and is participating in the Partnership
15 For Peace defense planning process;

16 “(B) has made public commitments—

17 “(i) to further the principles of NATO
18 and to contribute to the security of the
19 North Atlantic area;

20 “(ii) to accept the obligations, respon-
21 sibilities, and costs of NATO membership;
22 and

23 “(iii) to implement infrastructure de-
24 velopment activities that will facilitate par-

1 participation in and support for NATO mili-
2 tary activities;

3 “(C) meets standards of the NATO allies
4 to prevent the sale or other transfer of defense
5 articles to a state that has repeatedly provided
6 support for acts of international terrorism, as
7 determined by the Secretary of State under sec-
8 tion 6(j)(1)(A) of the Export Administration
9 Act of 1979; and

10 “(D) is likely, within five years of such de-
11 termination, to be in a position to further the
12 principles of the North Atlantic Treaty and to
13 contribute to its own security and that of the
14 North Atlantic area.”.

15 (2) CONFORMING AMENDMENTS.—

16 (A) Subsections (b) and (c) of section 203
17 of such Act are amended by striking “countries
18 described in such subsection” each of the two
19 places it appears and inserting “countries des-
20 ignated under subsection (d)”.

21 (B) Subsection (e) of section 203 of such
22 Act is amended—

23 (i) by striking “subsection (d)” and
24 inserting “subsection (d)(2)”; and

1 (ii) by inserting “(22 U.S.C. 2394)”
 2 before the period at the end.

3 (C) Section 204(c) of such Act is amended
 4 by striking “any other Partnership for Peace
 5 country designated under section 203(d)” and
 6 inserting “any country designated under section
 7 203(d)(2)”.

8 (c) TYPES OF ASSISTANCE.—Section 203(c) of such
 9 Act is amended—

10 (1) by redesignating paragraphs (1) through
 11 (4) as subparagraphs (A) through (D), respectively;
 12 and

13 (2) by inserting after subparagraph (D) (as re-
 14 designated) the following new subparagraphs:

15 “(E) Assistance under chapter 4 of part II of
 16 the Foreign Assistance Act of 1961 (relating to the
 17 Economic Support Fund).

18 “(F) Funds appropriated under the ‘Non-
 19 proliferation and Disarmament Fund’ account”.

20 “(G) Funds appropriated under chapter 6 of
 21 part II of the Foreign Assistance Act of 1961 (relat-
 22 ing to peacekeeping operations and other pro-
 23 grams).”.

24 (3) by inserting “(1)” immediately after “TYPE
 25 OF ASSISTANCE.—”; and

1 (4) by adding at the end the following new
2 paragraphs:

3 “(2) For fiscal years 1996 and 1997, in providing
4 assistance under chapter 5 of part II of the Foreign As-
5 sistance Act of 1961 for the countries designated under
6 subsection (d), the President shall include as an important
7 component of such assistance the provision of sufficient
8 language training to enable military personnel to partici-
9 pate further in programs for military training and in de-
10 fense exchange programs.

11 “(3) Of the amounts made available under chapter
12 5 of part II of the Foreign Assistance Act of 1961 (relat-
13 ing to international military education and training), not
14 less than \$5,000,000 for fiscal year 1996 and not less
15 than \$5,000,000 for fiscal year 1997 shall be available
16 only for—

17 “(A) the attendance of additional military per-
18 sonnel of Poland, Hungary, the Czech Republic, and
19 Slovakia at professional military education institu-
20 tions in the United States in accordance with section
21 544 of such Act; and

22 “(B) the placement and support of United
23 States instructors and experts at military edu-
24 cational centers within the foreign countries des-

1 ignated under subsection (d) that are receiving as-
2 sistance under that chapter.”.

3 **SEC. 5. PARTICIPATION IN THE NORTH ATLANTIC COUN-**
4 **CIL.**

5 The NATO Participation Act of 1994 (title II of Pub-
6 lic Law 103–447; 22 U.S.C. 1928 note) is amended—

7 (1) by redesignating section 205 as section 206;
8 and

9 (2) by inserting after section 204 the following:

10 **“SEC. 205. PARTICIPATION IN THE NORTH ATLANTIC COUN-**
11 **CIL.**

12 “The President should, at all bilateral and inter-
13 national fora, use of the voice and vote of the United
14 States to urge observer status in the North Atlantic Coun-
15 cil for countries designated under section 203(d) commen-
16 surate with their progress toward attaining NATO mem-
17 bership.”.

18 **SEC. 6. TERMINATION OF ELIGIBILITY.**

19 Section 203(f) of the NATO Participation Act of
20 1994 (title II of Public Law 103–447; 22 U.S.C. 1928
21 note) is amended to read as follows:

22 “(f) TERMINATION OF ELIGIBILITY.—(1) The eligi-
23 bility of a country designated under subsection (d) for the
24 program established in subsection (a) shall terminate 60
25 days after the President makes a certification under para-

1 graph (2) unless, within the 60-day period, the Congress
2 enacts a joint resolution disapproving the termination of
3 eligibility.

4 “(2) Whenever the President determines that the gov-
5 ernment of a country designated under subsection (d)—

6 “(A) no longer meets the criteria set forth in
7 subsection (d)(2)(A);

8 “(B) is hostile to the NATO alliance; or

9 “(C) poses a national security threat to the
10 United States,

11 then the President shall so certify to the appropriate con-
12 gressional committees.”.

13 (b) CONGRESSIONAL PRIORITY PROCEDURES.—Sec-
14 tion 203 of such Act is amended by adding at the end
15 the following new subsection:

16 “(g) CONGRESSIONAL PRIORITY PROCEDURES.—

17 “(1) APPLICABLE PROCEDURES.—A joint reso-
18 lution described in paragraph (2) which is intro-
19 duced in a House of Congress after the date on
20 which a certification made under subsection (f)(2) is
21 received by Congress shall be considered in accord-
22 ance with the procedures set forth in paragraphs (3)
23 through (7) of section 8066(c) of the Department of
24 Defense Appropriations Act, 1985 (as contained in
25 Public Law 98–473 (98 Stat. 1936)), except that—

1 “(A) references to the ‘resolution described
2 in paragraph (1)’ shall be deemed to be ref-
3 erences to the joint resolution; and

4 “(B) references to the Committee on Ap-
5 propriations of the House of Representatives
6 and to the Committee on Appropriations of the
7 Senate shall be deemed to be references to the
8 Committee on International Relations of the
9 House of Representatives and the Committee
10 on Foreign Relations of the Senate.

11 “(2) TEXT OF JOINT RESOLUTION.—A joint
12 resolution under this paragraph is a joint resolution
13 the matter after the resolving clause of which is as
14 follows: ‘That the Congress disapproves the certifi-
15 cation submitted by the President on _____
16 pursuant to section 203(f) of the NATO Participa-
17 tion Act of 1994.’”.

18 **SEC. 7. REPORTS.**

19 (a) ANNUAL REPORT.—Section 206 of the NATO
20 Participation Act of 1994 (title II of Public Law 103–
21 447; 22 U.S.C. 1928 note), as redesignated by section
22 5(1) of this Act, is amended—

23 (1) by inserting “**ANNUAL**” in the section
24 heading before the first word;

1 (2) by inserting “annual” after “include in the”
2 in the matter preceding paragraph (1);

3 (3) in paragraph (1), by striking “Partnership
4 for Peace” and inserting “European”; and

5 (4) by striking paragraph (2) and inserting in-
6 stead the following new paragraph:

7 “(2) In the event that the President determines
8 that, despite a period of transition assistance, a
9 country designated under section 203(d) has not, as
10 of January 10, 1999, met the standards for NATO
11 membership set forth in Article 10 of the North At-
12 lantic Treaty, the President shall transmit a report
13 to the designated congressional committees contain-
14 ing an assessment of the progress made by that
15 country in meeting those standards.”.

16 **SEC. 8. DEFINITIONS.**

17 The NATO Participation Act of 1994 (title II of Pub-
18 lic Law 103–447; 22 U.S.C. 1928 note), as amended by
19 this Act, is further amended by adding at the end the fol-
20 lowing new section:

21 **“SEC. 207. DEFINITIONS.**

22 “For purposes of this title:

23 “(1) NATO.—The term ‘NATO’ means the
24 North Atlantic Treaty Organization.

1 “(2) DESIGNATED CONGRESSIONAL COMMIT-
2 TEES.—The term ‘designated congressional commit-
3 tees’ means—

4 “(A) the Committee on International Rela-
5 tions, the Committee on National Security, and
6 the Committee on Appropriations of the House
7 of Representatives; and

8 “(B) the Committee on Foreign Relations,
9 the Committee on Armed Services, and the
10 Committee on Appropriations of the Senate.

11 “(3) EUROPEAN COUNTRIES EMERGING FROM
12 COMMUNIST DOMINATION.—The term ‘European
13 countries emerging from Communist domination’ in-
14 cludes, but is not limited to, Albania, Bulgaria,
15 Czech Republic, Estonia, Hungary, Latvia, Lithua-
16 nia, Poland, Romania, Slovakia, Slovenia, and
17 Ukraine.”.

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