

106TH CONGRESS
1ST SESSION

H. R. 3231

To authorize the transfer to the Republic of Panama of certain properties of the United States as set forth in the Panama Canal Treaties.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 1999

Mr. CRANE introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To authorize the transfer to the Republic of Panama of certain properties of the United States as set forth in the Panama Canal Treaties.

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 “Panama Canal Trea-
5 ties Property Transfer Authorization Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Article IV, section 3 of the Constitution
9 provides (in part) the following: “The Congress shall
10 have the Power to dispose of and make all needful

1 Rules and Regulations respecting the Territory or
2 other Property belonging to the United States;”.

3 (2) It is clear that the Constitution authorizes
4 Congress to approve any alienation, transfer, or dis-
5 posal of any property held as United States terri-
6 tory. Such alienation or disposal should be exercised
7 by statute.

8 **SEC. 3. PURPOSES.**

9 The purposes of this Act are to—

10 (1) reassert, reiterate, and reestablish that the
11 Congress retains its prerogative under the Constitu-
12 tion to authorize by law the alienation of any United
13 States property before it is to be transferred to any
14 other entity;

15 (2) encourage future Executive cooperation and
16 compliance with the property clause of the Constitu-
17 tion in regard to the alienation and transfer of
18 United States territory;

19 (3) resolve the concern expressed by many citi-
20 zens that the Congress should have a direct vote to
21 authorize the alienation and transfer to the Republic
22 of Panama of such United States territories and
23 properties as set forth in the Treaty on the Perma-
24 nent Neutrality and Operation of the Panama

1 Canal, the Panama Canal Treaty, and in the Pan-
2 ama Canal Act of 1979; and

3 (4) finally bring to an end any remaining con-
4 cerns and controversies regarding the legitimacy of
5 the Panama Canal Treaties.

6 **SEC. 4. AUTHORIZATION OF PROPERTY TRANSFERS TO RE-**
7 **PUBLIC OF PANAMA.**

8 (a) Congress, noting that certain transfers to the Re-
9 public of Panama of United States-held properties in the
10 Republic of Panama have been and are being carried out
11 pursuant to the Panama Canal Treaties, hereby confirms
12 and authorizes those transfers, as of December 31, 1999.

13 (b) For purposes of subsection (a), the term “Pan-
14 ama Canal Treaties” means—

15 (1) the Treaty on the Permanent Neutrality
16 and Operation of the Panama Canal; and

17 (2) the Panama Canal Treaty.

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