

110TH CONGRESS
1ST SESSION

S. 494

AN ACT

To endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “NATO Freedom Con-
5 solidation Act of 2007”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The sustained commitment of the North At-
4 lantic Treaty Organization (NATO) to mutual de-
5 fense has made possible the democratic trans-
6 formation of Central and Eastern Europe. Members
7 of the North Atlantic Treaty Organization can and
8 should play a critical role in addressing the security
9 challenges of the post-Cold War era in creating the
10 stable environment needed for those emerging de-
11 mocracies in Europe.

12 (2) Lasting stability and security in Europe re-
13 quires the military, economic, and political integra-
14 tion of emerging democracies into existing European
15 structures.

16 (3) In an era of threats from terrorism and the
17 proliferation of weapons of mass destruction, the
18 North Atlantic Treaty Organization is increasingly
19 contributing to security in the face of global security
20 challenges for the protection and interests of its
21 member states.

22 (4) In the NATO Participation Act of 1994
23 (title II of Public Law 103–447; 22 U.S.C. 1928
24 note), Congress declared that “full and active par-
25 ticipants in the Partnership for Peace in a position
26 to further the principles of the North Atlantic Trea-

1 ty and to contribute to the security of the North At-
2 lantic area should be invited to become full NATO
3 members in accordance with Article 10 of such
4 Treaty at an early date. . .”.

5 (5) In the NATO Enlargement Facilitation Act
6 of 1996 (title VI of section 101(c) of title I of divi-
7 sion A of Public Law 104–208; 22 U.S.C. 1928
8 note), Congress called for the prompt admission of
9 Poland, Hungary, the Czech Republic, and Slovenia
10 to the North Atlantic Treaty Organization, and de-
11 clared that “in order to promote economic stability
12 and security in Slovakia, Estonia, Latvia, Lithuania,
13 Romania, Bulgaria, Albania, Moldova, and Ukraine
14 . . . the process of enlarging NATO to include
15 emerging democracies in Central and Eastern Eu-
16 rope should not be limited to consideration of admit-
17 ting Poland, Hungary, the Czech Republic, and Slo-
18 venia as full members of the NATO Alliance”.

19 (6) In the European Security Act of 1998 (title
20 XXVII of division G of Public Law 105–277; 22
21 U.S.C. 1928 note), Congress declared that “Poland,
22 Hungary, and the Czech Republic should not be the
23 last emerging democracies in Central and Eastern
24 Europe invited to join NATO” and that “Romania,
25 Estonia, Latvia, Lithuania, and Bulgaria . . . would

1 make an outstanding contribution to furthering the
2 goals of NATO and enhancing stability, freedom,
3 and peace in Europe should they become NATO
4 members [and] upon complete satisfaction of all rel-
5 evant criteria should be invited to become full NATO
6 members at the earliest possible date”.

7 (7) In the Gerald B. H. Solomon Freedom Con-
8 solidation Act of 2002 (Public Law 107–187; 22
9 U.S.C. 1928 note), Congress endorsed “. . . the vi-
10 sion of further enlargement of the NATO Alliance
11 articulated by President George W. Bush on June
12 15, 2001, and by former President William J. Clin-
13 ton on October 22, 1996”.

14 (8) At the Madrid Summit of the North Atlan-
15 tic Treaty Organization in July 1997, Poland, Hun-
16 gary, and the Czech Republic were invited to join
17 the Alliance, and the North Atlantic Treaty Organi-
18 zation heads of state and government issued a dec-
19 laration stating “[t]he alliance expects to extend fur-
20 ther invitations in coming years to nations willing
21 and able to assume the responsibilities and obliga-
22 tions of membership . . . [n]o European democratic
23 country whose admission would fulfill the objectives
24 of the [North Atlantic] Treaty will be excluded from
25 consideration”.

1 (9) At the Washington Summit of the North
2 Atlantic Treaty Organization in April 1999, the
3 North Atlantic Treaty Organization heads of state
4 and government issued a communiqué declaring
5 “[w]e pledge that NATO will continue to welcome
6 new members in a position to further the principles
7 of the [North Atlantic] Treaty and contribute to
8 peace and security in the Euro-Atlantic area . . .
9 [t]he three new members will not be the last . . .
10 [n]o European democratic country whose admission
11 would fulfill the objectives of the Treaty will be ex-
12 cluded from consideration, regardless of its geo-
13 graphic location . . .”.

14 (10) In May 2000 in Vilnius, Lithuania, the
15 foreign ministers of Albania, Bulgaria, Estonia, Lat-
16 via, Lithuania, the Republic of Macedonia
17 (FYROM), Romania, Slovakia, and Slovenia issued
18 a statement (later joined by Croatia) declaring
19 that—

20 (A) their countries will cooperate in jointly
21 seeking membership in the North Atlantic
22 Treaty Organization in the next round of en-
23 largement of the North Atlantic Treaty Organi-
24 zation;

1 (B) the realization of membership in the
2 North Atlantic Treaty Organization by one or
3 more of these countries would be a success for
4 all; and

5 (C) eventual membership in the North At-
6 lantic Treaty Organization for all of these coun-
7 tries would be a success for Europe and for the
8 North Atlantic Treaty Organization.

9 (11) On June 15, 2001, in a speech in Warsaw,
10 Poland, President George W. Bush stated “[a]ll of
11 Europe’s new democracies, from the Baltic to the
12 Black Sea and all that lie between, should have the
13 same chance for security and freedom—and the
14 same chance to join the institutions of Europe—as
15 Europe’s old democracies have . . . I believe in
16 NATO membership for all of Europe’s democracies
17 that seek it and are ready to share the responsibil-
18 ities that NATO brings . . . [a]s we plan to enlarge
19 NATO, no nation should be used as a pawn in the
20 agenda of others . . . [w]e will not trade away the
21 fate of free European peoples . . . [n]o more
22 Munichs . . . [n]o more Yaltas . . . [a]s we plan
23 the Prague Summit, we should not calculate how lit-
24 tle we can get away with, but how much we can do
25 to advance the cause of freedom”.

1 (12) On October 22, 1996, in a speech in De-
2 troit, Michigan, former President William J. Clinton
3 stated “NATO’s doors will not close behind its first
4 new members . . . NATO should remain open to all
5 of Europe’s emerging democracies who are ready to
6 shoulder the responsibilities of membership . . .
7 [n]o nation will be automatically excluded . . . [n]o
8 country outside NATO will have a veto . . . [a] gray
9 zone of insecurity must not reemerge in Europe”.

10 (13) At the Prague Summit of the North Atlan-
11 tic Treaty Organization in November 2002, Bul-
12 garia, Estonia, Latvia, Lithuania, Romania, Slo-
13 vakia, and Slovenia were invited to join the Alliance
14 in the second round of enlargement of the North At-
15 lantic Treaty Organization since the end of the Cold
16 War, and the North Atlantic Treaty Organization
17 heads of state and government issued a declaration
18 stating “NATO’s door will remain open to European
19 democracies willing and able to assume the respon-
20 sibilities and obligations of membership, in accord-
21 ance with Article 10 of the Washington Treaty”.

22 (14) On May 8, 2003, the United States Senate
23 unanimously approved the Resolution of Ratification
24 to Accompany Treaty Document No. 108–4, Proto-
25 cols to the North Atlantic Treaty of 1949 on Acces-

1 sion of Bulgaria, Estonia, Latvia, Lithuania, Roma-
2 nia, Slovakia, and Slovenia, inviting Bulgaria, Esto-
3 nia, Latvia, Lithuania, Romania, Slovakia, and Slo-
4 venia to join the North Atlantic Treaty Organiza-
5 tion.

6 (15) At the Istanbul Summit of the North At-
7 lantic Treaty Organization in June 2004, the North
8 Atlantic Treaty Organization heads of state and gov-
9 ernment issued a communiqué reaffirming that
10 NATO's door remains open to new members, declar-
11 ing “[w]e celebrate the success of NATO's Open
12 Door Policy, and reaffirm today that our seven new
13 members will not be the last. The door to member-
14 ship remains open. We welcome the progress made
15 by Albania, Croatia, and the former Yugoslav Re-
16 public of Macedonia (1) in implementing their An-
17 nual National Programmes under the Membership
18 Action Plan, and encourage them to continue pur-
19 suing the reforms necessary to progress toward
20 NATO membership. We also commend their con-
21 tribution to regional stability and cooperation. We
22 want all three countries to succeed and will continue
23 to assist them in their reform efforts. NATO will
24 continue to assess each country's candidacy individ-
25 ually, based on the progress made towards reform

1 goals pursued through the Membership Action Plan,
2 which will remain the vehicle to keep the readiness
3 of each aspirant for membership under review. We
4 direct that NATO Foreign Ministers keep the en-
5 largement process, including the implementation of
6 the Membership Action Plan, under continual review
7 and report to us. We will review at the next Summit
8 progress by aspirants towards membership based on
9 that report”.

10 (16) Georgia and Ukraine have stated their de-
11 sire to join the Euro-Atlantic community, and in
12 particular, are seeking to join the North Atlantic
13 Treaty Organization. Georgia and Ukraine are work-
14 ing closely with the North Atlantic Treaty Organiza-
15 tion and its members to meet criteria for eventual
16 membership in NATO.

17 (17) At a press conference with President Mi-
18 khail Saakashvili of Georgia in Washington, D.C. on
19 July 5, 2006, President George W. Bush stated that
20 “. . . I believe that NATO would benefit with Geor-
21 gia being a member of NATO, and I think Georgia
22 would benefit. And there’s a way forward through
23 the Membership Action Plan . . . And I’m a believer
24 in the expansion of NATO. I think it’s in the world’s
25 interest that we expand NATO”.

1 (18) Following a meeting of NATO Foreign
2 Ministers in New York on September 21, 2006,
3 NATO Secretary General Jaap de Hoop Scheffer
4 announced the launching of an Intensified Dialogue
5 on membership between the Alliance and Georgia.

6 (19) At the NATO-Ukraine Commission Sum-
7 mit in Brussels in February 2005, President of
8 Ukraine Victor Yushchenko declared membership in
9 NATO as the ultimate goal of Ukraine's cooperation
10 with the Alliance and expressed Ukraine's desire to
11 conclude a Membership Action Plan.

12 (20) At the NATO-Ukraine Commission For-
13 eign Ministerial meeting in Vilnius in April 2005,
14 NATO and Ukraine launched an Intensified Dia-
15 logue on the potential membership of Ukraine in
16 NATO.

17 (21) At the Riga Summit of the North Atlantic
18 Treaty Organization in November 2006, the Heads
19 of State and Government of the member countries of
20 NATO issued a declaration reaffirming that NATO's
21 door remains open to new members, declaring that
22 "all European democratic countries may be consid-
23 ered for MAP (Membership Action Plan) or admis-
24 sion, subject to decision by the NAC (North Atlantic
25 Council) at each stage, based on the performance of

1 these countries towards meeting the objectives of the
2 North Atlantic Treaty. We direct that NATO For-
3 eign Ministers keep that process under continual re-
4 view and report to us. We welcome the efforts of Al-
5 bania, Croatia, and the former Yugoslav Republic of
6 Macedonia to prepare themselves for the responsibil-
7 ities and obligations of membership. We reaffirm
8 that the Alliance will continue with Georgia and
9 Ukraine its Intensified Dialogues which cover the
10 full range of political, military, financial and security
11 issues relating to those countries' aspirations to
12 membership, without prejudice to any eventual Alli-
13 ance decision. We reaffirm the importance of the
14 NATO-Ukraine Distinctive Partnership, which has
15 its 10th anniversary next year and welcome the
16 progress that has been made in the framework of
17 our Intensified Dialogue. We appreciate Ukraine's
18 substantial contributions to our common security, in-
19 cluding through participation in NATO-led oper-
20 ations and efforts to promote regional cooperation.
21 We encourage Ukraine to continue to contribute to
22 regional security. We are determined to continue to
23 assist, through practical cooperation, in the imple-
24 mentation of far-reaching reform efforts, notably in
25 the fields of national security, defence, reform of the

1 defence-industrial sector and fighting corruption. We
2 welcome the commencement of an Intensified Dia-
3 logue with Georgia as well as Georgia's contribution
4 to international peacekeeping and security oper-
5 ations. We will continue to engage actively with
6 Georgia in support of its reform process. We encour-
7 age Georgia to continue progress on political, eco-
8 nomic and military reforms, including strengthening
9 judicial reform, as well as the peaceful resolution of
10 outstanding conflicts on its territory. We reaffirm
11 that it is of great importance that all parties in the
12 region should engage constructively to promote re-
13 gional peace and stability.”.

14 (22) Contingent upon their continued imple-
15 mentation of democratic, defense, and economic re-
16 form, and their willingness and ability to meet the
17 responsibilities of membership in the North Atlantic
18 Treaty Organization and a clear expression of na-
19 tional intent to do so, Congress calls for the timely
20 admission of Albania, Croatia, Georgia, Macedonia
21 (FYROM), and Ukraine to the North Atlantic Trea-
22 ty Organization to promote security and stability in
23 Europe.

24 **SEC. 3. DECLARATIONS OF POLICY.**

25 Congress—

1 (1) reaffirms its previous expressions of support
2 for continued enlargement of the North Atlantic
3 Treaty Organization contained in the NATO Partici-
4 pation Act of 1994, the NATO Enlargement Facili-
5 tation Act of 1996, the European Security Act of
6 1998, and the Gerald B. H. Solomon Freedom Con-
7 solidation Act of 2002;

8 (2) supports the commitment to further en-
9 largement of the North Atlantic Treaty Organization
10 to include European democracies that are able and
11 willing to meet the responsibilities of Membership, as
12 expressed by the Alliance in its Madrid Summit Dec-
13 laration of 1997, its Washington Summit
14 Communiqué of 1999, its Prague Summit Declara-
15 tion of 2002, its Istanbul Summit Communiqué of
16 2004, and its Riga Summit Declaration of 2006;
17 and

18 (3) endorses the vision of further enlargement
19 of the North Atlantic Treaty Organization articu-
20 lated by President George W. Bush on June 15,
21 2001, and by former President William J. Clinton
22 on October 22, 1996, and urges our allies in the
23 North Atlantic Treaty Organization to work with the
24 United States to realize a role for the North Atlantic
25 Treaty Organization in promoting global security,

1 including continued support for enlargement to in-
2 clude qualified candidate states, specifically by enter-
3 ing into a Membership Action Plan with Georgia and
4 recognizing the progress toward meeting the respon-
5 sibilities and obligations of NATO membership by
6 Albania, Croatia, Georgia, Macedonia (FYROM),
7 and Ukraine.

8 **SEC. 4. DESIGNATION OF ALBANIA, CROATIA, GEORGIA,**
9 **MACEDONIA (FYROM), AND UKRAINE AS ELI-**
10 **GIBLE TO RECEIVE ASSISTANCE UNDER THE**
11 **NATO PARTICIPATION ACT OF 1994.**

12 (a) DESIGNATION.—

13 (1) ALBANIA.—The Republic of Albania is des-
14 ignated as eligible to receive assistance under the
15 program established under section 203(a) of the
16 NATO Participation Act of 1994 (title II of Public
17 Law 103–447; 22 U.S.C. 1928 note), and shall be
18 deemed to have been so designated pursuant to sec-
19 tion 203(d)(1) of such Act.

20 (2) CROATIA.—The Republic of Croatia is des-
21 ignated as eligible to receive assistance under the
22 program established under section 203(a) of the
23 NATO Participation Act of 1994, and shall be
24 deemed to have been so designated pursuant to sec-
25 tion 203(d)(1) of such Act.

1 (3) GEORGIA.—Georgia is designated as eligible
2 to receive assistance under the program established
3 under section 203(a) of the NATO Participation Act
4 of 1994, and shall be deemed to have been so des-
5 ignated pursuant to section 203(d)(1) of such Act.

6 (4) MACEDONIA (FYROM).—The Republic of
7 Macedonia (FYROM) is designated as eligible to re-
8 ceive assistance under the program established
9 under section 203(a) of the NATO Participation Act
10 of 1994, and shall be deemed to have been so des-
11 ignated pursuant to section 203(d)(1) of such Act.

12 (5) UKRAINE.—Ukraine is designated as eligi-
13 ble to receive assistance under the program estab-
14 lished under section 203(a) of the NATO Participa-
15 tion Act of 1994, and shall be deemed to have been
16 so designated pursuant to section 203(d)(1) of such
17 Act.

18 (b) RULE OF CONSTRUCTION.—The designation of
19 the Republic of Albania, the Republic of Croatia, Georgia,
20 the Republic of Macedonia (FYROM), and Ukraine pursu-
21 ant to subsection (a) as eligible to receive assistance under
22 the program established under section 203(a) of the
23 NATO Participation Act of 1994—

24 (1) is in addition to the designation of Poland,
25 Hungary, the Czech Republic, and Slovenia pursu-

1 ant to section 606 of the NATO Enlargement Facili-
2 tation Act of 1996 (title VI of section 101(c) of title
3 I of division A of Public Law 104–208; 22 U.S.C.
4 1928 note), the designation of Romania, Estonia,
5 Latvia, Lithuania, and Bulgaria pursuant to section
6 2703(b) of the European Security Act of 1998 (title
7 XXVII of division G of Public Law 105–277; 22
8 U.S.C. 1928 note), and the designation of Slovakia
9 pursuant to section 4(a) of the Gerald B. H. Sol-
10 omon Freedom Consolidation Act of 2002 (Public
11 Law 107–187; 22 U.S.C. 1928 note) as eligible to
12 receive assistance under the program established
13 under section 203(a) of the NATO Participation Act
14 of 1994; and

15 (2) shall not preclude the designation by the
16 President of other countries pursuant to section
17 203(d)(2) of the NATO Participation Act of 1994 as
18 eligible to receive assistance under the program es-
19 tablished under section 203(a) of such Act.

20 **SEC. 5. AUTHORIZATION OF SECURITY ASSISTANCE FOR**
21 **COUNTRIES DESIGNATED UNDER THE NATO**
22 **PARTICIPATION ACT OF 1994.**

23 Of the amounts made available for fiscal year 2008
24 under section 23 of the Arms Export Control Act (22
25 U.S.C. 2763) such sums as may be necessary are author-

1 ized to be appropriated for assistance to the Republic of
2 Albania, the Republic of Croatia, Georgia, the Republic
3 of Macedonia (FYROM), and Ukraine.

Passed the Senate March 15, 2007.

Attest:

Secretary.

110TH CONGRESS
1ST SESSION

S. 494

AN ACT

To endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes.