

104TH CONGRESS
1ST SESSION

H. R. 7

[Report No. 104-18, Parts I, II, and III]

To revitalize the national security of the United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. SPENCE, Mr. GILMAN, Mr. BRYANT of Tennessee, and Mr. HAYES (for themselves, Mr. WELDON of Pennsylvania, Mr. DORNAN, Mr. SAXTON, Mr. TORKILDSEN, Mr. BARTLETT of Maryland, Mr. LONGLEY, Mr. CALAHAN, Mr. ROYCE, Mr. BACHUS, Mr. HOKE, Mr. HASTERT, Mr. SMITH of Texas, Mr. FUNDERBURK, Mr. CLINGER, Mr. KIM, Mr. BALLENGER, Mr. POMBO, Mr. NUSSLE, Mr. CRANE, Mr. TAYLOR of North Carolina, Mr. CRAPO, Mr. KOLBE, Mr. HALL of Texas, Mr. PAXON, Mr. YOUNG of Florida, Mr. COMBEST, Mr. COBLE, Mr. EHRLICH, Mrs. MEYERS of Kansas, Mr. STOCKMAN, Mr. SMITH of Michigan, Mr. BAKER of California, Mr. COX, Mr. SHAW, Mr. HERGER, Mr. HEINEMAN, Mrs. FOWLER, Mr. STEARNS, Mr. HUTCHINSON, Mr. HANCOCK, Mr. ZIMMER, Mr. LINDER, Mr. EMERSON, Mr. HOSTETTLER, Mr. JONES, Mr. ENSIGN, Mr. TIAHRT, Mrs. MYRICK, Mr. HOUGHTON, Mr. FRELINGHUYSEN, Mr. EWING, Mrs. CUBIN, Mr. HASTINGS of Washington, Mr. WELDON of Florida, Mr. GANSKE, Mr. COBURN, Mr. LARGENT, Mr. WELLER, Mr. LEWIS of Kentucky, Mr. LAHOOD, Mr. BUNNING of Kentucky, Mr. FOLEY, Mr. INGLIS of South Carolina, Mr. LIGHTFOOT, Mr. ISTOOK, Mr. CALVERT, Mr. HOBSON, Mr. CREMEANS, Mr. KNOLLENBERG, Mr. BILIRAKIS, Mr. GOODLING, Mr. HAYWORTH, Mr. FOX, Mr. RADANOVICH, Mr. WAMP, Mr. GILCHREST, Mr. BLUTE, Mr. SOLOMON, Mr. BLILEY, Mr. DOOLITTLE, Mr. PACKARD, Mr. STUMP, Mr. EVERETT, Mr. MILLER of Florida, Mr. LATOURETTE, Mr. FLANAGAN, Mr. BURR, Ms. MOLINARI, Mr. GUNDERSON, Mr. THORNBERRY, Mr. RIGGS, Mr. GOODLATTE, Mr. CHRISTENSEN, Mr. HILLEARY, Mr. WICKER, Mr. BONO, Mr. COOLEY, Mr. FRISA, Mr. MCINTOSH, Mr. SMITH of New Jersey, Mr. SHADEGG, Mrs. JOHNSON of Connecticut, Mr. CUNNINGHAM, Mr. CHRYSLER, Mr. CANADY, Mr. MCCOLLUM, Mr. BARTON of Texas, Mr. GILLMOR, Mr. BARR, Mr. ARMEY, Mr. FORBES, Mr. WALDHOLTZ, Mr. TATE, Ms. DUNN, Mr. MICA, and Mr. MCHUGH) introduced the following bill; which was referred as follows:

Title I, referred to the Committee on International Relations and, in addition, to the Committee on National Security, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

Title II, referred to the Committee on National Security

Title III, referred to the Committee on National Security and, in addition, to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

Section 401, referred to the Committee on National Security and, in addition, to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

Section 402, referred to the Committee on International Relations

Title V, referred to the Committee on International Relations and, in addition, to the Committee on National Security and the Permanent Select Committee on Intelligence, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

Title VI, referred to the Committee on International Relations

Title VII, referred to the Committee on the Budget

FEBRUARY 6, 1995

Additional sponsors: Mr. LUCAS, Mrs. VUCANOVICH, Mr. TALENT, Mr. BAKER of Louisiana, Mr. KING, and Mr. BROWNBACK

FEBRUARY 6, 1995

Reported from the Committee on National Security with an amendment
[Strike out all after the enacting clause and insert the part printed in boldface italic]

FEBRUARY 6, 1995

Reported from the Committee on International Relations with an amendment
[Strike out all after the enacting clause and insert the part printed in boldface roman]

FEBRUARY 6, 1995

Reported from the Permanent Select Committee on Intelligence with amendments
[Omit the part struck through and in bold brackets and insert the part printed in italic]

A BILL

To revitalize the national security of the United States.

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; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “National Security Revitalization Act”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
 5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FINDINGS, POLICY, AND PURPOSES

Sec. 101. Findings.

Sec. 102. Policy.

Sec. 103. Purposes.

TITLE II—MISSILE DEFENSE

Sec. 201. Policy.

Sec. 202. Actions of the Secretary of Defense.

Sec. 203. Report to Congress.

TITLE III—REVITALIZATION OF NATIONAL SECURITY
 COMMISSION

Sec. 301. Establishment.

Sec. 302. Composition.

Sec. 303. Duties.

Sec. 304. Reports.

Sec. 305. Powers.

Sec. 306. Commission procedures.

Sec. 307. Personnel matters.

Sec. 308. Termination of the commission.

Sec. 309. Funding.

TITLE IV—COMMAND OF UNITED STATES FORCES

Sec. 401. Limitation on expenditure of Department of Defense funds for
 United States forces placed under command or operational control
 of a foreign national acting on behalf of the United Nations.

Sec. 402. Limitation on placement of United States Armed Forces under foreign
 control for a United Nations peacekeeping activity.

TITLE V—UNITED NATIONS

Sec. 501. Credit against assessment for United States expenditures in support
 of United Nations peacekeeping operations.

Sec. 502. Codification of required notice to Congress of proposed United Nations
 peacekeeping activities.

Sec. 503. Notice to Congress regarding United States contributions for United
 Nations peacekeeping activities.

Sec. 504. Revised notice to Congress regarding United States assistance for
 United Nations peacekeeping activities.

- Sec. 505. United States contributions to United Nations peacekeeping activities.
- Sec. 506. Reimbursement to the United States for in-kind contributions to United Nations peacekeeping activities.
- Sec. 507. Prohibition on use of funds to pay United States assessed or voluntary contribution for United Nations peacekeeping activities unless Department of Defense reimbursed by United Nations for certain goods and services.
- Sec. 508. Limitation on use of Department of Defense funds for United States share of costs of United Nations peacekeeping activities.
- Sec. 509. Codification of limitation on amount of United States assessed contributions for United Nations peacekeeping operations.
- Sec. 510. Buy American requirement.
- Sec. 511. United Nations peacekeeping budgetary and management reform.
- Sec. 512. Conditions on provision of intelligence to the United Nations.

TITLE VI—REVITALIZATION AND EXPANSION OF THE NORTH
ATLANTIC TREATY ORGANIZATION

- Sec. 601. Short title.
- Sec. 602. Findings.
- Sec. 603. United States policy.
- Sec. 604. Revisions to program to facilitate transition to NATO membership.
- Sec. 605. Annual reporting requirement.
- Sec. 606. Definitions.

TITLE VII—BUDGET FIREWALLS

- Sec. 701. Restoration of budget firewalls for defense spending.

1 **TITLE I—FINDINGS, POLICY, AND**
2 **PURPOSES**

3 **SEC. 101. FINDINGS.**

4 The Congress finds the following:

5 (1) Since January 1993, presidential budgets
6 and budget plans have set forth a reduction in de-
7 fense spending of \$156,000,000,000 through fiscal
8 year 1999.

9 (2) The fiscal year 1995 budget is the 10th
10 consecutive year of reductions in real defense spend-
11 ing and, with the exception of fiscal year 1948, rep-

1 resents the lowest percentage of gross domestic
2 product for any defense budget since World War II.

3 (3) During fiscal year 1995, the number of ac-
4 tive duty, reserve component, and civilian personnel
5 of the Department of Defense will be reduced by
6 182,000, a rate of over 15,000 per month or over
7 500 per day. The Bureau of Labor Statistics esti-
8 mates that 1,200,000 defense-related private sector
9 jobs will be lost by 1997.

10 (4) Despite severe reductions and shortfalls in
11 defense funding and force structure, since 1993
12 United States military forces have been deployed
13 more often and committed to more peacetime mis-
14 sions per year than ever before. Most of these mis-
15 sions involve United Nations peace keeping and hu-
16 manitarian efforts. At the end of fiscal year 1994,
17 over 70,000 United States personnel were serving in
18 such regions as Iraq, Bosnia, Macedonia, the Adri-
19 atic Sea, Rwanda, and the Caribbean Sea for mis-
20 sions involving Haiti and Cuba.

21 (5) United Nations assessments to the United
22 States for peace keeping missions totaled almost
23 \$1,500,000,000 in 1994. The United States is as-
24 sessed 31.7 percent of annual United Nations costs
25 for peace keeping and other United Nations mis-

1 sions. The next highest contributor, Japan, only
2 pays 12.5 percent of such costs. The Department of
3 Defense also incurs hundreds of millions of dollars
4 in costs every year for United States military par-
5 ticipation in United Nations peace keeping or hu-
6 manitarian missions, most of which are not reim-
7 bursed by the United Nations. For fiscal year 1994,
8 these Department of Defense costs totaled over
9 \$1,721,000,000.

10 (6) A return to the "hollow forces" of the
11 1970s has already begun. At the end of fiscal year
12 1994, one-third of the units in the Army contingency
13 force and all of the forward-deployed and follow-on
14 Army divisions were reporting a reduced state of
15 military readiness. During fiscal year 1994, training
16 readiness declined for the Navy's Atlantic and Pa-
17 cific fleets. Funding shortfalls for that fiscal year re-
18 sulted in a grounding of Navy and Marine Corps air-
19 craft squadrons and cancellation and curtailment of
20 Army training exercises. Marine and naval personnel
21 are not maintaining the standard 12- to 18-month
22 respite between six-month deployments away from
23 home. Marine Corps units are spending up to two of
24 their first four years away from their base camps.
25 The significantly increased pace of Department of

1 Defense operations has United States forces over de-
2 ployed.

3 (7) As of January 1, 1995, military pay is ap-
4 proximately 12.8 percent below comparable civilian
5 levels. As a result, it is estimated that close to
6 17,000 junior enlisted personnel have to rely on food
7 stamps and the Department of Defense will soon
8 begin providing supplementary food benefits to an
9 estimated 11,000 military personnel and dependents
10 living overseas.

11 (8) Defense modernization programs to main-
12 tain the battlefield technology edge of the United
13 States over other nations are being delayed or can-
14 celed in an attempt to prevent the further erosion of
15 military force readiness.

16 (9) The centerpiece of the Administration's de-
17 fense strategy, the Bottom Up Review, reduces Navy
18 ships by one-third, Air Force wings by almost one-
19 half, and funding for missile defenses by over 50
20 percent, and the General Accounting Office has re-
21 ported that even the restrictive Bottom Up Review
22 could be underfunded by \$150,000,000,000.

23 (10) The Administration has initially agreed to
24 or proposed treaty limitations, or has unilaterally
25 adopted positions, that prohibit the United States

1 from testing or deploying effective missile defense
2 systems.

3 **SEC. 102. POLICY.**

4 The Congress is committed to providing adequate re-
5 sources to protect the national security of the United
6 States.

7 **SEC. 103. PURPOSES.**

8 The purposes of this Act are—

9 (1) to establish a commission to reassess United
10 States military needs and reverse the continuing
11 downward spiral of defense spending;

12 (2) to commit the United States to accelerate
13 the development and deployment of theater and na-
14 tional ballistic missile defense capabilities;

15 (3) to restrict deployment of United States
16 forces to missions that are in the national interest
17 of the United States;

18 (4) to maintain command and control by Unit-
19 ed States personnel of United States forces partici-
20 pating in United Nations peacekeeping operations;

21 (5) to reduce the cost to the United States of
22 United Nations peacekeeping activities and to press
23 for reforms in the United Nations management
24 practices; and

1 ~~(6)~~ to reemphasize the commitment of the
2 United States to a strong and viable North Atlantic
3 Treaty Organization.

4 **TITLE II—MISSILE DEFENSE**

5 **SEC. 201. POLICY.**

6 It shall be the policy of the United States to—

7 (1) deploy at the earliest possible date an anti-
8 ballistic missile system that is capable of providing
9 a highly effective defense of the United States
10 against ballistic missile attacks; and

11 (2) provide at the earliest possible date highly
12 effective theater missile defenses (TMDs) to for-
13 ward-deployed and expeditionary elements of the
14 Armed Forces of the United States and to friendly
15 forces and allies of the United States.

16 **SEC. 202. ACTIONS OF THE SECRETARY OF DEFENSE.**

17 ~~(a) ABM SYSTEMS.—~~The Secretary of Defense shall
18 develop for deployment at the earliest possible date a cost-
19 effective, operationally effective antiballistic missile system
20 designed to protect the United States against ballistic mis-
21 sile attacks.

22 ~~(b) ADVANCED THEATER MISSILE DEFENSES.—~~The
23 Secretary of Defense shall develop for deployment at the
24 earliest possible date advanced theater missile defense sys-
25 tems.

1 **SEC. 203. REPORT TO CONGRESS.**

2 (a) ~~REQUIREMENT.~~—Not later than 60 days after the
3 date of the enactment of this Act, the Secretary of Defense
4 shall submit to the congressional defense committees a
5 plan for the deployment of an antiballistic missile system
6 pursuant to section 202(a) and for the deployment of the-
7 ater missile defense systems pursuant to section 202(b).

8 (b) ~~CONGRESSIONAL DEFENSE COMMITTEES.~~—For
9 purposes of this section, the term “congressional defense
10 committees” means—

11 (1) the Committee on National Security and the
12 Committee on Appropriations of the House of Rep-
13 resentatives; and

14 (2) the Committee on Armed Services and the
15 Committee on Appropriations of the Senate.

16 **~~TITLE III—REVITALIZATION OF~~**
17 **~~NATIONAL SECURITY COM-~~**
18 **~~MISSION~~**

19 **SEC. 301. ESTABLISHMENT.**

20 There is hereby established a commission to be known
21 as the “Revitalization of National Security Commission”
22 (hereinafter in this title referred to as the “Commission”).

23 **SEC. 302. COMPOSITION.**

24 (a) ~~APPOINTMENT.~~—The Commission shall be com-
25 posed of 12 members, appointed as follows:

1 (1) Four members shall be appointed by the
2 President.

3 (2) Four members shall be appointed by the
4 Speaker of the House of Representatives in consulta-
5 tion with the minority leader of the House of Rep-
6 resentatives.

7 (3) Four members shall be appointed by the
8 President pro tempore of the Senate upon the rec-
9 ommendation of the majority leader and the minor-
10 ity leader of the Senate.

11 (b) QUALIFICATIONS.—The members of the Commis-
12 sion shall be appointed from among persons having knowl-
13 edge and experience in defense and foreign policy.

14 (c) TERM OF MEMBERS; VACANCIES.—Members of
15 the Commission shall be appointed for the life of the Com-
16 mission. A vacancy on the Commission shall not affect its
17 powers, but shall be filled in the same manner as the origi-
18 nal appointment was made.

19 (d) COMMENCEMENT.—The members of the Commis-
20 sion shall be appointed not later than 21 days after the
21 enactment of this Act. The Commission shall convene its
22 first meeting to carry out its duties under this section 14
23 days after seven members of the Commission have been
24 appointed.

1 (e) CHAIRMAN.—The chairman of the Commission
2 shall be designated jointly by the Speaker of the House
3 of Representatives and the majority leader of the Senate
4 from among members of the Commission appointed under
5 subsection (a)(2) or (a)(3).

6 **SEC. 303. DUTIES.**

7 (a) COMPREHENSIVE REVIEW.—The Commission
8 shall conduct a comprehensive review of the long-term na-
9 tional security needs of the United States. The review
10 shall include the following:

11 (1) An assessment of the need for a new na-
12 tional security strategy and, if it is determined that
13 such a new strategy is needed, identification of such
14 a strategy.

15 (2) An assessment of the need for a new na-
16 tional military strategy and, if it is determined that
17 such a new strategy is needed, identification of such
18 a strategy.

19 (3) An assessment of the military force struc-
20 ture necessary to support the new strategies identi-
21 fied under paragraphs (1) and (2).

22 (4) An assessment of force modernization re-
23 quirements necessary to support the new strategies
24 identified under paragraphs (1) and (2).

1 (5) An assessment of military infrastructure re-
2 quirements necessary to support the new strategies
3 identified under paragraphs (1) and (2).

4 (6) An assessment of the funding needs of the
5 Department of Defense necessary to support the
6 long-term national security requirements of the
7 United States.

8 (7) An assessment of the adequacy of the force
9 structure recommended in the 1993 Bottom-Up Re-
10 view in executing the national military strategy.

11 (8) An assessment of the adequacy of the cur-
12 rent future-years defense plan in fully funding the
13 Bottom-Up Review force structure while maintaining
14 adequate force modernization and military readiness
15 objectives.

16 (9) An assessment of the level of defense funds
17 expended on non-defense programs.

18 (10) An assessment of the costs of the United
19 States of expanding the membership of the North
20 Atlantic Treaty Organization.

21 (b) MATTERS TO BE CONSIDERED.—In carrying out
22 the review, the Commission shall develop specific rec-
23 ommendations to accomplish each of the following:

24 (1) Provide members of the Armed Forces with
25 annual pay raises and other compensation at levels

1 sufficient to begin closing the gap with comparable
2 civilian pay levels.

3 ~~(2) Fully fund cost-effective missile defense sys-~~
4 ~~tems that are deployable at the earliest possible date~~
5 ~~following enactment of this Act.~~

6 ~~(3) Maintain adequate funding for military~~
7 ~~readiness accounts without sacrificing modernization~~
8 ~~programs.~~

9 ~~(4) Define policies for committing troops to~~
10 ~~peace keeping, peacemaking, peace-enforcing, or hu-~~
11 ~~manitarian missions.~~

12 ~~(5) Provide a stronger role for Guard and Re-~~
13 ~~serve forces.~~

14 ~~(6) Provide a new funding system to avoid di-~~
15 ~~versions from military readiness accounts to pay for~~
16 ~~peace keeping and humanitarian deployments such~~
17 ~~as Haiti and Rwanda.~~

18 **SEC. 304. REPORTS.**

19 ~~(a) FINAL REPORT.—The Commission shall submit~~
20 ~~to the President and the designated congressional commit-~~
21 ~~tees a report on the assessments and recommendations re-~~
22 ~~ferred to in section 303 not later than January 1, 1996.~~
23 ~~The report shall be submitted in unclassified and classified~~
24 ~~versions.~~

1 (b) INTERIM REPORT.—The Commission shall sub-
2 mit to the President and the designated congressional
3 committees an interim report describing the Commission’s
4 progress in fulfilling its duties under section 303. The in-
5 terim report shall include any preliminary recommenda-
6 tions the Commission may have reached and shall be sub-
7 mitted not later than October 1, 1995.

8 (c) DESIGNATED CONGRESSIONAL COMMITTEES.—
9 For purposes of this section, the term “designated con-
10 gressional committees” means—

11 (1) the Committee on National Security, the
12 Committee on International Relations, and the Com-
13 mittee on Appropriations of the House of Represent-
14 atives; and

15 (2) the Committee on Armed Services, the
16 Committee on Foreign Relations, and the Committee
17 on Appropriations of the Senate.

18 **SEC. 305. POWERS.**

19 (a) HEARINGS.—The Commission may, for the pur-
20 pose of carrying out this section, conduct such hearings,
21 sit and act at such times, take such testimony, and receive
22 such evidence, as the Commission considers appropriate.

23 (b) ASSISTANCE FROM OTHER AGENCIES.—The
24 Commission may secure directly from any department or
25 agency of the Federal Government such information, rel-

1 evant to its duties under this title, as may be necessary
2 to carry out such duties. Upon request of the chairman
3 of the Commission, the head of the department or agency
4 shall, to the extent permitted by law, furnish such infor-
5 mation to the Commission.

6 (c) MAIL.—The Commission may use the United
7 States mails in the same manner and under the same con-
8 ditions as the departments and agencies of the Federal
9 Government.

10 (d) ASSISTANCE FROM SECRETARY OF DEFENSE.—
11 The Secretary of Defense shall provide to the Commission
12 such reasonable administrative and support services as the
13 Commission may request.

14 **SEC. 306. COMMISSION PROCEDURES.**

15 (a) MEETINGS.—The Commission shall meet on a
16 regular basis (as determined by the chairman) and at the
17 call of the chairman or a majority of its members.

18 (b) QUORUM.—A majority of the members of the
19 Commission shall constitute a quorum for the transaction
20 of business.

21 **SEC. 307. PERSONNEL MATTERS.**

22 (a) COMPENSATION.—Each member of the Commis-
23 sion shall serve without compensation, but shall be allowed
24 travel expenses including per diem in lieu of subsistence,
25 as authorized by section 5703 of title 5, United States

1 Code, when engaged in the performance of Commission
2 duties.

3 (b) ~~STAFF.~~—The Commission shall appoint a staff
4 director, who shall be paid at a rate not to exceed the
5 maximum rate of basic pay under section 5376 of title
6 5, United States Code, and such professional and clerical
7 personnel as may be reasonable and necessary to enable
8 the Commission to carry out its duties under this title
9 without regard to the provisions of title 5, United States
10 Code, governing appointments in the competitive service,
11 and without regard to the provisions of chapter 51 and
12 subchapter III of chapter 53 of such title, or any other
13 provision of law, relating to the number, classification, and
14 General Schedule rates. No employee appointed under this
15 subsection (other than the staff director) may be com-
16 pensated at a rate to exceed the maximum rate applicable
17 to level 15 of the General Schedule.

18 (c) ~~DETAILED PERSONNEL.~~—Upon request of the
19 chairman of the Commission, the head of any department
20 or agency of the Federal Government is authorized to de-
21 tail, without reimbursement, any personnel of such depart-
22 ment or agency to the Commission to assist the Commis-
23 sion in carrying out its duties under this section. The de-
24 tail of any such personnel may not result in the interrup-

1 tion or loss of civil service status or privilege of such per-
2 sonnel.

3 **SEC. 308. TERMINATION OF THE COMMISSION.**

4 The Commission shall terminate upon submission of
5 the final report required by section 303.

6 **SEC. 309. FUNDING.**

7 Of the funds available to the Department of Defense,
8 \$1,500,000 shall be made available to the Commission to
9 carry out the provisions of this title.

10 **TITLE IV—COMMAND OF UNITED**
11 **STATES FORCES**

12 **SEC. 401. LIMITATION ON EXPENDITURE OF DEPARTMENT**
13 **OF DEFENSE FUNDS FOR UNITED STATES**
14 **FORCES PLACED UNDER COMMAND OR**
15 **OPERATIONAL CONTROL OF A FOREIGN NA-**
16 **TIONAL ACTING ON BEHALF OF THE UNITED**
17 **NATIONS.**

18 (a) **IN GENERAL.**—(1) Chapter 20 of title 10, United
19 States Code, is amended by inserting after section 404 the
20 following new section:

1 **“§ 405. Placement of United States forces under com-**
2 **mand or operational control of foreign**
3 **nationals acting on behalf of the United**
4 **Nations: limitation**

5 ~~“(a) LIMITATION.—(1) Except as provided in sub-~~
6 ~~sections (b) and (c), funds appropriated or otherwise made~~
7 ~~available for the Department of Defense may not be obli-~~
8 ~~gated or expended for activities of any element of the~~
9 ~~armed forces that after the date of the enactment of this~~
10 ~~section is placed under the command or operational con-~~
11 ~~trol of a foreign national acting on behalf of the United~~
12 ~~Nations for the purpose of international peacekeeping,~~
13 ~~peacemaking, peace-enforcing, or similar activity that is~~
14 ~~authorized by the Secretary Council under chapter VI or~~
15 ~~VII of the Charter of the United Nations.~~

16 ~~“(2) For purposes of this section, elements of the~~
17 ~~armed forces shall be considered to be placed under the~~
18 ~~command or operational control of a foreign national act-~~
19 ~~ing on behalf of the United Nations only in a case in which~~
20 ~~the senior military commander of the United Nations force~~
21 ~~or operation is a foreign national.~~

22 ~~“(b) EXCEPTION FOR PRESIDENTIAL CERTIFI-~~
23 ~~CATION.—(1) Subsection (a) shall not apply in the case~~
24 ~~of a proposed placement of any element of the armed~~
25 ~~forces under such command or operational control if the~~
26 ~~President, not less than 15 days before the date on which~~

1 such command or operational control is to become effec-
2 tive (or as provided in paragraph (2)), meets the require-
3 ments of subsection (d).

4 “(2) If the President certifies to Congress that an
5 emergency exists that precludes the President from meet-
6 ing the requirements of subsection (d) 15 days before plac-
7 ing any element of the armed forces under such command
8 or operational control, the President may place such forces
9 under such command or operational control and meet the
10 requirements of subsection (d) in a timely manner, but
11 in no event later than 48 hours after such command or
12 operational control becomes effective.

13 “(c) EXCEPTION FOR AUTHORIZATION BY LAW.—
14 Subsection (a) shall not apply in the case of a proposed
15 placement of any element of the armed forces under such
16 command or operational control if the Congress specifi-
17 cally authorizes by law that particular placement of Unit-
18 ed States forces under such command or operational con-
19 trol.

20 “(d) PRESIDENTIAL CERTIFICATIONS.—The require-
21 ments referred to in subsection (b)(1) are that the Presi-
22 dent submit to Congress the following:

23 “(1) Certification by the President that—

1 “(A) such a command or operational con-
2 trol arrangement is necessary to protect na-
3 tional security interests of the United States;

4 “(B) the commander of any unit of the
5 armed forces proposed for placement under the
6 command or operational control of a foreign na-
7 tional acting directly on behalf of the United
8 Nations will at all times retain the right—

9 “(i) to report independently to supe-
10 rior United States military authorities; and

11 “(ii) to decline to comply with orders
12 judged by the commander to be illegal,
13 militarily imprudent, or beyond the man-
14 date of the mission to which the United
15 States agreed with the United Nations,
16 until such time as that commander receives
17 direction from superior United States mili-
18 tary authorities with respect to the orders
19 that the commander has declined to com-
20 ply with;

21 “(C) any element of the armed forces pro-
22 posed for placement under the command or
23 operational control of a foreign national acting
24 directly on behalf of the United Nations will at
25 all times remain under United States adminis-

1 trative command for such purposes as discipline
2 and evaluation; and

3 ~~“(D) the United States will retain the au-~~
4 ~~thority to withdraw any element of the armed~~
5 ~~forces from the proposed operation at any time~~
6 ~~and to take any action it considers necessary to~~
7 ~~protect those forces if they are engaged.~~

8 ~~“(2) A report setting forth the following:~~

9 ~~“(A) A description of the national security~~
10 ~~interests that require the placement of United~~
11 ~~States forces under the command or operational~~
12 ~~control of a foreign national acting directly on~~
13 ~~behalf of the United Nations.~~

14 ~~“(B) The mission of the United States~~
15 ~~forces involved.~~

16 ~~“(C) The expected size and composition of~~
17 ~~the United States forces involved.~~

18 ~~“(D) The incremental cost to the United~~
19 ~~States of participation in the United Nations~~
20 ~~operation by the United States forces which are~~
21 ~~proposed to be placed under the command or~~
22 ~~operational control of a foreign national.~~

23 ~~“(E) The precise command and control re-~~
24 ~~lationship between the United States forces in-~~

1 volved and the United Nations command struc-
2 ture.

3 “(F) The precise command and control re-
4 lationship between the United States forces in-
5 volved and the commander of the United States
6 unified command for the region in which those
7 United States forces are to operate.

8 “(G) The extent to which the United
9 States forces involved will rely on non-United
10 States forces for security and self-defense and
11 an assessment on the ability of those non-Unit-
12 ed States forces to provide adequate security to
13 the United States forces involved.

14 “(H) The timetable for complete with-
15 drawal of the United States forces involved.

16 “(e) CLASSIFICATION OF REPORT.—A report under
17 subsection (e) shall be submitted in unclassified form and,
18 if necessary, in classified form.

19 “(f) EXCEPTION FOR SMALL FORCES.—This section
20 does not apply in a case in which fewer than 50 members
21 of the armed forces are participating in a particular Unit-
22 ed Nations operation or activity.

23 “(g) INTERPRETATION.—Nothing in this section may
24 be construed—

1 ~~“(1) as authority for the President to use any~~
2 ~~element of the armed forces in any operation; or~~

3 ~~“(2) as authority for the President to place any~~
4 ~~element of the armed forces under the command or~~
5 ~~operational control of a foreign national.”.~~

6 ~~(2) The table of sections at the beginning of sub-~~
7 ~~chapter I of such chapter is amended by adding at the~~
8 ~~end the following new item:~~

~~“405. Placement of United States forces under command or operational control
of foreign nationals acting on behalf of the United Nations:
limitation.”.~~

9 ~~(b) REPORT RELATING TO CONSTITUTIONALITY.—~~
10 ~~No certification may be submitted by the President under~~
11 ~~section 405(d)(1) of title 10, United States Code, as added~~
12 ~~by subsection (a), until the President has submitted to the~~
13 ~~Congress (after the date of the enactment of this Act) a~~
14 ~~memorandum of legal points and authorities explaining~~
15 ~~why the placement of elements of United States Armed~~
16 ~~Forces under the command or operational control of a for-~~
17 ~~ign national acting on behalf of the United Nations does~~
18 ~~not violate the Constitution.~~

19 ~~(c) EXCEPTION FOR ONGOING OPERATION IN MAC-~~
20 ~~EDONIA.—Section 405 of title 10, United States Code, as~~
21 ~~added by subsection (a) does not apply in the case of ac-~~
22 ~~tivities of the Armed Forces in Macedonia pursuant to~~
23 ~~United Nations Security Council Resolutions 795, adopted~~
24 ~~December 11, 1992, and 842, adopted June 18, 1993, as~~

1 part of the United Nations force designated as the United
2 Nations Protection Force (UNPROFOR).

3 **SEC. 402. LIMITATION ON PLACEMENT OF UNITED STATES**
4 **ARMED FORCES UNDER FOREIGN CONTROL**
5 **FOR A UNITED NATIONS PEACEKEEPING AC-**
6 **TIVITY.**

7 (a) IN GENERAL.—Section 6 of the United Nations
8 Participation Act of 1945 (22 U.S.C. 287d) is amended
9 to read as follows:

10 “SEC. 6. (a) AGREEMENTS WITH SECURITY COUN-
11 CIL.—(1) Any special agreement described in paragraph
12 (2) that is concluded by the President with the Security
13 Council shall not be effective unless approved by the Con-
14 gress by law.

15 “(2) An agreement referred to in paragraph (1) is
16 an agreement providing for the numbers and types of
17 United States Armed Forces, their degree of readiness and
18 general locations, or the nature of facilities and assistance,
19 including rights of passage, to be made available to the
20 Security Council for the purpose of maintaining inter-
21 national peace and security in accordance with Article 43
22 of the Charter of the United Nations.

23 “(b) LIMITATION.—(1) Except as provided in sub-
24 sections (c) and (d), the President may not place any ele-
25 ment of the Armed Forces under the command or oper-

1 ational control of a foreign national acting on behalf of
2 the United Nations for the purpose of international peace-
3 keeping, peacemaking, peace-enforcing, or similar activity
4 that is authorized by the Secretary Council under chapter
5 VI or VII of the Charter of the United Nations.

6 ~~“(2) For purposes of this section, elements of the~~
7 ~~Armed Forces shall be considered to be placed under the~~
8 ~~command or operational control of a foreign national act-~~
9 ~~ing on behalf of the United Nations only in a case in which~~
10 ~~the senior military commander of the United Nations force~~
11 ~~or operation is a foreign national.~~

12 ~~“(c) EXCEPTION FOR PRESIDENTIAL CERTIFI-~~
13 ~~CATION.—(1) Subsection (b) shall not apply in the case~~
14 ~~of a proposed placement of any element of the Armed~~
15 ~~Forces under such command or operational control if the~~
16 ~~President, not less than 15 days before the date on which~~
17 ~~such command or operational control is to become effec-~~
18 ~~tive (or as provided in paragraph (2)), meets the require-~~
19 ~~ments of subsection (e).~~

20 ~~“(2) If the President certifies to Congress that an~~
21 ~~emergency exists that precludes the President from meet-~~
22 ~~ing the requirements of subsection (e) 15 days before plac-~~
23 ~~ing any element of the Armed Forces under such com-~~
24 ~~mand or operational control, the President may place such~~
25 ~~forces under such command or operational control and~~

1 meet the requirements of subsection (c) in a timely man-
2 ner, but in no event later than 48 hours after such com-
3 mand or operational control becomes effective.

4 “(d) EXCEPTION FOR AUTHORIZATION BY LAW.—
5 Subsection (b) shall not apply in the case of a proposed
6 placement of any element of the Armed Forces under such
7 command or operational control if the Congress specifi-
8 cally authorizes by law that particular placement of Unit-
9 ed States forces under such command or operational con-
10 trol.

11 “(e) PRESIDENTIAL CERTIFICATIONS.—The require-
12 ments referred to in subsection (c)(1) are that the Presi-
13 dent submit to Congress the following:

14 “(1) Certification by the President that—

15 “(A) such a command or operational con-
16 trol arrangement is necessary to protect na-
17 tional security interests of the United States;

18 “(B) the commander of any unit of the
19 Armed Forces proposed for placement under
20 the command or operational control of a foreign
21 national acting directly on behalf of the United
22 Nations will at all times retain the right—

23 “(i) to report independently to supe-
24 rior United States military authorities; and

1 “(ii) to decline to comply with orders
2 judged by the commander to be illegal,
3 militarily imprudent, or beyond the man-
4 date of the mission to which the United
5 States agreed with the United Nations,
6 until such time as that commander receives
7 direction from superior United States mili-
8 tary authorities with respect to the orders
9 that the commander has declined to com-
10 ply with;

11 “(C) any element of the Armed Forces
12 proposed for placement under the command or
13 operational control of a foreign national acting
14 directly on behalf of the United Nations will at
15 all times remain under United States adminis-
16 trative command for such purposes as discipline
17 and evaluation; and

18 “(D) the United States will retain the au-
19 thority to withdraw any element of the Armed
20 Forces from the proposed operation at any time
21 and to take any action it considers necessary to
22 protect those forces if they are engaged.

23 “(2) A report setting forth the following:

24 “(A) A description of the national security
25 interests that require the placement of United

1 States forces under the command or operational
2 control of a foreign national acting directly on
3 behalf of the United Nations.

4 “(B) The mission of the United States
5 forces involved.

6 “(C) The expected size and composition of
7 the United States forces involved.

8 “(D) The incremental cost to the United
9 States of participation in the United Nations
10 operation by the United States forces which are
11 proposed to be placed under the command or
12 operational control of a foreign national.

13 “(E) The precise command and control re-
14 lationship between the United States forces in-
15 volved and the United Nations command struc-
16 ture.

17 “(F) The precise command and control re-
18 lationship between the United States forces in-
19 volved and the commander of the United States
20 unified command for the region in which those
21 United States forces are to operate.

22 “(G) The extent to which the United
23 States forces involved will rely on non-United
24 States forces for security and self-defense and
25 an assessment on the ability of those non-

1 United States forces to provide adequate secu-
2 rity to the United States forces involved.

3 ~~“(H) The timetable for complete with-
4 drawal of the United States forces involved.~~

5 ~~“(f) CLASSIFICATION OF REPORT.—A report under
6 subsection (e) shall be submitted in unclassified form and,
7 if necessary, in classified form.~~

8 ~~“(g) EXCEPTION FOR SMALL FORCES.—This section
9 does not apply in a case in which fewer than 50 members
10 of the Armed Forces are participating in a particular
11 United Nations operation or activity.~~

12 ~~“(h) INTERPRETATION.—Except as authorized in
13 section 7 of this Act, nothing contained in this Act shall
14 be construed as an authorization to the President by the
15 Congress to make available to the Security Council United
16 States Armed Forces, facilities, or assistance.”.~~

17 ~~(b) REPORT RELATING TO CONSTITUTIONALITY.—
18 No certification may be submitted by the President under
19 section 6(e)(1) of the United Nations Participation Act
20 of 1945, as amended by subsection (a), until the President
21 has submitted to the Congress (after the date of the enact-
22 ment of this Act) a memorandum of legal points and au-
23 thorities explaining why the placement of elements of
24 United States Armed Forces under the command or oper-~~

1 ational control of a foreign national acting on behalf of
 2 the United Nations does not violate the Constitution.

3 (c) ~~EXCEPTION FOR ONGOING OPERATION IN MAC-~~
 4 ~~EDONIA.~~—Section 6 of the United Nations Participation
 5 Act of 1945, as amended by subsection (a), does not apply
 6 in the case of activities of the Armed Forces in Macedonia
 7 pursuant to United Nations Security Council Resolutions
 8 795, adopted December 11, 1992, and 842, adopted June
 9 18, 1993, as part of the United Nations force designated
 10 as the United Nations Protection Force (UNPROFOR).

11 **TITLE V—UNITED NATIONS**

12 **SEC. 501. CREDIT AGAINST ASSESSMENT FOR UNITED** 13 **STATES EXPENDITURES IN SUPPORT OF** 14 **UNITED NATIONS PEACEKEEPING OPER-** 15 **ATIONS.**

16 (a) ~~IN GENERAL.~~—The United Nations Participation
 17 Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding
 18 at the end the following new section:

19 “~~SEC. 10. (a) CREDIT AGAINST ASSESSMENT FOR~~
 20 ~~EXPENDITURES IN SUPPORT OF PEACEKEEPING OPER-~~
 21 ~~ATIONS.~~—

22 “(1) ~~LIMITATION.~~—Funds may be obligated for
 23 payment to the United Nations of the United States
 24 assessed share of peacekeeping operations for a fis-
 25 cal year only to the extent that—

1 “(A) the amount of such assessed share
2 exceeds—

3 “(B) the amount equal to—

4 “(i) the total amount identified in the
5 report submitted pursuant to paragraph
6 (2) for the preceding fiscal year, reduced
7 by

8 “(ii) the amount of any reimburse-
9 ment or credit to the United States by the
10 United Nations for the costs of United
11 States support for, or participation in,
12 United Nations peacekeeping activities for
13 that preceding fiscal year.

14 “(2) ANNUAL REPORT.—The President shall, at
15 the time of submission of the budget to the Congress
16 for any fiscal year, submit to the designated con-
17 gressional committees a report on the total amount
18 of funds appropriated for national defense purposes
19 for any fiscal year that were expended during the
20 preceding fiscal year to support or participate in, di-
21 rectly or indirectly, United Nations peacekeeping ac-
22 tivities. Such report shall include a separate listing
23 by United Nations peacekeeping operation of the
24 amount of funds expended to support or participate
25 in each such operation.

1 ~~“(3) DEFINITIONS.—For purposes of this sub-~~
2 ~~section:~~

3 ~~“(A) UNITED NATIONS PEACEKEEPING AC-~~
4 ~~TIVITIES.—The term ‘United Nations peace-~~
5 ~~keeping activities’ means any international~~
6 ~~peacekeeping, peacemaking, peace-enforcing, or~~
7 ~~similar activity that is authorized by the United~~
8 ~~Nations Security Council under chapter VI or~~
9 ~~VII of the Charter of the United Nations.~~

10 ~~“(B) DESIGNATED CONGRESSIONAL COM-~~
11 ~~MITTEES.—The term ‘designated congressional~~
12 ~~committees’ includes the Committee on Na-~~
13 ~~tional Security of the House of Representatives~~
14 ~~and the Committee on Armed Services of the~~
15 ~~Senate.”.~~

16 ~~(b) EFFECTIVE DATE.—The limitation contained in~~
17 ~~section 10(a)(1) of the United Nations Participation Act~~
18 ~~of 1945, as added by subsection (a), shall apply only with~~
19 ~~respect to United Nations assessments for peacekeeping~~
20 ~~operations after fiscal year 1995.~~

1 **SEC. 502. CODIFICATION OF REQUIRED NOTICE TO CON-**
2 **GRESS OF PROPOSED UNITED NATIONS**
3 **PEACEKEEPING ACTIVITIES.**

4 (a) ~~REQUIRED NOTICE.~~—Section 4 of the United Na-
5 tions Participation Act of 1945 (~~22 U.S.C. 287b~~) is
6 amended—

7 (1) by striking the second sentence of sub-
8 section (a);

9 (2) by redesignating subsection (e) as sub-
10 section (f); and

11 (3) by inserting after subsection (d) a new sub-
12 section (e) consisting of the text of subsection (a) of
13 section 407 of the Foreign Relations Authorization
14 Act, Fiscal Years 1994 and 1995 (Public Law 103-
15 236), revised—

16 (A) in paragraph (2)—

17 (i) in the matter preceding subpara-
18 graph (A), by inserting “in written form
19 not later than the 10th day of” after
20 “shall be provided”;

21 (ii) in subparagraph (A)(iv), by insert-
22 ing “(including facilities, training, trans-
23 portation, communication, ~~[intelligence,]~~
24 and logistical support, *but not including*
25 *intelligence activities reportable under title*

1 *V of the National Security Act of 1947*”
2 after “covered by the resolution”; and

3 (iii) in subparagraph (B), by adding
4 at the end the following new clause:

5 “(iv) A description of any other Unit-
6 ed States assistance to or support for the
7 operation (including facilities, training,
8 transportation, communication, intel-
9 ligence, and logistical support, *but not in-*
10 *cluding intelligence activities reportable*
11 *under title V of the National Security Act*
12 *of 1947*), and an estimate of the cost to the
13 United States of such assistance or sup-
14 port.”;

15 (B) by striking paragraph (3);

16 (C) by redesignating paragraph (4) as
17 paragraph (3) and in the last sentence of that
18 paragraph by striking “and (ii)” and inserting
19 “through (iv)”;

20 (D) by inserting after paragraph (3) (as so
21 redesignated) the following new paragraph:

22 “(4) NEW UNITED NATIONS PEACEKEEPING OP-
23 ERATION DEFINED.—As used in paragraphs (2) (B)
24 and (3), the term ‘new United Nations peacekeeping

1 operation' includes any existing or otherwise ongoing
2 United Nations peacekeeping operation—

3 “(A) that is to be expanded by more than
4 25 percent during the period covered by the Se-
5 curity Council resolution, as measured by either
6 the number of personnel participating (or au-
7 thorized to participate) in the operation or the
8 budget of the operation; or

9 “(B) that is to be authorized to operate in
10 a country in which it was not previously author-
11 ized to operate.”; and

12 (E) in paragraph (5)—

13 (i) by striking “(5) NOTIFICATION”
14 and all that follows through “(B) The
15 President” and inserting “(5) QUARTERLY
16 REPORTS.—The President”; and

17 (ii) by striking “section 4(d)” and all
18 that follows through “of this section” and
19 inserting “subsection (d)”.

20 (b) CONFORMING REPEAL.—Subsection (a) of section
21 407 of the Foreign Relations Authorization Act, Fiscal
22 Years 1994 and 1995 (Public Law 103–236), is repealed.

23 (c) DESIGNATED CONGRESSIONAL COMMITTEES.—

24 Subsection (f) of section 4 of the United Nations Partici-

1 pation Act of 1945 (22 U.S.C. 287b(f)), as redesignated
 2 by subsection (a), is amended to read as follows:

3 ~~“(f) DESIGNATED CONGRESSIONAL COMMITTEES.—~~

4 As used in this section, the term “designated congress-
 5 sional committees” has the meaning given such term in
 6 section 10(f).”.

7 **SEC. 503. NOTICE TO CONGRESS REGARDING UNITED**
 8 **STATES CONTRIBUTIONS FOR UNITED NA-**
 9 **TIONS PEACEKEEPING ACTIVITIES.**

10 Section 10 of the United Nations Participation Act
 11 of 1945 is amended by adding after subsection (a), as
 12 added by section 501, the following new subsection:

13 ~~“(b) NOTICE TO CONGRESS REGARDING CONTRIBU-~~
 14 ~~TIONS FOR PEACEKEEPING ACTIVITIES.—~~

15 ~~“(1) NOTICE REGARDING UNITED NATIONS~~
 16 ~~BILLING REQUEST.—Not later than 15 days after~~
 17 ~~the date on which the United States receives from~~
 18 ~~the United Nations a billing requesting a payment~~
 19 ~~by the United States of any contribution for United~~
 20 ~~Nations peacekeeping activities, the President shall~~
 21 ~~so notify the designated congressional committees.~~

22 ~~“(2) NOTICE REGARDING PROPOSED OBLIGA-~~
 23 ~~TION OF FUNDS.—The President shall notify the~~
 24 ~~designated congressional committees at least 15 days~~
 25 ~~before the United States obligates funds for any as-~~

1 sessed or voluntary contribution for United Nations
2 peacekeeping activities, except that if the President
3 determines that an emergency exists which prevents
4 compliance with the requirement that such notifica-
5 tion be provided 15 days in advance and that such
6 contribution is in the national security interests of
7 the United States, such notification shall be pro-
8 vided in a timely manner but no later than 48 hours
9 after such obligation.”.

10 **SEC. 504. REVISED NOTICE TO CONGRESS REGARDING**
11 **UNITED STATES ASSISTANCE FOR UNITED**
12 **NATIONS PEACEKEEPING ACTIVITIES.**

13 Section 7 of the United Nations Participation Act of
14 1945 (22 U.S.C. 287d-1) is amended—

15 (1) in subsection (a), by inserting “other than
16 subsection (e)(1)” after “any other law”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(e)(1) Except as provided in paragraphs (2) and (3),
20 at least 15 days before any agency or entity of the United
21 States Government makes available to the United Nations
22 any assistance or facility to support or facilitate United
23 Nations peacekeeping activities, the President shall so no-
24 tify the designated congressional committees.

25 “(2) Paragraph (1) does not apply to—

1 “(A) assistance having a value of less than
2 \$1,000,000 in the case of nonreimbursable assist-
3 ance or less than \$5,000,000 in the case of reim-
4 bursable assistance; or

5 “(B) assistance provided under the emergency
6 drawdown authority contained in sections 506(a)(1)
7 and 552(c)(2) of the Foreign Assistance Act of 1961
8 (22 U.S.C. 2318(a)(1), 2348a(c)(2)).

9 “(3) If the President determines that an emergency
10 exists which prevents compliance with the requirement in
11 paragraph (1) that notification be provided 15 days in ad-
12 vance and that the contribution of any such assistance or
13 facility is in the national security interests of the United
14 States, such notification shall be provided in a timely man-
15 ner but not later than 48 hours after such assistance or
16 facility is made available to the United Nations.

17 “(4) For purposes of this subsection, the term ‘assist-
18 ance’—

19 “(A) means assistance of any kind, including
20 logistical support, supplies, goods, or services (in-
21 cluding command, [control, communications or intel-
22 ligence] *control or communications* assistance and
23 training); and the grant of rights of passage; and

24 “(B) includes assistance provided through in-
25 kind contributions or through the provision of sup-

1 port, supplies, goods, or services on any terms, in-
2 cluding on a grant, lease, loan, or reimbursable
3 basis; but

4 “(C) does not include the payment of assessed
5 or voluntary contributions or intelligence activities
6 reportable under title V of the National Security Act
7 of 1947.”.

8 **SEC. 505. UNITED STATES CONTRIBUTIONS TO UNITED NA-**
9 **TIONS PEACEKEEPING ACTIVITIES.**

10 Section 4(d)(1) of the United Nations Participation
11 Act of 1945 (22 U.S.C. 287b(d)(1)) is amended—

12 (1) by redesignating subparagraph (D) as sub-
13 paragraph (E); and

14 (2) by inserting after subparagraph (C) the fol-
15 lowing new subparagraph:

16 “(D) A description of the anticipated
17 budget for the next fiscal year for United
18 States participation in United Nations peace-
19 keeping activities, including a statement of—

20 “(i) the aggregate amount of funds
21 available to the United Nations for that
22 fiscal year, including assessed and vol-
23 untary contributions, which may be made
24 available for United Nations peacekeeping
25 activities; and

1 “(ii) the aggregate amount of funds
2 (from all accounts) and the aggregate costs
3 of in-kind contributions that the United
4 States proposes to make available to the
5 United Nations for that fiscal year for
6 United Nations peacekeeping activities.”.

7 **SEC. 506. REIMBURSEMENT TO THE UNITED STATES FOR**
8 **IN-KIND CONTRIBUTIONS TO UNITED NA-**
9 **TIONS PEACEKEEPING ACTIVITIES.**

10 (a) IN GENERAL.—Section 7 of the United Nations
11 Participation Act of 1945 (22 U.S.C. 287d–1), as amend-
12 ed by section 504, is further amended—

13 (1) in subsection (b)—

14 (A) by inserting “(1)” after “(b)”;

15 (B) by striking “United States: *Provided*,”
16 through “*Provided further*, That when” and in-
17 serting “United States: *When*”; and

18 (C) by adding at the end the following:

19 “(2) The Secretary of Defense may waive the require-
20 ment for reimbursement under paragraph (1) if the Sec-
21 retary, after consultation with the Secretary of State and
22 the Director of the Office of Management and Budget, de-
23 termines that an emergency exists which justifies waiver
24 of that requirement. Any such waiver shall be submitted
25 to the designated congressional committees, as defined in

1 section 10(a)(3)(B), at least 15 days before it takes effect,
2 except that if the President determines that an emergency
3 exists which prevents compliance with the requirement
4 that the notification be provided 15 days in advance and
5 that the provision under subsection (a)(1) or (a)(2) of per-
6 sonnel or assistance on a nonreimbursable basis is in the
7 national security interests of the United States, such noti-
8 fication shall be provided in a timely manner but no later
9 than 48 hours after such waiver takes effect.”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(f) The Secretary of State shall ensure that goods
13 and services provided on a reimbursable basis by the De-
14 partment of Defense to the United Nations for United Na-
15 tions peacekeeping operations under this section or any
16 other provision of law are reimbursed at the appropriate
17 value, as determined by the Secretary of Defense.”.

18 (b) INITIAL REPORT.—

19 (1) IN GENERAL.—Not later than one year
20 after the date of the enactment of this Act, the Rep-
21 resentative of the United States to the United Na-
22 tions shall submit to the designated congressional
23 committees a report on all actions taken by the
24 United States mission to the United Nations to
25 achieve the objective described in section 7(f) of the

1 United Nations Participation Act of 1945, as added
2 by subsection (a)(2).

3 ~~(2) DESIGNATED CONGRESSIONAL COMMITTEES~~
4 ~~DEFINED.—As used in this subsection, the term~~
5 ~~“designated congressional committees” has the~~
6 ~~meaning given such term in section 10(a)(3)(B) of~~
7 ~~the United Nations Participation Act of 1945, as~~
8 ~~added by section 501.~~

9 **SEC. 507. PROHIBITION ON USE OF FUNDS TO PAY UNITED**
10 **STATES ASSESSED OR VOLUNTARY CON-**
11 **TRIBUTION FOR UNITED NATIONS PEACE-**
12 **KEEPING ACTIVITIES UNLESS DEPARTMENT**
13 **OF DEFENSE REIMBURSED BY UNITED NA-**
14 **TIONS FOR CERTAIN GOODS AND SERVICES.**

15 (a) ~~IN GENERAL.—Section 10 of the United Nations~~
16 ~~Participation Act of 1945 is amended by adding after sub-~~
17 ~~section (b), as added by section 503, the following new~~
18 ~~subsection:~~

19 ~~“(c) PROHIBITION ON USE OF FUNDS TO PAY AS-~~
20 ~~SESSED OR VOLUNTARY CONTRIBUTIONS FOR PEACE-~~
21 ~~KEEPING ACTIVITIES UNLESS DEPARTMENT OF DEFENSE~~
22 ~~REIMBURSED FOR CERTAIN GOODS AND SERVICES.—Ap-~~
23 ~~propriated funds may not be used to pay any United~~
24 ~~States assessed or voluntary contribution during any fiscal~~
25 ~~year for United Nations peacekeeping activities until the~~

1 Secretary of Defense certifies to the Congress that the
2 United Nations has reimbursed the Department of De-
3 fense directly for all goods and services that were provided
4 to the United Nations by the Department of Defense on
5 a reimbursable basis during the preceding fiscal year for
6 United Nations peacekeeping activities, including person-
7 nel and assistance provided under section 7 (except to the
8 extent that the authority of subsection (b)(2) of such sec-
9 tion to waive the reimbursement requirement was exer-
10 cised with respect to such personnel or assistance).”.

11 (b) EFFECTIVE DATE.—The prohibition contained in
12 section 10(c) of the United Nations Participation Act of
13 1945, as added by subsection (a), shall apply only with
14 respect to fiscal years after fiscal year 1995.

15 **SEC. 508. LIMITATION ON USE OF DEPARTMENT OF DE-**
16 **FENSE FUNDS FOR UNITED STATES SHARE**
17 **OF COSTS OF UNITED NATIONS PEACEKEEP-**
18 **ING ACTIVITIES.**

19 (a) IN GENERAL.—(1) Chapter 20 of title 10, United
20 States Code, is amended by inserting after section 405,
21 as added by section 401 of this Act, the following new
22 section:

1 **“§ 406. Use of Department of Defense funds for Unit-**
 2 **ed States share of costs of United Nations**
 3 **peacekeeping activities: limitation**

4 “(a) PROHIBITION ON USE OF FUNDS FOR PAYMENT
 5 OF ASSESSMENT.—No funds available to the Department
 6 of Defense shall be available for payment of any United
 7 States assessed or voluntary contribution for United Na-
 8 tions peacekeeping activities.

9 “(b) LIMITATION ON USE OF FUNDS FOR PARTICIPA-
 10 TION IN PEACEKEEPING ACTIVITIES.—Funds available to
 11 the Department of Defense may be used for payment of
 12 the incremental costs associated with the participation of
 13 elements of the armed forces in United Nations peacekeep-
 14 ing activities only to the extent that Congress has by law
 15 specifically authorized the use of those funds for such pur-
 16 poses.”.

17 (2) The table of sections at the beginning of such
 18 chapter is amended by adding at the end the following
 19 new item:

“406. Use of Department of Defense funds for United States share of costs of
 United Nations peacekeeping activities: limitation.”.

20 (b) EFFECTIVE DATE.—Section 406 of title 10, Unit-
 21 ed States Code, as added by subsection (a), shall take ef-
 22 fect on October 1, 1995.

1 **SEC. 509. CODIFICATION OF LIMITATION ON AMOUNT OF**
2 **UNITED STATES ASSESSED CONTRIBUTIONS**
3 **FOR UNITED NATIONS PEACEKEEPING OPER-**
4 **ATIONS.**

5 (a) **IN GENERAL.**—Section 10 of the United Nations
6 Participation Act of 1945 is amended by adding after sub-
7 section (c), as added by section 507, the following new
8 subsection:

9 “(d) **LIMITATION ON ASSESSED CONTRIBUTION**
10 **WITH RESPECT TO A PEACEKEEPING OPERATION.**—
11 Funds authorized to be appropriated for ‘Contributions
12 for International Peacekeeping Activities’ for any fiscal
13 year shall not be available for the payment of the United
14 States assessed contribution for a United Nations peace-
15 keeping operation in an amount which is greater than 25
16 percent of the total amount of all assessed contributions
17 for that operation.”.

18 (b) **EFFECTIVE DATE.**—The limitation contained in
19 section 10(d) of the United Nations Participation Act of
20 1945, as added by subsection (a), shall apply only with
21 respect to funds authorized to be appropriated for “Con-
22 tributions for International Peacekeeping Activities” for
23 fiscal years after fiscal year 1995.

24 (c) **CONFORMING AMENDMENT.**—Section 404(b) of
25 the Foreign Relations Authorization Act, Fiscal Years

1 1994 and 1995 (Public Law 103–236) is amended by
2 striking paragraph (2).

3 **SEC. 510. BUY AMERICAN REQUIREMENT.**

4 Section 10 of the United Nations Participation Act
5 of 1945 is amended by adding after subsection (d), as
6 added by section 509, the following new subsections:

7 “(e) **BUY AMERICAN REQUIREMENT.**—No funds may
8 be obligated or expended to pay any United States as-
9 sessed or voluntary contribution for United Nations peace-
10 keeping activities unless the Secretary of State determines
11 and certifies to the designated congressional committees
12 that United States manufacturers and suppliers are being
13 given opportunities to provide equipment, services, and
14 material for such activities equal to those being given to
15 foreign manufacturers and suppliers.

16 “(f) **DESIGNATED CONGRESSIONAL COMMITTEES**
17 **DEFINED.**—As used in this section, the term ‘designated
18 congressional committees’ means—

19 “(1) the Committee on International Relations
20 and the Committee on Appropriations of the House
21 of Representatives; and

22 “(2) the Committee on Foreign Relations and
23 the Committee on Appropriations of the Senate.”.

1 **SEC. 511. UNITED NATIONS BUDGETARY AND MANAGE-**
2 **MENT REFORM.**

3 (a) IN GENERAL.—The United Nations Participation
4 Act of 1945 (22 U.S.C. 287 et seq.) is further amended
5 by adding at the end the following new section:

6 “SEC. 11. (a) WITHHOLDING OF CONTRIBUTIONS.—

7 “(1) ASSESSED CONTRIBUTIONS FOR REGULAR
8 UNITED NATIONS BUDGET.—At the beginning of
9 each fiscal year, 20 percent of the amount of funds
10 made available for that fiscal year for United States
11 assessed contributions for the regular United Na-
12 tions budget shall be withheld from obligation and
13 expenditure unless a certification for that fiscal year
14 has been made under subsection (b).

15 “(2) ASSESSED CONTRIBUTIONS FOR UNITED
16 NATIONS PEACEKEEPING.—At the beginning of each
17 fiscal year, 50 percent of the amount of funds made
18 available for that fiscal year for United States as-
19 sessed contributions for United Nations peacekeep-
20 ing activities shall be withheld from obligation and
21 expenditure unless a certification for that fiscal year
22 has been made under subsection (b).

23 “(3) VOLUNTARY CONTRIBUTIONS FOR UNITED
24 NATIONS PEACEKEEPING.—The United States may
25 not during any fiscal year pay any voluntary con-
26 tribution to the United Nations for international

1 peacekeeping activities unless a certification for that
2 fiscal year has been made under subsection (b).

3 ~~“(b) CERTIFICATION.—~~The certification referred to
4 in subsection (a) for any fiscal year is a certification by
5 the President to the Congress, submitted on or after the
6 beginning of that fiscal year, of each of the following:

7 ~~“(1) The United Nations has an independent~~
8 ~~office of Inspector General to conduct and supervise~~
9 ~~objective audits, inspections, and investigations re-~~
10 ~~lating to programs and operations of the United Na-~~
11 ~~tions.~~

12 ~~“(2) The United Nations has an Inspector Gen-~~
13 ~~eral who was appointed by the Secretary General~~
14 ~~with the approval of the General Assembly and~~
15 ~~whose appointment was made principally on the~~
16 ~~basis of the appointee’s integrity and demonstrated~~
17 ~~ability in accounting, auditing, financial analysis,~~
18 ~~law, management analysis, public administration, or~~
19 ~~investigation.~~

20 ~~“(3) The Inspector General is authorized to—~~

21 ~~“(A) make investigations and reports relat-~~
22 ~~ing to the administration of the programs and~~
23 ~~operations of the United Nations;~~

1 ~~“(B) have access to all records, documents,~~
2 ~~and other available materials relating to those~~
3 ~~programs and operations;~~

4 ~~“(C) have direct and prompt access to any~~
5 ~~official of the United Nations; and~~

6 ~~“(D) have access to all records and offi-~~
7 ~~cial of the specialized agencies of the United~~
8 ~~Nations.~~

9 ~~“(4) The United Nations has fully imple-~~
10 ~~mented, and made available to all member states,~~
11 ~~procedures that effectively protect the identity of,~~
12 ~~and prevent reprisals against, any staff member of~~
13 ~~the United Nations making a complaint or disclosing~~
14 ~~information to, or cooperating in any investigation~~
15 ~~or inspection by, the United Nations Inspector Gen-~~
16 ~~eral.~~

17 ~~“(5) The United Nations has fully implemented~~
18 ~~procedures that ensure compliance with rec-~~
19 ~~ommendations of the United Nations Inspector Gen-~~
20 ~~eral.~~

21 ~~“(6) The United Nations has required the~~
22 ~~United Nations Inspector General to issue an annual~~
23 ~~report and has ensured that the annual report and~~
24 ~~all other reports of the Inspector General are made~~

1 available to the General Assembly without modifica-
2 tion.

3 ~~“(7) The United Nations has provided, and is~~
4 ~~committed to providing, sufficient budgetary re-~~
5 ~~sources to ensure the effective operation of the~~
6 ~~United Nations Inspector General.”.~~

7 ~~(b) EFFECTIVE DATE.—Section 11 of the United Na-~~
8 ~~tions Participation Act of 1945, as added by subsection~~
9 ~~(a), shall apply only with respect to fiscal years after fiscal~~
10 ~~year 1995.~~

11 ~~[SEC. 512. CONDITIONS ON PROVISION OF INTELLIGENCE~~
12 ~~TO THE UNITED NATIONS.~~

13 ~~[(a) IN GENERAL.—The United Nations Participa-~~
14 ~~tion Act of 1945 (22 U.S.C. 287 et seq.) is further amend-~~
15 ~~ed by adding at the end the following new section:~~

16 ~~["SEC. 12. (a) CONDITIONS ON PROVISION OF IN-~~
17 ~~TELLIGENCE TO THE UNITED NATIONS.—~~

18 ~~["(1) REQUIREMENT FOR AGREEMENT.—The~~
19 ~~United States may provide intelligence to the United~~
20 ~~Nations only pursuant to a written agreement be-~~
21 ~~tween the President and the Secretary General of~~
22 ~~the United Nations.~~

23 ~~["(2) CONTENT OF AGREEMENT.—Any such~~
24 ~~agreement shall specify—~~

1 ~~“(A)~~ the types of intelligence to be pro-
2 vided to the United Nations;

3 ~~“(B)~~ the circumstances under which intel-
4 ligence may be provided to the United Nations;
5 and

6 ~~“(C)~~ the procedures to be observed by the
7 United Nations—

8 ~~“(i)~~ concerning persons who shall
9 have access to the intelligence provided;
10 and

11 ~~“(ii)~~ to protect the intelligence
12 against disclosure not authorized by the
13 agreement.

14 ~~“(3) DURATION OF AGREEMENT.—~~Any such
15 agreement shall be effective for a period not to ex-
16 ceed one year from the date on which the agreement
17 enters into force.

18 ~~“(b) ADVANCE NOTIFICATION TO CONGRESS.—~~An
19 agreement described in subsection (a) shall be effective
20 only if the President has transmitted the agreement to the
21 Committee on International Relations and the Permanent
22 Select Committee on Intelligence of the House of Rep-
23 resentatives and to the Committee on Foreign Relations
24 and the Select Committee on Intelligence of the Senate

1 not less than 30 days in advance of the entry into force
2 of the agreement.

3 ~~“(c) DELEGATION OF AUTHORITY.—The President~~
4 may delegate the authority and assign the duties of the
5 President under this section only to the Secretary of De-
6 fense or the Director of Central Intelligence.

7 ~~“(d) EXCEPTIONS.—Subsection (a) shall not apply~~
8 to the provision of intelligence—

9 ~~“(1) that is provided only to, and for the use~~
10 of, United States Government personnel serving with
11 the United Nations; or

12 ~~“(2) that is essential for the protection of na-~~
13 tionals of the United States, including members of
14 the United States Armed Forces and civilian person-
15 nel of the United States Government.

16 ~~“(e) RELATIONSHIP TO EXISTING LAW.—Nothing~~
17 in this section shall be construed to—

18 ~~“(1) impair or otherwise affect the authority~~
19 of the Director of Central Intelligence to protect in-
20 telligence sources and methods from unauthorized
21 disclosure pursuant to section 103(c)(5) of the Na-
22 tional Security Act of 1947 (50 U.S.C. 403–3(c)(5));
23 or

24 ~~“(2) supersede or otherwise affect the provi-~~
25 sions of—

1 ~~“(A) title V of the National Security Act~~
2 ~~of 1947 (50 U.S.C. 413–415); or~~

3 ~~“(B) section 112b of title 1, United~~
4 ~~States Code.”.~~

5 ~~“(b) EFFECTIVE DATE.—The amendment made by~~
6 ~~subsection (a) shall take effect 60 days after the date of~~
7 ~~the enactment of this Act.”~~

8 **SEC. 512. CONDITIONS ON PROVISION OF INTELLIGENCE**
9 **TO THE UNITED NATIONS.**

10 (a) *IN GENERAL.*—*The United Nations Participation*
11 *Act of 1945 (22 U.S.C. 287 et seq.) is further amended by*
12 *adding the following new section:*

13 “*SEC. 12. (a) PROVISION OF INTELLIGENCE INFORMA-*
14 *TION TO THE UNITED NATIONS.—Before intelligence infor-*
15 *mation is provided by the United States to the United Na-*
16 *tions, the President shall ensure that the Director of Central*
17 *Intelligence, in consultation with the Secretary of State and*
18 *the Secretary of Defense, has established guidelines govern-*
19 *ing the provision of intelligence information to the United*
20 *Nations which shall protect intelligence sources and meth-*
21 *ods from unauthorized disclosure in accordance with section*
22 *103(c)(5) of the National Security Act of 1947 (50 U.S.C.*
23 *403–3(c)(5)).*

24 “(b) *PERIODIC AND SPECIAL REPORTS.*—(1) *The*
25 *President shall periodically report, but not less frequently*

1 *than semiannually, to the Committee on International Re-*
2 *lations and the Permanent Select Committee on Intelligence*
3 *of the House and the Committee on Foreign Relations and*
4 *the Select Committee on Intelligence of the Senate on the*
5 *types of intelligence provided to the United Nations and*
6 *the purposes for which it was provided during the period*
7 *covered by the report. The President shall also report to the*
8 *Permanent Select Committee on Intelligence of the House*
9 *of Representatives and the Select Committee on Intelligence*
10 *of the Senate, within 15 days after it becomes known to*
11 *him, any unauthorized disclosure of intelligence provided*
12 *to the United Nations.*

13 “(2) *The requirement for periodic reports under the*
14 *first sentence of paragraph (1) of this subsection shall not*
15 *apply to the provision of intelligence that is provided only*
16 *to, and for the use of, United States Government personnel*
17 *serving with the United Nations.*

18 “(c) *DELEGATION OF DUTIES.—The President may*
19 *not delegate the duties of the President under this section.*

20 “(d) *IMPROVED HANDLING OF INTELLIGENCE INFOR-*
21 *MATION BY THE UNITED NATIONS.—The Secretary of State*
22 *(or the designee of the Secretary), in consultation with the*
23 *Director of Central Intelligence and the Secretary of De-*
24 *fense, shall work with the United Nations to improve the*

1 *handling, processing, dissemination, and management of*
2 *all intelligence information provided to it by its members.*

3 “(e) *RELATIONSHIP TO EXISTING LAW.—Nothing in*
4 *this section shall be construed to—*

5 “(1) *impair or otherwise affect the authority of*
6 *the Director of Central Intelligence to protect intel-*
7 *ligence sources and methods from unauthorized disclo-*
8 *sure pursuant to section 103(c)(5) of the National Se-*
9 *curity Act of 1947 (50 U.S.C. 403–3(c)(5)); or*

10 “(2) *supersede or otherwise affect the provisions*
11 *of title V of the National Security Act of 1947 (50*
12 *U.S.C. 413–415).”.*

13 (b) *EFFECTIVE DATE.—The amendment made by sub-*
14 *section (a) shall take effect 45 days after the date of the*
15 *enactment of this Act.*

16 **TITLE VI—REVITALIZATION AND**
17 **EXPANSION OF THE NORTH**
18 **ATLANTIC TREATY ORGANI-**
19 **ZATION**

20 **SEC. 601. SHORT TITLE.**

21 This title may be cited as the “NATO Revitalization
22 and Expansion Act of 1995”.

23 **SEC. 602. FINDINGS.**

24 The Congress makes the following findings:

1 (1) Since 1948, the North Atlantic Treaty Or-
2 ganization (NATO) has helped to guarantee the se-
3 curity, freedom, and prosperity of the United States
4 and its partners in the alliance.

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

7 (3) The steadfast and sustained commitment of
8 the member countries of NATO to mutual defense
9 against the threat of communist domination played
10 a significant role in precipitating the collapse of the
11 Iron Curtain and the demise of the Soviet Union.

12 (4) In the place of that threat, new security
13 threats are emerging to the shared interests of the
14 member countries of NATO.

15 (5) Although these new threats are more geo-
16 graphically and functionally diverse and less predict-
17 able, they still imperil shared interests of the United
18 States and its NATO allies.

19 (6) Western interests must be protected on a
20 cooperative basis without an undue burden falling
21 upon the United States.

22 (7) NATO is the only multilateral organization
23 that is capable of conducting effective military oper-
24 ations to protect Western interests.

1 (8) The valuable experience gained from ongoing
2 military cooperation within NATO was critical to
3 the success of joint military operations in the 1991
4 liberation of Kuwait.

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

8 (10) Admission of Central and East European
9 countries that have recently been freed from Communist
10 domination to NATO could contribute to
11 international peace and enhance the security of
12 those countries.

13 (11) A number of countries, including the
14 Visegrad countries (the Czech Republic, Hungary,
15 Poland, and Slovakia), the Baltic states (Estonia,
16 Latvia, and Lithuania), and Ukraine, have expressed
17 interest in NATO membership.

18 (12) In recognition of this interest, the Partnership
19 for Peace proposal offers limited military cooperation
20 to many European countries not currently
21 members of NATO, but fails to establish benchmarks
22 or guidelines for eventual NATO membership.

23 (13) In particular, Poland, Hungary, the Czech
24 Republic, and Slovakia have made significant
25 progress toward establishing democratic institutions,

1 free market economies, civilian control of their
2 armed forces, police, and intelligence services, and
3 the rule of law since the fall of their previous Com-
4 munist governments.

5 **SEC. 603. UNITED STATES POLICY.**

6 It should be the policy of the United States—

7 (1) to continue the Nation's commitment to an
8 active leadership role in NATO;

9 (2) to join with the Nation's NATO allies to re-
10 define the role of the alliance in the post-Cold War
11 world, taking into account—

12 (A) the fundamentally changed security en-
13 vironment of Central and Eastern Europe;

14 (B) the need to assure all countries of the
15 defensive nature of the alliance and the desire
16 of its members to work cooperatively with all
17 former adversaries;

18 (C) the emerging security threats posed by
19 the proliferation of nuclear, chemical, and bio-
20 logical weapons of mass destruction and the
21 means to deliver them;

22 (D) the continuing challenges to the inter-
23 ests of all NATO member countries posed by
24 unstable and undemocratic regimes harboring
25 hostile intentions; and

1 ~~(E)~~ the dependence of the global economy
2 on a stable energy supply and the free flow of
3 commerce;

4 ~~(3)~~ to affirm that NATO military planning
5 should include joint military operations beyond the
6 geographic bounds of the alliance under Article 4 of
7 the North Atlantic Treaty when the shared interests
8 of the United States and other member countries re-
9 quire such action to defend vital interests;

10 ~~(4)~~ that Poland, Hungary, the Czech Republic,
11 and Slovakia should be in a position to further the
12 principles of the North Atlantic Treaty and to con-
13 tribute to the security of the North Atlantic area not
14 later than January 10, 1999 (5 years from the date
15 of the establishment of the Partnership for Peace),
16 and, in accordance with Article 10 of such Treaty,
17 should be invited to become full NATO members not
18 later than that date, provided these countries—

19 ~~(A)~~ meet appropriate standards, includ-
20 ing—

21 ~~(i)~~ shared values and interests;

22 ~~(ii)~~ democratic governments;

23 ~~(iii)~~ free market economies;

24 ~~(iv)~~ civilian control of the military, of

25 the police, and of intelligence services;

1 (v) adherence to the values, principles,
2 and political commitments embodied in the
3 Helsinki Final Act of the Conference on
4 Security and Cooperation in Europe;

5 (vi) commitment to further the prin-
6 ciples of NATO and to contribute to the
7 security of the North Atlantic area;

8 (vii) commitment to accept the obliga-
9 tions, responsibilities, and costs of NATO
10 membership; and

11 (viii) commitment to implement infra-
12 structure development activities that will
13 facilitate participation in and support for
14 NATO military activities; and

15 (B) remain committed to protecting the
16 rights of all their citizens and respecting the
17 territorial integrity of their neighbors;

18 (5) that the United States, other NATO mem-
19 ber nations, and NATO itself should furnish appro-
20 priate assistance to facilitate the transition of Po-
21 land, Hungary, the Czech Republic, and Slovakia to
22 full NATO membership not later than January 10,
23 1999; and

24 (6) that other European countries emerging
25 from communist domination, in particular the Baltic

1 states (Estonia, Latvia, and Lithuania) and
2 Ukraine, may be in a position at a future date to
3 further the principles of the North Atlantic Treaty
4 and to contribute to the security of the North Atlan-
5 tic area, and at the appropriate time they should re-
6 ceive assistance to facilitate their transition to full
7 NATO membership and should be invited to become
8 full NATO members.

9 **SEC. 604. REVISIONS TO PROGRAM TO FACILITATE TRANSI-**
10 **TION TO NATO MEMBERSHIP.**

11 (a) ESTABLISHMENT OF PROGRAM.—Subsection (a)
12 of section 203 of the NATO Participation Act of 1994
13 (title II of Public Law 103–447; 22 U.S.C. 1928 note)
14 is amended to read as follows:

15 “(a) ESTABLISHMENT OF PROGRAM.—The President
16 shall establish a program to assist in the transition to full
17 NATO membership of Poland, Hungary, the Czech Re-
18 public, and Slovakia and any other European country
19 emerging from communist domination that is designated
20 by the President under subsection (d)(2).”.

21 (b) ELIGIBLE COUNTRIES.—

22 (1) DESIGNATED COUNTRIES.—Subsection (d)
23 of such section is amended to read as follows:

24 “(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

1 “(1) SPECIFIED COUNTRIES.—The following
2 countries are hereby designated for purposes of this
3 title: Poland, Hungary, the Czech Republic, and Slo-
4 vakia.

5 “(2) AUTHORITY FOR PRESIDENT TO DES-
6 IGNATE OTHER EUROPEAN COUNTRIES EMERGING
7 FROM COMMUNIST DOMINATION.—The President
8 may designate other European countries emerging
9 from communist domination (as defined in section
10 206) to receive assistance under the program estab-
11 lished under subsection (a). The President may
12 make such a designation in the case of any such
13 country only if the President determines, and re-
14 ports to the designated congressional committees,
15 that such country—

16 “(A) has made significant progress toward
17 establishing—

18 “(i) shared values and interests;

19 “(ii) democratic governments;

20 “(iii) free market economies;

21 “(iv) civilian control of the military, of
22 the police, and of intelligence services;

23 “(v) adherence to the values, prin-
24 ciples, and political commitments embodied
25 in the Helsinki Final Act of the Conference

1 on Security and Cooperation in Europe;
2 and

3 “(vi) commitment to further the prin-
4 ciples of NATO and to contribute to the
5 security of the North Atlantic area;

6 “(vii) commitment to accept the obli-
7 gations, responsibilities, and costs of
8 NATO membership; and

9 “(viii) commitment to implement in-
10 frastructure development activities that
11 will facilitate participation in and support
12 for NATO military activities; and

13 “(B) is likely, within five years of such de-
14 termination, to be in a position to further the
15 principles of the North Atlantic Treaty and to
16 contribute to the security of the North Atlantic
17 area.”.

18 ~~(2) CONFORMING AMENDMENTS.—~~

19 (A) Subsections (b) and (c) of such section
20 are amended by striking “countries described in
21 such subsection” and inserting “countries des-
22 ignated under subsection (d)”.

23 (B) Subsection (e) of such section is
24 amended—

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

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

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

8 (c) TYPES OF ASSISTANCE.—

9 (1) ECONOMIC SUPPORT ASSISTANCE.—Sub-
10 section (e) of section 203 of such Act is amended—

11 (A) by redesignating paragraphs (3) and
12 (4) as paragraphs (4) and (5), respectively; and

13 (B) by inserting after paragraph (2) the
14 following new paragraph (3):

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

18 (2) ADDITIONAL ASSISTANCE.—

19 (A) IN GENERAL.—Subsection (f) of such
20 section is amended to read as follows:

21 “(f) ADDITIONAL ASSISTANCE.—In carrying out the
22 program established under subsection (a), the President
23 may, in addition to the security assistance authorized to
24 be provided under subsection (c), provide assistance to
25 countries designated under subsection (d) from funds ap-

1 appropriated under the ‘Nonproliferation and Disarmament
2 Fund’ account.”.

3 (B) EFFECTIVE DATE.—The amendment
4 made by subparagraph (A) does not apply with
5 respect to funds appropriated before the date of
6 the enactment of this Act.

7 (d) DISQUALIFICATION FROM ASSISTANCE FOR SUP-
8 PORT OF TERRORISM.—Section 203 of such Act is further
9 amended by adding at the end the following new sub-
10 section:

11 “(g) PROHIBITION ON PROVIDING ASSISTANCE TO
12 FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILI-
13 TARY EQUIPMENT TO COUNTRIES SUPPORTING INTER-
14 NATIONAL TERRORISM.—Assistance may only be provided
15 through the program established under subsection (a) sub-
16 ject to the same terms and conditions that apply under
17 section 563 of the Foreign Operations, Export Financing,
18 and Related Programs Appropriations Act, 1995 (Public
19 Law 103–306), with respect to the making available to
20 foreign governments of funds appropriated or otherwise
21 made available under that Act.”.

22 (e) ANNUAL REPORT.—Section 205 of the NATO
23 Participation Act of 1994 (title II of Public Law 103–
24 447; 22 U.S.C. 1928 note) is amended—

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

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

5 (3) by redesignating paragraphs (1) and (2) as
6 paragraphs (2) and (3), respectively;

7 (4) by inserting before paragraph (2), as so re-
8 designated, the following new paragraph (1):

9 “(1) An assessment of the progress made by
10 Poland, Hungary, the Czech Republic, and Slovakia
11 and by any country designated by the President
12 under section 203(d)(2) toward meeting the stand-
13 ards for NATO membership set forth in Article 10
14 of the North Atlantic Treaty, including—

15 “(A) an assessment of the progress of each
16 such country toward establishing—

17 “(i) shared values and interests;

18 “(ii) democratic governments;

19 “(iii) free market economies;

20 “(iv) civilian control of the military, of
21 the police, and of intelligence services;

22 “(v) adherence to the values, prin-
23 ciples, and political commitments embodied
24 in the Helsinki Final Act of the Conference
25 on Security and Cooperation in Europe;

1 ~~“(vi) commitment to further the prin-~~
2 ~~iples of NATO and to contribute to the~~
3 ~~security of the North Atlantic area;~~

4 ~~“(vii) commitment to accept the obli-~~
5 ~~gations, responsibilities, and costs of~~
6 ~~NATO membership; and~~

7 ~~“(viii) commitment to implement in-~~
8 ~~frastructure development activities that~~
9 ~~will facilitate participation in and support~~
10 ~~for NATO military activities; and~~

11 ~~“(B) the commitment of each such country~~
12 ~~to protecting the rights of all its citizens and~~
13 ~~respecting the territorial integrity of its neigh-~~
14 ~~bors.”; and~~

15 ~~(5) in paragraphs (2) and (3), as so redesi-~~
16 ~~gnated, by striking “and other” and all that follows~~
17 ~~through the period at the end and inserting “and~~
18 ~~any country designated by the President pursuant to~~
19 ~~section 203(d)(2).”.~~

20 ~~(f) DEFINITIONS.—The NATO Participation Act of~~
21 ~~1994 (title II of Public Law 103–447; 22 U.S.C. 1928~~
22 ~~note) is amended by adding at the end the following new~~
23 ~~section:~~

24 ~~“SEC. 206. DEFINITIONS.~~

25 ~~“For purposes of this title:~~

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

3 ~~“(2) OTHER EUROPEAN COUNTRIES EMERGING~~
4 ~~FROM COMMUNIST DOMINATION.—The term ‘other~~
5 ~~European countries emerging from communist domi-~~
6 ~~nation’ means—~~

7 ~~“(A) any member of the Partnership for~~
8 ~~Peace that is located—~~

9 ~~“(i) in the territory of the former~~
10 ~~Union of Soviet Socialist Republics; or~~

11 ~~“(ii) in the territory of the former So-~~
12 ~~cialist Federal Republic of Yugoslavia; or~~

13 ~~“(B) Estonia, Latvia, Lithuania, Romania,~~
14 ~~Bulgaria, or Albania.~~

15 ~~“(3) DESIGNATED CONGRESSIONAL COMMIT-~~
16 ~~TEES.—The term ‘designated congressional commit-~~
17 ~~tees’ means—~~

18 ~~“(A) the Committee on International Rela-~~
19 ~~tions, the Committee on National Security, and~~
20 ~~the Committee on Appropriations of the House~~
21 ~~of Representatives; and~~

22 ~~“(B) the Committee on Foreign Relations,~~
23 ~~the Committee on Armed Services, and the~~
24 ~~Committee on Appropriations of the Senate.”.~~

1 **TITLE VII—BUDGET FIREWALLS**

2 **SEC. 701. RESTORATION OF BUDGET FIREWALLS FOR DE-**
 3 **FENSE SPENDING.**

4 It is the sense of the Congress that so-called “budget
 5 firewalls” between defense and domestic discretionary
 6 spending should be established for each of fiscal years
 7 1996, 1997, and 1998.

8 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

9 **(a) SHORT TITLE.—This Act may be cited as**
 10 **the “National Security Revitalization Act”.**

11 **(b) TABLE OF CONTENTS.—The table of con-**
 12 **tents for this Act is as follows:**

Sec. 1. Short title; table of contents.

TITLE I—FINDINGS, POLICY, AND PURPOSES

- Sec. 101. Findings.**
- Sec. 102. Policy.**
- Sec. 103. Purposes.**

TITLE II—MISSILE DEFENSE

- Sec. 201. Policy.**
- Sec. 202. Actions of the Secretary of Defense.**
- Sec. 203. Report to Congress.**

**TITLE III—REVITALIZATION OF NATIONAL SECURITY
 COMMISSION**

- Sec. 301. Establishment.**
- Sec. 302. Composition.**
- Sec. 303. Duties.**
- Sec. 304. Reports.**
- Sec. 305. Powers.**
- Sec. 306. Commission procedures.**
- Sec. 307. Personnel matters.**
- Sec. 308. Termination of the commission.**
- Sec. 309. Funding.**

TITLE IV—COMMAND OF UNITED STATES FORCES

- Sec. 401. Limitation on expenditure of Department of Defense funds for United States forces placed under command or operational control of a foreign national acting on behalf of the United Nations.**
- Sec. 402. Limitation on placement of United States Armed Forces under foreign control for a United Nations peacekeeping activity.**

TITLE V—UNITED NATIONS

- Sec. 501. Credit against assessment for United States expenditures in support of United Nations peacekeeping operations.**
- Sec. 502. Codification of required notice to Congress of proposed United Nations peacekeeping activities.**
- Sec. 503. Notice to Congress regarding United States contributions for United Nations peacekeeping activities.**
- Sec. 504. Revised notice to Congress regarding United States assistance for United Nations peacekeeping activities.**
- Sec. 505. United States contributions to United Nations peacekeeping activities.**
- Sec. 506. Reimbursement to the United States for in-kind contributions to United Nations peacekeeping activities.**
- Sec. 507. Prohibition on use of funds to pay United States assessed or voluntary contributions for United Nations peacekeeping activities.**
- Sec. 508. Limitation on use of Department of Defense funds for United States share of costs of United Nations peacekeeping activities.**
- Sec. 509. Codification of limitation on amount of United States assessed contributions for United Nations peacekeeping operations.**
- Sec. 510. Buy American requirement.**
- Sec. 511. United Nations budgetary and management reform.**
- Sec. 512. Conditions on provision of intelligence to the United Nations.**

TITLE VI—EXPANSION OF THE NORTH ATLANTIC TREATY ORGANIZATION

- Sec. 601. Short title.**
- Sec. 602. Findings.**
- Sec. 603. United States policy.**
- Sec. 604. Revisions to program to facilitate transition to NATO membership.**

TITLE VII—BUDGET FIREWALLS

- Sec. 701. Restoration of budget firewalls for defense spending.**

1 **TITLE I—FINDINGS, POLICY, AND**
2 **PURPOSES**

3 **SEC. 101. FINDINGS.**

4 **The Congress finds the following:**

5 **(1) Since January 1993, presidential**
6 **budgets and budget plans have set forth**
7 **a reduction in defense spending of**
8 **\$156,000,000,000 through fiscal year 1999.**

9 **(2) The fiscal year 1995 budget is the**
10 **10th consecutive year of reductions in**
11 **real defense spending and, with the ex-**
12 **ception of fiscal year 1948, represents the**
13 **lowest percentage of gross domestic prod-**
14 **uct for any defense budget since World**
15 **War II.**

16 **(3) During fiscal year 1995, the num-**
17 **ber of active duty, reserve component,**
18 **and civilian personnel of the Department**
19 **of Defense will be reduced by 182,000, a**
20 **rate of over 15,000 per month or over 500**
21 **per day. The Bureau of Labor Statistics**
22 **estimates that 1,200,000 defense-related**
23 **private sector jobs will be lost by 1997.**

24 **(4) Despite severe reductions and**
25 **shortfalls in defense funding and force**

1 **structure, since 1993 United States mili-**
2 **tary forces have been deployed more**
3 **often and committed to more peacetime**
4 **missions per year than ever before. Most**
5 **of these missions involve United Nations**
6 **peacekeeping and humanitarian efforts.**
7 **At the end of fiscal year 1994, over 70,000**
8 **United States personnel were serving in**
9 **such regions as Iraq, Bosnia, Macedonia,**
10 **the Adriatic Sea, Rwanda, and the Carib-**
11 **bean Sea for missions involving Haiti and**
12 **Cuba.**

13 **(5) United Nations assessments to the**
14 **United States for peacekeeping missions**
15 **totaled over \$1,000,000,000 in 1994. The**
16 **United States is assessed 31.7 percent of**
17 **annual United Nations costs for peace-**
18 **keeping. The next highest contributor,**
19 **Japan, only pays 12.5 percent of such**
20 **costs. The Department of Defense also in-**
21 **currs hundreds of millions of dollars in**
22 **costs every year for United States mili-**
23 **tary participation in United Nations**
24 **peacekeeping or humanitarian missions,**
25 **most of which are not reimbursed by the**

1 **United Nations. For fiscal year 1994,**
2 **these Department of Defense costs to-**
3 **taled over \$1,721,000,000.**

4 **(6) Credible and effective collective**
5 **action on international security con-**
6 **cerns, through the United Nations and re-**
7 **gional organizations such as the North**
8 **Atlantic Treaty Organization can, in ap-**
9 **propriate cases, advance world peace,**
10 **strengthen the national security of the**
11 **United States, and foster more equitable**
12 **burden-sharing with friends and allies of**
13 **the United States in military, political,**
14 **and financial terms.**

15 **(7) A return to the “hollow forces” of**
16 **the 1970s has already begun. At the end**
17 **of fiscal year 1994, one-third of the units**
18 **in the Army contingency force and all of**
19 **the forward-deployed and follow-on Army**
20 **divisions were reporting a reduced state**
21 **of military readiness. During fiscal year**
22 **1994, training readiness declined for the**
23 **Navy’s Atlantic and Pacific fleets. Fund-**
24 **ing shortfalls for that fiscal year resulted**
25 **in a grounding of Navy and Marine Corps**

1 **aircraft squadrons and cancellation and**
2 **curtailment of Army training exercises.**
3 **Marine and naval personnel are not**
4 **maintaining the standard 12- to 18-month**
5 **respite between six-month deployments**
6 **away from home. Marine Corps units are**
7 **spending up to two of their first four**
8 **years away from their base camps. The**
9 **significantly increased pace of Depart-**
10 **ment of Defense operations has United**
11 **States forces over deployed.**

12 **(8) As of January 1, 1995, military pay**
13 **is approximately 12.8 percent below com-**
14 **parable civilian levels. As a result, it is**
15 **estimated that close to 17,000 junior en-**
16 **listed personnel have to rely on food**
17 **stamps and the Department of Defense**
18 **will soon begin providing supplementary**
19 **food benefits to an estimated 11,000 mili-**
20 **tary personnel and dependents living**
21 **overseas.**

22 **(9) Defense modernization programs**
23 **to maintain the battlefield technology**
24 **edge of the United States over other na-**
25 **tions are being delayed or canceled in an**

1 **attempt to prevent the further erosion of**
2 **military force readiness.**

3 **(10) The centerpiece of the Adminis-**
4 **tration’s defense strategy, the Bottom Up**
5 **Review, reduces Navy ships by one-third,**
6 **Air Force wings by almost one-half, and**
7 **funding for missile defenses by over 50**
8 **percent, and the General Accounting Of-**
9 **ice has reported that even the restrictive**
10 **Bottom Up Review could be underfunded**
11 **by \$150,000,000,000.**

12 **(11) The Administration has initially**
13 **agreed to or proposed treaty limitations,**
14 **or has unilaterally adopted positions,**
15 **that prohibit the United States from test-**
16 **ing or deploying effective missile defense**
17 **systems.**

18 **SEC. 102. POLICY.**

19 **The Congress is committed to providing**
20 **adequate resources to protect the national se-**
21 **curity interests of the United States.**

22 **SEC. 103. PURPOSES.**

23 **The purposes of this Act are—**

24 **(1) to establish a commission to reas-**
25 **sess United States military needs and re-**

1 **verse the continuing downward spiral of**
2 **defense spending;**

3 **(2) to commit the United States to ac-**
4 **celerate the development and deployment**
5 **of theater and national ballistic missile**
6 **defense capabilities;**

7 **(3) to restrict deployment of United**
8 **States forces to missions that are in the**
9 **national security interest of the United**
10 **States;**

11 **(4) to maintain command and control**
12 **by United States personnel of United**
13 **States forces participating in United Na-**
14 **tions peacekeeping operations;**

15 **(5) to reduce the cost to the United**
16 **States of United Nations peacekeeping**
17 **activities and to press for reforms in the**
18 **United Nations management practices;**
19 **and**

20 **(6) to reemphasize the commitment of**
21 **the United States to a strong and viable**
22 **North Atlantic Treaty Organization.**

1 **TITLE II—MISSILE DEFENSE**

2 **SEC. 201. POLICY.**

3 **It shall be the policy of the United States**
4 **to—**

5 **(1) deploy at the earliest possible date**
6 **an antiballistic missile system that is ca-**
7 **pable of providing a highly effective de-**
8 **fense of the United States against ballis-**
9 **tic missile attacks; and**

10 **(2) provide at the earliest possible**
11 **date highly effective theater missile de-**
12 **fenses (TMDs) to forward-deployed and**
13 **expeditionary elements of the Armed**
14 **Forces of the United States and to friend-**
15 **ly forces and allies of the United States.**

16 **SEC. 202. ACTIONS OF THE SECRETARY OF DEFENSE.**

17 **(a) ABM SYSTEMS.—The Secretary of De-**
18 **fense shall develop for deployment at the ear-**
19 **liest possible date a cost-effective, operation-**
20 **ally effective antiballistic missile system de-**
21 **signed to protect the United States against**
22 **ballistic missile attacks.**

23 **(b) ADVANCED THEATER MISSILE DE-**
24 **FENSES.—The Secretary of Defense shall de-**
25 **velop for deployment at the earliest possible**

1 **date advanced theater missile defense sys-**
2 **tems.**

3 **SEC. 203. REPORT TO CONGRESS.**

4 **(a) REQUIREMENT.—Not later than 60 days**
5 **after the date of the enactment of this Act, the**
6 **Secretary of Defense shall submit to the con-**
7 **gressional defense committees a plan for the**
8 **deployment of an antiballistic missile system**
9 **pursuant to section 202(a) and for the deploy-**
10 **ment of theater missile defense systems pur-**
11 **suant to section 202(b).**

12 **(b) CONGRESSIONAL DEFENSE COMMIT-**
13 **TEES.—For purposes of this section, the term**
14 **“congressional defense committees” means—**

15 **(1) the Committee on National Secu-**
16 **rity and the Committee on Appropria-**
17 **tions of the House of Representatives;**
18 **and**

19 **(2) the Committee on Armed Services**
20 **and the Committee on Appropriations of**
21 **the Senate.**

1 **TITLE III—REVITALIZATION OF**
2 **NATIONAL SECURITY COM-**
3 **MISSION**

4 **SEC. 301. ESTABLISHMENT.**

5 **There is hereby established a commission**
6 **to be known as the “Revitalization of National**
7 **Security Commission” (hereinafter in this**
8 **title referred to as the “Commission”).**

9 **SEC. 302. COMPOSITION.**

10 **(a) APPOINTMENT.—The Commission shall**
11 **be composed of 12 members, appointed as fol-**
12 **lows:**

13 **(1) Four members shall be appointed**
14 **by the President.**

15 **(2) Four members shall be appointed**
16 **by the Speaker of the House of Rep-**
17 **resentatives in consultation with the mi-**
18 **nority leader of the House of Representa-**
19 **tives.**

20 **(3) Four members shall be appointed**
21 **by the President pro tempore of the Sen-**
22 **ate upon the recommendation of the ma-**
23 **jority leader and the minority leader of**
24 **the Senate.**

1 **(b) QUALIFICATIONS.—The members of the**
2 **Commission shall be appointed from among**
3 **persons having knowledge and experience in**
4 **defense and foreign policy.**

5 **(c) TERM OF MEMBERS; VACANCIES.—Mem-**
6 **bers of the Commission shall be appointed for**
7 **the life of the Commission. A vacancy on the**
8 **Commission shall not affect its powers, but**
9 **shall be filled in the same manner as the origi-**
10 **nal appointment was made.**

11 **(d) COMMENCEMENT.—The members of the**
12 **Commission shall be appointed not later than**
13 **21 days after the date of the enactment of this**
14 **Act. The Commission shall convene its first**
15 **meeting to carry out its duties under this sec-**
16 **tion 14 days after seven members of the Com-**
17 **mission have been appointed.**

18 **(e) CHAIRMAN.—The chairman of the Com-**
19 **mission shall be designated jointly by the**
20 **Speaker of the House of Representatives and**
21 **the majority leader of the Senate from among**
22 **members of the Commission appointed under**
23 **subsection (a)(2) or (a)(3).**

1 SEC. 303. DUTIES.

2 (a) **COMPREHENSIVE REVIEW.**—The Commis-
3 sion shall conduct a comprehensive review of
4 the long-term national security needs of the
5 United States. The review shall include the
6 following:

7 (1) An assessment of the need for a
8 new national security strategy and, if it is
9 determined that such a new strategy is
10 needed, identification of such a strategy.

11 (2) An assessment of the need for a
12 new national military strategy and, if it is
13 determined that such a new strategy is
14 needed, identification of such a strategy.

15 (3) An assessment of the military
16 force structure necessary to support the
17 new strategies identified under para-
18 graphs (1) and (2).

19 (4) An assessment of force moderniza-
20 tion requirements necessary to support
21 the new strategies identified under para-
22 graphs (1) and (2).

23 (5) An assessment of military infra-
24 structure requirements necessary to sup-
25 port the new strategies identified under
26 paragraphs (1) and (2).

1 **(6) An assessment of the funding**
2 **needs of the Department of Defense nec-**
3 **essary to support the long-term national**
4 **security requirements of the United**
5 **States.**

6 **(7) An assessment of the adequacy of**
7 **the force structure recommended in the**
8 **1993 Bottom-Up Review in executing the**
9 **national military strategy.**

10 **(8) An assessment of the adequacy of**
11 **the current future-years defense plan in**
12 **fully funding the Bottom-Up Review force**
13 **structure while maintaining adequate**
14 **force modernization and military readi-**
15 **ness objectives.**

16 **(9) An assessment of the level of de-**
17 **fense funds expended on non-defense**
18 **programs.**

19 **(10) An assessment of the costs to the**
20 **United States of expanding the member-**
21 **ship of the North Atlantic Treaty Organi-**
22 **zation.**

23 **(b) MATTERS TO BE CONSIDERED.—In carry-**
24 **ing out the review, the Commission shall de-**

1 **velop specific recommendations to accom-**
2 **plish each of the following:**

3 **(1) Provide members of the Armed**
4 **Forces with annual pay raises and other**
5 **compensation at levels sufficient to begin**
6 **closing the gap with comparable civilian**
7 **pay levels.**

8 **(2) Fully fund cost-effective missile**
9 **defense systems that are deployable at**
10 **the earliest possible date following enact-**
11 **ment of this Act.**

12 **(3) Maintain adequate funding for**
13 **military readiness accounts without sac-**
14 **rificing modernization programs.**

15 **(4) Provide a stronger role for Guard**
16 **and Reserve forces.**

17 **(5) Provide a new funding system to**
18 **avoid diversions from military readiness**
19 **accounts to pay for peacekeeping and hu-**
20 **manitarian deployments such as Haiti**
21 **and Rwanda.**

22 **(6) Support security enhancing meas-**
23 **ures in the Asia-Pacific, including sup-**
24 **port for the Association of Southeast**
25 **Asian Nations (“ASEAN”) Regional**

1 **Forum, which is a regionwide security**
2 **dialogue encompassing the major Asia-**
3 **Pacific nations.**

4 **SEC. 304. REPORTS.**

5 **(a) FINAL REPORT.—The Commission shall**
6 **submit to the President and the designated**
7 **congressional committees a report on the as-**
8 **sessments and recommendations referred to**
9 **in section 303 not later than January 1, 1996.**
10 **The report shall be submitted in unclassified**
11 **and classified versions.**

12 **(b) INTERIM REPORT.—The Commission**
13 **shall submit to the President and the des-**
14 **ignated congressional committees an interim**
15 **report describing the Commission’s progress**
16 **in fulfilling its duties under section 303. The**
17 **interim report shall include any preliminary**
18 **recommendations the Commission may have**
19 **reached and shall be submitted not later than**
20 **October 1, 1995.**

21 **(c) DESIGNATED CONGRESSIONAL COMMIT-**
22 **TEES.—For purposes of this section, the term**
23 **“designated congressional committees”**
24 **means—**

1 **(1) the Committee on National Secu-**
2 **urity, the Committee on International Re-**
3 **lations, and the Committee on Appropria-**
4 **tions of the House of Representatives;**
5 **and**

6 **(2) the Committee on Armed Services,**
7 **the Committee on Foreign Relations, and**
8 **the Committee on Appropriations of the**
9 **Senate.**

10 **SEC. 305. POWERS.**

11 **(a) HEARINGS.—The Commission may, for**
12 **the purpose of carrying out this section, con-**
13 **duct such hearings, sit and act at such times,**
14 **take such testimony, and receive such evi-**
15 **dence, as the Commission considers appro-**
16 **priate.**

17 **(b) ASSISTANCE FROM OTHER AGENCIES.—**
18 **The Commission may secure directly from**
19 **any department or agency of the Federal Gov-**
20 **ernment such information, relevant to its du-**
21 **ties under this title, as may be necessary to**
22 **carry out such duties. Upon request of the**
23 **chairman of the Commission, the head of the**
24 **department or agency shall, to the extent per-**

1 **mitted by law, furnish such information to the**
2 **Commission.**

3 **(c) MAIL.—The Commission may use the**
4 **United States mails in the same manner and**
5 **under the same conditions as the departments**
6 **and agencies of the Federal Government.**

7 **(d) ASSISTANCE FROM SECRETARY OF DE-**
8 **FENSE.—The Secretary of Defense shall pro-**
9 **vide to the Commission such reasonable ad-**
10 **ministrative and support services as the Com-**
11 **mission may request.**

12 **SEC. 306. COMMISSION PROCEDURES.**

13 **(a) MEETINGS.—The Commission shall**
14 **meet on a regular basis (as determined by the**
15 **chairman) and at the call of the chairman or**
16 **a majority of its members.**

17 **(b) QUORUM.—A majority of the members**
18 **of the Commission shall constitute a quorum**
19 **for the transaction of business.**

20 **SEC. 307. PERSONNEL MATTERS.**

21 **(a) COMPENSATION.—Each member of the**
22 **Commission shall serve without compensa-**
23 **tion, but shall be allowed travel expenses in-**
24 **cluding per diem in lieu of subsistence, as au-**
25 **thorized by section 5703 of title 5, United**

1 **States Code, when engaged in the perform-**
2 **ance of Commission duties.**

3 **(b) STAFF.—The Commission shall appoint**
4 **a staff director, who shall be paid at a rate not**
5 **to exceed the maximum rate of basic pay**
6 **under section 5376 of title 5, United States**
7 **Code, and such professional and clerical per-**
8 **sonnel as may be reasonable and necessary to**
9 **enable the Commission to carry out its duties**
10 **under this title without regard to the provi-**
11 **sions of title 5, United States Code, governing**
12 **appointments in the competitive service, and**
13 **without regard to the provisions of chapter 51**
14 **and subchapter III of chapter 53 of such title,**
15 **or any other provision of law, relating to the**
16 **number, classification, and General Schedule**
17 **rates. No employee appointed under this sub-**
18 **section (other than the staff director) may be**
19 **compensated at a rate to exceed the maximum**
20 **rate applicable to level 15 of the General**
21 **Schedule.**

22 **(c) DETAILED PERSONNEL.—Upon request of**
23 **the chairman of the Commission, the head of**
24 **any department or agency of the Federal Gov-**
25 **ernment is authorized to detail, without reim-**

1 **bursement, any personnel of such department**
2 **or agency to the Commission to assist the**
3 **Commission in carrying out its duties under**
4 **this section. The detail of any such personnel**
5 **may not result in the interruption or loss of**
6 **civil service status or privilege of such per-**
7 **sonnel.**

8 **SEC. 308. TERMINATION OF THE COMMISSION.**

9 **The Commission shall terminate upon**
10 **submission of the final report required by sec-**
11 **tion 303.**

12 **SEC. 309. FUNDING.**

13 **Of the funds available to the Department**
14 **of Defense, \$1,500,000 shall be made available**
15 **to the Commission to carry out the provisions**
16 **of this title.**

1 **TITLE IV—COMMAND OF UNITED**
2 **STATES FORCES**

3 **SEC. 401. LIMITATION ON EXPENDITURE OF DEPARTMENT**
4 **OF DEFENSE FUNDS FOR UNITED STATES**
5 **FORCES PLACED UNDER COMMAND OR**
6 **OPERATIONAL CONTROL OF A FOREIGN NA-**
7 **TIONAL ACTING ON BEHALF OF THE UNITED**
8 **NATIONS.**

9 **(a) IN GENERAL.—(1) Chapter 20 of title 10,**
10 **United States Code, is amended by inserting**
11 **after section 404 the following new section:**

12 **“§ 405. Placement of United States forces under com-**
13 **mand or operational control of foreign**
14 **nationals acting on behalf of the United**
15 **Nations: limitation**

16 **“(a) LIMITATION.—(1) Except as provided in**
17 **subsections (b) and (c), funds appropriated or**
18 **otherwise made available for the Department**
19 **of Defense may not be obligated or expended**
20 **for activities of any element of the armed**
21 **forces that after the date of the enactment of**
22 **this section is placed under the command or**
23 **operational control of a foreign national act-**
24 **ing on behalf of the United Nations for the**
25 **purpose of international peacekeeping, peace-**

1 **making, peace-enforcing, or similar activity**
2 **that is authorized by the Security Council**
3 **under chapter VI or VII of the Charter of the**
4 **United Nations.**

5 **“(2) For purposes of this section, elements**
6 **of the armed forces shall not be considered to**
7 **be placed under the command or operational**
8 **control of a foreign national acting on behalf**
9 **of the United Nations in any case in which the**
10 **senior military commander of the United Na-**
11 **tions force or operation is a United States**
12 **military officer who has the authority to dis-**
13 **miss subordinates in the command chain, es-**
14 **tablish appropriate rules of engagement for**
15 **United States forces involved, and establish**
16 **criteria governing the operational employ-**
17 **ment of such United States forces.**

18 **“(b) EXCEPTION FOR PRESIDENTIAL CERTIFI-**
19 **CATION.—(1) Subsection (a) shall not apply in**
20 **the case of a proposed placement of any ele-**
21 **ment of the armed forces under such com-**
22 **mand or operational control if the President,**
23 **not less than 15 days before the date on which**
24 **such command or operational control is to be-**

1 come effective (or as provided in paragraph
2 (2)), meets the requirements of subsection (d).

3 “(2) If the President certifies to Congress
4 that an emergency exists that precludes the
5 President from meeting the requirements of
6 subsection (d) 15 days before placing any ele-
7 ment of the armed forces under such com-
8 mand or operational control, the President
9 may place such forces under such command
10 or operational control and meet the require-
11 ments of subsection (d) in a timely manner,
12 but in no event later than 48 hours after such
13 command or operational control becomes ef-
14 fective.

15 “(c) EXCEPTION FOR AUTHORIZATION BY
16 LAW.—Subsection (a) shall not apply in the
17 case of a proposed placement of any element
18 of the armed forces under such command or
19 operational control if the Congress specifi-
20 cally authorizes by law that particular place-
21 ment of United States forces under such com-
22 mand or operational control.

23 “(d) PRESIDENTIAL CERTIFICATIONS.—The
24 requirements referred to in subsection (b)(1)

1 are that the President submit to Congress the
2 following:

3 “(1) Certification by the President
4 that—

5 “(A) such a command or oper-
6 ational control arrangement is nec-
7 essary to protect national security in-
8 terests of the United States;

9 “(B) the commander of any unit of
10 the armed forces proposed for place-
11 ment under the command or oper-
12 ational control of a foreign national
13 acting directly on behalf of the Unit-
14 ed Nations will at all times retain the
15 right—

16 “(i) to report independently to
17 superior United States military
18 authorities; and

19 “(ii) to decline to comply with
20 orders judged by the commander
21 to be illegal, militarily imprudent,
22 or beyond the mandate of the mis-
23 sion to which the United States
24 agreed with the United Nations,
25 until such time as that com-

1 **mander receives direction from**
2 **superior United States military**
3 **authorities with respect to the or-**
4 **ders that the commander has de-**
5 **clined to comply with;**

6 **“(C) any element of the armed**
7 **forces proposed for placement under**
8 **the command or operational control**
9 **of a foreign national acting directly**
10 **on behalf of the United Nations will**
11 **at all times remain under United**
12 **States administrative command for**
13 **such purposes as discipline and eval-**
14 **uation; and**

15 **“(D) the United States will retain**
16 **the authority to withdraw any ele-**
17 **ment of the armed forces from the**
18 **proposed operation at any time and**
19 **to take any action it considers nec-**
20 **essary to protect those forces if they**
21 **are engaged.**

22 **“(2) A report setting forth the follow-**
23 **ing:**

24 **“(A) A description of the national**
25 **security interests that require the**

1 **placement of United States forces**
2 **under the command or operational**
3 **control of a foreign national acting**
4 **directly on behalf of the United Na-**
5 **tions.**

6 **“(B) The mission of the United**
7 **States forces involved.**

8 **“(C) The expected size and com-**
9 **position of the United States forces**
10 **involved.**

11 **“(D) The incremental cost to the**
12 **United States of participation in the**
13 **United Nations operation by the Unit-**
14 **ed States forces which are proposed**
15 **to be placed under the command or**
16 **operational control of a foreign na-**
17 **tional.**

18 **“(E) The precise command and**
19 **control relationship between the**
20 **United States forces involved and the**
21 **United Nations command structure.**

22 **“(F) The precise command and**
23 **control relationship between the**
24 **United States forces involved and the**
25 **commander of the United States uni-**

1 **fied command for the region in which**
2 **those United States forces are to op-**
3 **erate.**

4 **“(G) The extent to which the Unit-**
5 **ed States forces involved will rely on**
6 **non-United States forces for security**
7 **and self-defense and an assessment**
8 **on the ability of those non-United**
9 **States forces to provide adequate se-**
10 **curity to the United States forces in-**
11 **volved.**

12 **“(H) The timetable for complete**
13 **withdrawal of the United States**
14 **forces involved.**

15 **“(e) CLASSIFICATION OF REPORT.—A report**
16 **under subsection (c) shall be submitted in un-**
17 **classified form and, if necessary, in classified**
18 **form.**

19 **“(f) INTERPRETATION.—(1) This section is a**
20 **limitation on the expenditure of Department**
21 **of Defense funds for any element of the armed**
22 **forces placed under the command or oper-**
23 **ational control of a foreign national acting on**
24 **behalf of the United Nations and is not to be**
25 **construed as an authorization—**

1 **“(A) for the President to use any ele-**
2 **ment of the armed forces in any oper-**
3 **ation; or**

4 **“(B) for the President to place any**
5 **element of the armed forces under the**
6 **command or operational control of a for-**
7 **eign national.**

8 **“(2) Subject to the power of the Congress**
9 **to declare war under article I, section 8,**
10 **clause 11 of the Constitution, nothing in this**
11 **section shall be construed to derogate or limit**
12 **the authority of the President as commander-**
13 **in-chief of the armed forces under article II,**
14 **section 2, clause 1 of the Constitution.”.**

15 **(2) The table of sections at the beginning**
16 **of subchapter I of such chapter is amended by**
17 **adding at the end the following new item:**

“405. Placement of United States forces under command or
 operational control of foreign nationals acting on
 behalf of the United Nations: limitation.”.

18 **(b) REPORT RELATING TO CONSTITUTIONAL-**
19 **ITY.—No certification may be submitted by the**
20 **President under section 405(d)(1) of title 10,**
21 **United States Code, as added by subsection**
22 **(a), until the President has submitted to the**
23 **Congress (after the date of the enactment of**
24 **this Act) a memorandum of legal points and**

1 **authorities explaining why the placement of**
2 **elements of United States Armed Forces**
3 **under the command or operational control of**
4 **a foreign national acting on behalf of the**
5 **United Nations does not violate the Constitu-**
6 **tion.**

7 **(c) EXCEPTION FOR ONGOING OPERATIONS IN**
8 **MACEDONIA AND CROATIA.—Section 405 of title**
9 **10, United States Code, as added by sub-**
10 **section (a), does not apply in the case of ac-**
11 **tivities of the Armed Forces in Macedonia au-**
12 **thorized pursuant to United Nations Security**
13 **Council Resolution 795, adopted December 11,**
14 **1992, and subsequent reauthorization Resolu-**
15 **tions, and in the case of activities of the**
16 **Armed Forces in Croatia authorized pursuant**
17 **to United Nations Security Council Resolu-**
18 **tion 743, adopted February 21, 1992, and sub-**
19 **sequent reauthorization Resolutions, as part**
20 **of the United Nations force designated as the**
21 **United Nations Protection Force**
22 **(UNPROFOR).**

1 **SEC. 402. LIMITATION ON PLACEMENT OF UNITED STATES**
2 **ARMED FORCES UNDER FOREIGN CONTROL**
3 **FOR A UNITED NATIONS PEACEKEEPING AC-**
4 **TIVITY.**

5 **(a) IN GENERAL.—Section 6 of the United**
6 **Nations Participation Act of 1945 (22 U.S.C.**
7 **287d) is amended to read as follows:**

8 **“SEC. 6. (a) AGREEMENTS WITH SECURITY**
9 **COUNCIL.—(1) Any special agreement de-**
10 **scribed in paragraph (2) that is concluded by**
11 **the President with the Security Council shall**
12 **not be effective unless approved by the Con-**
13 **gress by law.**

14 **“(2) An agreement referred to in para-**
15 **graph (1) is an agreement providing for the**
16 **numbers and types of United States Armed**
17 **Forces, their degree of readiness and general**
18 **locations, or the nature of facilities and assist-**
19 **ance, including rights of passage, to be made**
20 **available to the Security Council for the pur-**
21 **pose of maintaining international peace and**
22 **security in accordance with Article 43 of the**
23 **Charter of the United Nations.**

24 **“(b) LIMITATION.—(1) Except as provided**
25 **in subsections (c) and (d), the President may**
26 **not place any element of the Armed Forces**

1 **under the command or operational control of**
2 **a foreign national acting on behalf of the**
3 **United Nations for the purpose of inter-**
4 **national peacekeeping, peacemaking, peace-**
5 **enforcing, or similar activity that is author-**
6 **ized by the Security Council under chapter VI**
7 **or VII of the Charter of the United Nations.**

8 **“(2) For purposes of this section, elements**
9 **of the Armed Forces shall not be considered**
10 **to be placed under the command or oper-**
11 **ational control of a foreign national acting on**
12 **behalf of the United Nations in any case in**
13 **which the senior military commander of the**
14 **United Nations force or operation is a United**
15 **States military officer who has the authority**
16 **to dismiss subordinates in the command**
17 **chain, establish appropriate rules of engage-**
18 **ment for United States forces involved, and**
19 **establish criteria governing the operational**
20 **employment of such United States forces.**

21 **“(c) EXCEPTION FOR PRESIDENTIAL CERTIFI-**
22 **CATION.—(1) Subsection (b) shall not apply in**
23 **the case of a proposed placement of any ele-**
24 **ment of the Armed Forces under such com-**
25 **mand or operational control if the President,**

1 **not less than 15 days before the date on which**
2 **such command or operational control is to be-**
3 **come effective (or as provided in paragraph**
4 **(2)), meets the requirements of subsection (e).**

5 **“(2) If the President certifies to Congress**
6 **that an emergency exists that precludes the**
7 **President from meeting the requirements of**
8 **subsection (e) 15 days before placing any ele-**
9 **ment of the Armed Forces under such com-**
10 **mand or operational control, the President**
11 **may place such forces under such command**
12 **or operational control and meet the require-**
13 **ments of subsection (e) in a timely manner,**
14 **but in no event later than 48 hours after such**
15 **command or operational control becomes ef-**
16 **fective.**

17 **“(d) EXCEPTION FOR AUTHORIZATION BY**
18 **LAW.—Subsection (b) shall not apply in the**
19 **case of a proposed placement of any element**
20 **of the Armed Forces under such command or**
21 **operational control if the Congress specifi-**
22 **cally authorizes by law that particular place-**
23 **ment of United States forces under such com-**
24 **mand or operational control.**

1 **“(e) PRESIDENTIAL CERTIFICATIONS.—The**
2 **requirements referred to in subsection (c)(1)**
3 **are that the President submit to Congress the**
4 **following:**

5 **“(1) Certification by the President**
6 **that—**

7 **“(A) such a command or oper-**
8 **ational control arrangement is nec-**
9 **essary to protect national security in-**
10 **terests of the United States;**

11 **“(B) the commander of any unit of**
12 **the Armed Forces proposed for place-**
13 **ment under the command or oper-**
14 **ational control of a foreign national**
15 **acting directly on behalf of the Unit-**
16 **ed Nations will at all times retain the**
17 **right—**

18 **“(i) to report independently to**
19 **superior United States military**
20 **authorities; and**

21 **“(ii) to decline to comply with**
22 **orders judged by the commander**
23 **to be illegal, militarily imprudent,**
24 **or beyond the mandate of the mis-**
25 **sion to which the United States**

1 **agreed with the United Nations,**
2 **until such time as that com-**
3 **mander receives direction from**
4 **superior United States military**
5 **authorities with respect to the or-**
6 **ders that the commander has de-**
7 **clined to comply with;**

8 **“(C) any element of the Armed**
9 **Forces proposed for placement under**
10 **the command or operational control**
11 **of a foreign national acting directly**
12 **on behalf of the United Nations will**
13 **at all times remain under United**
14 **States administrative command for**
15 **such purposes as discipline and eval-**
16 **uation; and**

17 **“(D) the United States will retain**
18 **the authority to withdraw any ele-**
19 **ment of the Armed Forces from the**
20 **proposed operation at any time and**
21 **to take any action it considers nec-**
22 **essary to protect those forces if they**
23 **are engaged.**

24 **“(2) A report setting forth the follow-**
25 **ing:**

1 **“(A) A description of the national**
2 **security interests that require the**
3 **placement of United States forces**
4 **under the command or operational**
5 **control of a foreign national acting**
6 **directly on behalf of the United Na-**
7 **tions.**

8 **“(B) The mission of the United**
9 **States forces involved.**

10 **“(C) The expected size and com-**
11 **position of the United States forces**
12 **involved.**

13 **“(D) The incremental cost to the**
14 **United States of participation in the**
15 **United Nations operation by the Unit-**
16 **ed States forces which are proposed**
17 **to be placed under the command or**
18 **operational control of a foreign na-**
19 **tional.**

20 **“(E) The precise command and**
21 **control relationship between the**
22 **United States forces involved and the**
23 **United Nations command structure.**

24 **“(F) The precise command and**
25 **control relationship between the**

1 **United States forces involved and the**
2 **commander of the United States uni-**
3 **fied command for the region in which**
4 **those United States forces are to op-**
5 **erate.**

6 **“(G) The extent to which the Unit-**
7 **ed States forces involved will rely on**
8 **non-United States forces for security**
9 **and self-defense and an assessment**
10 **on the ability of those non-**
11 **United States forces to provide ade-**
12 **quate security to the United States**
13 **forces involved.**

14 **“(H) The timetable for complete**
15 **withdrawal of the United States**
16 **forces involved.**

17 **“(f) CLASSIFICATION OF REPORT.—A report**
18 **under subsection (e) shall be submitted in un-**
19 **classified form and, if necessary, in classified**
20 **form.**

21 **“(g) INTERPRETATION.—Except as author-**
22 **ized in section 7 of this Act, nothing contained**
23 **in this Act shall be construed as an authoriza-**
24 **tion to the President by the Congress to make**
25 **available to the Security Council United**

1 **States Armed Forces, facilities, or assist-**
2 **ance.”.**

3 **(b) REPORT RELATING TO CONSTITUTIONAL-**
4 **ITY.—No certification may be submitted by the**
5 **President under section 6(e)(1) of the United**
6 **Nations Participation Act of 1945, as amended**
7 **by subsection (a), until the President has sub-**
8 **mitted to the Congress (after the date of the**
9 **enactment of this Act) a memorandum of legal**
10 **points and authorities explaining why the**
11 **placement of elements of United States Armed**
12 **Forces under the command or operational**
13 **control of a foreign national acting on behalf**
14 **of the United Nations does not violate the**
15 **Constitution.**

16 **(c) EXCEPTION FOR ONGOING OPERATIONS IN**
17 **MACEDONIA AND CROATIA.—Section 6 of the**
18 **United Nations Participation Act of 1945, as**
19 **amended by subsection (a), does not apply in**
20 **the case of activities of the Armed Forces in**
21 **Macedonia authorized pursuant to United Na-**
22 **tions Security Council Resolution 795, adopt-**
23 **ed December 11, 1992, and subsequent reau-**
24 **thorization Resolutions, and in the case of ac-**
25 **tivities of the Armed Forces in Croatia au-**

1 **thorized pursuant to United Nations Security**
2 **Council Resolution 743, adopted February 21,**
3 **1992, and subsequent reauthorization Resolu-**
4 **tions, as part of the United Nations force des-**
5 **ignated as the United Nations Protection**
6 **Force (UNPROFOR).**

7 **TITLE V—UNITED NATIONS**

8 **SEC. 501. CREDIT AGAINST ASSESSMENT FOR UNITED**
9 **STATES EXPENDITURES IN SUPPORT OF**
10 **UNITED NATIONS PEACEKEEPING OPER-**
11 **ATIONS.**

12 **(a) IN GENERAL.—The United Nations Par-**
13 **ticipation Act of 1945 (22 U.S.C. 287 et seq.) is**
14 **amended by adding at the end the following**
15 **new section:**

16 **“SEC. 10. (a) CREDIT AGAINST ASSESSMENT**
17 **FOR EXPENDITURES IN SUPPORT OF PEACEKEEP-**
18 **ING OPERATIONS.—**

19 **“(1) LIMITATION.—Funds may be obli-**
20 **gated for payment to the United Nations**
21 **of the United States assessed share of**
22 **peacekeeping operations for a fiscal year**
23 **only to the extent that—**

24 **“(A) the amount of such assessed**
25 **share exceeds—**

1 **“(B) the amount equal to—**

2 **“(i) the total amount identi-**
3 **fied in the report submitted pur-**
4 **suant to paragraph (2) for the**
5 **preceding fiscal year, reduced by**

6 **“(ii) the amount of any reim-**
7 **bursement or credit to the United**
8 **States by the United Nations for**
9 **the costs of United States support**
10 **for, or participation in, United**
11 **Nations peacekeeping activities**
12 **for that preceding fiscal year.**

13 **“(2) ANNUAL REPORT.—The President**
14 **shall, at the time of submission of the**
15 **budget to the Congress for any fiscal**
16 **year, submit to the designated congres-**
17 **sional committees a report on the total**
18 **amount of incremental costs incurred by**
19 **the Department of Defense during the**
20 **preceding fiscal year to support or par-**
21 **ticipate in, directly or indirectly, United**
22 **Nations peacekeeping activities. Such re-**
23 **port shall include a separate listing by**
24 **United Nations peacekeeping operation**
25 **of the amount of incremental costs in-**

1 **curred to support or participate in each**
2 **such operation.**

3 **“(3) DEFINITIONS.—For purposes of**
4 **this subsection:**

5 **“(A) UNITED NATIONS PEACEKEEPING**
6 **ACTIVITIES.—The term ‘United Nations**
7 **peacekeeping activities’ means any**
8 **international peacekeeping, peace-**
9 **making, peace-enforcing, or similar**
10 **activity that is authorized by the**
11 **United Nations Security Council**
12 **under chapter VI or VII of the Char-**
13 **ter of the United Nations, except that**
14 **such term does not include any such**
15 **activity authorized under chapter VII**
16 **of such Charter with respect to which**
17 **the President has certified to the**
18 **Congress that the activity is of such**
19 **importance to the national security of**
20 **the United States that the United**
21 **States would undertake the activity**
22 **unilaterally if it were not authorized**
23 **by the United Nations Security Coun-**
24 **cil.**

1 **of subsection (a) of section 407 of the For-**
2 **ign Relations Authorization Act, Fiscal**
3 **Years 1994 and 1995 (Public Law 103-**
4 **236), revised—**

5 **(A) in paragraph (2)—**

6 **(i) in the matter preceding**
7 **subparagraph (A), by inserting**
8 **“in written form not later than**
9 **the 10th day of” after “shall be**
10 **provided”;**

11 **(ii) in subparagraph (A)(iv),**
12 **by inserting “(including facilities,**
13 **training, transportation, commu-**
14 **nication, intelligence, and**
15 **logistical support)” after “covered**
16 **by the resolution”; and**

17 **(iii) in subparagraph (B), by**
18 **adding at the end the following**
19 **new clause:**

20 **“(iv) A description of any**
21 **other United States assistance to**
22 **or support for the operation (in-**
23 **cluding facilities, training, trans-**
24 **portation, communication, intel-**
25 **ligence, and logistical support),**

1 **and an estimate of the cost to the**
2 **United States of such assistance**
3 **or support.”;**

4 **(B) by striking paragraph (3);**

5 **(C) by redesignating paragraph**
6 **(4) as paragraph (3) and in the last**
7 **sentence of subparagraph (A) of that**
8 **paragraph by striking “and (ii)” and**
9 **inserting “through (iv)”;**

10 **(D) by inserting after paragraph**
11 **(3) (as so redesignated) the following**
12 **new paragraph:**

13 **“(4) NEW UNITED NATIONS PEACEKEEP-**
14 **ING OPERATION DEFINED.—As used in para-**
15 **graphs (2) (B) and (3), the term ‘new Unit-**
16 **ed Nations peacekeeping operation’ in-**
17 **cludes any existing or otherwise ongoing**
18 **United Nations peacekeeping operation—**

19 **“(A) that is to be expanded by**
20 **more than 25 percent during the pe-**
21 **riod covered by the Security Council**
22 **resolution, as measured by either the**
23 **number of personnel participating (or**
24 **authorized to participate) in the oper-**

1 **ation or the budget of the operation;**
2 **or**

3 **“(B) that is to be authorized to op-**
4 **erate in a country in which it was not**
5 **previously authorized to operate.”;**
6 **and**

7 **(E) in paragraph (5)—**

8 **(i) by striking “(5) NOTIFICA-**
9 **TION” and all that follows through**
10 **“(B) The President” and inserting**
11 **“(5) QUARTERLY REPORTS.—The**
12 **President”;** and

13 **(ii) by striking “section 4(d)”**
14 **and all that follows through “of**
15 **this section)” and inserting “sub-**
16 **section (d)”.**

17 **(b) CONFORMING REPEAL.—Subsection (a)**
18 **of section 407 of the Foreign Relations Au-**
19 **thorization Act, Fiscal Years 1994 and 1995**
20 **(Public Law 103–236), is repealed.**

21 **(c) DESIGNATED CONGRESSIONAL COMMIT-**
22 **TEES.—Subsection (f) of section 4 of the United**
23 **Nations Participation Act of 1945 (22 U.S.C.**
24 **287b(f)), as redesignated by subsection (a), is**
25 **amended to read as follows:**

1 **“(f) DESIGNATED CONGRESSIONAL COMMIT-**
2 **TEES.—As used in this section, the term ‘des-**
3 **ignated congressional committees’ has the**
4 **meaning given such term in section 10(f).”.**

5 **SEC. 503. NOTICE TO CONGRESS REGARDING UNITED**
6 **STATES CONTRIBUTIONS FOR UNITED NA-**
7 **TIONS PEACEKEEPING ACTIVITIES.**

8 **Section 10 of the United Nations Partici-**
9 **ipation Act of 1945 is amended by adding after**
10 **subsection (a), as added by section 501, the**
11 **following new subsection:**

12 **“(b) NOTICE TO CONGRESS REGARDING CON-**
13 **TRIBUTIONS FOR PEACEKEEPING ACTIVITIES.—**

14 **“(1) NOTICE REGARDING UNITED NATIONS**
15 **BILLING REQUEST.—Not later than 15 days**
16 **after the date on which the United States**
17 **receives from the United Nations a bill-**
18 **ing requesting a payment by the United**
19 **States of any contribution for United Na-**
20 **tions peacekeeping activities, the Presi-**
21 **dent shall so notify the designated con-**
22 **gressional committees.**

23 **“(2) NOTICE REGARDING PROPOSED OBLI-**
24 **GATION OF FUNDS.—The President shall no-**
25 **tify the designated congressional commit-**

1 **tees at least 15 days before the United**
2 **States obligates funds for any assessed or**
3 **voluntary contribution for United Na-**
4 **tions peacekeeping activities, except that**
5 **if the President determines that an emer-**
6 **gency exists which prevents compliance**
7 **with the requirement that such notifica-**
8 **tion be provided 15 days in advance and**
9 **that such contribution is in the national**
10 **security interests of the United States,**
11 **such notification shall be provided in a**
12 **timely manner but no later than 48 hours**
13 **after such obligation.”.**

14 **SEC. 504. REVISED NOTICE TO CONGRESS REGARDING**
15 **UNITED STATES ASSISTANCE FOR UNITED**
16 **NATIONS PEACEKEEPING ACTIVITIES.**

17 **Section 7 of the United Nations Participa-**
18 **tion Act of 1945 (22 U.S.C. 287d-1) is amend-**
19 **ed—**

20 **(1) in subsection (a), by inserting**
21 **“other than subsection (e)(1)” after “any**
22 **other law”; and**

23 **(2) by adding at the end the following**
24 **new subsection:**

1 **“(e)(1) Except as provided in paragraphs**
2 **(2) and (3), at least 15 days before any agency**
3 **or entity of the United States Government**
4 **makes available to the United Nations any as-**
5 **sistance or facility to support or facilitate**
6 **United Nations peacekeeping activities, the**
7 **President shall so notify the designated con-**
8 **gressional committees.**

9 **“(2) Paragraph (1) does not apply to—**

10 **“(A) assistance having a value of less**
11 **than \$1,000,000 in the case of**
12 **nonreimbursable assistance or less than**
13 **\$5,000,000 in the case of reimbursable as-**
14 **sistance; or**

15 **“(B) assistance provided under the**
16 **emergency drawdown authority con-**
17 **tained in sections 506(a)(1) and 552(c)(2)**
18 **of the Foreign Assistance Act of 1961 (22**
19 **U.S.C. 2318(a)(1), 2348a(c)(2)).**

20 **“(3) If the President determines that an**
21 **emergency exists which prevents compliance**
22 **with the requirement in paragraph (1) that**
23 **notification be provided 15 days in advance**
24 **and that the contribution of any such assist-**
25 **ance or facility is in the national security in-**

1 **terests of the United States, such notification**
2 **shall be provided in a timely manner but not**
3 **later than 48 hours after such assistance or fa-**
4 **cility is made available to the United Nations.**

5 **“(4) For purposes of this subsection, the**
6 **term ‘assistance’—**

7 **“(A) means assistance of any kind, in-**
8 **cluding logistical support, supplies,**
9 **goods, or services (including command,**
10 **control, communications or intelligence**
11 **assistance and training), and the grant of**
12 **rights of passage; and**

13 **“(B) includes assistance provided**
14 **through in-kind contributions or through**
15 **the provision of support, supplies, goods,**
16 **or services on any terms, including on a**
17 **grant, lease, loan, or reimbursable basis;**
18 **but**

19 **“(C) does not include the payment of**
20 **assessed or voluntary contributions.”.**

21 **SEC. 505. UNITED STATES CONTRIBUTIONS TO UNITED NA-**
22 **TIONS PEACEKEEPING ACTIVITIES.**

23 **Section 4(d)(1) of the United Nations Par-**
24 **ticipation Act of 1945 (22 U.S.C. 287b(d)(1)) is**
25 **amended—**

1 **(1) by redesignating subparagraph**
2 **(D) as subparagraph (E); and**

3 **(2) by inserting after subparagraph**
4 **(C) the following new subparagraph:**

5 **“(D) A description of the antici-**
6 **pated budget for the next fiscal year**
7 **for United States participation in**
8 **United Nations peacekeeping activi-**
9 **ties, including a statement of—**

10 **“(i) the aggregate amount of**
11 **funds available to the United Na-**
12 **tions for that fiscal year, includ-**
13 **ing assessed and voluntary con-**
14 **tributions, which may be made**
15 **available for United Nations**
16 **peacekeeping activities; and**

17 **“(ii) the aggregate amount of**
18 **funds (from all accounts) and the**
19 **aggregate costs of in-kind con-**
20 **tributions that the United States**
21 **proposes to make available to the**
22 **United Nations for that fiscal year**
23 **for United Nations peacekeeping**
24 **activities.”.**

1 **SEC. 506. REIMBURSEMENT TO THE UNITED STATES FOR**
2 **IN-KIND CONTRIBUTIONS TO UNITED NA-**
3 **TIONS PEACEKEEPING ACTIVITIES.**

4 **(a) IN GENERAL.—Section 7 of the United**
5 **Nations Participation Act of 1945 (22 U.S.C.**
6 **287d-1), as amended by section 504, is further**
7 **amended—**

8 **(1) in subsection (b)—**

9 **(A) by inserting “(1)” after “(b)”;**

10 **(B) by striking “United States:**
11 ***Provided,*” through “*Provided further,***
12 **That when” and inserting “United**
13 **States. When”; and**

14 **(C) by adding at the end the fol-**
15 **lowing:**

16 **“(2) The Secretary of Defense may waive**
17 **the requirement for reimbursement under**
18 **paragraph (1) if the Secretary, after consulta-**
19 **tion with the Secretary of State and the Direc-**
20 **tor of the Office of Management and Budget,**
21 **determines that an emergency exists which**
22 **justifies waiver of that requirement. Any such**
23 **waiver shall be submitted to the designated**
24 **congressional committees, as defined in sec-**
25 **tion 10(a)(3)(B), at least 15 days before it takes**
26 **effect, except that if the President determines**

1 **that an emergency exists which prevents com-**
2 **pliance with the requirement that the notifi-**
3 **cation be provided 15 days in advance and**
4 **that the provision under subsection (a)(1) or**
5 **(a)(2) of personnel or assistance on a**
6 **nonreimbursable basis is in the national secu-**
7 **rity interests of the United States, such notifi-**
8 **cation shall be provided in a timely manner**
9 **but no later than 48 hours after such waiver**
10 **takes effect.”; and**

11 **(2) by adding at the end the following**
12 **new subsection:**

13 **“(f) The Secretary of State shall ensure**
14 **that goods and services provided on a reim-**
15 **bursable basis by the Department of Defense**
16 **to the United Nations for United Nations**
17 **peacekeeping operations under this section**
18 **or any other provision of law are reimbursed**
19 **at the appropriate value, as determined by**
20 **the Secretary of Defense.”.**

21 **(b) INITIAL REPORT.—**

22 **(1) IN GENERAL.—Not later than one**
23 **year after the date of the enactment of**
24 **this Act, the Representative of the United**
25 **States to the United Nations shall submit**

1 to the designated congressional commit-
2 tees a report on all actions taken by the
3 United States mission to the United Na-
4 tions to achieve the objective described
5 in section 7(f) of the United Nations Par-
6 ticipation Act of 1945, as added by sub-
7 section (a)(2).

8 (2) DESIGNATED CONGRESSIONAL COM-
9 MITTEES DEFINED.—As used in this sub-
10 section, the term “designated congress-
11 sional committees” has the meaning
12 given such term in section 10(a)(3)(B) of
13 the United Nations Participation Act of
14 1945, as added by section 501.

15 SEC. 507. PROHIBITION ON USE OF FUNDS TO PAY UNITED
16 STATES ASSESSED OR VOLUNTARY CON-
17 TRIBUTIONS FOR UNITED NATIONS PEACE-
18 KEEPING ACTIVITIES.

19 (a) IN GENERAL.—Section 10 of the United
20 Nations Participation Act of 1945 is amended
21 by adding after subsection (b), as added by
22 section 503, the following new subsection:

23 “(c) PROHIBITION ON USE OF FUNDS TO PAY
24 ASSESSED OR VOLUNTARY CONTRIBUTIONS FOR
25 PEACEKEEPING ACTIVITIES.—

1 **“(1) IN GENERAL.—Appropriated funds**
2 **may not be used to pay any United States**
3 **assessed or voluntary contribution dur-**
4 **ing any fiscal year for United Nations**
5 **peacekeeping activities until the Sec-**
6 **retary of Defense certifies to the des-**
7 **ignated congressional committees that**
8 **the United Nations has reimbursed the**
9 **Department of Defense directly for all**
10 **goods and services that were provided to**
11 **the United Nations by the Department of**
12 **Defense on a reimbursable basis during**
13 **the preceding fiscal year for United Na-**
14 **tions peacekeeping activities, including**
15 **personnel and assistance provided under**
16 **section 7 (except to the extent that the**
17 **authority of subsection (b)(2) of such sec-**
18 **tion to waive the reimbursement require-**
19 **ment was exercised with respect to such**
20 **personnel or assistance).**

21 **“(2) EXCEPTION.—The prohibition con-**
22 **tained in paragraph (1) shall not apply**
23 **when the Department of Defense has**
24 **failed to submit its bills in a timely man-**

1 **“(b) LIMITATION ON USE OF FUNDS FOR PAR-**
2 **TICIPATION IN PEACEKEEPING ACTIVITIES.—**
3 **Funds available to the Department of Defense**
4 **may be used for payment of the incremental**
5 **costs associated with the participation of ele-**
6 **ments of the armed forces in United Nations**
7 **peacekeeping activities only to the extent**
8 **that Congress has by law specifically author-**
9 **ized the use of those funds for such pur-**
10 **poses.”.**

11 **(2) The table of sections at the beginning**
12 **of such chapter is amended by adding at the**
13 **end the following new item:**

“406. Use of Department of Defense funds for United States
 share of costs of United Nations peacekeeping ac-
 tivities: limitation.”.

14 **(b) EFFECTIVE DATE.—Section 406 of title**
15 **10, United States Code, as added by sub-**
16 **section (a), shall take effect on October 1,**
17 **1995.**

18 **SEC. 509. CODIFICATION OF LIMITATION ON AMOUNT OF**
19 **UNITED STATES ASSESSED CONTRIBUTIONS**
20 **FOR UNITED NATIONS PEACEKEEPING OPER-**
21 **ATIONS.**

22 **(a) IN GENERAL.—Section 10 of the United**
23 **Nations Participation Act of 1945 is amended**

1 **by adding after subsection (c), as added by**
2 **section 507, the following new subsection:**

3 **“(d) LIMITATION ON ASSESSED CONTRIBU-**
4 **TION WITH RESPECT TO A PEACEKEEPING OPER-**
5 **ATION.—Funds authorized to be appropriated**
6 **for ‘Contributions for International Peace-**
7 **keeping Activities’ for any fiscal year shall**
8 **not be available for the payment of the United**
9 **States assessed contribution for a United Na-**
10 **tions peacekeeping operation in an amount**
11 **which is greater than 25 percent of the total**
12 **amount of all assessed contributions for that**
13 **operation, and any arrearages that accumu-**
14 **late as a result of assessments in excess of 25**
15 **percent of the total amount of all assessed**
16 **contributions for any United Nations peace-**
17 **keeping operation shall not be recognized or**
18 **paid by the United States.”.**

19 **(b) EFFECTIVE DATE.—The limitation con-**
20 **tained in section 10(d) of the United Nations**
21 **Participation Act of 1945, as added by sub-**
22 **section (a), shall apply only with respect to**
23 **funds authorized to be appropriated for “Con-**
24 **tributions for International Peacekeeping Ac-**
25 **tivities” for fiscal years after fiscal year 1995.**

1 **(c) CONFORMING AMENDMENT.—Section**
2 **404(b) of the Foreign Relations Authorization**
3 **Act, Fiscal Years 1994 and 1995 (Public Law**
4 **103–236) is amended by striking paragraph**
5 **(2).**

6 **SEC. 510. BUY AMERICAN REQUIREMENT.**

7 **Section 10 of the United Nations Partici-**
8 **ipation Act of 1945 is amended by adding after**
9 **subsection (d), as added by section 509, the**
10 **following new subsections:**

11 **“(e) BUY AMERICAN REQUIREMENT.—No**
12 **funds may be obligated or expended to pay**
13 **any United States assessed or voluntary con-**
14 **tribution for United Nations peacekeeping ac-**
15 **tivities unless the Secretary of State deter-**
16 **mines and certifies to the designated congress-**
17 **sional committees that United States manu-**
18 **facturers and suppliers are being given op-**
19 **portunities to provide equipment, services,**
20 **and material for such activities equal to those**
21 **being given to foreign manufacturers and**
22 **suppliers.**

23 **“(f) DESIGNATED CONGRESSIONAL COMMIT-**
24 **TEES DEFINED.—As used in this section, the**

1 term ‘designated congressional committees’
2 means—

3 “(1) the Committee on International
4 Relations and the Committee on Appro-
5 priations of the House of Representa-
6 tives; and

7 “(2) the Committee on Foreign Rela-
8 tions and the Committee on Appropria-
9 tions of the Senate.”.

10 SEC. 511. UNITED NATIONS BUDGETARY AND MANAGE-
11 MENT REFORM.

12 (a) IN GENERAL.—The United Nations Par-
13 ticipation Act of 1945 (22 U.S.C. 287 et seq.) is
14 further amended by adding at the end the fol-
15 lowing new section:

16 “SEC. 11. (a) WITHHOLDING OF CONTRIBU-
17 TIONS.—

18 “(1) ASSESSED CONTRIBUTIONS FOR REG-
19 ULAR UNITED NATIONS BUDGET.—At the be-
20 ginning of each fiscal year, 20 percent of
21 the amount of funds made available for
22 that fiscal year for United States assessed
23 contributions for the regular United Na-
24 tions budget shall be withheld from obli-
25 gation and expenditure unless a certifi-

1 **cation for that fiscal year has been made**
2 **under subsection (b).**

3 **“(2) ASSESSED CONTRIBUTIONS FOR**
4 **UNITED NATIONS PEACEKEEPING.—At the be-**
5 **ginning of each fiscal year, 50 percent of**
6 **the amount of funds made available for**
7 **that fiscal year for United States assessed**
8 **contributions for United Nations peace-**
9 **keeping activities shall be withheld from**
10 **obligation and expenditure unless a cer-**
11 **tification for that fiscal year has been**
12 **made under subsection (b).**

13 **“(3) VOLUNTARY CONTRIBUTIONS FOR**
14 **UNITED NATIONS PEACEKEEPING.—The Unit-**
15 **ed States may not during any fiscal year**
16 **pay any voluntary contribution to the**
17 **United Nations for international peace-**
18 **keeping activities unless a certification**
19 **for that fiscal year has been made under**
20 **subsection (b).**

21 **“(b) CERTIFICATION.—The certification re-**
22 **ferred to in subsection (a) for any fiscal year**
23 **is a certification by the President to the Con-**
24 **gress, submitted on or after the beginning of**
25 **that fiscal year, of each of the following:**

1 **“(1) The United Nations has an inde-**
2 **pendent office of Inspector General to**
3 **conduct and supervise objective audits,**
4 **inspections, and investigations relating**
5 **to programs and operations of the United**
6 **Nations.**

7 **“(2) The United Nations has an In-**
8 **pector General who was appointed by**
9 **the Secretary General with the approval**
10 **of the General Assembly and whose ap-**
11 **pointment was made principally on the**
12 **basis of the appointee’s integrity and**
13 **demonstrated ability in accounting, au-**
14 **diting, financial analysis, law, manage-**
15 **ment analysis, public administration, or**
16 **investigation.**

17 **“(3) The Inspector General is author-**
18 **ized to—**

19 **“(A) make investigations and re-**
20 **ports relating to the administration**
21 **of the programs and operations of the**
22 **United Nations;**

23 **“(B) have access to all records,**
24 **documents, and other available mate-**

1 **rials relating to those programs and**
2 **operations;**

3 **“(C) have direct and prompt ac-**
4 **cess to any official of the United Na-**
5 **tions; and**

6 **“(D) have access to all records**
7 **and officials of the specialized agen-**
8 **cies of the United Nations.**

9 **“(4) The United Nations has fully im-**
10 **plemented, and made available to all**
11 **member states, procedures that effec-**
12 **tively protect the identity of, and prevent**
13 **reprisals against, any staff member of the**
14 **United Nations making a complaint or**
15 **disclosing information to, or cooperating**
16 **in any investigation or inspection by, the**
17 **United Nations Inspector General.**

18 **“(5) The United Nations has fully im-**
19 **plemented procedures that ensure com-**
20 **pliance with recommendations of the**
21 **United Nations Inspector General.**

22 **“(6) The United Nations has required**
23 **the United Nations Inspector General to**
24 **issue an annual report and has ensured**
25 **that the annual report and all other re-**

1 **ports of the Inspector General are made**
2 **available to the General Assembly with-**
3 **out modification.**

4 **“(7) The United Nations has provided,**
5 **and is committed to providing, sufficient**
6 **budgetary resources to ensure the effec-**
7 **tive operation of the United Nations In-**
8 **spector General.”.**

9 **(b) EFFECTIVE DATE.—Section 11 of the**
10 **United Nations Participation Act of 1945, as**
11 **added by subsection (a), shall apply only with**
12 **respect to fiscal years after fiscal year 1995.**

13 **SEC. 512. CONDITIONS ON PROVISION OF INTELLIGENCE**
14 **TO THE UNITED NATIONS.**

15 **(a) IN GENERAL.—The United Nations Par-**
16 **ticipation Act of 1945 (22 U.S.C. 287 et seq.) is**
17 **further amended by adding at the end the fol-**
18 **lowing new section:**

19 **“SEC. 12. (a) PROVISION OF INTELLIGENCE**
20 **INFORMATION TO THE UNITED NATIONS.—Before**
21 **intelligence information is provided by the**
22 **United States to the United Nations, the**
23 **President shall ensure that the Director of**
24 **Central Intelligence, in consultation with the**
25 **Secretary of State and the Secretary of De-**

1 fense, has established guidelines governing
2 the provision of intelligence information to
3 the United Nations which shall protect intel-
4 ligence sources and methods from unauthor-
5 ized disclosure in accordance with section
6 103(c)(5) of the National Security Act of 1947
7 (50 U.S.C. 403-3(c)(5)).

8 “(b) PERIODIC AND SPECIAL REPORTS.—(1)
9 The President shall periodically report, but
10 not less frequently than semiannually, to the
11 Committee on International Relations and the
12 Permanent Select Committee on Intelligence
13 of the House of Representatives and the Com-
14 mittee on Foreign Relations and the Select
15 Committee on Intelligence of the Senate on
16 the types of intelligence provided to the Unit-
17 ed Nations and the purposes for which it was
18 provided during the period covered by the re-
19 port. The President shall also report to the
20 Permanent Select Committee on Intelligence
21 of the House of Representatives and the Se-
22 lect Committee on Intelligence of the Senate,
23 within 15 days after it becomes known to him,
24 any unauthorized disclosure of intelligence
25 provided to the United Nations.

1 **“(2) The requirement for periodic reports**
2 **under the first sentence of paragraph (1) of**
3 **this subsection shall not apply to the provi-**
4 **sion of intelligence that is provided only to,**
5 **and for the use of, United States Government**
6 **personnel serving with the United Nations.**

7 **“(c) DELEGATION OF DUTIES.—The Presi-**
8 **dent may not delegate or assign the duties of**
9 **the President under this section.**

10 **“(d) IMPROVED HANDLING OF INTELLIGENCE**
11 **INFORMATION BY THE UNITED NATIONS.—The**
12 **Secretary of State (or the designee of the Sec-**
13 **retary), in consultation with the Director of**
14 **Central Intelligence and the Secretary of De-**
15 **fense, shall work with the United Nations to**
16 **improve the handling, processing, dissemina-**
17 **tion, and management of all intelligence in-**
18 **formation provided to it by its members.**

19 **“(e) RELATIONSHIP TO EXISTING LAW.—**
20 **Nothing in this section shall be construed to—**

21 **“(1) impair or otherwise affect the au-**
22 **thority of the Director of Central Intel-**
23 **ligence to protect intelligence sources**
24 **and methods from unauthorized disclo-**
25 **sure pursuant to section 103(c)(5) of the**

1 **National Security Act of 1947 (50 U.S.C.**
2 **403–3(c)(5)); or**

3 **“(2) supersede or otherwise affect the**
4 **provisions of title V of the National Secu-**
5 **urity Act of 1947 (50 U.S.C. 413–415).”.**

6 **(b) EFFECTIVE DATE.—The amendment**
7 **made by subsection (a) shall take effect 45**
8 **days after the date of the enactment of this**
9 **Act.**

10 **TITLE VI—EXPANSION OF THE**
11 **NORTH ATLANTIC TREATY**
12 **ORGANIZATION**

13 **SEC. 601. SHORT TITLE.**

14 **This title may be cited as the “NATO Ex-**
15 **pansion Act of 1995”.**

16 **SEC. 602. FINDINGS.**

17 **The Congress makes the following find-**
18 **ings:**

19 **(1) Since 1949, the North Atlantic**
20 **Treaty Organization (NATO) has helped**
21 **to guarantee the security, freedom, and**
22 **prosperity of the United States and its**
23 **partners in the alliance.**

1 **(2) NATO has expanded its member-**
2 **ship on three different occasions since its**
3 **founding in 1949.**

4 **(3) The steadfast and sustained com-**
5 **mitment of the member countries of**
6 **NATO to mutual defense against the**
7 **threat of communist domination played a**
8 **significant role in precipitating the col-**
9 **lapse of the Iron Curtain and the demise**
10 **of the Soviet Union.**

11 **(4) Although new threats are more**
12 **geographically and functionally diverse**
13 **and less predictable, they still imperil**
14 **shared interests of the United States and**
15 **its NATO allies.**

16 **(5) Western interests must be pro-**
17 **ected on a cooperative basis without an**
18 **undue burden falling upon the United**
19 **States.**

20 **(6) NATO is the only multilateral or-**
21 **ganization that is capable of conducting**
22 **effective military operations to protect**
23 **Western interests.**

24 **(7) The valuable experience gained**
25 **from ongoing military cooperation within**

1 **NATO was critical to the success of joint**
2 **military operations in the 1991 liberation**
3 **of Kuwait.**

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

8 **(9) Admission of Central and East Eu-**
9 **ropean countries that have recently been**
10 **freed from Communist domination to**
11 **NATO could contribute to international**
12 **peace and enhance the security of those**
13 **countries.**

14 **(10) By joining the Partnership for**
15 **Peace, a number of countries have ex-**
16 **pressed interest in NATO membership.**

17 **(11) The Partnership for Peace pro-**
18 **gram is creating new political and mili-**
19 **tary ties with countries in Central and**
20 **Eastern Europe and provides the basis**
21 **for joint action to deal with common se-**
22 **curity problems. Active participation in**
23 **the Partnership for Peace will also play**
24 **an important role in the evolutionary**
25 **process of NATO expansion.**

1 **(12) In particular, Poland, Hungary,**
2 **the Czech Republic, and Slovakia have**
3 **made significant progress toward estab-**
4 **lishing democratic institutions, free mar-**
5 **ket economies, civilian control of their**
6 **armed forces, police, and intelligence**
7 **services, and the rule of law since the fall**
8 **of their previous Communist govern-**
9 **ments.**

10 **SEC. 603. UNITED STATES POLICY.**

11 **It should be the policy of the United**
12 **States—**

13 **(1) to continue the Nation's commit-**
14 **ment to an active leadership role in**
15 **NATO;**

16 **(2) to join with the Nation's NATO al-**
17 **lies to redefine the role of the alliance in**
18 **the post-Cold War world, taking into ac-**
19 **count—**

20 **(A) the fundamentally changed se-**
21 **curity environment of Central and**
22 **Eastern Europe;**

23 **(B) the need to assure all coun-**
24 **tries of the defensive nature of the al-**
25 **liance and the desire of its members**

1 **to work cooperatively with all former**
2 **adversaries;**

3 **(C) the emerging security threats**
4 **posed by the proliferation of nuclear,**
5 **chemical, and biological weapons of**
6 **mass destruction and the means to**
7 **deliver them;**

8 **(D) the continuing challenges to**
9 **the interests of all NATO member**
10 **countries posed by unstable and un-**
11 **democratic regimes harboring hostile**
12 **intentions; and**

13 **(E) the dependence of the global**
14 **economy on a stable energy supply**
15 **and the free flow of commerce;**

16 **(3) to affirm that NATO military plan-**
17 **ning should include joint military oper-**
18 **ations beyond the geographic bounds of**
19 **the alliance under Article 4 of the North**
20 **Atlantic Treaty when the shared interests**
21 **of the United States and other member**
22 **countries require such action to defend**
23 **vital interests;**

24 **(4) to expeditiously pursue joint co-**
25 **operation agreements for the acquisition**

1 **of essential systems to significantly in-**
2 **crease the crisis management capability**
3 **of NATO;**

4 **(5) that Poland, Hungary, the Czech**
5 **Republic, and Slovakia should be in a po-**
6 **sition to further the principles of the**
7 **North Atlantic Treaty and to contribute**
8 **to the security of the North Atlantic area**
9 **in the near future, and, in accordance**
10 **with Article 10 of such Treaty, should be**
11 **invited to become full NATO members,**
12 **provided these countries—**

13 **(A) meet appropriate standards,**
14 **including—**

15 **(i) shared values and inter-**
16 **ests;**

17 **(ii) democratic governments;**

18 **(iii) free market economies;**

19 **(iv) civilian control of the**
20 **military, of the police, and of the**
21 **intelligence and other security**
22 **services, so that these organiza-**
23 **tions do not pose a threat to**
24 **democratic institutions, neighbor-**

1 **ing countries, or the security of**
2 **NATO or the United States;**

3 **(v) adherence to the rule of**
4 **law and to the values, principles,**
5 **and political commitments set**
6 **forth in the Helsinki Final Act**
7 **and other declarations by the**
8 **members of the Organization on**
9 **Security and Cooperation in Eu-**
10 **rope;**

11 **(vi) commitment to further**
12 **the principles of NATO and to**
13 **contribute to the security of the**
14 **North Atlantic area;**

15 **(vii) commitment and ability**
16 **to accept the obligations, respon-**
17 **sibilities, and costs of NATO mem-**
18 **bership; and**

19 **(viii) commitment and ability**
20 **to implement infrastructure de-**
21 **velopment activities that will fa-**
22 **cilitate participation in and sup-**
23 **port for NATO military activities;**
24 **and**

1 **(B) remain committed to protect-**
2 **ing the rights of all their citizens and**
3 **respecting the territorial integrity of**
4 **their neighbors;**

5 **(6) that the United States, other**
6 **NATO member nations, and NATO itself**
7 **should furnish appropriate assistance to**
8 **facilitate the transition of Poland, Hun-**
9 **gary, the Czech Republic, and Slovakia to**
10 **full NATO membership;**

11 **(7) to reaffirm article X of the North**
12 **Atlantic Treaty and the policy decision of**
13 **the North Atlantic Council on December**
14 **1, 1994, that—**

15 **(A) each new member nation may**
16 **be admitted to NATO only by amend-**
17 **ment to the North Atlantic Treaty;**
18 **and**

19 **(B) each current NATO member**
20 **nation will have to complete the trea-**
21 **ty amendment ratification process for**
22 **the admission of each new member**
23 **nation to NATO, subject to the inter-**
24 **nal legal processes of each current**
25 **NATO member nation, and that in the**

1 **case of the United States, the treaty**
2 **amendment ratification process will**
3 **require advice and consent of two-**
4 **thirds of the members of the United**
5 **States Senate present and voting;**

6 **(8) that the expansion of NATO**
7 **should be defensive in nature and should**
8 **occur in a manner that increases stability**
9 **for all nations of Europe, including both**
10 **NATO member nations and non-NATO**
11 **member nations;**

12 **(9) that NATO and its member na-**
13 **tions should cooperate closely with Rus-**
14 **sia on security issues and work to**
15 **strengthen other structures of security**
16 **cooperation in Europe, including the Or-**
17 **ganization on Security and Cooperation**
18 **in Europe; and**

19 **(10) that other European countries**
20 **emerging from communist domination**
21 **may be in a position at a future date to**
22 **further the principles of the North Atlan-**
23 **tic Treaty and to contribute to the secu-**
24 **rity of the North Atlantic area, and at the**
25 **appropriate time they should receive as-**

1 **“(1) SPECIFIED COUNTRIES.—The fol-**
2 **lowing countries are hereby designated**
3 **for purposes of this title: Poland, Hun-**
4 **gary, the Czech Republic, and Slovakia.**

5 **“(2) AUTHORITY FOR PRESIDENT TO DES-**
6 **IGNATE OTHER EUROPEAN COUNTRIES**
7 **EMERGING FROM COMMUNIST DOMINATION.—**
8 **The President may designate other Euro-**
9 **pean countries emerging from communist**
10 **domination (as defined in section 206) to**
11 **receive assistance under the program es-**
12 **tablished under subsection (a). The Presi-**
13 **dent may make such a designation in the**
14 **case of any such country only if the**
15 **President determines, and reports to the**
16 **designated congressional committees,**
17 **that such country—**

18 **“(A) has made significant**
19 **progress toward establishing—**

20 **“(i) shared values and inter-**
21 **ests;**

22 **“(ii) democratic governments;**

23 **“(iii) free market economies;**

24 **“(iv) civilian control of the**
25 **military, of the police, and of the**

1 **intelligence and other security**
2 **services, so that these organiza-**
3 **tions do not pose a threat to**
4 **democratic institutions, neighbor-**
5 **ing countries, or the security of**
6 **NATO or the United States;**

7 **“(v) adherence to the rule of**
8 **law and to the values, principles,**
9 **and political commitments set**
10 **forth in the Helsinki Final Act**
11 **and other declarations by the**
12 **members of the Organization on**
13 **Security and Cooperation in Eu-**
14 **rope;**

15 **“(vi) commitment to further**
16 **the principles of NATO and to**
17 **contribute to the security of the**
18 **North Atlantic area;**

19 **“(vii) commitment and ability**
20 **to accept the obligations, respon-**
21 **sibilities, and costs of NATO mem-**
22 **bership; and**

23 **“(viii) commitment and ability**
24 **to implement infrastructure de-**
25 **velopment activities that will fa-**

1 **facilitate participation in and sup-**
2 **port for NATO military activities;**
3 **and**

4 **“(B) is likely, within five years of**
5 **such determination, to be in a posi-**
6 **tion to further the principles of the**
7 **North Atlantic Treaty and to contrib-**
8 **ute to the security of the North Atlan-**
9 **tic area.”.**

10 **(2) CONFORMING AMENDMENTS.—**

11 **(A) Subsections (b) and (c) of such**
12 **section are amended by striking**
13 **“countries described in such sub-**
14 **section” and inserting “countries des-**
15 **ignated under subsection (d)”.**

16 **(B) Subsection (e) of such section**
17 **is amended—**

18 **(i) by striking “subsection (d)”**
19 **and inserting “subsection (d)(2)”;**
20 **and**

21 **(ii) by inserting “(22 U.S.C.**
22 **2394)” before the period at the**
23 **end.**

24 **(C) Section 204(c) of such Act is**
25 **amended by striking “any other Part-**

1 **nership for Peace country designated**
2 **under section 203(d) of this title” and**
3 **inserting “any country designated**
4 **under section 203(d)(2)”.**

5 **(c) TYPES OF ASSISTANCE.—**

6 **(1) ECONOMIC SUPPORT ASSISTANCE.—**

7 **Subsection (c) of section 203 of such Act**
8 **is amended—**

9 **(A) by redesignating paragraphs**
10 **(3) and (4) as paragraphs (4) and (5),**
11 **respectively; and**

12 **(B) by inserting after paragraph**
13 **(2) the following new paragraph (3):**

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

18 **(2) ADDITIONAL ASSISTANCE.—**

19 **(A) IN GENERAL.—Subsection (f) of**
20 **such section is amended to read as**
21 **follows:**

22 **“(f) ADDITIONAL ASSISTANCE.—In carrying**
23 **out the program established under subsection**
24 **(a), the President may, in addition to the secu-**
25 **rity assistance authorized to be provided**

1 under subsection (c), provide assistance to
2 countries designated under subsection (d)
3 from funds appropriated under the ‘Non-
4 proliferation and Disarmament Fund’ ac-
5 count.”.

6 **(B) EFFECTIVE DATE.**—The amend-
7 ment made by subparagraph (A) does
8 not apply with respect to funds ap-
9 propriated before the date of the en-
10 actment of this Act.

11 **(d) DISQUALIFICATION FROM ASSISTANCE**
12 **FOR SUPPORT OF TERRORISM.**—Section 203 of
13 such Act is further amended by adding at the
14 end the following new subsection:

15 **“(g) PROHIBITION ON PROVIDING ASSISTANCE**
16 **TO COUNTRIES THAT PROVIDE DEFENSE ARTI-**
17 **CLES TO COUNTRIES SUPPORTING INTERNATIONAL**
18 **TERRORISM.**—The President may not provide
19 assistance to a country under the program es-
20 tablished under subsection (a) if such country
21 is selling or transferring defense articles to a
22 state that has repeatedly provided support for
23 acts of international terrorism, as determined
24 by the Secretary of State under section 6(j) of
25 the Export Administration Act of 1979.”.

1 **(e) REPORT PRIOR TO OBLIGATION OR EX-**
2 **PENDITURE OF FUNDS.—Section 203 of such Act**
3 **(as amended by subsection (d)) is further**
4 **amended by adding at the end the following:**

5 **“(h) REPORT PRIOR TO OBLIGATION OR EX-**
6 **PENDITURE OF FUNDS.—Prior to providing as-**
7 **sistance to a country for the first time**
8 **through the program established under sub-**
9 **section (a), the President shall transmit to the**
10 **designated congressional committees a report**
11 **with respect to that country that contains a**
12 **description of the following:**

13 **“(1) The cost of membership in NATO**
14 **for the country and the amount that the**
15 **country is prepared to contribute to**
16 **NATO to pay for such cost of member-**
17 **ship.**

18 **“(2) The amount that the United**
19 **States will contribute to facilitate transi-**
20 **tion to full NATO membership for the**
21 **country.**

22 **“(3) The extent to which the admis-**
23 **sion to NATO of the country would con-**
24 **tribute to the security of the United**
25 **States.**

1 **“(4) The views of other NATO member**
2 **nations regarding the admission to NATO**
3 **of the country and the amounts that such**
4 **other NATO member nations will contrib-**
5 **ute to facilitate transition to full NATO**
6 **membership for the country.”.**

7 **(f) ANNUAL REPORT.—Section 205 of the**
8 **NATO Participation Act of 1994 (title II of**
9 **Public Law 103-447; 22 U.S.C. 1928 note) is**
10 **amended—**

11 **(1) by inserting “ANNUAL” in the sec-**
12 **tion heading before the first word;**

13 **(2) by inserting “annual” after “in-**
14 **clude in the” in the matter preceding**
15 **paragraph (1); and**

16 **(3) in paragraphs (1) and (2), by strik-**
17 **ing “and other” and all that follows**
18 **through the period at the end and insert-**
19 **ing “and any country designated by the**
20 **President pursuant to section 203(d)(2).”.**

21 **(g) DEFINITIONS.—The NATO Participation**
22 **Act of 1994 (title II of Public Law 103-447; 22**
23 **U.S.C. 1928 note) is amended by adding at the**
24 **end the following new section:**

1 **“SEC. 206. DEFINITIONS.**

2 **“For purposes of this title:**

3 **“(1) NATO.—The term ‘NATO’ means**
4 **the North Atlantic Treaty Organization.**

5 **“(2) OTHER EUROPEAN COUNTRIES**
6 **EMERGING FROM COMMUNIST DOMINATION.—**
7 **The term ‘other European countries**
8 **emerging from communist domination’**
9 **means any full and active participant in**
10 **the Partnership for Peace that—**

11 **“(A) is located—**

12 **“(i) in the territory of the**
13 **former Union of Soviet Socialist**
14 **Republics; or**

15 **“(ii) in the territory of the**
16 **former Socialist Federal Republic**
17 **of Yugoslavia; or**

18 **“(B) is among the following coun-**
19 **tries: Estonia, Latvia, Lithuania, Ro-**
20 **mania, Bulgaria, or Albania.**

21 **“(3) DESIGNATED CONGRESSIONAL COM-**
22 **MITTEES.—The term ‘designated congres-**
23 **sional committees’ means—**

24 **“(A) the Committee on Inter-**
25 **national Relations, the Committee on**
26 **National Security, and the Committee**

1 **on Appropriations of the House of**
 2 **Representatives; and**

3 **“(B) the Committee on Foreign**
 4 **Relations, the Committee on Armed**
 5 **Services, and the Committee on Ap-**
 6 **propriations of the Senate.”.**

7 **TITLE VII—BUDGET FIREWALLS**

8 **SEC. 701. RESTORATION OF BUDGET FIREWALLS FOR DE-**
 9 **FENSE SPENDING.**

10 **It is the sense of the Congress that so-**
 11 **called “budget firewalls” between defense and**
 12 **domestic discretionary spending should be es-**
 13 **tablished for each of fiscal years 1996, 1997,**
 14 **and 1998.**

15 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

16 ***(a) SHORT TITLE.—This Act may be cited as***
 17 ***the “National Security Revitalization Act”.***

18 ***(b) TABLE OF CONTENTS.—The table of con-***
 19 ***tents for this Act is as follows:***

Sec. 1. Short title; table of contents.

TITLE I—FINDINGS, POLICY, AND PURPOSES

Sec. 101. Findings.

Sec. 102. Policy.

Sec. 103. Purposes.

TITLE II—MISSILE DEFENSE

Sec. 201. Policy.

Sec. 202. Actions of the Secretary of Defense.

Sec. 203. Report to Congress.

**TITLE III—ADVISORY COMMISSION ON REVITALIZATION
OF NATIONAL SECURITY**

- Sec. 301. Establishment.**
- Sec. 302. Composition.**
- Sec. 303. Duties.**
- Sec. 304. Reports.**
- Sec. 305. Powers.**
- Sec. 306. Commission procedures.**
- Sec. 307. Personnel matters.**
- Sec. 308. Termination of the commission.**
- Sec. 309. Funding.**

TITLE IV—COMMAND OF UNITED STATES FORCES

- Sec. 401. Limitation on expenditure of Department of Defense funds for United States forces placed under United Nations command or control.**
- Sec. 402. Limitation on placement of United States Armed Forces under foreign control for a United Nations peacekeeping activity.**

TITLE V—UNITED NATIONS

- Sec. 501. Credit against assessment for United States expenditures in support of United Nations peacekeeping operations.**
- Sec. 502. Codification of required notice to Congress of proposed United Nations peacekeeping activities.**
- Sec. 503. Notice to Congress regarding United States contributions for United Nations peacekeeping activities.**
- Sec. 504. Revised notice to Congress regarding United States assistance for United Nations peacekeeping activities.**
- Sec. 505. United States contributions to United Nations peacekeeping activities.**
- Sec. 506. Reimbursement to the United States for in-kind contributions to United Nations peacekeeping activities.**
- Sec. 507. Prohibition on use of funds to pay United States assessed or voluntary contribution for United Nations peacekeeping activities unless Department of Defense reimbursed by United Nations for certain goods and services.**
- Sec. 508. Limitation on use of Department of Defense funds for United States share of costs of United Nations peacekeeping activities.**
- Sec. 509. Codification of limitation on amount of United States assessed contributions for United Nations peacekeeping operations.**
- Sec. 510. Buy American requirement.**
- Sec. 511. United Nations peacekeeping budgetary and management reform.**
- Sec. 512. Conditions on provision of intelligence to the United Nations.**

**TITLE VI—REVITALIZATION AND EXPANSION OF THE
NORTH ATLANTIC TREATY ORGANIZATION**

Sec. 601. Short title.

Sec. 602. Findings.

Sec. 603. United States policy.

Sec. 604. Revisions to program to facilitate transition to NATO membership.

TITLE VII—BUDGET FIREWALLS

Sec. 701. Restoration of budget firewalls for defense spending.

1 **TITLE I—FINDINGS, POLICY, AND**
2 **PURPOSES**

3 **SEC. 101. FINDINGS.**

4 ***The Congress finds the following:***

5 ***(1) Dramatic changes in the geo-polit-***
6 ***ical and military landscape during the***
7 ***last decade have had significant impacts***
8 ***on United States security.***

9 ***(2) Those changes include the breakup***
10 ***of the Warsaw Pact alliance, the disinte-***
11 ***gration of the Soviet Union, and an in-***
12 ***crease in regional instability and conflict.***

13 ***(3) While the magnitude and implica-***
14 ***tions of these and other changes continues***
15 ***to evolve, the world remains an unstable***
16 ***and dangerous place. This uncertainty***
17 ***mandates the need for an on-going proc-***
18 ***ess to establish an appropriate national***
19 ***security strategy and the forces needed to***
20 ***implement that strategy.***

1 ***(4) The centerpiece of the defense***
2 ***strategy of the Administration, the review***
3 ***of the Department of Defense conducted***
4 ***by the Secretary of Defense in 1993 known***
5 ***as the “Bottom Up Review”, determined***
6 ***that United States forces must be—***

7 ***(A) prepared to fight and win two***
8 ***nearly simultaneous Major Regional***
9 ***Conflicts;***

10 ***(B) able to sustain robust overseas***
11 ***presence in peacetime;***

12 ***(C) prepared for a variety of re-***
13 ***gional contingencies; and***

14 ***(D) able to deter and prevent at-***
15 ***tacks with weapons of mass destruc-***
16 ***tion against United States territory***
17 ***and forces and the territory and***
18 ***forces of our allies.***

19 ***(5) The Bottom Up Review also rec-***
20 ***ommended significant reductions in mili-***
21 ***tary forces, including reduction in the***
22 ***number of Navy ships by one-third, the***
23 ***number of Air Force wings by almost one-***
24 ***half, and the level of funding for missile***
25 ***defenses by over 50 percent.***

1 ***(6) The General Accounting Office and***
2 ***the Congressional Budget Office have esti-***
3 ***mated that the mismatch between even the***
4 ***restrictive Bottom Up Review force and***
5 ***the Administration defense budget may be***
6 ***up to anywhere from \$65,000,000,000 to***
7 ***\$150,000,000,000.***

8 ***(7) Since January 1993, presidential***
9 ***budgets and budget plans have set forth a***
10 ***reduction in defense spending of***
11 ***\$156,000,000,000 through fiscal year 1999.***

12 ***(8) The fiscal year 1995 budget is the***
13 ***10th consecutive year of reductions in real***
14 ***defense spending and, with the exception***
15 ***of fiscal year 1948, represents the lowest***
16 ***percentage of gross domestic product for***
17 ***any defense budget since World War II.***

18 ***(9) During fiscal year 1995, the num-***
19 ***ber of active duty, reserve component, and***
20 ***civilian personnel of the Department of***
21 ***Defense will be reduced by 182,000, a rate***
22 ***of over 15,000 per month or over 500 per***
23 ***day. The Bureau of Labor Statistics esti-***
24 ***mates that 1,200,000 defense-related pri-***
25 ***vate sector jobs will be lost by 1997.***

1 ***(10) Despite severe reductions and***
2 ***shortfalls in defense funding and force***
3 ***structure, since 1993 United States mili-***
4 ***tary forces have been deployed more often***
5 ***and committed to more peacetime mis-***
6 ***sions per year than ever before. Most of***
7 ***these missions involve United Nations***
8 ***peacekeeping and humanitarian efforts.***
9 ***At the end of fiscal year 1994, over 70,000***
10 ***United States personnel were serving in***
11 ***such regions as Iraq, Bosnia, Macedonia,***
12 ***the Adriatic Sea, Rwanda, and the Carib-***
13 ***bean Sea for missions involving Haiti and***
14 ***Cuba.***

15 ***(11) Despite the dramatic increase in***
16 ***the pace of operations and the diversion***
17 ***of training and exercise funds to cover the***
18 ***costs of unbudgeted contingency oper-***
19 ***ations, the Armed Forces of the United***
20 ***States remain the most capable, moti-***
21 ***vated, and effective military force in the***
22 ***world. The ability to successfully deploy***
23 ***and maintain support for the range of on-***
24 ***going contingency operations dem-***

1 *onstrates the continued quality and pro-*
2 *fessionalism of our troops.*

3 *(12) However, persistent indications of*
4 *declining readiness demonstrate that*
5 *military units are entering the early stage*
6 *of a long-term systemic readiness problem.*
7 *This downward readiness trend risks a re-*
8 *turn to the “hollow forces” of the 1970s.*

9 *(13) At the end of fiscal year 1994, one-*
10 *third of the units in the Army contingency*
11 *force and all of the forward-deployed and*
12 *follow-on Army divisions were reporting a*
13 *reduced state of military readiness. Dur-*
14 *ing fiscal year 1994, training readiness*
15 *declined for the Navy’s Atlantic and Pa-*
16 *cific fleets. Training funding shortfalls*
17 *also resulted in a grounding of Navy and*
18 *Marine Corps aircraft squadrons and*
19 *cancellation and curtailment of Army*
20 *training exercises. Marine and naval per-*
21 *sonnel are not maintaining the standard*
22 *12- to 18-month respite between six-month*
23 *deployments away from home.*

24 *(14) The significant increase in de-*
25 *ployments in support of peacekeeping, hu-*

1 *manitarian, and contingency operations*
2 *has placed great personnel tempo stress*
3 *on many critical operational units.*

4 *(15) A real commitment to equitable*
5 *compensation and protection of quality-of-*
6 *life programs for servicemembers and*
7 *their families is an essential component*
8 *to ensuring high personnel morale and*
9 *sustaining force readiness. However, as of*
10 *January 1, 1995, military pay is approxi-*
11 *mately 12.8 percent below comparable ci-*
12 *vilian levels. As a result, it is estimated*
13 *that close to 17,000 junior enlisted person-*
14 *nel have to rely on food stamps and the*
15 *Department of Defense will soon begin*
16 *providing supplementary food benefits to*
17 *an estimated 11,000 military personnel*
18 *and dependents living overseas.*

19 *(16) Critical long-term modernization*
20 *programs continue to be delayed or can-*
21 *celled as resources are diverted to cover*
22 *short-term personnel and readiness short-*
23 *falls resulting from an underfunded de-*
24 *fense budget and an overextended force,*

1 *threatening the technological superiority*
2 *of future United States forces.*

3 *(17) The fiscal year 1995 defense budg-*
4 *et failed to meet the current force struc-*
5 *ture goal of 184 modern long-range bomb-*
6 *ers, as established in the Bottom-Up Re-*
7 *view. Unless this long-range bomber capa-*
8 *bility shortfall is addressed promptly, the*
9 *Nation's ability to project force will be un-*
10 *dermined and the existing bomber indus-*
11 *trial base may be placed at risk.*

12 *(18) The Administration has initially*
13 *agreed to or proposed treaty limitations,*
14 *or has unilaterally adopted positions,*
15 *that prohibit the United States from test-*
16 *ing or deploying effective missile defense*
17 *systems.*

18 *(19) United Nations assessments to the*
19 *United States for peacekeeping missions*
20 *totaled over \$1,000,000,000 in 1994. The*
21 *United States is assessed 31.7 percent of*
22 *annual United Nations costs for peace-*
23 *keeping and other United Nations mis-*
24 *sions. The next highest contributor,*
25 *Japan, only pays 12.5 percent of such*

1 *costs. The Department of Defense also in-*
2 *curs hundreds of millions of dollars in*
3 *costs every year for United States military*
4 *participation in United Nations peace-*
5 *keeping or humanitarian missions, most*
6 *of which are not reimbursed by the United*
7 *Nations. For fiscal year 1994, these De-*
8 *partment of Defense costs totaled over*
9 *\$1,721,000,000.*

10 *SEC. 102. POLICY.*

11 *The Congress is committed to providing*
12 *adequate resources to protect the national se-*
13 *curity interests of the United States, including*
14 *the resources necessary—*

15 *(1) to provide for sufficient forces to*
16 *meet the national security strategy of*
17 *being able to fight and win two nearly si-*
18 *multaneously major regional conflicts;*

19 *(2) to provide pay and benefits nec-*
20 *essary for members of the Armed Forces*
21 *(including members of the National*
22 *Guard and Reserve as well as active duty*
23 *members) to begin closing the gap be-*
24 *tween rates of civilian pay and rates of*
25 *military pay;*

1 ***(3) to maintain a high quality-of-life***
2 ***for military personnel and their depend-***
3 ***ents;***

4 ***(4) to maintain a high level of mili-***
5 ***tary readiness and take all necessary***
6 ***steps to avoid a return to the “hollow***
7 ***forces” of the 1970s;***

8 ***(5) to fully provide for the necessary***
9 ***modernization of United States military***
10 ***forces in order to ensure their techno-***
11 ***logical superiority over any adversary;***
12 ***and***

13 ***(6) to develop and deploy at the earli-***
14 ***est practical date highly effective na-***
15 ***tional and theater missile defense systems.***

16 ***SEC. 103. PURPOSES.***

17 ***The purposes of this Act are—***

18 ***(1) to establish an advisory commis-***
19 ***sion to assess United States military needs***
20 ***and address the problems posed by the***
21 ***continuing downward spiral of defense***
22 ***spending;***

23 ***(2) to commit the United States to ac-***
24 ***celerate the development and deployment***

1 *of theater and national ballistic missile*
2 *defense capabilities;*

3 *(3) to restrict deployment of United*
4 *States forces to missions that are in the*
5 *national security interest of the United*
6 *States;*

7 *(4) to maintain adequate command*
8 *and control by United States personnel of*
9 *United States forces participating in*
10 *United Nations peacekeeping operations;*

11 *(5) to reduce the cost to the United*
12 *States of United Nations peacekeeping ac-*
13 *tivities and to press for reforms in the*
14 *United Nations management practices;*
15 *and*

16 *(6) to reemphasize the commitment of*
17 *the United States to a strong and viable*
18 *North Atlantic Treaty Organization.*

19 ***TITLE II—MISSILE DEFENSE***

20 ***SEC. 201. POLICY.***

21 *It shall be the policy of the United States*
22 *to—*

23 *(1) deploy at the earliest practical*
24 *date an antiballistic missile system that is*
25 *capable of providing a highly effective de-*

1 *fense of the United States against ballistic*
2 *missile attacks; and*

3 *(2) provide at the earliest practical*
4 *date highly effective theater missile de-*
5 *fenses (TMDs) to forward-deployed and ex-*
6 *peditionary elements of the Armed Forces*
7 *of the United States and to friendly forces*
8 *and allies of the United States.*

9 *SEC. 202. ACTIONS OF THE SECRETARY OF DEFENSE.*

10 *(a) ABM SYSTEMS.—The Secretary of De-*
11 *fense shall develop for deployment at the earli-*
12 *est practical date a cost-effective, operation-*
13 *ally effective antiballistic missile system de-*
14 *signed to protect the United States against*
15 *ballistic missile attacks.*

16 *(b) ADVANCED THEATER MISSILE DE-*
17 *FENSES.—The Secretary of Defense shall de-*
18 *velop for deployment at the earliest practical*
19 *date advanced theater missile defense systems.*

20 *SEC. 203. REPORT TO CONGRESS.*

21 *(a) REQUIREMENT.—Not later than 60 days*
22 *after the date of the enactment of this Act, the*
23 *Secretary of Defense shall submit to the con-*
24 *gressional defense committees a plan for the*
25 *deployment of an antiballistic missile system*

1 *pursuant to section 202(a) and for the deploy-*
2 *ment of theater missile defense systems pursu-*
3 *ant to section 202(b).*

4 **(b) CONGRESSIONAL DEFENSE COMMIT-**
5 **TEES.—For purposes of this section, the term**
6 **“congressional defense committees” means—**

7 **(1) the Committee on National Secu-**
8 **rity and the Committee on Appropriations**
9 **of the House of Representatives; and**

10 **(2) the Committee on Armed Services**
11 **and the Committee on Appropriations of**
12 **the Senate.**

13 **TITLE III—ADVISORY COMMIS-**
14 **SION ON REVITALIZATION OF**
15 **NATIONAL SECURITY**

16 **SEC. 301. ESTABLISHMENT.**

17 **There is hereby established an advisory**
18 **commission to be known as the “Revitalization**
19 **of National Security Commission” (hereinafter**
20 **in this title referred to as the “Commission”).**

21 **SEC. 302. COMPOSITION.**

22 **(a) APPOINTMENT.—The Commission shall**
23 **be composed of 12 members, appointed as fol-**
24 **lows:**

1 ***(1) Four members shall be appointed***
2 ***by the President.***

3 ***(2) Four members shall be appointed***
4 ***by the Speaker of the House of Represent-***
5 ***atives, one of whom shall be appointed***
6 ***upon the recommendation of the minority***
7 ***leader of the House of Representatives.***

8 ***(3) Four members shall be appointed***
9 ***by the president pro tempore of the Sen-***
10 ***ate, three of whom shall be appointed***
11 ***upon the recommendation of the majority***
12 ***leader of the Senate and one of whom***
13 ***shall be appointed upon the recommenda-***
14 ***tion of the minority leader of the Senate.***

15 ***(b) QUALIFICATIONS.—The members of the***
16 ***Commission shall be appointed from among***
17 ***persons having knowledge and experience in***
18 ***defense and foreign policy.***

19 ***(c) TERM OF MEMBERS; VACANCIES.—Mem-***
20 ***bers of the Commission shall be appointed for***
21 ***the life of the Commission. A vacancy on the***
22 ***Commission shall not affect its powers, but***
23 ***shall be filled in the same manner as the origi-***
24 ***nal appointment was made.***

1 ***(d) COMMENCEMENT.—The members of the***
2 ***Commission shall be appointed not later than***
3 ***21 days after the date of the enactment of this***
4 ***Act. The Commission shall convene its first***
5 ***meeting to carry out its duties under this sec-***
6 ***tion 14 days after seven members of the Com-***
7 ***mission have been appointed.***

8 ***(e) CHAIRMAN.—The chairman of the Com-***
9 ***mission shall be designated jointly by the***
10 ***Speaker of the House of Representatives and***
11 ***the majority leader of the Senate (after con-***
12 ***sultation with the minority leader of the House***
13 ***of Representatives and the minority leader of***
14 ***the Senate) from among members of the Com-***
15 ***mission appointed under subsection (a)(2) or***
16 ***(a)(3).***

17 ***SEC. 303. DUTIES.***

18 ***(a) COMPREHENSIVE REVIEW.—The Commis-***
19 ***sion shall conduct a comprehensive review of***
20 ***the long-term national security needs of the***
21 ***United States. The review shall include the fol-***
22 ***lowing:***

23 ***(1) An assessment of the need for a***
24 ***new national security strategy and, if it is***

1 *determined that such a new strategy is*
2 *needed, identification of such a strategy.*

3 *(2) An assessment of the need for a*
4 *new national military strategy and, if it is*
5 *determined that such a new strategy is*
6 *needed, identification of such a strategy.*

7 *(3) An assessment of the military force*
8 *structure necessary to support the new*
9 *strategies identified under paragraphs (1)*
10 *and (2).*

11 *(4) An assessment of force moderniza-*
12 *tion requirements necessary to support the*
13 *new strategies identified under para-*
14 *graphs (1) and (2).*

15 *(5) An assessment of military infra-*
16 *structure requirements necessary to sup-*
17 *port the new strategies identified under*
18 *paragraphs (1) and (2).*

19 *(6) An assessment of the funding*
20 *needs of the Department of Defense nec-*
21 *essary to support the long-term national*
22 *security requirements of the United*
23 *States.*

24 *(7) An assessment of the adequacy of*
25 *the force structure recommended in the*

1 ***1993 Bottom-Up Review in executing the***
2 ***national military strategy.***

3 ***(8) An assessment of the adequacy of***
4 ***the current future-years defense plan in***
5 ***fully funding the Bottom-Up Review force***
6 ***structure while maintaining adequate***
7 ***force modernization and military readi-***
8 ***ness objectives.***

9 ***(9) An assessment of the level of de-***
10 ***fense funds expended on non-defense pro-***
11 ***grams.***

12 ***(10) An assessment of the costs to the***
13 ***United States of expanding the member-***
14 ***ship of the North Atlantic Treaty Organi-***
15 ***zation.***

16 ***(11) An assessment of the elements of***
17 ***military pay and allowances constituting***
18 ***the regular military compensation of***
19 ***members of the Armed Forces and the de-***
20 ***velopment of recommendations for***
21 ***changes in those elements in order to end***
22 ***the dependence of some members of the***
23 ***Armed Forces and their families on Fed-***
24 ***eral and local assistance programs.***

1 ***(12) An assessment of the need to re-***
2 ***visе the command and control structure of***
3 ***the Army Reserve.***

4 ***(b) MATTERS TO BE CONSIDERED.—In carry-***
5 ***ing out the review, the Commission shall de-***
6 ***velop specific recommendations to accomplish***
7 ***each of the following:***

8 ***(1) Provide members of the Armed***
9 ***Forces with annual pay raises and other***
10 ***compensation at levels sufficient to begin***
11 ***closing the gap with comparable civilian***
12 ***pay levels.***

13 ***(2) Fully fund cost-effective missile de-***
14 ***fense systems that are deployable at the***
15 ***earliest practical date following enact-***
16 ***ment of this Act.***

17 ***(3) Maintain adequate funding for***
18 ***military readiness accounts without sac-***
19 ***rificing modernization programs.***

20 ***(4) Define policies for committing***
21 ***troops to peacekeeping, peacemaking,***
22 ***peace-enforcing, or humanitarian mis-***
23 ***sions.***

24 ***(5) Maintain a strong role for Guard***
25 ***and Reserve forces.***

1 **(6) Provide a new funding system to**
2 **avoid diversions from military readiness**
3 **accounts to pay for peacekeeping and hu-**
4 **manitarian deployments such as Haiti**
5 **and Rwanda.**

6 **(7) Support measures to enhance secu-**
7 **rity in the Asia-Pacific region, including**
8 **security for the ASEAN Regional Forum**
9 **member nations.**

10 **(8) Reduce the level of defense expend-**
11 **itures for non-defense programs.**

12 **SEC. 304. REPORTS.**

13 **(a) FINAL REPORT.—The Commission shall**
14 **submit to the President and the designated**
15 **congressional committees a report on the as-**
16 **sessments and recommendations referred to in**
17 **section 303 not later than January 1, 1996. The**
18 **report shall be submitted in unclassified and**
19 **classified versions.**

20 **(b) INTERIM REPORT.—The Commission**
21 **shall submit to the President and the des-**
22 **ignated congressional committees an interim**
23 **report describing the Commission's progress in**
24 **fulfilling its duties under section 303. The in-**
25 **terim report shall include any preliminary**

1 *recommendations the Commission may have*
2 *reached and shall be submitted not later than*
3 *October 1, 1995.*

4 *(c) DESIGNATED CONGRESSIONAL COMMIT-*
5 *TEES.—For purposes of this section, the term*
6 *“designated congressional committees”*
7 *means—*

8 *(1) the Committee on National Secu-*
9 *rity, the Committee on International Rela-*
10 *tions, and the Committee on Appropria-*
11 *tions of the House of Representatives; and*

12 *(2) the Committee on Armed Services,*
13 *the Committee on Foreign Relations, and*
14 *the Committee on Appropriations of the*
15 *Senate.*

16 *(d) LIMITATION PENDING SUBMISSION OF IN-*
17 *TERIM REPORT.—The Secretary of the Army may*
18 *not, during the period beginning on the date*
19 *of the enactment of this Act and ending on the*
20 *date on which the interim report under sub-*
21 *section (b) is submitted, take any action to im-*
22 *plement the plan to reorganize the Army Re-*
23 *serve’s continental United States head-*
24 *quarters structures that was announced by the*
25 *Secretary on January 4, 1995.*

1 **SEC. 305. POWERS.**

2 **(a) HEARINGS.—The Commission may, for**
3 **the purpose of carrying out this section, con-**
4 **duct such hearings, sit and act at such times,**
5 **take such testimony, and receive such evi-**
6 **dence, as the Commission considers appro-**
7 **priate.**

8 **(b) ASSISTANCE FROM OTHER AGENCIES.—**
9 **The Commission may secure directly from any**
10 **department or agency of the Federal Govern-**
11 **ment such information, relevant to its duties**
12 **under this title, as may be necessary to carry**
13 **out such duties. Upon request of the chairman**
14 **of the Commission, the head of the department**
15 **or agency shall, to the extent permitted by law,**
16 **furnish such information to the Commission.**

17 **(c) MAIL.—The Commission may use the**
18 **United States mails in the same manner and**
19 **under the same conditions as the departments**
20 **and agencies of the Federal Government.**

21 **(d) ASSISTANCE FROM SECRETARY OF DE-**
22 **FENSE.—The Secretary of Defense shall provide**
23 **to the Commission such reasonable adminis-**
24 **trative and support services as the Commis-**
25 **sion may request.**

1 *SEC. 306. COMMISSION PROCEDURES.*

2 ***(a) MEETINGS.—The Commission shall meet***
3 ***on a regular basis (as determined by the chair-***
4 ***man) and at the call of the chairman or a ma-***
5 ***jority of its members.***

6 ***(b) QUORUM.—A majority of the members of***
7 ***the Commission shall constitute a quorum for***
8 ***the transaction of business.***

9 *SEC. 307. PERSONNEL MATTERS.*

10 ***(a) COMPENSATION.—Each member of the***
11 ***Commission shall serve without compensation,***
12 ***but shall be allowed travel expenses including***
13 ***per diem in lieu of subsistence, as authorized***
14 ***by section 5703 of title 5, United States Code,***
15 ***when engaged in the performance of Commis-***
16 ***sion duties.***

17 ***(b) STAFF.—The Commission shall appoint***
18 ***a staff director, who shall be paid at a rate not***
19 ***to exceed the maximum rate of basic pay under***
20 ***section 5376 of title 5, United States Code, and***
21 ***such professional and clerical personnel as***
22 ***may be reasonable and necessary to enable the***
23 ***Commission to carry out its duties under this***
24 ***title without regard to the provisions of title***
25 ***5, United States Code, governing appointments***
26 ***in the competitive service, and without regard***

1 *to the provisions of chapter 51 and subchapter*
2 *III of chapter 53 of such title, or any other pro-*
3 *vision of law, relating to the number, classi-*
4 *fication, and General Schedule rates. No em-*
5 *ployee appointed under this subsection (other*
6 *than the staff director) may be compensated at*
7 *a rate to exceed the maximum rate applicable*
8 *to level 15 of the General Schedule.*

9 *(c) DETAILED PERSONNEL.—Upon request of*
10 *the chairman of the Commission, the head of*
11 *any department or agency of the Federal Gov-*
12 *ernment is authorized to detail, without reim-*
13 *bursement, any personnel of such department*
14 *or agency to the Commission to assist the Com-*
15 *mission in carrying out its duties under this*
16 *section. The detail of any such personnel may*
17 *not result in the interruption or loss of civil*
18 *service status or privilege of such personnel.*

19 *SEC. 308. TERMINATION OF THE COMMISSION.*

20 *The Commission shall terminate upon sub-*
21 *mission of the final report required by section*
22 *303.*

23 *SEC. 309. FUNDING.*

24 *Of the funds available to the Department*
25 *of Defense, \$1,500,000 shall be made available*

1 *to the Commission to carry out the provisions*
2 *of this title.*

3 ***TITLE IV—COMMAND OF UNITED***
4 ***STATES FORCES***

5 ***SEC. 401. LIMITATION ON EXPENDITURE OF DEPARTMENT***
6 ***OF DEFENSE FUNDS FOR UNITED STATES***
7 ***FORCES PLACED UNDER UNITED NATIONS***
8 ***COMMAND OR CONTROL.***

9 ***(a) IN GENERAL.—(1) Chapter 20 of title 10,***
10 ***United States Code, is amended by inserting***
11 ***after section 404 the following new section:***

12 ***“§ 405. Placement of United States forces under Unit-***
13 ***ed Nations command or control: limita-***
14 ***tion***

15 ***“(a) LIMITATION.—(1) Except as provided in***
16 ***subsections (b) and (c), funds appropriated or***
17 ***otherwise made available for the Department***
18 ***of Defense may not be obligated or expended***
19 ***for activities of any element of the armed***
20 ***forces that after the date of the enactment of***
21 ***this section is placed under United Nations***
22 ***command or control.***

23 ***“(2) In this section, the term ‘under United***
24 ***Nations command or control’ means under the***
25 ***command or operational control of an individ-***

1 *ual acting on behalf of the United Nations for*
2 *the purpose of international peacekeeping,*
3 *peacemaking, peace-enforcing, or similar ac-*
4 *tivity that is authorized by the Security Coun-*
5 *cil under chapter VI or VII of the Charter of*
6 *the United Nations if the senior military com-*
7 *mander of the United Nations force or oper-*
8 *ation—*

9 “(A) *is a foreign national or is a citi-*
10 *zen of the United States who is not a Unit-*
11 *ed States military officer serving on active*
12 *duty; or*

13 “(B) *is a United States military officer*
14 *serving on active duty in a case in*
15 *which—*

16 “(i) *elements of the armed forces*
17 *of the United States assigned or de-*
18 *tailed to that force or operation are*
19 *under the command or operational*
20 *control of a foreign national; and*

21 “(ii) *that senior military com-*
22 *mander does not have the authority to*
23 *dismiss any subordinate officer in the*
24 *chain of command (regardless of na-*
25 *tionality) who is exercising command*

1 ***or operational control over United***
2 ***States forces, to establish rules of en-***
3 ***gagement for United States forces in-***
4 ***volved, and to establish criteria gov-***
5 ***erning the operational employment of***
6 ***United States forces involved.***

7 ***“(b) EXCEPTION FOR PRESIDENTIAL CERTIFI-***
8 ***CATION.—(1) Subsection (a) shall not apply in***
9 ***the case of a proposed placement of any ele-***
10 ***ment of the armed forces under United Na-***
11 ***tions command or control if the President, not***
12 ***less than 15 days before the date on which***
13 ***such United Nations command or control is to***
14 ***become effective (or as provided in paragraph***
15 ***(2)), meets the requirements of subsection (d).***

16 ***“(2) If the President certifies to Congress***
17 ***that an emergency exists that precludes the***
18 ***President from meeting the requirements of***
19 ***subsection (d) 15 days before placing any ele-***
20 ***ment of the armed forces under United Na-***
21 ***tions command or control, the President may***
22 ***place such forces under such command or con-***
23 ***trol and meet the requirements of subsection***
24 ***(d) in a timely manner, but in no event later***

1 *than 48 hours after such command or control*
2 *becomes effective.*

3 **“(c) EXCEPTION FOR AUTHORIZATION BY**
4 **LAW.—Subsection (a) shall not apply in the**
5 **case of a proposed placement of any element**
6 **of the armed forces under United Nations com-**
7 **mand or control if the Congress specifically**
8 **authorizes by law that particular placement of**
9 **United States forces under United Nations**
10 **command or control.**

11 **“(d) PRESIDENTIAL CERTIFICATIONS.—The**
12 **requirements referred to in subsection (b)(1)**
13 **are that the President submit to Congress the**
14 **following:**

15 **“(1) Certification by the President**
16 **that—**

17 **“(A) such a United Nations com-**
18 **mand or control arrangement is nec-**
19 **essary to protect national security in-**
20 **terests of the United States;**

21 **“(B) the commander of any unit of**
22 **the armed forces proposed for place-**
23 **ment under United Nations command**
24 **or control will at all times retain the**
25 **right—**

1 ***“(i) to report independently to***
2 ***superior United States military***
3 ***authorities; and***

4 ***“(ii) to decline to comply with***
5 ***orders judged by the commander***
6 ***to be illegal, militarily imprudent,***
7 ***or beyond the mandate of the mis-***
8 ***sion to which the United States***
9 ***agreed with the United Nations,***
10 ***until such time as that com-***
11 ***mander receives direction from su-***
12 ***perior United States military au-***
13 ***thorities with respect to the orders***
14 ***that the commander has declined***
15 ***to comply with;***

16 ***“(C) any element of the armed***
17 ***forces proposed for placement under***
18 ***United Nations command or control***
19 ***will at all times remain under United***
20 ***States administrative command for***
21 ***such purposes as discipline and eval-***
22 ***uation; and***

23 ***“(D) the United States will retain***
24 ***the authority to withdraw any element***
25 ***of the armed forces from the proposed***

1 ***operation at any time and to take any***
2 ***action it considers necessary to pro-***
3 ***tect those forces if they are engaged.***

4 ***“(2) A report setting forth the follow-***
5 ***ing:***

6 ***“(A) A description of the national***
7 ***security interests that require the***
8 ***placement of United States forces***
9 ***under United Nations command or***
10 ***control.***

11 ***“(B) The mission of the United***
12 ***States forces involved.***

13 ***“(C) The expected size and com-***
14 ***position of the United States forces in-***
15 ***volved.***

16 ***“(D) The incremental cost to the***
17 ***United States of participation in the***
18 ***United Nations operation by the Unit-***
19 ***ed States forces which are proposed to***
20 ***be placed under United Nations com-***
21 ***mand or control.***

22 ***“(E) The precise command and***
23 ***control relationship between the Unit-***
24 ***ed States forces involved and the Unit-***
25 ***ed Nations command structure.***

1 ***“(F) The precise command and***
2 ***control relationship between the Unit-***
3 ***ed States forces involved and the com-***
4 ***mander of the United States unified***
5 ***command for the region in which***
6 ***those United States forces are to oper-***
7 ***ate.***

8 ***“(G) The extent to which the Unit-***
9 ***ed States forces involved will rely on***
10 ***non-United States forces for security***
11 ***and self-defense and an assessment on***
12 ***the ability of those non-United States***
13 ***forces to provide adequate security to***
14 ***the United States forces involved.***

15 ***“(H) The timetable for complete***
16 ***withdrawal of the United States forces***
17 ***involved.***

18 ***“(e) CLASSIFICATION OF REPORT.—A report***
19 ***under subsection (c) shall be submitted in un-***
20 ***classified form and, if necessary, in classified***
21 ***form.***

22 ***“(f) EXCEPTION FOR SMALL FORCES.—This***
23 ***section does not apply in a case in which fewer***
24 ***than 50 members of the armed forces are par-***

1 *ticipating in a particular United Nations op-*
2 *eration or activity.*

3 **“(g) INTERPRETATION.—Nothing in this sec-**
4 **tion may be construed—**

5 **“(1) as authority for the President to**
6 **use any element of the armed forces in**
7 **any operation; or**

8 **“(2) as authority for the President to**
9 **place any element of the armed forces**
10 **under the command or operational con-**
11 **trol of a foreign national.”.**

12 **(2) The table of sections at the beginning**
13 **of subchapter I of such chapter is amended by**
14 **adding at the end the following new item:**

“405. Placement of United States forces under United Nations
command or control: limitation.”.

15 **(b) REPORT RELATING TO CONSTITUTIONAL-**
16 **ITY.—No certification may be submitted by the**
17 **President under section 405(d)(1) of title 10,**
18 **United States Code, as added by subsection (a),**
19 **until the President has submitted to the Con-**
20 **gress (after the date of the enactment of this**
21 **Act) a memorandum of legal points and au-**
22 **thorities explaining why the placement of ele-**
23 **ments of United States Armed Forces under the**
24 **command or operational control of a foreign**

1 *national acting on behalf of the United Na-*
2 *tions does not violate the Constitution.*

3 ***(c) EXCEPTION FOR ONGOING OPERATIONS IN***
4 ***MACEDONIA AND CROATIA.—Section 405 of title***
5 ***10, United States Code, as added by subsection***
6 ***(a), does not apply in the case of activities of***
7 ***the Armed Forces in Macedonia authorized***
8 ***pursuant to United Nations Security Council***
9 ***Resolution 795, adopted December 11, 1992,***
10 ***and subsequent reauthorization Resolutions,***
11 ***and in the case of activities of the Armed***
12 ***Forces in Croatia authorized pursuant to***
13 ***United Nations Security Council Resolution***
14 ***743, adopted February 21, 1992, and subse-***
15 ***quent reauthorization Resolutions, as part of***
16 ***the United Nations force designated as the***
17 ***United Nations Protection Force***
18 ***(UNPROFOR).***

19 ***SEC. 402. LIMITATION ON PLACEMENT OF UNITED STATES***
20 ***ARMED FORCES UNDER FOREIGN CONTROL***
21 ***FOR A UNITED NATIONS PEACEKEEPING AC-***
22 ***TIVITY.***

23 ***(a) IN GENERAL.—Section 6 of the United***
24 ***Nations Participation Act of 1945 (22 U.S.C.***
25 ***287d) is amended to read as follows:***

1 **“SEC. 6. (a) AGREEMENTS WITH SECURITY**
2 **COUNCIL.—(1) Any special agreement described**
3 **in paragraph (2) that is concluded by the**
4 **President with the Security Council shall not**
5 **be effective unless approved by the Congress by**
6 **law.**

7 **“(2) An agreement referred to in para-**
8 **graph (1) is an agreement providing for the**
9 **numbers and types of United States Armed**
10 **Forces, their degree of readiness and general**
11 **locations, or the nature of facilities and assist-**
12 **ance, including rights of passage, to be made**
13 **available to the Security Council for the pur-**
14 **pose of maintaining international peace and**
15 **security in accordance with Article 43 of the**
16 **Charter of the United Nations.**

17 **“(b) LIMITATION.—(1) Except as provided in**
18 **subsections (c) and (d), the President may not**
19 **place any element of the Armed Forces under**
20 **the command or operational control of a for-**
21 **ign national acting on behalf of the United**
22 **Nations for the purpose of international**
23 **peacekeeping, peacemaking, peace-enforcing,**
24 **or similar activity that is authorized by the**

1 *Secretary Council under chapter VI or VII of*
2 *the Charter of the United Nations.*

3 *“(2) For purposes of this section, elements*
4 *of the Armed Forces shall be considered to be*
5 *placed under the command or operational*
6 *control of a foreign national acting on behalf*
7 *of the United Nations only in a case in which*
8 *the senior military commander of the United*
9 *Nations force or operation is a foreign na-*
10 *tional.*

11 *“(c) EXCEPTION FOR PRESIDENTIAL CERTIFI-*
12 *CATION.—(1) Subsection (b) shall not apply in*
13 *the case of a proposed placement of any ele-*
14 *ment of the Armed Forces under such com-*
15 *mand or operational control if the President,*
16 *not less than 15 days before the date on which*
17 *such command or operational control is to be-*
18 *come effective (or as provided in paragraph*
19 *(2)), meets the requirements of subsection (e).*

20 *“(2) If the President certifies to Congress*
21 *that an emergency exists that precludes the*
22 *President from meeting the requirements of*
23 *subsection (e) 15 days before placing any ele-*
24 *ment of the Armed Forces under such com-*
25 *mand or operational control, the President*

1 *may place such forces under such command or*
2 *operational control and meet the requirements*
3 *of subsection (e) in a timely manner, but in no*
4 *event later than 48 hours after such command*
5 *or operational control becomes effective.*

6 **“(d) EXCEPTION FOR AUTHORIZATION BY**
7 **LAW.—Subsection (b) shall not apply in the**
8 **case of a proposed placement of any element**
9 **of the Armed Forces under such command or**
10 **operational control if the Congress specifically**
11 **authorizes by law that particular placement of**
12 **United States forces under such command or**
13 **operational control.**

14 **“(e) PRESIDENTIAL CERTIFICATIONS.—The**
15 **requirements referred to in subsection (c)(1)**
16 **are that the President submit to Congress the**
17 **following:**

18 **“(1) Certification by the President**
19 **that—**

20 **“(A) such a command or oper-**
21 **ational control arrangement is nec-**
22 **essary to protect national security in-**
23 **terests of the United States;**

24 **“(B) the commander of any unit of**
25 **the Armed Forces proposed for place-**

1 *ment under the command or oper-*
2 *ational control of a foreign national*
3 *acting directly on behalf of the United*
4 *Nations will at all times retain the*
5 *right—*

6 *“(i) to report independently to*
7 *superior United States military*
8 *authorities; and*

9 *“(ii) to decline to comply with*
10 *orders judged by the commander*
11 *to be illegal, militarily imprudent,*
12 *or beyond the mandate of the mis-*
13 *sion to which the United States*
14 *agreed with the United Nations,*
15 *until such time as that com-*
16 *mander receives direction from su-*
17 *perior United States military au-*
18 *thorities with respect to the orders*
19 *that the commander has declined*
20 *to comply with;*

21 *“(C) any element of the Armed*
22 *Forces proposed for placement under*
23 *the command or operational control*
24 *of a foreign national acting directly*
25 *on behalf of the United Nations will*

1 ***at all times remain under United***
2 ***States administrative command for***
3 ***such purposes as discipline and eval-***
4 ***uation; and***

5 ***“(D) the United States will retain***
6 ***the authority to withdraw any element***
7 ***of the Armed Forces from the proposed***
8 ***operation at any time and to take any***
9 ***action it considers necessary to pro-***
10 ***tect those forces if they are engaged.***

11 ***“(2) A report setting forth the follow-***
12 ***ing:***

13 ***“(A) A description of the national***
14 ***security interests that require the***
15 ***placement of United States forces***
16 ***under the command or operational***
17 ***control of a foreign national acting***
18 ***directly on behalf of the United Na-***
19 ***tions.***

20 ***“(B) The mission of the United***
21 ***States forces involved.***

22 ***“(C) The expected size and com-***
23 ***position of the United States forces in-***
24 ***volved.***

1 ***“(D) The incremental cost to the***
2 ***United States of participation in the***
3 ***United Nations operation by the Unit-***
4 ***ed States forces which are proposed to***
5 ***be placed under the command or oper-***
6 ***ational control of a foreign national.***

7 ***“(E) The precise command and***
8 ***control relationship between the Unit-***
9 ***ed States forces involved and the Unit-***
10 ***ed Nations command structure.***

11 ***“(F) The precise command and***
12 ***control relationship between the Unit-***
13 ***ed States forces involved and the com-***
14 ***mander of the United States unified***
15 ***command for the region in which***
16 ***those United States forces are to oper-***
17 ***ate.***

18 ***“(G) The extent to which the Unit-***
19 ***ed States forces involved will rely on***
20 ***non-United States forces for security***
21 ***and self-defense and an assessment on***
22 ***the ability of those non-***
23 ***United States forces to provide ade-***
24 ***quate security to the United States***
25 ***forces involved.***

1 **“(H) The timetable for complete**
2 **withdrawal of the United States forces**
3 **involved.**

4 **“(f) CLASSIFICATION OF REPORT.—A report**
5 **under subsection (e) shall be submitted in un-**
6 **classified form and, if necessary, in classified**
7 **form.**

8 **“(g) EXCEPTION FOR SMALL FORCES.—This**
9 **section does not apply in a case in which fewer**
10 **than 50 members of the Armed Forces are par-**
11 **ticipating in a particular United Nations op-**
12 **eration or activity.**

13 **“(h) INTERPRETATION.—Except as author-**
14 **ized in section 7 of this Act, nothing contained**
15 **in this Act shall be construed as an authoriza-**
16 **tion to the President by the Congress to make**
17 **available to the Security Council United**
18 **States Armed Forces, facilities, or assistance.”.**

19 **(b) REPORT RELATING TO CONSTITUTIONAL-**
20 **ITY.—No certification may be submitted by the**
21 **President under section 6(e)(1) of the United**
22 **Nations Participation Act of 1945, as amended**
23 **by subsection (a), until the President has sub-**
24 **mitted to the Congress (after the date of the en-**
25 **actment of this Act) a memorandum of legal**

1 *points and authorities explaining why the*
2 *placement of elements of United States Armed*
3 *Forces under the command or operational con-*
4 *trol of a foreign national acting on behalf of*
5 *the United Nations does not violate the Con-*
6 *stitution.*

7 *(c) EXCEPTION FOR ONGOING OPERATION IN*
8 *MACEDONIA.—Section 6 of the United Nations*
9 *Participation Act of 1945, as amended by sub-*
10 *section (a), does not apply in the case of activi-*
11 *ties of the Armed Forces in Macedonia pursu-*
12 *ant to United Nations Security Council Resolu-*
13 *tions 795, adopted December 11, 1992, and 842,*
14 *adopted June 18, 1993, as part of the United*
15 *Nations force designated as the United Na-*
16 *tions Protection Force (UNPROFOR).*

17 **TITLE V—UNITED NATIONS**

18 **SEC. 501. CREDIT AGAINST ASSESSMENT FOR UNITED**
19 **STATES EXPENDITURES IN SUPPORT OF**
20 **UNITED NATIONS PEACEKEEPING OPER-**
21 **ATIONS.**

22 *(a) IN GENERAL.—The United Nations Par-*
23 *ticipation Act of 1945 (22 U.S.C. 287 et seq.) is*
24 *amended by adding at the end the following*
25 *new section:*

1 **“SEC. 10. (a) CREDIT AGAINST ASSESSMENT**
2 **FOR EXPENDITURES IN SUPPORT OF PEACEKEEP-**
3 **ING OPERATIONS.—**

4 **“(1) LIMITATION.—Funds may be obli-**
5 **gated for payment to the United Nations**
6 **of the United States assessed share of**
7 **peacekeeping operations for a fiscal year**
8 **only to the extent that—**

9 **“(A) the amount of such assessed**
10 **share exceeds—**

11 **“(B) the amount equal to—**

12 **“(i) the total amount identi-**
13 **fied in the report submitted pursu-**
14 **ant to paragraph (2) for the pre-**
15 **ceding fiscal year, reduced by**

16 **“(ii) the amount of any reim-**
17 **bursement or credit to the United**
18 **States by the United Nations for**
19 **the costs of United States support**
20 **for, or participation in, United**
21 **Nations peacekeeping activities**
22 **for that preceding fiscal year.**

23 **“(2) ANNUAL REPORT.—The President**
24 **shall, at the time of submission of the**
25 **budget to the Congress for any fiscal year,**

1 *submit to the designated congressional*
2 *committees a report on the total amount*
3 *of funds appropriated for national de-*
4 *fense purposes for any fiscal year that*
5 *were expended during the preceding fiscal*
6 *year to support or participate in, directly*
7 *or indirectly, United Nations peacekeep-*
8 *ing activities. Such report shall include a*
9 *separate listing by United Nations peace-*
10 *keeping operation of the amount of funds*
11 *expended to support or participate in*
12 *each such operation.*

13 *“(3) DEFINITIONS.—For purposes of this*
14 *subsection:*

15 *“(A) UNITED NATIONS PEACEKEEPING*
16 *ACTIVITIES.—The term ‘United Nations*
17 *peacekeeping activities’ means any*
18 *international peacekeeping, peace-*
19 *making, peace-enforcing, or similar*
20 *activity that is authorized by the Unit-*
21 *ed Nations Security Council under*
22 *chapter VI or VII of the Charter of the*
23 *United Nations.*

24 *“(B) DESIGNATED CONGRESSIONAL*
25 *COMMITTEES.—The term ‘designated*

1 *congressional committees' includes*
2 *the Committee on National Security of*
3 *the House of Representatives and the*
4 *Committee on Armed Services of the*
5 *Senate.”*

6 ***(b) EFFECTIVE DATE.—The limitation con-***
7 ***tained in section 10(a)(1) of the United Na-***
8 ***tions Participation Act of 1945, as added by***
9 ***subsection (a), shall apply only with respect to***
10 ***United Nations assessments for peacekeeping***
11 ***operations after fiscal year 1995.***

12 ***SEC. 502. CODIFICATION OF REQUIRED NOTICE TO CON-***
13 ***GRESS OF PROPOSED UNITED NATIONS***
14 ***PEACEKEEPING ACTIVITIES.***

15 ***(a) REQUIRED NOTICE.—Section 4 of the***
16 ***United Nations Participation Act of 1945 (22***
17 ***U.S.C. 287b) is amended—***

18 ***(1) by striking the second sentence of***
19 ***subsection (a);***

20 ***(2) by redesignating subsection (e) as***
21 ***subsection (f); and***

22 ***(3) by inserting after subsection (d) a***
23 ***new subsection (e) consisting of the text of***
24 ***subsection (a) of section 407 of the For-***
25 ***ign Relations Authorization Act, Fiscal***

1 ***Years 1994 and 1995 (Public Law 103-236),***
2 ***revised—***

3 ***(A) in paragraph (2)—***

4 ***(i) in the matter preceding***
5 ***subparagraph (A), by inserting “in***
6 ***written form not later than the***
7 ***10th day of” after “shall be pro-***
8 ***vided”;***

9 ***(ii) in subparagraph (A)(iv),***
10 ***by inserting “(including facilities,***
11 ***training, transportation, commu-***
12 ***nication, intelligence, and***
13 ***logistical support)” after “covered***
14 ***by the resolution”; and***

15 ***(iii) in subparagraph (B), by***
16 ***adding at the end the following***
17 ***new clause:***

18 ***“(iv) A description of any***
19 ***other United States assistance to***
20 ***or support for the operation (in-***
21 ***cluding facilities, training, trans-***
22 ***portation, communication, intel-***
23 ***ligence, and logistical support),***
24 ***and an estimate of the cost to the***

1 ***United States of such assistance***
2 ***or support.”;***

3 ***(B) by striking paragraph (3);***

4 ***(C) by redesignating paragraph***
5 ***(4) as paragraph (3) and in the last***
6 ***sentence of that paragraph by strik-***
7 ***ing “and (ii)” and inserting “through***
8 ***(iv)”;***

9 ***(D) by inserting after paragraph***
10 ***(3) (as so redesignated) the following***
11 ***new paragraph:***

12 ***“(4) NEW UNITED NATIONS PEACEKEEP-***
13 ***ING OPERATION DEFINED.—As used in para-***
14 ***graphs (2) (B) and (3), the term ‘new Unit-***
15 ***ed Nations peacekeeping operation’ in-***
16 ***cludes any existing or otherwise ongoing***
17 ***United Nations peacekeeping operation—***

18 ***“(A) that is to be expanded by***
19 ***more than 25 percent during the pe-***
20 ***riod covered by the Security Council***
21 ***resolution, as measured by either the***
22 ***number of personnel participating (or***
23 ***authorized to participate) in the oper-***
24 ***ation or the budget of the operation;***
25 ***or***

1 **“(B) that is to be authorized to op-**
2 **erate in a country in which it was not**
3 **previously authorized to operate.”;**
4 **and**

5 **(E) in paragraph (5)—**

6 **(i) by striking “(5) NOTIFICA-**
7 **TION” and all that follows through**
8 **“(B) The President” and inserting**
9 **“(5) QUARTERLY REPORTS.—The**
10 **President”;** and

11 **(ii) by striking “section 4(d)”**
12 **and all that follows through “of**
13 **this section)” and inserting “sub-**
14 **section (d)”.**

15 **(b) CONFORMING REPEAL.—Subsection (a) of**
16 **section 407 of the Foreign Relations Authoriza-**
17 **tion Act, Fiscal Years 1994 and 1995 (Public**
18 **Law 103-236), is repealed.**

19 **(c) DESIGNATED CONGRESSIONAL COMMIT-**
20 **TEES.—Subsection (f) of section 4 of the United**
21 **Nations Participation Act of 1945 (22 U.S.C.**
22 **287b(f)), as redesignated by subsection (a), is**
23 **amended to read as follows:**

24 **“(f) DESIGNATED CONGRESSIONAL COMMIT-**
25 **TEES.—As used in this section, the term “des-**

1 *ignated congressional committees” has the*
2 *meaning given such term in section 10(f).”*

3 *SEC. 503. NOTICE TO CONGRESS REGARDING UNITED*
4 *STATES CONTRIBUTIONS FOR UNITED NA-*
5 *TIONS PEACEKEEPING ACTIVITIES.*

6 *Section 10 of the United Nations Partici-*
7 *ipation Act of 1945 is amended by adding after*
8 *subsection (a), as added by section 501, the fol-*
9 *lowing new subsection:*

10 *“(b) NOTICE TO CONGRESS REGARDING CON-*
11 *TRIBUTIONS FOR PEACEKEEPING ACTIVITIES.—*

12 *“(1) NOTICE REGARDING UNITED NATIONS*
13 *BILLING REQUEST.—Not later than 15 days*
14 *after the date on which the United States*
15 *receives from the United Nations a billing*
16 *requesting a payment by the United States*
17 *of any contribution for United Nations*
18 *peacekeeping activities, the President*
19 *shall so notify the designated congress-*
20 *sional committees.*

21 *“(2) NOTICE REGARDING PROPOSED OBLI-*
22 *GATION OF FUNDS.—The President shall no-*
23 *tify the designated congressional commit-*
24 *tees at least 15 days before the United*
25 *States obligates funds for any assessed or*

1 ***voluntary contribution for United Nations***
2 ***peacekeeping activities, except that if the***
3 ***President determines that an emergency***
4 ***exists which prevents compliance with the***
5 ***requirement that such notification be pro-***
6 ***vided 15 days in advance and that such***
7 ***contribution is in the national security in-***
8 ***terests of the United States, such notifica-***
9 ***tion shall be provided in a timely manner***
10 ***but no later than 48 hours after such obli-***
11 ***gation.”***

12 ***SEC. 504. REVISED NOTICE TO CONGRESS REGARDING***
13 ***UNITED STATES ASSISTANCE FOR UNITED***
14 ***NATIONS PEACEKEEPING ACTIVITIES.***

15 ***Section 7 of the United Nations Participa-***
16 ***tion Act of 1945 (22 U.S.C. 287d-1) is amend-***
17 ***ed—***

18 ***(1) in subsection (a), by inserting***
19 ***“other than subsection (e)(1)” after “any***
20 ***other law”; and***

21 ***(2) by adding at the end the following***
22 ***new subsection:***

23 ***“(e)(1) Except as provided in paragraphs***
24 ***(2) and (3), at least 15 days before any agency***
25 ***or entity of the United States Government***

1 *makes available to the United Nations any as-*
2 *sistance or facility to support or facilitate*
3 *United Nations peacekeeping activities, the*
4 *President shall so notify the designated con-*
5 *gressional committees.*

6 *“(2) Paragraph (1) does not apply to—*

7 *“(A) assistance having a value of less*
8 *than \$1,000,000 in the case of*
9 *nonreimbursable assistance or less than*
10 *\$5,000,000 in the case of reimbursable as-*
11 *sistance; or*

12 *“(B) assistance provided under the*
13 *emergency drawdown authority contained*
14 *in sections 506(a)(1) and 552(c)(2) of the*
15 *Foreign Assistance Act of 1961 (22 U.S.C.*
16 *2318(a)(1), 2348a(c)(2)).*

17 *“(3) If the President determines that an*
18 *emergency exists which prevents compliance*
19 *with the requirement in paragraph (1) that*
20 *notification be provided 15 days in advance*
21 *and that the contribution of any such assist-*
22 *ance or facility is in the national security in-*
23 *terests of the United States, such notification*
24 *shall be provided in a timely manner but not*

1 *later than 48 hours after such assistance or fa-*
2 *cility is made available to the United Nations.*

3 *“(4) For purposes of this subsection, the*
4 *term ‘assistance’—*

5 *“(A) means assistance of any kind, in-*
6 *cluding logistical support, supplies,*
7 *goods, or services (including command,*
8 *control, communications or intelligence*
9 *assistance and training), and the grant of*
10 *rights of passage; and*

11 *“(B) includes assistance provided*
12 *through in-kind contributions or through*
13 *the provision of support, supplies, goods,*
14 *or services on any terms, including on a*
15 *grant, lease, loan, or reimbursable basis;*
16 *but*

17 *“(C) does not include the payment of*
18 *assessed or voluntary contributions.”.*

19 *SEC. 505. UNITED STATES CONTRIBUTIONS TO UNITED NA-*
20 *TIONS PEACEKEEPING ACTIVITIES.*

21 *Section 4(d)(1) of the United Nations Par-*
22 *ticipation Act of 1945 (22 U.S.C. 287b(d)(1)) is*
23 *amended—*

24 *(1) by redesignating subparagraph*
25 *(D) as subparagraph (E); and*

1 ***(2) by inserting after subparagraph***
2 ***(C) the following new subparagraph:***

3 ***“(D) A description of the antici-***
4 ***pated budget for the next fiscal year***
5 ***for United States participation in***
6 ***United Nations peacekeeping activi-***
7 ***ties, including a statement of—***

8 ***“(i) the aggregate amount of***
9 ***funds available to the United Na-***
10 ***tions for that fiscal year, includ-***
11 ***ing assessed and voluntary con-***
12 ***tributions, which may be made***
13 ***available for United Nations***
14 ***peacekeeping activities; and***

15 ***“(ii) the aggregate amount of***
16 ***funds (from all accounts) and the***
17 ***aggregate costs of in-kind con-***
18 ***tributions that the United States***
19 ***proposes to make available to the***
20 ***United Nations for that fiscal year***
21 ***for United Nations peacekeeping***
22 ***activities.”.***

1 **SEC. 506. REIMBURSEMENT TO THE UNITED STATES FOR**
2 **IN-KIND CONTRIBUTIONS TO UNITED NA-**
3 **TIONS PEACEKEEPING ACTIVITIES.**

4 **(a) IN GENERAL.—Section 7 of the United**
5 **Nations Participation Act of 1945 (22 U.S.C.**
6 **287d-1), as amended by section 504, is further**
7 **amended—**

8 **(1) in subsection (b)—**

9 **(A) by inserting “(1)” after “(b)”;**

10 **(B) by striking “United States:**
11 **Provided,” through “Provided further,**
12 **That when” and inserting “United**
13 **States. When”; and**

14 **(C) by adding at the end the fol-**
15 **lowing:**

16 **“(2) The Secretary of Defense may waive**
17 **the requirement for reimbursement under**
18 **paragraph (1) if the Secretary, after consulta-**
19 **tion with the Secretary of State and the Direc-**
20 **tor of the Office of Management and Budget,**
21 **determines that an emergency exists which**
22 **justifies waiver of that requirement. Any such**
23 **waiver shall be submitted to the designated**
24 **congressional committees, as defined in sec-**
25 **tion 10(a)(3)(B), at least 15 days before it takes**
26 **effect, except that if the President determines**

1 *that an emergency exists which prevents com-*
2 *pliance with the requirement that the notifica-*
3 *tion be provided 15 days in advance and that*
4 *the provision under subsection (a)(1) or (a)(2)*
5 *of personnel or assistance on a*
6 *nonreimbursable basis is in the national secu-*
7 *rity interests of the United States, such notifi-*
8 *cation shall be provided in a timely manner*
9 *but no later than 48 hours after such waiver*
10 *takes effect.”; and*

11 *(2) by adding at the end the following*
12 *new subsection:*

13 *“(f) The Secretary of State shall ensure*
14 *that goods and services provided on a reim-*
15 *bursable basis by the Department of Defense to*
16 *the United Nations for United Nations peace-*
17 *keeping operations under this section or any*
18 *other provision of law are reimbursed at the*
19 *appropriate value, as determined by the Sec-*
20 *retary of Defense.”.*

21 *(b) INITIAL REPORT.—*

22 *(1) IN GENERAL.—Not later than one*
23 *year after the date of the enactment of*
24 *this Act, the Representative of the United*
25 *States to the United Nations shall submit*

1 *to the designated congressional commit-*
2 *tees a report on all actions taken by the*
3 *United States mission to the United Na-*
4 *tions to achieve the objective described in*
5 *section 7(f) of the United Nations Partici-*
6 *ipation Act of 1945, as added by subsection*
7 *(a)(2).*

8 *(2) DESIGNATED CONGRESSIONAL COM-*
9 *MITTEES DEFINED.—As used in this sub-*
10 *section, the term “designated congress-*
11 *sional committees” has the meaning given*
12 *such term in section 10(a)(3)(B) of the*
13 *United Nations Participation Act of 1945,*
14 *as added by section 501.*

15 *SEC. 507. PROHIBITION ON USE OF FUNDS TO PAY UNITED*
16 *STATES ASSESSED OR VOLUNTARY CON-*
17 *TRIBUTION FOR UNITED NATIONS PEACE-*
18 *KEEPING ACTIVITIES UNLESS DEPARTMENT*
19 *OF DEFENSE REIMBURSED BY UNITED NA-*
20 *TIONS FOR CERTAIN GOODS AND SERVICES.*

21 *(a) IN GENERAL.—Section 10 of the United*
22 *Nations Participation Act of 1945 is amended*
23 *by adding after subsection (b), as added by sec-*
24 *tion 503, the following new subsection:*

1 ***“(c) PROHIBITION ON USE OF FUNDS TO PAY***
2 ***ASSESSED OR VOLUNTARY CONTRIBUTIONS FOR***
3 ***PEACEKEEPING ACTIVITIES UNLESS DEPARTMENT***
4 ***OF DEFENSE REIMBURSED FOR CERTAIN GOODS***
5 ***AND SERVICES.—Appropriated funds may not be***
6 ***used to pay any United States assessed or vol-***
7 ***untary contribution during any fiscal year for***
8 ***United Nations peacekeeping activities until***
9 ***the Secretary of Defense certifies to the Con-***
10 ***gress that the United Nations has reimbursed***
11 ***the Department of Defense directly for all***
12 ***goods and services that were provided to the***
13 ***United Nations by the Department of Defense***
14 ***on a reimbursable basis during the preceding***
15 ***fiscal year for United Nations peacekeeping***
16 ***activities, including personnel and assistance***
17 ***provided under section 7 (except to the extent***
18 ***that the authority of subsection (b)(2) of such***
19 ***section to waive the reimbursement require-***
20 ***ment was exercised with respect to such per-***
21 ***sonnel or assistance).”***

22 ***(b) EFFECTIVE DATE.—The prohibition con-***
23 ***tained in section 10(c) of the United Nations***
24 ***Participation Act of 1945, as added by sub-***

1 ***section (a), shall apply only with respect to fis-***
2 ***cal years after fiscal year 1995.***

3 ***SEC. 508. LIMITATION ON USE OF DEPARTMENT OF DE-***
4 ***FENSE FUNDS FOR UNITED STATES SHARE***
5 ***OF COSTS OF UNITED NATIONS PEACEKEEP-***
6 ***ING ACTIVITIES.***

7 ***(a) IN GENERAL.—(1) Chapter 20 of title 10,***
8 ***United States Code, is amended by inserting***
9 ***after section 405, as added by section 401 of***
10 ***this Act, the following new section:***

11 ***“§ 406. Use of Department of Defense funds for United***
12 ***States share of costs of United Nations***
13 ***peacekeeping activities: limitation***

14 ***“(a) PROHIBITION ON USE OF FUNDS FOR***
15 ***PAYMENT OF ASSESSMENTS AND VOLUNTARY CON-***
16 ***TRIBUTIONS.—(1) Funds available to the De-***
17 ***partment of Defense may not be used to make***
18 ***a financial contribution (directly or through***
19 ***another department or agency of the United***
20 ***States) to the United Nations—***

21 ***“(A) for the costs of a United Nations***
22 ***peacekeeping activity; or***

23 ***“(B) for any United States arrearage***
24 ***to the United Nations.***

1 ***“(2) The prohibition in paragraph (1)(A)***
2 ***applies to voluntary contributions, as well as***
3 ***to contributions pursuant to assessment by the***
4 ***United Nations for the United States share of***
5 ***the costs of a peacekeeping activity.***

6 ***“(b) LIMITATION ON USE OF FUNDS FOR PAR-***
7 ***TICIPATION IN UNITED NATIONS PEACEKEEPING***
8 ***ACTIVITIES.—Funds available to the Depart-***
9 ***ment of Defense may be used for payment of the***
10 ***incremental costs associated with the partici-***
11 ***pation of elements of the armed forces in a***
12 ***United Nations peacekeeping activity only to***
13 ***the extent that Congress has by law specifi-***
14 ***cally authorized the use of those funds for that***
15 ***purpose.***

16 ***“(c) COVERED PEACEKEEPING ACTIVITIES.—***
17 ***In this section, the term ‘United Nations peace-***
18 ***keeping activity’ means a peacekeeping activ-***
19 ***ity carried out pursuant to a resolution of the***
20 ***United Nations Security Council for which***
21 ***costs are met (in whole or in part) through as-***
22 ***sessments by the United Nations to its member***
23 ***nations.”.***

1 ***(2) The table of sections at the beginning***
2 ***of such chapter is amended by adding at the***
3 ***end the following new item:***

***“406. Use of Department of Defense funds for United States share
of costs of United Nations peacekeeping activities:
limitation.”.***

4 ***(b) EFFECTIVE DATE.—Section 406 of title***
5 ***10, United States Code, as added by subsection***
6 ***(a), shall take effect on October 1, 1995.***

7 ***SEC. 509. CODIFICATION OF LIMITATION ON AMOUNT OF***
8 ***UNITED STATES ASSESSED CONTRIBUTIONS***
9 ***FOR UNITED NATIONS PEACEKEEPING OPER-***
10 ***ATIONS.***

11 ***(a) IN GENERAL.—Section 10 of the United***
12 ***Nations Participation Act of 1945 is amended***
13 ***by adding after subsection (c), as added by sec-***
14 ***tion 507, the following new subsection:***

15 ***“(d) LIMITATION ON ASSESSED CONTRIBU-***
16 ***TION WITH RESPECT TO A PEACEKEEPING OPER-***
17 ***ATION.—Funds authorized to be appropriated***
18 ***for ‘Contributions for International Peace-***
19 ***keeping Activities’ for any fiscal year shall not***
20 ***be available for the payment of the United***
21 ***States assessed contribution for a United Na-***
22 ***tions peacekeeping operation in an amount***
23 ***which is greater than 25 percent of the total***

1 *amount of all assessed contributions for that*
2 *operation.”.*

3 *(b) EFFECTIVE DATE.—The limitation con-*
4 *tained in section 10(d) of the United Nations*
5 *Participation Act of 1945, as added by sub-*
6 *section (a), shall apply only with respect to*
7 *funds authorized to be appropriated for “Con-*
8 *tributions for International Peacekeeping Ac-*
9 *tivities” for fiscal years after fiscal year 1995.*

10 *(c) CONFORMING AMENDMENT.—Section*
11 *404(b) of the Foreign Relations Authorization*
12 *Act, Fiscal Years 1994 and 1995 (Public Law*
13 *103-236) is amended by striking paragraph*
14 *(2).*

15 *SEC. 510. BUY AMERICAN REQUIREMENT.*

16 *Section 10 of the United Nations Partici-*
17 *pation Act of 1945 is amended by adding after*
18 *subsection (d), as added by section 509, the fol-*
19 *lowing new subsections:*

20 *“(e) BUY AMERICAN REQUIREMENT.—No*
21 *funds may be obligated or expended to pay any*
22 *United States assessed or voluntary contribu-*
23 *tion for United Nations peacekeeping activi-*
24 *ties unless the Secretary of State determines*
25 *and certifies to the designated congressional*

1 *committees that United States manufacturers*
2 *and suppliers are being given opportunities to*
3 *provide equipment, services, and material for*
4 *such activities equal to those being given to*
5 *foreign manufacturers and suppliers.*

6 **“(f) DESIGNATED CONGRESSIONAL COMMIT-**
7 **TEES DEFINED.—As used in this section, the**
8 **term ‘designated congressional committees’**
9 **means—**

10 **“(1) the Committee on International**
11 **Relations and the Committee on Appro-**
12 **priations of the House of Representatives;**
13 **and**

14 **“(2) the Committee on Foreign Rela-**
15 **tions and the Committee on Appropria-**
16 **tions of the Senate.”.**

17 **SEC. 511. UNITED NATIONS BUDGETARY AND MANAGEMENT**
18 **REFORM.**

19 **(a) IN GENERAL.—The United Nations Par-**
20 **ticipation Act of 1945 (22 U.S.C. 287 et seq.) is**
21 **further amended by adding at the end the fol-**
22 **lowing new section:**

23 **“SEC. 11. (a) WITHHOLDING OF CONTRIBU-**
24 **TIONS.—**

1 **“(1) ASSESSED CONTRIBUTIONS FOR REG-**
2 **ULAR UNITED NATIONS BUDGET.—At the be-**
3 **ginning of each fiscal year, 20 percent of**
4 **the amount of funds made available for**
5 **that fiscal year for United States assessed**
6 **contributions for the regular United Na-**
7 **tions budget shall be withheld from obli-**
8 **gation and expenditure unless a certifi-**
9 **cation for that fiscal year has been made**
10 **under subsection (b).**

11 **“(2) ASSESSED CONTRIBUTIONS FOR**
12 **UNITED NATIONS PEACEKEEPING.—At the be-**
13 **ginning of each fiscal year, 50 percent of**
14 **the amount of funds made available for**
15 **that fiscal year for United States assessed**
16 **contributions for United Nations peace-**
17 **keeping activities shall be withheld from**
18 **obligation and expenditure unless a cer-**
19 **tification for that fiscal year has been**
20 **made under subsection (b).**

21 **“(3) VOLUNTARY CONTRIBUTIONS FOR**
22 **UNITED NATIONS PEACEKEEPING.—The Unit-**
23 **ed States may not during any fiscal year**
24 **pay any voluntary contribution to the**
25 **United Nations for international peace-**

1 ***keeping activities unless a certification***
2 ***for that fiscal year has been made under***
3 ***subsection (b).***

4 ***“(b) CERTIFICATION.—The certification re-***
5 ***ferred to in subsection (a) for any fiscal year***
6 ***is a certification by the President to the Con-***
7 ***gress, submitted on or after the beginning of***
8 ***that fiscal year, of each of the following:***

9 ***“(1) The United Nations has an inde-***
10 ***pendent office of Inspector General to con-***
11 ***duct and supervise objective audits, in-***
12 ***spections, and investigations relating to***
13 ***programs and operations of the United***
14 ***Nations.***

15 ***“(2) The United Nations has an In-***
16 ***pector General who was appointed by the***
17 ***Secretary General with the approval of***
18 ***the General Assembly and whose appoint-***
19 ***ment was made principally on the basis of***
20 ***the appointee’s integrity and dem-***
21 ***onstrated ability in accounting, auditing,***
22 ***financial analysis, law, management***
23 ***analysis, public administration, or inves-***
24 ***tigation.***

1 ***“(3) The Inspector General is author-***
2 ***ized to—***

3 ***“(A) make investigations and re-***
4 ***ports relating to the administration of***
5 ***the programs and operations of the***
6 ***United Nations;***

7 ***“(B) have access to all records,***
8 ***documents, and other available mate-***
9 ***rials relating to those programs and***
10 ***operations;***

11 ***“(C) have direct and prompt ac-***
12 ***cess to any official of the United Na-***
13 ***tions; and***

14 ***“(D) have access to all records***
15 ***and officials of the specialized agen-***
16 ***cies of the United Nations.***

17 ***“(4) The United Nations has fully im-***
18 ***plemented, and made available to all***
19 ***member states, procedures that effectively***
20 ***protect the identity of, and prevent repris-***
21 ***als against, any staff member of the Unit-***
22 ***ed Nations making a complaint or dis-***
23 ***closing information to, or cooperating in***
24 ***any investigation or inspection by, the***
25 ***United Nations Inspector General.***

1 ***“(5) The United Nations has fully im-***
2 ***plemented procedures that ensure compli-***
3 ***ance with recommendations of the United***
4 ***Nations Inspector General.***

5 ***“(6) The United Nations has required***
6 ***the United Nations Inspector General to***
7 ***issue an annual report and has ensured***
8 ***that the annual report and all other re-***
9 ***ports of the Inspector General are made***
10 ***available to the General Assembly without***
11 ***modification.***

12 ***“(7) The United Nations has provided,***
13 ***and is committed to providing, sufficient***
14 ***budgetary resources to ensure the effective***
15 ***operation of the United Nations Inspector***
16 ***General.”.***

17 ***(b) EFFECTIVE DATE.—Section 11 of the***
18 ***United Nations Participation Act of 1945, as***
19 ***added by subsection (a), shall apply only with***
20 ***respect to fiscal years after fiscal year 1995.***

21 ***SEC. 512. CONDITIONS ON PROVISION OF INTELLIGENCE***
22 ***TO THE UNITED NATIONS.***

23 ***(a) IN GENERAL.—The United Nations Par-***
24 ***ticipation Act of 1945 (22 U.S.C. 287 et seq.) is***

1 *further amended by adding at the end the fol-*
2 *lowing new section:*

3 ***“SEC. 12. (a) CONDITIONS ON PROVISION OF***
4 ***INTELLIGENCE TO THE UNITED NATIONS.—***

5 ***“(1) REQUIREMENT FOR AGREEMENT.—***

6 ***The United States may provide intel-***
7 ***ligence to the United Nations only pursu-***
8 ***ant to a written agreement between the***
9 ***President and the Secretary General of***
10 ***the United Nations.***

11 ***“(2) CONTENT OF AGREEMENT.—Any***
12 ***such agreement shall specify—***

13 ***“(A) the types of intelligence to be***
14 ***provided to the United Nations;***

15 ***“(B) the circumstances under***
16 ***which intelligence may be provided to***
17 ***the United Nations; and***

18 ***“(C) the procedures to be observed***
19 ***by the United Nations—***

20 ***“(i) concerning persons who***
21 ***shall have access to the intel-***
22 ***ligence provided; and***

23 ***“(ii) to protect the intelligence***
24 ***against disclosure not authorized***
25 ***by the agreement.***

1 **“(3) DURATION OF AGREEMENT.—Any**
2 **such agreement shall be effective for a pe-**
3 **riod not to exceed one year from the date**
4 **on which the agreement enters into force.**

5 **“(b) ADVANCE NOTIFICATION TO CONGRESS.—**
6 **An agreement described in subsection (a) shall**
7 **be effective only if the President has transmit-**
8 **ted the agreement to the Committee on Inter-**
9 **national Relations and the Permanent Select**
10 **Committee on Intelligence of the House of Rep-**
11 **resentatives and to the Committee on Foreign**
12 **Relations and the Select Committee on Intel-**
13 **ligence of the Senate not less than 30 days in**
14 **advance of the entry into force of the agree-**
15 **ment.**

16 **“(c) DELEGATION OF AUTHORITY.—The Presi-**
17 **dent may delegate the authority and assign**
18 **the duties of the President under this section**
19 **only to the Secretary of Defense or the Director**
20 **of Central Intelligence.**

21 **“(d) EXCEPTIONS.—Subsection (a) shall not**
22 **apply to the provision of intelligence—**

23 **“(1) that is provided only to, and for**
24 **the use of, United States Government per-**
25 **sonnel serving with the United Nations; or**

1 “(2) *that is essential for the protection*
2 *of nationals of the United States, includ-*
3 *ing members of the United States Armed*
4 *Forces and civilian personnel of the Unit-*
5 *ed States Government.*

6 “(e) *RELATIONSHIP TO EXISTING LAW.—Noth-*
7 *ing in this section shall be construed to—*

8 “(1) *impair or otherwise affect the au-*
9 *thority of the Director of Central Intel-*
10 *ligence to protect intelligence sources and*
11 *methods from unauthorized disclosure*
12 *pursuant to section 103(c)(5) of the Na-*
13 *tional Security Act of 1947 (50 U.S.C. 403-*
14 *3(c)(5)); or*

15 “(2) *supersede or otherwise affect the*
16 *provisions of—*

17 “(A) *title V of the National Secu-*
18 *urity Act of 1947 (50 U.S.C. 413–415); or*

19 “(B) *section 112b of title 1, United*
20 *States Code.”.*

21 “(b) *EFFECTIVE DATE.—The amendment*
22 *made by subsection (a) shall take effect 60*
23 *days after the date of the enactment of this*
24 *Act.*

1 **TITLE VI—REVITALIZATION AND**
2 **EXPANSION OF THE NORTH**
3 **ATLANTIC TREATY ORGANIZA-**
4 **TION**

5 **SEC. 601. SHORT TITLE.**

6 ***This title may be cited as the “NATO Revi-***
7 ***talization and Expansion Act of 1995”.***

8 **SEC. 602. FINDINGS.**

9 ***The Congress makes the following find-***
10 ***ings:***

11 ***(1) Since 1948, the North Atlantic***
12 ***Treaty Organization (NATO) has helped***
13 ***to guarantee the security, freedom, and***
14 ***prosperity of the United States and its***
15 ***partners in the alliance.***

16 ***(2) NATO has expanded its member-***
17 ***ship on three different occasions since its***
18 ***founding in 1949.***

19 ***(3) The steadfast and sustained com-***
20 ***mitment of the member countries of NATO***
21 ***to mutual defense against the threat of***
22 ***communist domination played a signifi-***
23 ***cant role in precipitating the collapse of***
24 ***the Iron Curtain and the demise of the So-***
25 ***viet Union.***

1 ***(4) In the place of that threat, new se-***
2 ***curity threats are emerging to the shared***
3 ***interests of the member countries of***
4 ***NATO.***

5 ***(5) Although these new threats are***
6 ***more geographically and functionally di-***
7 ***verse and less predictable, they still im-***
8 ***peril shared interests of the United States***
9 ***and its NATO allies.***

10 ***(6) Western interests must be protected***
11 ***on a cooperative basis without an undue***
12 ***burden falling upon the United States.***

13 ***(7) NATO is the only multilateral or-***
14 ***ganization that is capable of conducting***
15 ***effective military operations to protect***
16 ***Western interests.***

17 ***(8) The valuable experience gained***
18 ***from ongoing military cooperation within***
19 ***NATO was critical to the success of joint***
20 ***military operations in the 1991 liberation***
21 ***of Kuwait.***

22 ***(9) NATO is an important diplomatic***
23 ***forum for discussion of issues of concern***
24 ***to its member states and for the peaceful***
25 ***resolution of disputes.***

1 ***(10) Admission of Central and East***
2 ***European countries that have recently***
3 ***been freed from Communist domination to***
4 ***NATO could contribute to international***
5 ***peace and enhance the security of those***
6 ***countries.***

7 ***(11) A number of countries, including***
8 ***the Visegrad countries (the Czech Repub-***
9 ***lic, Hungary, Poland, and Slovakia), the***
10 ***Baltic states (Estonia, Latvia, and Lithua-***
11 ***nia), and Ukraine, have expressed interest***
12 ***in NATO membership.***

13 ***(12) In recognition of this interest, the***
14 ***Partnership for Peace proposal offers lim-***
15 ***ited military cooperation to many Euro-***
16 ***pean countries not currently members of***
17 ***NATO, but fails to establish benchmarks***
18 ***or guidelines for eventual NATO member-***
19 ***ship.***

20 ***(13) In particular, Poland, Hungary,***
21 ***the Czech Republic, and Slovakia have***
22 ***made significant progress toward estab-***
23 ***lishing democratic institutions, free mar-***
24 ***ket economies, civilian control of their***
25 ***armed forces, police, and intelligence***

1 *services, and the rule of law since the fall*
2 *of their previous Communist governments.*

3 **SEC. 603. UNITED STATES POLICY.**

4 *It should be the policy of the United*
5 *States—*

6 *(1) to continue the Nation's commit-*
7 *ment to an active leadership role in*
8 *NATO;*

9 *(2) to join with the Nation's NATO al-*
10 *lies to redefine the role of the alliance in*
11 *the post-Cold War world, taking into ac-*
12 *count—*

13 *(A) the fundamentally changed se-*
14 *curity environment of Central and*
15 *Eastern Europe;*

16 *(B) the need to assure all coun-*
17 *tries of the defensive nature of the al-*
18 *liance and the desire of its members to*
19 *work cooperatively with all former ad-*
20 *versaries;*

21 *(C) the emerging security threats*
22 *posed by the proliferation of nuclear,*
23 *chemical, and biological weapons of*
24 *mass destruction and the means to de-*
25 *liver them;*

1 ***(D) the continuing challenges to***
2 ***the interests of all NATO member***
3 ***countries posed by unstable and un-***
4 ***democratic regimes harboring hostile***
5 ***intentions; and***

6 ***(E) the dependence of the global***
7 ***economy on a stable energy supply***
8 ***and the free flow of commerce;***

9 ***(3) to affirm that NATO military plan-***
10 ***ning should include joint military oper-***
11 ***ations beyond the geographic bounds of***
12 ***the alliance under Article 4 of the North***
13 ***Atlantic Treaty when the shared interests***
14 ***of the United States and other member***
15 ***countries require such action to defend***
16 ***vital interests;***

17 ***(4) that Poland, Hungary, the Czech***
18 ***Republic, and Slovakia should be in a po-***
19 ***sition to further the principles of the***
20 ***North Atlantic Treaty and to contribute to***
21 ***the security of the North Atlantic area not***
22 ***later than January 10, 1999 (5 years from***
23 ***the date of the establishment of the Part-***
24 ***nership for Peace), and, in accordance***
25 ***with Article 10 of such Treaty, should be***

1 ***invited to become full NATO members not***
2 ***later than that date, provided these coun-***
3 ***tries—***

4 ***(A) meet appropriate standards,***
5 ***including—***

6 ***(i) shared values and inter-***
7 ***ests;***

8 ***(ii) democratic governments;***

9 ***(iii) free market economies;***

10 ***(iv) civilian control of the***
11 ***military, of the police, and of in-***
12 ***telligence services;***

13 ***(v) adherence to the values,***
14 ***principles, and political commit-***
15 ***ments embodied in the Helsinki***
16 ***Final Act of the Conference on Se-***
17 ***curity and Cooperation in Europe;***

18 ***(vi) commitment to further the***
19 ***principles of NATO and to con-***
20 ***tribute to the security of the North***
21 ***Atlantic area;***

22 ***(vii) commitment to accept the***
23 ***obligations, responsibilities, and***
24 ***costs of NATO membership; and***

1 ***(viii) commitment to imple-***
2 ***ment infrastructure development***
3 ***activities that will facilitate par-***
4 ***ticipation in and support for***
5 ***NATO military activities; and***

6 ***(B) remain committed to protect-***
7 ***ing the rights of all their citizens and***
8 ***respecting the territorial integrity of***
9 ***their neighbors;***

10 ***(5) that the United States, other NATO***
11 ***member nations, and NATO itself should***
12 ***furnish appropriate assistance to facili-***
13 ***tate the transition of Poland, Hungary,***
14 ***the Czech Republic, and Slovakia to full***
15 ***NATO membership not later than Janu-***
16 ***ary 10, 1999; and***

17 ***(6) that other European countries***
18 ***emerging from communist domination, in***
19 ***particular the Baltic states (Estonia, Lat-***
20 ***via, and Lithuania) and Ukraine, may be***
21 ***in a position at a future date to further***
22 ***the principles of the North Atlantic Treaty***
23 ***and to contribute to the security of the***
24 ***North Atlantic area, and at the appro-***
25 ***priate time they should receive assistance***

1 *to facilitate their transition to full NATO*
2 *membership and should be invited to be-*
3 *come full NATO members.*

4 *SEC. 604. REVISIONS TO PROGRAM TO FACILITATE TRANSI-*
5 *TION TO NATO MEMBERSHIP.*

6 *(a) ESTABLISHMENT OF PROGRAM.—Sub-*
7 *section (a) of section 203 of the NATO Partici-*
8 *pation Act of 1994 (title II of Public Law 103-*
9 *447; 22 U.S.C. 1928 note) is amended to read*
10 *as follows:*

11 *“(a) ESTABLISHMENT OF PROGRAM.—The*
12 *President shall establish a program to assist*
13 *in the transition to full NATO membership of*
14 *Poland, Hungary, the Czech Republic, and Slo-*
15 *vakia and any other European country emerg-*
16 *ing from communist domination that is des-*
17 *ignated by the President under subsection*
18 *(d)(2).”.*

19 *(b) ELIGIBLE COUNTRIES.—*

20 *(1) DESIGNATED COUNTRIES.—Sub-*
21 *section (d) of such section is amended to*
22 *read as follows:*

23 *“(d) DESIGNATION OF ELIGIBLE COUN-*
24 *TRIES.—*

1 **“(1) SPECIFIED COUNTRIES.—The follow-**
2 **ing countries are hereby designated for**
3 **purposes of this title: Poland, Hungary,**
4 **the Czech Republic, and Slovakia.**

5 **“(2) AUTHORITY FOR PRESIDENT TO DES-**
6 **IGNATE OTHER EUROPEAN COUNTRIES EMERG-**
7 **ING FROM COMMUNIST DOMINATION.—The**
8 **President may designate other European**
9 **countries emerging from communist domi-**
10 **nation (as defined in section 206) to re-**
11 **ceive assistance under the program estab-**
12 **lished under subsection (a). The President**
13 **may make such a designation in the case**
14 **of any such country only if the President**
15 **determines, and reports to the designated**
16 **congressional committees, that such coun-**
17 **try—**

18 **“(A) has made significant**
19 **progress toward establishing—**

20 **“(i) shared values and inter-**
21 **ests;**

22 **“(ii) democratic governments;**

23 **“(iii) free market economies;**

1 ***“(iv) civilian control of the***
2 ***military, of the police, and of in-***
3 ***telligence services;***

4 ***“(v) adherence to the values,***
5 ***principles, and political commit-***
6 ***ments embodied in the Helsinki***
7 ***Final Act of the Conference on Se-***
8 ***curity and Cooperation in Europe;***
9 ***and***

10 ***“(vi) commitment to further***
11 ***the principles of NATO and to***
12 ***contribute to the security of the***
13 ***North Atlantic area;***

14 ***“(vii) commitment to accept***
15 ***the obligations, responsibilities,***
16 ***and costs of NATO membership;***
17 ***and***

18 ***“(viii) commitment to imple-***
19 ***ment infrastructure development***
20 ***activities that will facilitate par-***
21 ***ticipation in and support for***
22 ***NATO military activities; and***

23 ***“(B) is likely, within five years of***
24 ***such determination, to be in a posi-***
25 ***tion to further the principles of the***

1 ***North Atlantic Treaty and to contrib-***
2 ***ute to the security of the North Atlan-***
3 ***tic area.”.***

4 ***(2) CONFORMING AMENDMENTS.—***

5 ***(A) Subsections (b) and (c) of such***
6 ***section are amended by striking***
7 ***“countries described in such sub-***
8 ***section” and inserting “countries des-***
9 ***ignated under subsection (d)”.***

10 ***(B) Subsection (e) of such section***
11 ***is amended—***

12 ***(i) by striking “subsection (d)”***
13 ***and inserting “subsection (d)(2)”;***
14 ***and***

15 ***(ii) by inserting “(22 U.S.C.***
16 ***2394)” before the period at the***
17 ***end.***

18 ***(C) Section 204(c) of such Act is***
19 ***amended by striking “any other” and***
20 ***inserting “any country designated***
21 ***under section 203(d)(2)”.***

22 ***(c) TYPES OF ASSISTANCE.—***

23 ***(1) ECONOMIC SUPPORT ASSISTANCE.—***

24 ***Subsection (c) of section 203 of such Act is***
25 ***amended—***

1 ***(A) by redesignating paragraphs***
2 ***(3) and (4) as paragraphs (4) and (5),***
3 ***respectively; and***

4 ***(B) by inserting after paragraph***
5 ***(2) the following new paragraph (3):***

6 ***“(3) Assistance under chapter 4 of***
7 ***part II of the Foreign Assistance Act of***
8 ***1961 (relating to the Economic Support***
9 ***Fund).”.***

10 ***(2) ADDITIONAL ASSISTANCE.—***

11 ***(A) IN GENERAL.—Subsection (f) of***
12 ***such section is amended to read as***
13 ***follows:***

14 ***“(f) ADDITIONAL ASSISTANCE.—In carrying***
15 ***out the program established under subsection***
16 ***(a), the President may, in addition to the secu-***
17 ***rity assistance authorized to be provided***
18 ***under subsection (c), provide assistance to***
19 ***countries designated under subsection (d)***
20 ***from funds appropriated under the ‘Non-***
21 ***proliferation and Disarmament Fund’ ac-***
22 ***count.”.***

23 ***(B) EFFECTIVE DATE.—The amend-***
24 ***ment made by subparagraph (A) does***
25 ***not apply with respect to funds appro-***

1 *priated before the date of the enact-*
2 *ment of this Act.*

3 ***(d) DISQUALIFICATION FROM ASSISTANCE FOR***
4 ***SUPPORT OF TERRORISM.—Section 203 of such***
5 ***Act is further amended by adding at the end***
6 ***the following new subsection:***

7 ***“(g) PROHIBITION ON PROVIDING ASSISTANCE***
8 ***TO FOREIGN GOVERNMENTS THAT EXPORT LE-***
9 ***THAL MILITARY EQUIPMENT TO COUNTRIES SUP-***
10 ***PORTING INTERNATIONAL TERRORISM.—Assist-***
11 ***ance may only be provided through the pro-***
12 ***gram established under subsection (a) subject***
13 ***to the same terms and conditions that apply***
14 ***under section 563 of the Foreign Operations,***
15 ***Export Financing, and Related Programs Ap-***
16 ***propriations Act, 1995 (Public Law 103-306),***
17 ***with respect to the making available to foreign***
18 ***governments of funds appropriated or other-***
19 ***wise made available under that Act.”.***

20 ***(e) ANNUAL REPORT.—Section 205 of the***
21 ***NATO Participation Act of 1994 (title II of***
22 ***Public Law 103-447; 22 U.S.C. 1928 note) is***
23 ***amended—***

24 ***(1) by inserting “ANNUAL” in the sec-***
25 ***tion heading before the first word;***

1 ***(2) by inserting “annual” after “in-***
2 ***clude in the” in the matter preceding***
3 ***paragraph (1);***

4 ***(3) by redesignating paragraphs (1)***
5 ***and (2) as paragraphs (2) and (3), respec-***
6 ***tively;***

7 ***(4) by inserting before paragraph (2),***
8 ***as so redesignated, the following new***
9 ***paragraph (1):***

10 ***“(1) An assessment of the progress***
11 ***made by Poland, Hungary, the Czech Re-***
12 ***public, and Slovakia and by any country***
13 ***designated by the President under section***
14 ***203(d)(2) toward meeting the standards***
15 ***for NATO membership set forth in Article***
16 ***10 of the North Atlantic Treaty, includ-***
17 ***ing—***

18 ***“(A) an assessment of the progress***
19 ***of each such country toward establish-***
20 ***ing—***

21 ***“(i) shared values and inter-***
22 ***ests;***

23 ***“(ii) democratic governments;***

24 ***“(iii) free market economies;***

1 “(iv) *civilian control of the*
2 *military, of the police, and of in-*
3 *telligence services;*

4 “(v) *adherence to the values,*
5 *principles, and political commit-*
6 *ments embodied in the Helsinki*
7 *Final Act of the Conference on Se-*
8 *curity and Cooperation in Europe;*

9 “(vi) *commitment to further*
10 *the principles of NATO and to*
11 *contribute to the security of the*
12 *North Atlantic area;*

13 “(vii) *commitment to accept*
14 *the obligations, responsibilities,*
15 *and costs of NATO membership;*
16 *and*

17 “(viii) *commitment to imple-*
18 *ment infrastructure development*
19 *activities that will facilitate par-*
20 *ticipation in and support for*
21 *NATO military activities; and*

22 “(B) *the commitment of each such*
23 *country to protecting the rights of all*
24 *its citizens and respecting the terri-*
25 *torial integrity of its neighbors.”; and*

1 ***(5) in paragraphs (2) and (3), as so re-***
2 ***designated, by striking “and other” and***
3 ***all that follows through the period at the***
4 ***end and inserting “and any country des-***
5 ***ignated by the President pursuant to sec-***
6 ***tion 203(d)(2).”.***

7 ***(f) DEFINITIONS.—The NATO Participation***
8 ***Act of 1994 (title II of Public Law 103–447; 22***
9 ***U.S.C. 1928 note) is amended by adding at the***
10 ***end the following new section:***

11 ***“SEC. 206. DEFINITIONS.***

12 ***“For purposes of this title:***

13 ***“(1) NATO.—The term ‘NATO’ means***
14 ***the North Atlantic Treaty Organization.***

15 ***“(2) OTHER EUROPEAN COUNTRIES***
16 ***EMERGING FROM COMMUNIST DOMINATION.—***
17 ***The term ‘other European countries***
18 ***emerging from communist domination’***
19 ***means—***

20 ***“(A) any member of the Partner-***
21 ***ship for Peace that is located—***

22 ***“(i) in the territory of the***
23 ***former Union of Soviet Socialist***
24 ***Republics; or***

1 “(ii) in the territory of the
2 *former Socialist Federal Republic*
3 *of Yugoslavia; or*

4 “(B) *Estonia, Latvia, Lithuania,*
5 *Romania, Bulgaria, or Albania.*

6 “(3) *DESIGNATED CONGRESSIONAL COM-*
7 *MITTEES.—The term ‘designated congres-*
8 *sional committees’ means—*

9 “(A) *the Committee on Inter-*
10 *national Relations, the Committee on*
11 *National Security, and the Committee*
12 *on Appropriations of the House of*
13 *Representatives; and*

14 “(B) *the Committee on Foreign Re-*
15 *lations, the Committee on Armed Serv-*
16 *ices, and the Committee on Appropria-*
17 *tions of the Senate.”.*

18 ***TITLE VII—BUDGET FIREWALLS***

19 ***SEC. 701. RESTORATION OF BUDGET FIREWALLS FOR DE-***
20 ***FENSE SPENDING.***

21 *It is the sense of the Congress that so-*
22 *called “budget firewalls” between defense and*
23 *domestic discretionary spending should be es-*
24 *tablished for each of fiscal years 1996, 1997,*
25 *and 1998.*

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HR 7 RH—5

HR 7 RH—6

HR 7 RH—7

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A BILL

To revitalize the national security of the United States.

FEBRUARY 6, 1995

Reported with amendments